

## Description of House Section 35:

What follows is a preliminary summary of what is in the revised House section 35. The members did not see it until very shortly before it was brought to the floor. The following members spoke against the further amendment: Reps. Sciortino, Wolf, Swan, Henriquez, and Balsler. More would have spoken against but Russell Holmes spoke in favor of it, and asked for a vote "forthwith," which shut off debate.

### The House EBT provision:

1. A version of Section 35's ban on using cash assistance benefits held on EBT cards to buy particular products or services. This version has some but not all of the corrections to Section 35 that were in the Toomey amendment and some additions that make it worse than Section 35. Prohibited products and services include:
  - a. Cosmetics—defined( in language that they should have been embarrassed about) to include “articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles; provided, however, that cosmetics shall not include soap, shampoo, deodorant, toothpaste, or other personal hygiene products.” Shaving cream and a razor would be prohibited as well as chap stick and of course lipstick, and coverup for teenage acne.
  - b. Admission to any performance other than a school or nonprofit performance. Going to a movie, or paying for your child go to a movie would be prohibited. A concert by any entity other than a school or nonprofit would be prohibited.
  - c. Professional services other than health services, haircutting and funerals. Lawyer services would be prohibited. It would be a violation to use one's benefits to pay a lawyer to defend against an eviction, for example.
  - d. Jewelry
  - e. Rental of any goods or real property except for the primary residence. Families leaving shelter for housing who cannot access donated furniture would have to make their kids sleep on the floor, sometimes with rats and roaches.
2. Businesses that offer for sale any prohibited service or produce have to post a sign advising patrons of the excluded products.
3. In addition, the House EBT amendment adds additional types of businesses that are prohibited from housing an ATM or any other device that would allow recipients to access cash. This prohibition includes any place a performance or sporting event takes place, rent-to-own businesses, jewelry stores, and cruise ships.
4. Cash assistance benefits may only be accessed in Massachusetts or a border state.

5. A recipient who makes a prohibited purchase shall be disqualified for three months for the first violation (generally about \$300, even for a \$1 prohibited purchase), and permanently for a second offense.
6. Businesses are subject to fines up to \$10,000 for accepting cash EBT in violation of the law.
7. Another commission will be established to study making all cash assistance “cashless” with a report and proposed legislation due Dec. 31. In the meantime, the amendment essentially repeats the existing rules for DTA being able to require vendor payments on rent and utilities under certain circumstances.