

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 80

By Senator Phillips

[Introduced January 14, 2026; referred
to the Committee on Health and Human Resources;
and then to the Committee on Finance]

1 A BILL to amend and reenact §9-8-5 of the Code of West Virginia, 1931, as amended, relating to
2 identity authentication; and requiring a photograph of the user on EBT cards.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. ELIGIBILITY AND FRAUD REQUIREMENTS FOR PUBLIC ASSISTANCE

§9-8-5. Identity authentication.

1 (a) Prior to awarding public assistance, applicants for benefits must complete a
2 computerized identity authentication process to confirm the identity of the applicant. This shall be
3 done with a knowledge-based questionnaire consisting of financial and/or personal questions. The
4 questionnaire must contain questions tailored to assist persons without a bank account or those
5 who have poor access to financial and banking services or who do not have an established credit
6 history. The questionnaire may be submitted online, in-person, or via telephone.

7 (b) The department shall submit a report to the Legislative Oversight Committee on Health
8 and Human Resources Accountability regarding the feasibility of implementing the photo EBT
9 card option under 7 U.S.C. § 2016(h)(9). The study shall address certain operational issues to
10 ensure that state implementation would be consistent with all federal requirements, and that
11 program access is protected for participating households, including, but not limited to, allowing the
12 recipient to designate permitted users for purposes of utilizing the photo EBT card.

13 (c) Beginning June 1, 2026, all EBT cards issued in West Virginia shall have the
14 photograph of the holder of an EBT card placed on the card itself to aid in combatting fraud.

NOTE: The purpose of this bill is to require a photograph of the user on EBT cards.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.