STATE OF NEW YORK

4416

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. MOLITOR -- 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:

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

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

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

(b) For the purposes of this subdivision, "healthy and nutritious foods and beverages" shall include infant and adult cereal; fruits, vegetables, nuts, meats, and fish; bread, rice, flour, spices, baking supplies, soft corn and wheat tortillas; fruit and vegetable juice; eggs; milk; cheese; peanut butter, jelly; dried beans or peas; soy beverage, tofu; and other items as determined by the commissioner of 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.

LBD07719-01-5

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

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

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

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

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

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

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