

76-8-1207 Legal actions -- Evidence -- Value of benefits -- Repayment no defense to criminal action.

In any criminal action pursuant to this part:

- (1) a paid state warrant made to the order of a party or a payment made through an electronic benefit card issued to a party constitutes prima facie evidence that the party received financial assistance from the state;
- (2) all of the records in the custody of the department relating to the application for, verification of, issuance of, receipt of, and use of public assistance constitute records of regularly conducted activity within the meaning of the exceptions to the hearsay rule of evidence;
- (3) the value of the benefits received shall be based on the ordinary or usual charge for similar benefits in the private sector; and
- (4) the repayment of funds or other benefits obtained in violation of the provisions of this part constitutes no defense to, or ground for dismissal of, that action.

Amended by Chapter 48, 2000 General Session