

An Act

ENROLLED SENATE
BILL NO. 456

By: Brecheen of the Senate

and

Hulbert, Biggs, Sherrer,
Hoskin and Nollan of the
House

An Act relating to public assistance fraud; amending 56 O.S. 2011, Section 185, which relates to fraud in obtaining public assistance; requiring county offices of the Department of Human Services to provide information on reporting fraudulent acquisition and use of public assistance; providing standards for signs posted in county offices; providing confidentiality to persons reporting fraud; and providing an effective date.

SUBJECT: Reporting public assistance fraud

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 56 O.S. 2011, Section 185, is amended to read as follows:

Section 185. A. Any person who:

1. Obtains or attempts to obtain, or aids, abets or assists any person to obtain, by means of a false statement or representation, by false impersonation, by a fictitious transfer, conveyance or encumbrance of property or income, by a knowing and willful failure to report to the Department of Human Services income, personal

property, real property, household members, or other material eligibility factors at the time of application or during the receipt of assistance, or by other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled; or

2. By sale, barter, purchase, theft, acquisition, possession or use of any electronic benefits or debit card or any other device authorizing participation in the Temporary Assistance for Needy Families or other program of the Department, knowingly obtains, aids, abets or assists any person to obtain or attempt to obtain assistance to which a person is not entitled,

shall be guilty of a misdemeanor, if the aggregate amount of assistance received as a result thereof is Five Hundred Dollars (\$500.00) or less. Upon conviction thereof, such person shall be fined not more than Five Hundred Dollars (\$500.00) or be imprisoned for not more than three (3) months or be both so fined and imprisoned in the discretion of the court; provided, however, if the aggregate amount of assistance received as a result thereof is in excess of Five Hundred Dollars (\$500.00), such person shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00) or be imprisoned in the State Penitentiary for a term of not more than two (2) years, or be subject to both such fine and imprisonment in the discretion of the court.

B. Every county Department of Human Services office in this state shall conspicuously post a sign in an area clearly visible to all visitors of the county office which shall provide information about how to report individuals who have obtained public assistance through fraudulent means or who have used public assistance in a manner not consistent with its intended use. The sign shall make reference to the Department of Human Services fraud hotline and provide the current phone number for the hotline. The sign shall also contain notification that all reports to the hotline may be filed anonymously by persons suspecting fraudulent activity.

C. Notwithstanding any other provision of law, the identity of any person making a report on another individual who may have obtained public assistance through fraudulent means, or an individual using public assistance in a manner not consistent with

its intended use, shall not be revealed without the permission of the person making the report.

SECTION 2. This act shall become effective November 1, 2013.

Passed the Senate the 7th day of March, 2013.

A. Bryan Bullock
Presiding Officer of the Senate

Passed the House of Representatives the 11th day of April, 2013.

Don J. Acema
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 15th

day of April, 20 13, at 4:42 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 18th

day of April, 20 13, at 3:54 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 19th

day of April, 20 13, at 9:40 o'clock A. M.

By: Randy Pannell