**A** **JOINT RESOLUTION**

TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES SHALL EXEMPT INDIVIDUALS FROM THE ELIGIBILITY RESTRICTIONS OF 21 U.S.C. 862a(a)(1) AND (2), TO ENSURE ELIGIBILITY FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BENEFITS AND FEDERAL FOOD ASSISTANCE UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES MAY SEEK, APPLY FOR, ACCEPT, OR RENEW A WAIVER OF THE MANDATORY WORK REQUIREMENTS FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AND TO PROVIDE A SUNSET PROVISION.

Whereas, the COVID-19 pandemic and ensuing unemployment crisis have brought to light a need for expanded emergency relief in the state’s public aid and assistance programs; and

Whereas, in this current atmosphere, federal food assistance programs provide a crucial lifeline for families in need; and

Whereas, in response to the COVID-19 pandemic, the United States Department of Agriculture has granted flexibility and emergency allotments to the State for its administration of the Supplemental Nutrition Assistance Program; and

Whereas, however, access to this program and others has not been adequately expanded; and

Whereas, while federal law explicitly provides exceptions related to emergency circumstances, South Carolina has continued to impose overly restrictive measures for individuals who are convicted of certain offenses or do not meet certain work requirements; and

Whereas, during this public health and unemployment crisis, it is imperative that the General Assembly act to ensure that all South Carolina citizens are able to put food on the table. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Pursuant to 21 U.S.C. 862a(d)(1), the Department of Social Services shall exempt individuals from the eligibility restrictions of 21 U.S.C. 862a(a)(1) and (2) to ensure eligibility for temporary assistance for needy families benefits and federal food assistance:

(1) upon completion of the sentence or if the individual is complying with probation, parole, or community supervision as provided in Title 24; and

(2) if the individual meets all other requirements for eligibility under the program or programs.

(B) If an individual violates a condition of probation or community supervision as determined by a court or violates the terms of parole as determined by the Board of Paroles and Pardon, then the individual shall lose eligibility for the program or programs until the underlying sentence is complete, at which point the eligibility is restored. An individual shall be eligible to participate in the program or programs upon the completion of the underlying sentence for the offense, provided that the individual meets all other requirements for eligibility under the program or programs.

SECTION 2. The Department of Social Services may seek, apply for, accept, or renew a waiver of the requirements established pursuant to 7 U.S.C. Section 2015(o), relating to the mandatory work requirements of the Supplemental Nutrition Assistance Program.

SECTION 3. The provisions of SECTION 2 of this joint resolution supersede Proviso 38.32, relating to SNAP eligibility, in Act 91 of 2019, which was extended by Proviso 38.31 in H. 5201 of 2020, and any other similar provisos pursuant to H. 5201 of 2020. The provisions of SECTION 2 also supersede any provision to the contrary enacted after this joint resolution unless the subsequent provision explicitly repeals this joint resolution.

SECTION 4. The provisions of this joint resolution expire on June 30, 2022, unless otherwise extended by the General Assembly.

SECTION 5. This joint resolution takes effect upon approval by the Governor.

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