



State of Wisconsin  
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5281/1

SWB:klm

## SENATE BILL 10

January 26, 2018 - Introduced by COMMITTEE ON SENATE ORGANIZATION, Senators NASS, KAPENGA, STROEBEL, WANGGAARD, CRAIG, DARLING, FEYEN, MARKLEIN and VUKMIR, cosponsored by Representatives KREMER, OTT, BERNIER, BORN, BRANDTJEN, FELZKOWSKI, HORLACHER, HUTTON, JACQUE, JAGLER, KATSMAN, KERKMAN, KITCHENS, KLEEFISCH, KNODL, KRUG, KUGLITSCH, MURPHY, PETERSEN, PETRYK, ROHRKASTE, SANFELIPPO, SPIROS, THIESFELDT, TITTL, TUSLER and WICHGERS, by request of Governor Scott Walker. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

- 1     **AN ACT to create** 49.79 (7g) of the statutes; **relating to:** photo identification  
2           cards for FoodShare recipients.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Department of Health Services to prepare and submit a comprehensive implementation plan to the food and nutrition service of the U.S. Department of Agriculture for approval to issue electronic benefit transfer identification cards containing a photo to recipients of assistance under the federal food stamp program. The program, now known as the Supplemental Nutrition Assistance Program, or SNAP, and called FoodShare in this state, provides assistance to eligible low-income individuals for purchasing food. SNAP benefits are paid entirely with federal moneys. The cost of administration is split between the federal and state governments; the program is administered in this state by DHS.

In addition to requiring DHS to submit an implementation plan to USDA for approval to issue photo EBT cards, the bill requires DHS to submit a waiver request to USDA to allow DHS to require FoodShare recipients to show an EBT card containing a photo when making purchases using FoodShare benefits. Finally, this bill requires that if FNS and USDA approve the comprehensive implementation plan and the waiver, respectively, DHS must submit the plan, the waiver, and a request for any necessary appropriations to implement the plan to the Joint Committee on Finance for approval. Once the implementation plan and the waiver have federal approval and approval from JCF, then DHS must implement the proposals in the approved implementation plan and issue EBT cards containing photo identification of the FoodShare recipients to whom they are issued.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 49.79 (7g) of the statutes is created to read:

2           **49.79 (7g) FOOD STAMP PHOTO IDENTIFICATION CARDS.** (a) In this subsection, “food  
3 and nutrition service” means the food and nutrition service of the U.S. department  
4 of agriculture.

5           (b) 1. The department shall submit a comprehensive implementation plan to  
6 the food and nutrition service as required by the food and nutrition service guidelines  
7 and federal regulations for allowing electronic benefit transfer cards containing a  
8 photograph. The department shall address in the implementation plan the issues  
9 required by the federal food and nutrition service for allowing photographs on  
10 electronic benefit transfer cards, including supplemental nutrition assistance  
11 program policies, operational issues, outreach, civil rights concerns, procedures to  
12 ensure that authorized representatives are able to use the card, and a description of  
13 how the department will ensure state compliance with federal requirements.

14           2. Along with the implementation plan, the department shall submit a request  
15 for a waiver from the U.S. department of agriculture to allow the department to  
16 require that an individual show an electronic benefit card containing a photograph  
17 when making a purchase using food stamp benefits.

18           (c) If the food and nutrition service grants written approval of the  
19 implementation plan, and the U.S. department of agriculture approves the waiver,  
20 the department shall submit the implementation plan, the waiver, and any  
21 necessary appropriation requests to implement the plan to the joint committee on

1 finance for approval. The department or a county, multicounty consortium, or  
2 elected governing body may not implement the proposals contained in the  
3 implementation plan under par. (b) unless the joint committee on finance grants  
4 approval of both the implementation plan and the waiver.

5 (d) If the department receives approval of both the implementation plan and  
6 the waiver under par. (c), then the department, or a county, multicounty consortium,  
7 or elected governing body of a federally recognized American Indian tribe or band  
8 acting on behalf of the department, shall issue, consistent with provisions of the  
9 implementation plan, food stamp identification cards to food stamp recipients that  
10 contain a photograph of the individual to whom the card is issued, and shall require  
11 an individual to show an electronic benefit card containing a photograph when  
12 making a purchase using food stamp benefits.

13 (END)