

# No More Double Punishments

## *Lifting the Ban on SNAP and TANF for People with Prior Felony Drug Convictions*

### Introduction

Individuals with prior felony convictions, incarcerated or not, often face “collateral consequences,” which are significant barriers imposed in addition to their sentences that can range from being denied employment to losing voting rights. Some states subject people with a drug-related felony conviction to restrictions or complete bans on food assistance under SNAP (Supplemental Nutrition Assistance Program, formerly food stamps), cash assistance through TANF (Temporary Assistance for Needy Families), or both. This practice began in 1996 under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). The act imposes a lifetime ban on SNAP and TANF for those with a previous drug felony conviction, whether they have completed their time in jail or prison or received a lighter sentence due to the nonviolent and/or low-level nature of the offense. States, however, can opt to remove or modify the ban. And all states except three and the District of Columbia have either modified or removed the ban for at least one program, recognizing that it is not an effective crime deterrent, fails to address substance use disorders, and impedes reconnecting formerly incarcerated people to their families and communities.

Successful reentry into society from the criminal justice system requires access to basic needs such as food, healthcare, and housing as well as employment and training services. Some individuals may also need childcare and/or mental health and substance use disorder treatment. Denying access to basic needs programs such as SNAP and TANF makes it harder for returning citizens to get back on their feet. And such exclusions are especially punitive for communities of color.

Over the last four decades, the War on Drugs has engendered uneven enforcement of drug laws and targeting of low-income communities of color, resulting in the conviction and incarceration of disproportionate numbers of Black and Latino people, especially Black men.<sup>1</sup> According to the Sentencing Project, one in three Black males born in 2001 will be imprisoned at some point in their lives, compared to one in six Latino men and one in 17 White men.<sup>2</sup> When considering educational attainment, young men of color, especially Black men, without a high school diploma are most at risk of incarceration. In 2010, for instance, nearly one-third of Black males ages 25 to 29 who dropped out of high school were incarcerated or institutionalized.<sup>3</sup> For

women, incarceration rates have risen exponentially in recent years. While fewer women than men are incarcerated, the number of women in prison “has been increasing at twice the rate of growth for men since 1980.”<sup>4</sup> Women, too, are more likely than men to be convicted of a drug offense: Twenty-five percent of incarcerated women were convicted of a drug offense in 2016, compared to 14 percent of men, according to the Sentencing Project.<sup>5</sup>

## TANF & SNAP are Critical Supports for Returning Citizens

TANF and SNAP are critical programs that help people meet their basic needs. TANF cash assistance is only available to very low-income families with dependent children. Benefit levels vary across states but are generally quite low; the median being \$450 a month<sup>6</sup> for a family of three with no other income. SNAP benefits can only be used to purchase food at approved retailers (not restaurants) and average \$378 a month<sup>7</sup> for a family of three. These programs can make the difference between hardship and destitution for returning citizens.

When transitioning from jail or prison, formerly incarcerated people often face levels of food insecurity far higher than the general public. Ninety-one percent of people released from prison reported they experience food insecurity, according to the National Institute of Health.<sup>8</sup> When comparing food insecurity levels among people released from prison and the general public, returning citizens fare far worse. A Rhode Island study concluded that 70.4 percent of those on probation experienced food insecurity, compared to 12.8 percent of the general population.<sup>9</sup>

Public assistance such as TANF and SNAP consistently reduces recidivism,<sup>10</sup> while banning access to assistance has been linked to increases in recidivism. The Bureau of Justice Statistics reports that more than three-quarters of state prisoners were rearrested within five years of release.<sup>11</sup> Such odds of relapse can be offset by providing support. A Harvard Law School study found that access to SNAP and TANF significantly reduced an individual’s risk of being reincarcerated by up to 10 percent within one year.<sup>12</sup> Furthermore, the University of Maryland concluded that drug traffickers in Florida who are subject to a ban on SNAP are 9.5 percentage points more likely to return to prison than drug traffickers who committed their offenses before the ban took effect, and were therefore eligible for assistance.<sup>13</sup>

Lifting the ban on safety net supports reduces material hardship for formerly incarcerated people, who experience exceedingly low earnings and high rates of unemployment, and their families. One recent study by the Prison Policy Initiative found that 27.3 percent<sup>14</sup> of returning citizens are unemployed even as national unemployment rates have fallen below 4 percent. It comes as no surprise, then, that 76 percent of formerly incarcerated people describe finding work as “very difficult” or “nearly impossible”.<sup>15</sup> And when they do find work, their median earnings hover around \$10,000 a year (nearly 20 percent below the Federal Poverty Level (FPL) for a single individual), with only 20 percent making more than \$15,000 (124 percent of the FPL).<sup>16</sup> And even this modest income is reduced when returning parents’ wages are garnished

for any debt incurred during incarceration, which can include court and legal fees, child support arrearages, restitution, and criminal fines.<sup>17</sup> Because many are unemployed or earn low wages, criminal justice-involved people often need short-term help from TANF and SNAP to meet their children's and their own basic needs.

Denying SNAP and TANF to formerly incarcerated people has a devastating effect on them and their families. By one recent estimate, upwards of 36.5 million children have at least one parent with a criminal record.<sup>18</sup> And Black children are acutely impacted. In fact, 1 in 9 Black children have a parent in jail or prison (a rate which has more than quadrupled in the past 25 years), compared to 1 in 28 Latino children and 1 in 57 White children.<sup>19</sup> While those released from jail or prison may still apply for assistance for their children, the overall household receives less support because of banned returning citizens.<sup>20</sup>

Ironically, parents may be more likely to plead guilty to drug-related felonies to avoid separation from their families. Nonviolent drug-related felonies often carry the risk of lengthy prison sentences. By pleading guilty to a crime they may not have committed in return for a lighter sentence, a person can potentially avoid a longer sentence that would needlessly separate them from their family. Additionally, the use of cash bail as a condition for pretrial release compels individuals who are disproportionately people of color and those with low incomes to accept less favorable plea deals.<sup>21</sup> Women with low-incomes who have children are particularly vulnerable to this practice. Women have an added and unique pressure to plead guilty so they can care for their children given 60 percent of women in prisons and 80 percent of women in jails have dependent children.<sup>22</sup> Furthermore, women are more likely than men to solely parent dependent children in the month prior to arrest,<sup>23</sup> and more likely to have difficulty affording bail.<sup>24</sup> In consequence, these women may face a lifetime ban on basic resources for themselves and their family, which in turn can put them at risk of losing their children to the foster care system.<sup>25</sup>

## **SNAP & TANF Employment and Training Programs Provide Critical Support to Low-income Families**

SNAP recipients are eligible to receive employment, training, and related supportive services under the SNAP E&T (Employment and Training) program. Returning citizens who have access to employment and job readiness training services that provide food, healthcare, and childcare often have higher employment rates. Gaining the necessary skills to secure and maintain a reliable job ameliorates significant employment barriers, reduces recidivism, and significantly decreases correctional costs. SNAP E&T can support participation in adult education and high school equivalency classes, postsecondary education, vocational training, and other job training activities by helping cover the costs of such supports as childcare, transportation, and other expenses, like tools or uniforms.<sup>26</sup> These critical supports can help recipients gain skills for jobs that allow them to provide for their families. However, people who are ineligible for SNAP

cannot receive these services—even if family members receive SNAP.

Similarly, banning TANF benefits for formerly incarcerated people may reduce a family's cash assistance and access to other supportive employment services. States have the option of using TANF funds to provide services to members of families with low incomes, regardless of a family member's eligibility for cash assistance. In practice, however, many states limit certain TANF-funded services, such as childcare, to individuals receiving TANF. In California, formerly incarcerated people banned from TANF assistance were unable to receive TANF-funded childcare that would enable them to work, even if their children received benefits under TANF.<sup>27</sup> Excluded parents may also be denied access to employment and training services under TANF.<sup>28</sup>

## Where States Stand on SNAP and TANF Bans

As mentioned, PRWORA gives states the option to remove or modify lifetime bans. Most states and the District of Columbia have done so by limiting the classes of drug felonies subject to the restriction, implementing temporary bans, and requiring enrollment and participation in a drug education or treatment program.<sup>29</sup> (More states have removed the ban on SNAP benefits than on TANF.)<sup>30</sup>

States such as Colorado<sup>31</sup> and Connecticut<sup>32</sup> modified their laws to allow individuals with prior felony drug convictions to regain eligibility for TANF and SNAP benefits by successfully completing drug education or treatment programs. Other states have simply decreased the time limit of the ban. North Carolina, for example, bans people with prior felony drug convictions from eligibility for basic needs programs for six months after the completion of a sentence.<sup>33</sup> These modified bans still impede the ability of returning citizens to successfully reenter society.

Since 2015, at least ten states—Alabama, Alaska, Arizona, Arkansas, Delaware, Georgia, Indiana, Louisiana, North Dakota, and Texas—have lifted or modified the ban for one or more programs. Alabama expanded SNAP and TANF eligibility to individuals with felony drug convictions who have completed their sentence or are satisfactorily serving a probation sentence.<sup>34</sup> In Texas, lawmakers extended SNAP eligibility to persons with felony drug convictions who have completed their sentences, though violating terms of parole or community supervision could result in a two-year suspension; new felony charges could result in the lifetime ban being reinstated.<sup>35</sup> Georgia<sup>36</sup> and Arizona<sup>37</sup> modified their lifetime ban on SNAP, requiring people with drug felony convictions to comply with all probation or parole requirements in order to receive assistance. Alaska modified its lifetime ban on SNAP and TANF, requiring those with drug felony convictions to satisfy court-mandated treatment and parole requirements in order to receive assistance.<sup>38</sup> Delaware lifted its ban on TANF, increasing the amount of monthly assistance by \$69.00 for families with a member who has a prior conviction.<sup>39</sup> Arkansas,<sup>40</sup> North Dakota,<sup>41</sup> and Louisiana<sup>42</sup> completely lifted their bans on SNAP and TANF in 2017. In 2018, Indiana passed legislation that would modify its ban on SNAP effective January 1, 2020.<sup>43</sup> Those convicted of certain drug offenses will be allowed to receive SNAP if they have either completed probation, parole, community corrections, or a reentry program or are in compliance with specified conditions to not violate any terms of their probation, parole, community corrections, or

participation in a reentry program.

One state that had previously lifted the ban partially reinstated it. In 2018, Pennsylvania adopted a new policy under TANF, making recipients convicted of drug trafficking ineligible for assistance unless they fulfil all obligations imposed by a court; and are an active participant in or have completed a substance use disorder treatment program and submit to periodic drug testing for 10 years following their conviction or for the duration of their probation, whichever is longer.<sup>44</sup> Upon a second or subsequent offense, a recipient would be banned from TANF for 10 years.

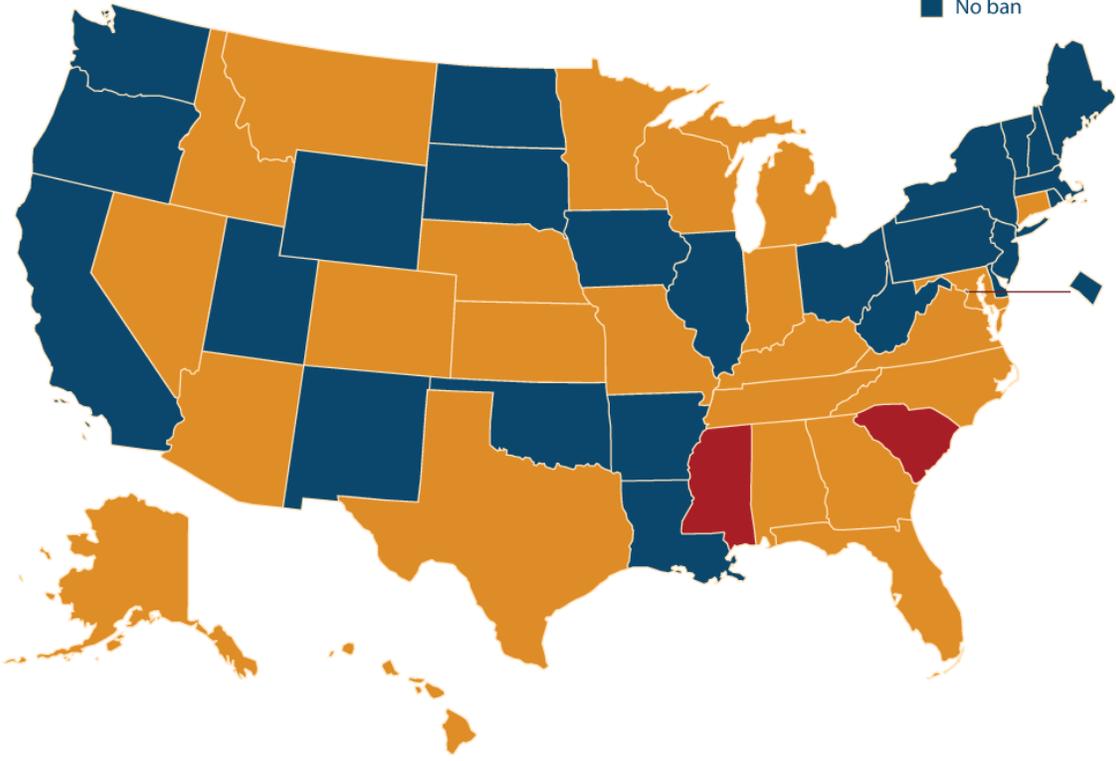
In February of 2019, West Virginia's legislature lifted its ban on SNAP.<sup>45</sup>

## Conclusion

Banning or restricting returning citizens' use of supports integral to successful reentry does little to deter crime and much to worsen difficult circumstances. All states that still impose barriers to SNAP and TANF should remove them. SNAP and TANF serve as a bulwark against food insecurity, recidivism, and financial insecurity—allowing returning citizens to support themselves and their families and contribute to society.

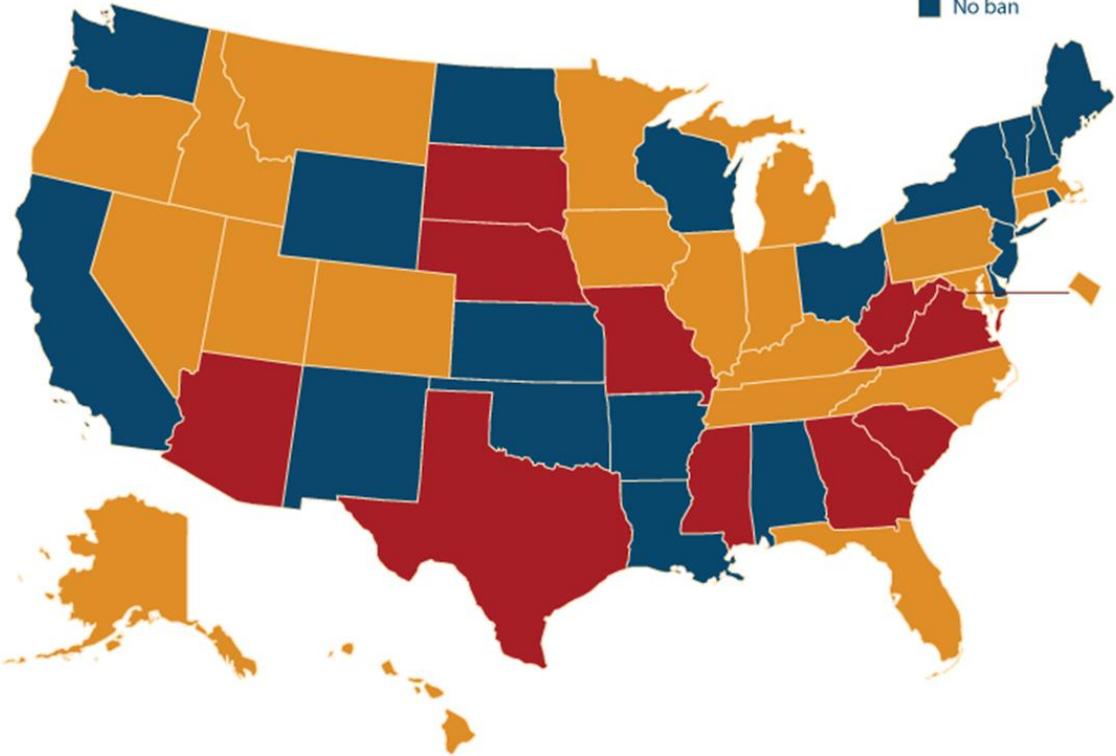
## SNAP Drug Bans as of March 2019

- Full ban
- Modified ban
- No ban



## TANF Drug Bans as of March 2019

- Full ban
- Modified ban
- No ban



## State SNAP and TANF Bans as of March 2019

SNAP			TANF		
Full Ban	Modified Ban	No Ban	Full Ban	Modified Ban	No Ban
Mississippi	Alabama	Arkansas	Arizona	Alaska	Alabama
South	Alaska	California	Georgia	Colorado	Arkansas
Carolina	Arizona	Delaware	Mississippi	Connecticut	California
	Colorado	District of Columbia	Missouri	District of Columbia	Delaware
	Connecticut	Illinois	Nebraska	Florida	Kansas
	Florida	Iowa	South Carolina	Hawaii	Maine
	Georgia	Louisiana	South Dakota	Idaho	New
	Hawaii	Maine	Texas	Illinois	Hampshire
	Idaho	Massachusetts	Virginia	Indiana	New Jersey
	Indiana*	New Hampshire	West Virginia	Iowa	Louisiana
	Kansas	New Jersey		Kentucky	New Mexico
	Kentucky	New Mexico		Montana	New York
	Maryland	New York		Nevada	North Dakota
	Michigan	North Dakota		Maryland	Rhode Island
	Minnesota	Ohio		Massachusetts	Vermont
	Missouri	Oklahoma		Michigan	Washington
	Montana	Oregon		Minnesota	Wisconsin
	Nebraska	Pennsylvania		North Carolina	Wyoming
	Nevada	Rhode Island		Oregon	
	North Carolina	South Dakota		Pennsylvania	
	Tennessee	Utah		Tennessee	
	Texas	Vermont		Utah	
	Virginia	Washington			
	Wisconsin	Wyoming			
		West Virginia			

\* Indiana enacted HB 1317, which specifies that, effective January 1, 2020, Indiana elects to opt out of the federal law prohibiting individuals convicted of certain drug offenses from receiving SNAP if the individual meets specified conditions.

## Map sources

“Opting Out of Federal Ban on Food Stamps and TANF,” Legal Action Center, December 2011, <http://www.lac.org/toolkits/TANF/TANF.htm#summary>; Food and Nutrition Service, “State Options Report,” United States Department of Agriculture, May 2018, <https://fns-prod.azureedge.net/sites/default/files/snap/14-State-Options.pdf>; Maggie McCarty, Randy Alison Aussenberg, Gene Falk, et al., “Drug Testing and Crime-Related Restrictions in TANF, SNAP, and Housing Assistance,” *Congressional Research Service*, November 2016, <http://fas.org/sgp/crs/misc/R42394.pdf>; *Welfare Rules Database* (variable ei\_drgfl), Urban Institute, n.d., <http://anfdata.urban.org/wrd/Query/query.cfm>; *HB 1317 - Fiscal Impact Statement*, Indiana General Assembly, March 2018, <http://iga.in.gov/legislative/2018/bills/house/1317/#document-a0f37126>; *Act 125*, Pennsylvania General Assembly, October 2018, <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2018&sessInd=0&act=125>; *House Bill 11*, Delaware General Assembly, December 2016, <http://legis.delaware.gov/BillDetail?LegislationId=25337>; *HB 681*, Legislature of Louisiana, October 2017, <http://www.legis.la.gov/legis/BillInfo.aspx?s=17RS&b=HB681&sbi=y>; *HB 1251*, Arkansas State Legislature, March 2017, <http://www.arkleg.state.ar.us/assembly/2017/2017R/Pages/BillInformation.aspx?measureno=HB1251>; *HB 1041*, North Dakota Legislative Branch, April 2017, <https://www.legis.nd.gov/assembly/65-2017/bill-index/bi1041.html>.

## Acknowledgements

Previous versions of this report were authored by Lavanya Mohan (formerly Center for Law and Social Policy), Victoria Palacio (formerly Center for Law and Social Policy), Elizabeth Lower-Basch (Center for Law and Social Policy). Duy Pham (Center for Law and Social Policy) and Kara Gotsch (The Sentencing Project) also provided indispensable feedback on this update.

## Endnotes

<sup>1</sup> German Lopez, “Obama is right about the criminal ‘injustice system’: 7 ways it’s racially skewed,” *Vox*, July 2015, <https://www.vox.com/2015/5/29/8687205/criminal-justice-racism>.

<sup>2</sup> “Trends in U.S. Corrections,” The Sentencing Project, June 2018, <https://sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf>.

<sup>3</sup> Derek Neal And Armin Rick, *The Prison Boom and the Lack of Black Progress After Smith and Welch*, National Bureau of Economic Research, July 2014, <https://www.nber.org/papers/w20283.pdf>.

<sup>4</sup> *Ibid.*, 2.

<sup>5</sup> “Incarcerated Women and Girls, 1980-2016,” The Sentencing Project, May 2018, <https://www.sentencingproject.org/wp-content/uploads/2016/02/Incarcerated-Women-and-Girls-1980-2016.pdf>.

<sup>6</sup> Ashley Burnside and Ife Floyd, *TANF Benefits Remain Low Despite Recent Increases in Some States*, Center on Budget and Policy Priorities, April 2018, <https://www.cbpp.org/research/family-income-support/tanf-benefits-remain-low-despite-recent-increases-in-some-states>.

<sup>7</sup> “A Quick Guide to SNAP Eligibility and Benefits,” Center On Budget And Policy Priorities, October 2018, <https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits>.

<sup>8</sup> Emily Wang, Gefei Zhu, Linda Evans, et al., *A Pilot Study Examining Food Insecurity and HIV Risk Behaviors among Individuals Recently Released from Prison*, National Institute of Health, April 2013,

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3733343/>.

<sup>9</sup> Kimberly Dong, Alice Tang, Thomas Stopka, et al., *Food acquisition methods and correlates of food insecurity in adults on probation in Rhode Island*, PLOS, June 2018,

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0198598>.

<sup>10</sup> Marc Mauer and Virginia McCalmont, *A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits*, The Sentencing Project, September 2015, <https://sentencingproject.org/wp-content/uploads/2015/12/A-Lifetime-of-Punishment.pdf>.

<sup>11</sup> Matthew Durose, Alexia Cooper, Howard Snyder, "Recidivism of Prisoners Released in 30 States in 2005: Patterns From 2005 to 2010 - Update," Bureau of Justice Statics, April 2014,

<https://www.bjs.gov/index.cfm?ty=pbdetail&iid=4986>.

<sup>12</sup> Crystal Yang, *Does Public Assistance Reduce Recidivism?*, Harvard Law School, May 2017,

[http://www.law.harvard.edu/programs/olin\\_center/papers/pdf/Yang\\_920.pdf](http://www.law.harvard.edu/programs/olin_center/papers/pdf/Yang_920.pdf).

<sup>13</sup> Cody Tuttle, *Snapping Back: Food Stamp Bans and Criminal Recidivism*, University of Maryland, College Park, March 2018, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2845435](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2845435).

<sup>14</sup> Lucius Couloute and Daniel Kopf, *Out of Prison & Out of Work: Unemployment Among Formerly Incarcerated People*, Prison Policy Initiative, July 2018, <https://www.prisonpolicy.org/reports/outofwork.html>.

<sup>15</sup> Saneta deVuono-powell, Chris Schweidler, Alicia Walters, et al., *Who Pays? The True Cost of Incarceration on Families*, Ella Baker Center for Human Rights, Forward Together, and Research Action Design, September 2015,

<https://ellabakercenter.org/sites/default/files/downloads/who-pays.pdf>.

<sup>16</sup> Adam Looney and Nicholas Turner, *Work and Opportunity Before and After Incarceration*, The Brookings Institution, March 2018, [https://www.brookings.edu/wp-content/uploads/2018/03/es\\_20180314\\_looneyincarceration\\_final.pdf](https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf).

<sup>17</sup> Steve Christian, *Children of Incarcerated Parents*, National Conference of State Legislatures, March 2009,

<https://www.ncsl.org/documents/cyf/childrenofincarceratedparents.pdf>.

<sup>18</sup> Rebecca Vallas, Melissa Boteach, Rachel West, et al., *Removing Barriers to Opportunity for Parents With Criminal Records and Their Children: A Two-Generation Approach*, Center for American Progress, December 2015,

<https://cdn.americanprogress.org/wp-content/uploads/2015/12/09060720/CriminalRecords-report2.pdf>.

<sup>19</sup> Bruce Western and Becky Pettit, *Collateral Consequences: Incarceration's Effect on Economic Mobility*, The Pew Charitable Trusts, September 2010,

[https://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs\\_assets/2010/collateralcosts1pdf.pdf?la=en](https://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1pdf.pdf?la=en).

<sup>20</sup> This is due to the income of returning citizens being counted toward household income when benefit levels are determined, despite being ineligible to receive assistance. See: <https://www.gpo.gov/fdsys/pkg/CFR-2012-title7-vol4/pdf/CFR-2012-title7-vol4-sec273-11.pdf>.

<sup>21</sup> Rick Jones, Gerald Lefcourt, Barry Pollack, et al., *The Trial Penalty: The Sixth Amendment Right to Trial on the Verge of Extinction and How to Save It*, The National Association of Criminal Defense Lawyers, July 2018,

<https://www.nacdl.org/trialpenaltyreport/>.

<sup>22</sup> Jasmine Sankofa, "You Miss So Much When You're Gone": *The Lasting Harm of Jailing Mothers Before Trial in Oklahoma*, Human Rights Watch and American Civil Liberties Union, September 2018,

<https://www.hrw.org/report/2018/09/26/you-miss-so-much-when-youre-gone/lasting-harm-jailing-mothers-trial-oklahoma>.

<sup>23</sup> Christopher Mumola, "Incarcerated Parents and Their Children," Bureau of Justice Statistics, August 2000,

<https://www.bjs.gov/content/pub/pdf/iptc.pdf>.

<sup>24</sup> *Ibid.*, 22.

<sup>25</sup> Michelle Alexander, "Go to Trial: Crash the Justice System," *The New York Times*, March 2012,

<https://www.nytimes.com/2012/03/11/opinion/sunday/go-to-trial-crash-the-justice-system.html>.

<sup>26</sup> Elizabeth Lower-Basch, "SNAP E&T," Center for Law and Social Policy, March 2014,

<https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/SNAP-ET-Overview.pdf>. For more information on SNAP Employment and Training, see: <https://www.clasp.org/snap-et-resources>.

<sup>27</sup> *SB 1029*, California State Senate, February 2014, [http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb\\_1001-1050/sb\\_1029\\_bill\\_20140527\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_1001-1050/sb_1029_bill_20140527_amended_sen_v96.pdf).

<sup>28</sup> For more information on TANF education and training resources, see: <https://www.clasp.org/tanf-education-and-training-resources>.

<sup>29</sup> Maggie McCarty, Randy Alison Aussenberg, Gene Falk, et al., *Drug Testing and Crime-Related Restrictions in TANF, SNAP, and Housing Assistance*, Congressional Research Service, November 2016, <http://fas.org/sgp/crs/misc/R42394.pdf>.

<sup>30</sup> This may be due to the fact that SNAP benefits can only be used to purchase food and/or for their being funded fully by the federal government.

<sup>31</sup> *26-2-706. Target populations*, Colorado Revised Statutes 2018, n.d., <http://leg.colorado.gov/sites/default/files/images/olls/crs2018-title-26.pdf>.

<sup>32</sup> *Sec. 17b-112d. Eligibility for temporary assistance for needy families or supplemental nutrition assistance program for person convicted of controlled substance felony*, Connecticut General Statutes, January 2017, [https://www.cga.ct.gov/2017/pub/chap\\_319s.htm#sec\\_17b-112d](https://www.cga.ct.gov/2017/pub/chap_319s.htm#sec_17b-112d).

<sup>33</sup> Michael Barrett, "Food Stamps Harder to Get for NC Drug Felons," *Gaston Gazette*, October 2015, <https://www.gastongazette.com/article/20151024/NEWS/151029373>.

<sup>34</sup> Nicole Porter, *The State of Sentencing 2015: Developments in Policy and Practice*, The Sentencing Project, February 2016, <https://sentencingproject.org/wp-content/uploads/2016/02/State-of-Sentencing-2015.pdf>.

<sup>35</sup> *SB 200*, Texas Legislature, June 2015, <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=84R&Bill=SB200>.

<sup>36</sup> *SB 367*, Georgia General Assembly, July 2016, <http://www.legis.ga.gov/legislation/en-US/Display/20152016/SB/367>.

<sup>37</sup> *HB 2372*, Arizona Legislature, May 2017, <https://apps.azleg.gov/BillStatus/BillOverview/69213?Sessionid=117>.

<sup>38</sup> *SB 91*, The Alaska State Legislature, July 2016, <http://www.akleg.gov/basis/Bill/Detail/29?Root=SB%20%2091>.

<sup>39</sup> *House Bill 11*, Delaware General Assembly, December 2016, <http://legis.delaware.gov/BillDetail?LegislationId=25337>.

<sup>40</sup> *HB 1251*, Arkansas State Legislature, March 2017, <http://www.arkleg.state.ar.us/assembly/2017/2017R/Pages/BillInformation.aspx?measureno=HB1251>.

<sup>41</sup> *HB 1041*, North Dakota Legislative Branch, April 2017, <https://www.legis.nd.gov/assembly/65-2017/bill-index/bi1041.html>.

<sup>42</sup> *HB 681*, Legislature of Louisiana, October 2017, <http://www.legis.la.gov/legis/BillInfo.aspx?s=17RS&b=HB681&sbi=y>.

<sup>43</sup> *HB 1317 - Fiscal Impact Statement*, Indiana General Assembly, March 2018, <http://iga.in.gov/legislative/2018/bills/house/1317/#document-a0f37126>.

<sup>44</sup> *Act 125*, Pennsylvania General Assembly, October 2018, <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2018&sessInd=0&act=125>.

<sup>45</sup> *HB 2459* – West Virginia Legislature, February 2019, [http://www.wvlegislature.gov/Bill\\_Status/bills\\_history.cfm?INPUT=2459&year=2019&sessiontype=RS](http://www.wvlegislature.gov/Bill_Status/bills_history.cfm?INPUT=2459&year=2019&sessiontype=RS).