

STATE OF NEW YORK

1952

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

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

AN ACT to amend the social services law, in relation to implementing a healthy food initiative for beneficiaries of the supplemental nutrition assistance program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The intent of this legislation is to
2 ensure that supplemental nutrition assistance program (SNAP) benefits
3 are used to purchase healthy and nutritious food and beverages, thereby
4 improving long-term health, reducing the prevalence of weight-related
5 diseases, and increasing the life expectancy for SNAP beneficiaries.

6 § 2. Section 95 of the social services law is amended by adding a new
7 subdivision 12 to read as follows:

8 12. (a) The department shall, in consultation with the department of
9 health, within ninety days after the effective date of this subdivision,
10 apply for a waiver or request authorization from the federal government
11 to ensure that supplemental nutrition assistance program (SNAP) benefits
12 are used only for the purchase of healthy and nutritious foods and
13 beverages. In developing the list of healthy and nutritious foods and
14 beverages, the department shall consider those items that are approved
15 for the special supplemental nutrition program for women, infants, and
16 children.

17 (b) For the purposes of this subdivision, "healthy and nutritious
18 foods and beverages" shall include infant and adult cereal; fruits,
19 vegetables, nuts, meats, and fish; bread, rice, flour, spices, baking
20 supplies, soft corn and wheat tortillas; fruit and vegetable juice;
21 eggs; milk; cheese; peanut butter, jelly; dried beans or peas; soy
22 beverage, tofu; and other items as determined by the commissioner of
23 health to be medically or nutritionally warranted, or otherwise appro-

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

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1 priate for program participants in accordance with rules and regulations
2 promulgated by the commissioner of health for such purpose.

3 (c) "Healthy and nutritious foods and beverages" shall not include
4 foods and beverages with significant amounts of added sugar, artificial
5 sweeteners, or sodium, such as soft drinks, confectionary products,
6 desserts, processed foods with high salt content, and similar items.

7 § 3. The social services law is amended by adding a new section 95-b
8 to read as follows:

9 § 95-b. Healthy and nutritious use of supplemental nutrition assist-
10 ance program benefits. 1. To the extent not inconsistent with federal
11 law and regulations, the office of temporary and disability assistance
12 shall, in consultation with the department of health, establish a list
13 of approved healthy and nutritious foods and beverages which can be
14 purchased using supplemental nutrition assistance program benefits under
15 subdivision twelve of section ninety-five of this title.

16 2. As used in this section, "healthy and nutritious foods and beverage-
17 es" shall include infant and adult cereal; fruits, vegetables, nuts,
18 meats, and fish; bread, rice, flour, spices, baking supplies, soft corn
19 and wheat tortillas; fruit and vegetable juice; eggs; milk; cheese;
20 peanut butter, jelly; dried beans or peas; soy beverage, tofu; other
21 items as determined by the commissioner of health to be medically or
22 nutritionally warranted, or otherwise appropriate for program partic-
23 ipants in accordance with rules and regulations promulgated by the
24 commissioner of health for such purpose.

25 3. "Healthy and nutritious foods and beverages" shall not include
26 foods and beverages with significant amounts of added sugar, artifi-
27 cial sweeteners, or sodium, such as soft drinks, confectionary products,
28 desserts, processed foods with high salt content, and similar items.

29 § 4. This act shall take effect immediately; provided that section
30 three of this act shall take effect only upon the occurrence of the
31 waiver or authorization from the federal government provided for in
32 section two of this act; provided further that the office of temporary
33 and disability assistance shall notify the legislative bill drafting
34 commission upon the occurrence of such waiver or authorization in order
35 that the commission may maintain an accurate and timely effective data
36 base of the official text of the laws of the state of New York in furth-
37 erance of effectuating the provisions of section 44 of the legislative
38 law and section 70-b of the public officers law.