S T A T E O F N E W Y O R K

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I N A S S E M B L Y

May 5, 2010

Introduced by M. of A. BALL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to prohibiting the purchase of food items which are not nutritional with food stamp program coupons or other access devices relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and be cited as the "snap back into shape act".

S 2. Subdivision 7 of section 95 of the social services law, as added by chapter 452 of the laws of 1986, is amended to read as follows:

7. When an eligible recipient under this section is issued an authorization to participate in the food stamp program by written or electronic means, such authorization to participate may be redeemed for food stamp program coupons at designated redemption centers by the recipient or by an authorized representative. When an eligible recipient under this section is issued food stamp program coupons OR OTHER ACCESS DEVICES THEREFOR, such food stamp program coupons OR ACCESS DEVICES may be used to purchase food items from a food distributor by the recipient or by an authorized representative. Any other transfer or sale of authorizations to participate or food stamp program coupons OR OTHER ACCESS DEVICES THEREFOR shall constitute an unauthorized use of said authorizations [or], coupons OR DEVICES. FURTHERMORE, ANY PURCHASE OF FOOD ITEMS WHICH ARE NOT NUTRITIONAL SHALL CONSTITUTE AN UNAUTHORIZED USE OF SUCH COUPONS OR DEVICES. FOR THE PURPOSES OF THIS SUBDIVISION A FOOD ITEM SHALL BE DEEMED TO BE "NOT NUTRITIONAL" IF IT: (A) HAS FOUR HUNDRED MILLIGRAMS OR MORE OF SALT PER SERVING OF THE FOOD ITEM, OR (B) HAS THIRTY-SEVEN AND ONE-HALF GRAMS OR MORE OF SUGAR PER ONE HUNDRED GRAM SERVING OF THE FOOD ITEM. For the purposes of this subdivision, "authorized representative" shall be defined in regulations promulgated by the commissioner.

S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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