

HOUSE BILL REPORT

HB 1302

As Reported By House Committee On:

Law & Justice

Title: An act relating to crimes involving food stamps.

Brief Description: Revising provisions relating to food stamp crimes.

Sponsors: Representatives Delvin, Costa, Appelwick, Hickel, Robertson, Sheahan, Padden, L. Thomas and Mastin.

Brief History:

Committee Activity:

Law & Justice: 1/31/95, 2/10/95 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 17 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Edie Adams (786-7180).

Background: The federal food stamp program provides eligible households with food coupons which may be used for the purchase of food products. In Washington, the food stamp program is administered by the Department of Social and Health Services according to the federal statute and regulations. The federal government pays for 100 percent of the services provided and 50 percent of the administrative costs incurred by the department.

Eligibility for the program is determined on the basis of the size of the household and the household's resources and income. Households that receive food coupons may only use them to purchase food from retail food stores approved for participation in the food stamp program.

State law establishes criminal penalties for persons who sell food coupons and purchase or traffic in food coupons. A person who purchases or traffics in food coupons issued to another person under the food stamp program administered under

state law is guilty of a class C felony if the coupon's value exceeds \$100 and a gross misdemeanor if the coupon's value is \$100 or less.

The crime of purchasing food coupons requires that the person purchase coupons issued to another person under the state implemented food stamp program. This language could preclude prosecution of a person who purchases food coupons from an undercover police officer because the officer is not issued the coupons under the state program.

Summary of Bill: The crimes relating to unlawful purchase or redemption of food coupons are amended to provide that it is illegal to purchase food stamps as defined by the federal food stamp act or redeem food stamps as defined by the federal food stamp act in violation of the provisions of that act.

References to food "coupons" are replaced with references to food "stamps."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is a major problem with food stamp fraud. The bill will allow law enforcement agencies to enforce the broad array of criminal schemes associated with food stamp trafficking. Current law does not allow for prosecution of persons who purchase food stamps from undercover police officers because the food coupons the officers sell are not issued under the state program. This bill is needed to fix a major gap in the law and bring to justice individuals who are engaging in food stamp fraud.

Testimony Against: None.

Testified: Mike Patrick, Washington State Council of Police Officers (pro); David Dickson, Regional Director, United States Department of Agriculture (pro); Gary Clark, United States Department of Agriculture (pro); Glenn Kerns, Seattle Police Department (pro); Darrell Russell, Washington Association of Prosecuting Attorneys (pro); and Liz Dunbar, Department of Social and Health Services.