

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

634X0069

HOUSE BILL NO. 1076

Introduced by: Representatives DiSanto, Brunner, Campbell, Craig, Greenfield (Lana), Latterell, Marty, May, Qualm, Rasmussen, Schrempp, Verchio, Werner, and Wiik and Senators Olson, Ewing, Greenfield (Brock), Jensen (Phil), Omdahl, Rampelberg, and Shorma

1 FOR AN ACT ENTITLED, An Act to provide for drug testing for certain assistance applicants.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That the code be amended by adding a NEW SECTION to read:

4 Upon application for temporary assistance for needy families or for the supplemental
5 nutrition assistance program, the Department of Social Services shall test each adult applicant
6 under sixty-five years of age for the illegal use of controlled substances if the applicant is
7 otherwise eligible for benefits. If the applicant tests positive for the use of a controlled substance
8 that was not prescribed for the applicant by a licensed health care provider, the applicant is
9 ineligible to receive benefits for a period of one year. The applicant shall pay the cost of the drug
10 test.

11 Section 2. That the code be amended by adding a NEW SECTION to read:

12 An applicant aggrieved by this Act is entitled to an administrative hearing to determine the
13 validity of the test and to contest the decision to deny benefits.

