

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 747
Committee Substitute Favorable 5/2/23

Short Title: No Work Requirement Exemption/FNS Benefits.

(Public)

Sponsors:

Referred to:

April 19, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT WORK REQUIREMENT EXEMPTIONS FOR FOOD AND
3 NUTRITION SERVICES BENEFITS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 108A-51.1 reads as rewritten:

6 "**§ 108A-51.1. Prohibition on certain ~~waivers.~~waivers and other work requirement**
7 **provisions.**

8 (a) Except for waivers for the Disaster Supplemental Nutrition Assistance Program
9 sought for an area that has received a Presidential disaster declaration of Individual Assistance
10 from the Federal Emergency Management Agency, the Department shall not seek waivers under
11 7 U.S.C. § 2015(o) to time limits established by federal law for food and nutrition benefits for
12 able-bodied adults without dependents required to fulfill work requirements to qualify for those
13 benefits.

14 (b) The Department may not exercise the State's option to provide any exemptions from
15 the work requirement under 7 U.S.C. § 2015(o)(6)(E).

16 (c) Under the authority given to the State to operate the general work requirement in the
17 food and nutrition services program pursuant to 7 U.S.C. § 2015(d), the Department shall assign
18 all individuals who are over the age of 16 and under the age of 60 to an employment and training
19 program as defined in 7 U.S.C. § 2015(d)(4) unless the individual meets one of the following:

- 20 (1) Is currently subject to and complying with a work registration requirement
21 under Title IV of the Social Security Act, 42 U.S.C. §§ 601 et seq., as amended
22 in 42 U.S.C. § 602, or the federal-State unemployment compensation system,
23 in which case failure by the individual to comply with any work requirement
24 the individual is subject to shall be the same as failure to comply with the
25 general work requirement.
- 26 (2) Is a parent or other member of a household with responsibility for the care of
27 a dependent child under age 6 or of an incapacitated person.
- 28 (3) Is a bona fide student enrolled at least half time in any recognized school,
29 training program, or institution of higher education unless the student is
30 enrolled in an institution of higher education and is ineligible to participate
31 under 7 U.S.C. § 2015(d).
- 32 (4) Is a regular participant in a drug addiction or alcoholic treatment and
33 rehabilitation program.
- 34 (5) Is employed a minimum of 30 hours per week or receiving weekly earnings
35 that equal the minimum hourly rate under the Fair Labor Standards Act of
36 1938, as amended under 29 U.S.C. § 206(a)(1), multiplied by 30 hours.



1 (6) Is an individual between the ages of 16 and 18 who is not (i) head of a
2 household or (ii) attending school or enrolled in an employment training
3 program on at least a half-time basis.

4 (d) Nothing in this section shall apply to mandatory exemptions to work requirements in
5 the food and nutrition services program required pursuant to 7 C.F.R. § 273.7(b)(1) or other
6 federal law or regulation."

7 **SECTION 2.** This act is effective when it becomes law.