

HB 1213-FN – AS INTRODUCED

2014 SESSION

14-2155  
05/03

HOUSE BILL

***1213-FN***

AN ACT prohibiting the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards.

SPONSORS: Rep. Sapareto, Rock 6; Rep. Leishman, Hills 24; Rep. W. O'Brien, Hills 5

COMMITTEE: Health, Human Services and Elderly Affairs

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ANALYSIS

This bill prohibits the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT prohibiting the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Prohibited Use of Electronic Benefit Transfer Cards; Alcohol and Tobacco. Amend RSA 167:7-  
2 b, I to read as follows:

3 I. Any person receiving public assistance is prohibited from using electronic benefit transfer  
4 (EBT) cards or cash obtained with EBT cards [~~for the purpose of purchasing~~] **to purchase alcoholic**  
5 **beverages or tobacco products** or [~~participating in any activities in any~~] **to purchase any goods**  
6 **or services in a** location listed in paragraph II. Any person receiving public assistance who uses an  
7 EBT card in violation of **this** paragraph [~~H~~] shall be subject to the following penalties:

8 (a) Suspension of cash assistance benefits for that person for 2 pay periods for the first  
9 offense.

10 (b) Suspension of cash assistance benefits for that person for 4 pay periods for the second  
11 offense.

12 (c) Suspension of cash assistance benefits for that person for 6 pay periods for the third  
13 and subsequent offense.

14 2 Effective Date. This act shall take effect January 1, 2015.

LBAO  
14-2155  
11/04/13

### HB 1213-FN - FISCAL NOTE

AN ACT prohibiting the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards.

#### FISCAL IMPACT:

The Department Health and Human Services states this bill, **as introduced**, will have an indeterminable fiscal impact on state revenue and expenditures, and may increase local expenditures by an indeterminable amount. This bill will have no fiscal impact on county and local revenues, or county expenditures.

#### METHODOLOGY:

The Department of Health and Human Services states this bill prohibits the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards or cash obtained from an EBT card. The Department anticipates there will be some reduction in state expenditures due to recipients having their benefits suspended after an administrative determination of prohibited use of an EBT card. The Department states the bill does not provide an appropriation for enforcement. The Department indicates the Special Investigation Unit's ability to monitor the transactions would be limited, and based on available resources and existing technology, assumes monitoring would be limited to reported telephone and Web-based complaints. In addition, the Department states there will be an increase in local expenditures if individuals whose benefits are suspended apply for local welfare assistance. An exact fiscal impact cannot be determined at this time.

The New Hampshire Municipal Association states this bill would prohibit the use of electronic benefit cards to buy alcohol or tobacco products. The Association states it cannot identify any fiscal impact on municipal revenues or expenditures.