

112TH CONGRESS
1ST SESSION

S. 943

To amend title IV of the Social Security Act to require States to implement policies to prevent assistance under the Temporary Assistance for Needy Families (TANF) program from being used in strip clubs, casinos, and liquor stores.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2011

Mr. HATCH (for himself and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title IV of the Social Security Act to require States to implement policies to prevent assistance under the Temporary Assistance for Needy Families (TANF) program from being used in strip clubs, casinos, and liquor stores.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Welfare Integrity Now
5 for Children and Families Act of 2011” or the “WIN for
6 Children and Families Act”.

1 **SEC. 2. SPENDING POLICIES FOR ASSISTANCE UNDER**
 2 **STATE TANF PROGRAMS.**

3 (a) STATE REQUIREMENT.—Section 408(a) of the
 4 Social Security Act (42 U.S.C. 608(a)) is amended by add-
 5 ing at the end the following new paragraph:

6 “(12) STATE REQUIREMENT TO PREVENT UN-
 7 AUTHORIZED SPENDING OF BENEFITS.—

8 “(A) IN GENERAL.—A State to which a
 9 grant is made under section 403 shall maintain
 10 policies and practices as necessary to prevent
 11 assistance provided under the State program
 12 funded under this part from being used in any
 13 transaction in—

14 “(i) any liquor store;

15 “(ii) any casino, gambling casino, or
 16 gaming establishment; or

17 “(iii) any retail establishment which
 18 provides adult-oriented entertainment in
 19 which performers disrobe or perform in an
 20 unclothed state for entertainment.

21 “(B) DEFINITIONS.—For purposes of sub-
 22 paragraph (A)—

23 “(i) LIQUOR STORE.—The term ‘liq-
 24 uor store’ means any retail establishment
 25 which sells exclusively or primarily intoxi-
 26 cating liquor. Such term does not include

1 a grocery store which sells both intoxi-
 2 eating liquor and groceries including staple
 3 foods (within the meaning of section 3(r)
 4 of the Food and Nutrition Act of 2008 (7
 5 U.S.C. 2012(r))).

6 “(ii) CASINO, GAMBLING CASINO, OR
 7 GAMING ESTABLISHMENT.—The terms ‘ca-
 8 sino’, ‘gambling casino’, and ‘gaming es-
 9 tablishment’ do not include a grocery store
 10 which sells groceries including such staple
 11 foods and which also offers, or is located
 12 within the same building or complex as, ca-
 13 sino, gambling, or gaming activities.”.

14 (b) PENALTY.—Section 409(a) of the Social Security
 15 Act (42 U.S.C. 609(a)) is amended by adding at the end
 16 the following new paragraph:

17 “(16) PENALTY FOR FAILURE TO ENFORCE
 18 SPENDING POLICIES.—

19 “(A) IN GENERAL.—If, within 2 years
 20 after the date of the enactment of the WIN for
 21 Children and Families Act, any State has not
 22 reported to the Secretary on such State’s imple-
 23 mentation of the policies and practices required
 24 by section 408(a)(12), or the Secretary deter-
 25 mines that any State has not implemented and

1 maintained such policies and practices, the Sec-
2 retary shall reduce, by an amount equal to 5
3 percent of the State family assistance grant, the
4 grant payable to such State under section
5 403(a)(1) for—

6 “(i) the fiscal year immediately suc-
7 ceeding the year in which such 2-year pe-
8 riod ends; and

9 “(ii) each succeeding fiscal year in
10 which the State does not demonstrate that
11 such State has implemented and main-
12 tained such policies and practices.

13 “(B) REDUCTION OF APPLICABLE PEN-
14 ALTY.—The Secretary may reduce the amount
15 of the reduction required under subparagraph
16 (A) based on the degree of noncompliance of
17 the State.

18 “(C) STATE NOT RESPONSIBLE FOR INDI-
19 VIDUAL VIOLATIONS.—Fraudulent activity by
20 any individual in an attempt to circumvent the
21 policies and practices required by section
22 408(a)(12) shall not trigger a State penalty
23 under subparagraph (A).”.

1 (c) CONFORMING AMENDMENT.—Section 409(c)(4)
2 of the Social Security Act (42 U.S.C. 609(c)(4)) is amend-
3 ed by striking “or (13)” and inserting “(13), or (16)”.

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