

234.13 Fraudulent practices relating to food programs.

For the purposes of [this section](#), unless the context otherwise requires, “*benefit transfer instrument*” means a supplemental nutrition assistance program coupon, authorization-to-purchase card, or electronic benefits transfer card. A person commits a fraudulent practice if that person does any of the following:

1. With intent to gain financial assistance to which that person is not entitled, knowingly makes or causes to be made a false statement or representation or knowingly fails to report to an employee of the department any change in income, resources or other circumstances affecting that person’s entitlement to such financial assistance.

2. As a beneficiary of the food programs, transfers any supplemental nutrition assistance program benefit transfer instrument to any other individual with intent that the benefit transfer instrument be used for the benefit of someone other than persons within the beneficiary’s supplemental nutrition assistance program household as certified by the department.

3. Knowingly acquires, uses, or attempts to use any supplemental nutrition assistance program benefit transfer instrument which was not issued for the benefit of that person’s supplemental nutrition assistance program household by the department, or by an agency administering food programs in another state.

4. Acquires, alters, transfers, or redeems a supplemental nutrition assistance benefit transfer instrument or possesses a benefit transfer instrument, knowing that the benefit transfer instrument has been received, transferred, or used in violation of [this section](#) or the provisions of the federal supplemental nutrition assistance program under 7 U.S.C. ch. 51 or the federal regulations issued pursuant to that chapter.

[C79, 81, §234.13; [82 Acts, ch 1260, §120](#)]

[96 Acts, ch 1106, §15](#); [2023 Acts, ch 19, §676](#)

Referred to in [§234.12, 423.3](#)

Fraudulent practices, see [§714.8 – 714.14](#)

Section amended