

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH50223-LU-16A (01/15)

Short Title: Allow/Controlled Substance Felony/Wk 1st/SNAP.

(Public)

Sponsors: Representatives Insko and Glazier (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING THE NORTH CAROLINA DEPARTMENT OF HEALTH AND
3 HUMAN SERVICES TO OPT OUT OF THE BAN THAT ONLY ALLOWS
4 INDIVIDUALS CONVICTED OF EITHER CLASS H OR I CONTROLLED
5 SUBSTANCE FELONY OFFENSES TO BE ELIGIBLE TO PARTICIPATE IN THE
6 WORK FIRST PROGRAM AND FOOD AND NUTRITION SERVICES PROGRAM
7 (SNAP).

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 108A-25.2 reads as rewritten:

10 "§ 108A-25.2. ~~Exemption from limitations~~Limitations for individuals convicted of certain
11 drug-related felonies.

12 (a) Individuals convicted of ~~Class H or I~~ controlled substance felony offenses ~~in this~~
13 ~~State~~ shall be eligible to participate in the Work First Program ~~and the food and nutrition~~
14 ~~services program~~; upon meeting at least one of the following conditions:

15 (1) Six months after release from custody if no additional controlled substance
16 felony offense is committed ~~during that period and successful completion of~~
17 ~~or continuous active participation in a required substance abuse treatment~~
18 ~~program determined appropriate by the area mental health authority; or~~and
19 the county department of social services verifies the individual has
20 successfully completed a substance abuse treatment program while in
21 custody. If the county department of social services is unable to verify
22 completion of the substance abuse treatment program, the individual shall
23 comply with the requirements of G.S. 108A-29.1.

24 (2) If not committed to custody, six months after the date of conviction if no
25 additional controlled substance felony offense is committed ~~during that~~
26 ~~period and successful completion of or continuous active participation in a~~
27 ~~required substance abuse treatment program determined appropriate by the~~
28 ~~area mental health authority~~ and the individual complies with the
29 requirements of G.S. 108A-29.1.

30 (b) ~~A county department of social services shall require individuals who are eligible for~~
31 ~~Work First Program assistance and electronic food and nutrition benefits pursuant to this~~
32 ~~section to undergo substance abuse treatment as a condition for receiving Work First Program~~
33 ~~or electronic food and nutrition benefits, if funds and programs are available and to the extent~~
34 ~~allowed by federal law.~~Individuals convicted of controlled substance felony offenses shall be
35 eligible to participate in the food and nutrition services program six months after release from



1 custody. If the individual is not committed to custody, the individual shall be eligible to
2 participate in the food and nutrition services program six months after the date of conviction if
3 no additional controlled substance felony offense is committed."

4 **SECTION 2.** This act becomes effective July 1, 2011, and applies to controlled
5 substance felony offenses committed on or after that date.