

CHAPTER 269
HB 219-FN – FINAL VERSION

05/14/2015 1569s
24June2015... 2309CofC
24June2015... 2349EBA

2015 SESSION

15-0173
05/01

HOUSE BILL ***219-FN***

AN ACT relative to the use of electronic benefit transfer (EBT) cards.

SPONSORS: Rep. McMahon, Rock 7; Rep. MacKay, Merr 14; Rep. Kotowski, Merr 24;
Rep. LeBrun, Hills 32; Rep. J. Lachance, Hills 8; Rep. M. Griffin, Rock 7;
Rep. Sherman, Rock 24; Rep. Emerson, Ches 11; Rep. Spillane, Rock 2;
Rep. Bailey, Graf 14; Sen. Reagan, Dist 17; Sen. Bradley, Dist 3

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill prohibits the use of EBT cards in businesses that primarily engage in body piercing, branding, or tattooing; cigar stores and smoke shops; and marijuana dispensaries. The bill also requires the department of health and human services to establish an education program relative to the use of EBT cards and requires the department to report on the effectiveness of electronic blocking of EBT cards at prohibited locations.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the use of electronic benefit transfer (EBT) cards.

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

1 269:1 New Subparagraphs; Prohibited Use of Electronic Benefit Transfer Card. Amend RSA
2 167:7-b, II by inserting after subparagraph (d) the following new subparagraphs:

3 (e) Business establishments primarily engaged in the practice of body piercing,
4 branding, or tattooing.

5 (f) Cigar stores and stands, pipe stores, smoke shops, and tobacco shops using merchant
6 category code 5993 identified in the Internal Revenue Bulletin 2004-31 Revenue Procedure 2004-43
7 and any subsequent Internal Revenue Service publication thereto.

8 (g) Marijuana dispensaries, excluding an alternative treatment center as defined in
9 RSA 126-X:1, I.

10 269:2 New Hampshire Department of Health and Human Services; Restrictions on the Use of
11 Electronic Benefit Transfer (EBT) Cards; Education Program. On or before November 1, 2015, the
12 department of health and human services shall develop an education program for cash assistance
13 recipients and retail establishments that accept EBT cards. The program shall provide information
14 regarding the permitted and prohibited use of cash assistance under RSA 167:7-b, including
15 penalties for misuse by businesses and program participants.

16 269:3 New Hampshire Department of Health and Human Services; Restrictions on the Use of
17 Electronic Benefit Transfer (EBT) Cards; Electronic Blocking at Prohibited Locations; Reporting
18 Requirement. On or before November 1, 2015, the department of health and human services shall
19 provide an interim report with a final report on or before July 1, 2016 to the health and human
20 services oversight committee established under RSA 126-A:13 on the use and effectiveness of
21 electronically blocking the use of EBT cards at prohibited locations identified under RSA 167:7-b, II.

22 269:4 Effective Date. This act shall take effect 60 days after its passage.

23

24 Approved: July 20, 2015

25 Effective Date: September 18, 2015