

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: January 26, 2021

Subject: Bill Brief on HB 2215

HB 2215 allows people with felony drug convictions to receive benefits under the supplemental nutrition assistance program.

The bill amends K.S.A. 39-709, the statute containing the eligibility requirements for certain federal assistance. Current law in that statute provides that food assistance shall not be provided to any person convicted of a felony which includes as an element of the offense the manufacture, cultivation, distribution, possession or use of a controlled substance. A person who has been convicted of a state or federal felony offense involving the possession or use of a controlled substance is permanently disqualified from receiving food assistance unless it is a first conviction and the person enrolls in and participates in a drug treatment program approved by the secretary for children and families, submits to and passes a drug test and agrees to submit to drug testing if requested by the department.

Failure to submit to testing or failure to successfully pass a drug test results in ineligibility for food assistance until a drug test is passed. Failure to successfully complete a drug treatment program results in ineligibility for food assistance until a drug treatment plan is successfully completed, the person passes a drug test and the person agrees to submit to drug testing if requested by the department. A person who has been convicted of a second or subsequent drug felony is permanently disqualified from receiving food assistance.

This bill would provide that a person shall not be denied food assistance solely because such person has been convicted of a drug-related felony. It also requires the secretary for children and families to submit any approval request required to implement this section to the federal government.