STATE OF NEW YORK

9033

IN SENATE

January 27, 2026

Introduced by Sens. RIVERA, HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing a state-funded supplemental nutrition assistance program to provide for the state's immigrant population

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 may be cited as the "SNAP for all act".

§ 2. Legislative intent. The supplemental nutrition assistance program (SNAP) is a federal entitlement program, administered by the state, providing nutrition benefits to low-income families and individuals. In New York, SNAP is the largest and most impactful antihunger program in the state, providing vital food assistance to nearly 3 million New Yorkers each month. SNAP is also an effective antipoverty program, lifting more than 550,000 New Yorkers out of poverty each year. However, federal law prohibits participation in SNAP for many low-income New Yorkers, solely due to their immigration status.

The COVID-19 pandemic and its aftermath have greatly increased food insecurity among low-income New Yorkers, and disproportionately impacted immigrants with low income. Food prices have recently risen significantly due to inflation, further exacerbating food insecurity and hardship for New Yorkers with low incomes. Research published in the American Journal of Preventive Medicine has found that immigrants without access to SNAP are nearly twice as likely to be food insecure compared with U.S.-born and naturalized citizens. Access to food benefits must be expanded to all low-income New Yorkers regardless of immigration status.

It is the intent of the legislature that all New Yorkers, regardless of immigration status, have access to food assistance to maximize the impact of nutrition safety net funding to reduce poverty, fight hunger, and improve health for all low-income New Yorkers. The intent of the legislature is to create a program known as "SNAP for all," which will provide a state-funded benefit for excluded immigrant New Yorkers, to operate in a manner as similar as possible to the current SNAP program.

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

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

§ 95-b. SNAP for all program. 1. For the purposes of this section:

(a) "SNAP" shall mean the federal supplemental nutrition assistance program.

(b) "SNAP for all" shall be the official name of New York's state-funded SNAP program, enacted by this section.

(c) "The office" shall mean the office of temporary and disability assistance.

(d) "Mixed-status household" shall mean a household made up of persons with different immigration statuses and, therefore, different federal SNAP eligibilities.

2. (a) The commissioner of temporary and disability assistance, in conjunction with all relevant departments and agencies, shall establish and implement a program to be known as SNAP for all.

(b) The office shall adopt any rules or regulations necessary to implement the provisions of this section.

(c) The office is empowered, with the consent and approval of the governor, to delegate or assign to any other office or agency of the state the performance of such function or functions under the provisions of this section as may be appropriate. Any such state department or agency is hereby empowered to and shall perform the function or functions so delegated or assigned to it.

3. (a) Individuals or households permanently residing in New York state shall be eligible for SNAP for all if such person or household meets the income eligibility criteria of the federal supplemental nutrition assistance program, but such individual or household is not eligible for supplemental nutrition assistance program benefits solely due to immigration status, including being subject to an immigration-based waiting period.

(b) (i) If an individual or household qualifies for federal SNAP benefits, such individual or household shall not be eligible to receive New York SNAP for all benefits.

(ii) If an individual or household becomes eligible and is approved for federal SNAP benefits while receiving or applying for SNAP for all benefits, such individual or household shall be transitioned to federal SNAP benefits as soon as is practicable. The office shall establish a streamlined procedure for this transition and provide assistance, where practicable.

(c) Being a member of a mixed-status household shall not be a disqualifying factor for an individual's eligibility to receive benefits.

(d) Eligibility for SNAP for all benefits shall be the same as federal SNAP eligibility with regard to income, resource, and work requirements and household status, as well as special requirements for those with disabilities, dependents, those in rehabilitation programs, and other exceptional situations. No resources which are excluded from determining eligibility for federal SNAP benefits shall be considered in determining eligibility for SNAP for all benefits.

(e) If there is any uncertainty about an individual or household's eligibility to receive SNAP for all benefits, the application shall be processed in the light most favorable to the applicant.

(f) An individual or household's eligibility or receipt of other public benefits shall not be affected by receipt of SNAP for all benefits, nor shall these factors affect eligibility to receive SNAP for all benefits.

(g) Notwithstanding any law to the contrary, SNAP for all benefits shall not be considered income or resources for any purpose, including taxation.

4. (a) The benefit amount for a SNAP for all recipient shall be identical to the amount that would otherwise be provided to such recipient had they been eligible for federal SNAP benefits.

(b) To the extent permissible under federal and state law, the delivery of SNAP for all benefits shall be identical to the delivery of federal SNAP benefits to eligible individuals and households, including but not limited to payment schedule and payment method.

(c) When an eligible recipient under this section is issued an authorization to participate in the SNAP for all program by written or electronic means, such authorization to participate may be redeemed for SNAP for all benefits at designated redemption centers by the recipient or by an authorized representative. When an eligible recipient under this section is issued SNAP for all benefits, such SNAP for all benefits 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 in SNAP for all benefits shall constitute an unauthorized use of said authorizations or benefits.

(d) For the purposes of this subdivision, "authorized representative" shall be defined in regulations promulgated by the commissioner of temporary and disability assistance and made known to all designated redemption centers. Such representative shall be an individual within the guidelines the commissioner defines and is explicitly authorized by the recipient in such recipient's benefit application. Recipient may revoke or instate authorized representatives at any time once benefits have been redeemed, pursuant to the office's policy on such changes.

(e) SNAP for all benefits shall be accepted by local nutrition incentives for farmers' and green markets which accept federal SNAP benefits. The office may work in conjunction with organizations working to assist farmers' and green markets to accept SNAP benefits to reduce complications for individual beneficiaries and marketers.

5. (a) In accordance with regulations of the office, each commissioner of social services is authorized and shall apply for inclusion of their social services district in the SNAP for all program. Each commissioner shall assist needy families and individuals of their social services district to obtain nutritionally adequate diets through participation in such program. However, only those persons who qualify for SNAP for all benefits in accordance with state requirements, and standards promulgated by the office, shall be certified as eligible to receive such benefits.

(b) Subject to state requirements therefor, each commissioner of social services is authorized and shall act on behalf of the office and receive, store, and issue SNAP for all benefits, either directly, or, with the approval of the office, through a banking institution and/or other appropriate public or private agency.

(c) Each commissioner of social services shall develop and submit to the office for its approval a plan describing their district's operations under this section, which shall comply with state requirements.

(d) (i) Except as necessary for processing of benefits, all personal identifying information of applicants and beneficiaries of the SNAP for all program, including name, date of birth, address, family members, phone number, e-mail address, employer, immigration status, country of origin, permanent resident number, alien registration/United States Citizenship and Immigration Services number, or any other identifying

numbers or information that could be used to locate a person or group of persons, shall be treated as highly sensitive information. This information shall not be divulged to federal immigration and customs enforcement or its agents, the department of justice or its agents, or any other prosecuting or immigration authority unless duly ordered by a court having jurisdiction over the affected social services district or the office.

(ii) An individual may only access the information of another if such individual is such beneficiary or applicant's custodial parent or guardian or such individual is designated as an authorized representative, as defined by paragraph (d) of subdivision four of this section.

(iii) An individual may request added security for their information should such individual believe there is a threat of unlawful use of that information.

6. (a) Application and receipt of SNAP for all benefits shall not affect an individual's immigration status or naturalization process, nor shall such application be reported to any immigration or prosecuting authority pursuant to paragraph (d) of subdivision five of this section.

(b) Application and receipt of SNAP for all benefits shall not make such applicant or recipient a public charge and shall not be considered in a public charge determination.

7. (a) Notwithstanding any law to the contrary, expenditures made by a social services district for the purpose of certifying eligibility of needy families and individuals, including those who are not in receipt of public assistance and care, for SNAP for all benefits, and for distributing and redeeming such benefits, shall be considered as expenditures for the administration of public assistance and care and shall be subject to reimbursement by the state in accordance with the provisions of section one hundred fifty-three of this chapter to the extent of one hundred percent in accordance with paragraph (b) of this subdivision.

(b) Such expenditures for SNAP for all administrative costs shall be subject to reimbursement by the state in accordance with regulations to be determined by the office, which shall be subject to the approval of the director of the budget, shall be consistent with federal law and regulations, and shall be based on an allocation of administrative costs attributable to SNAP for all benefits.

8. (a) Notwithstanding any law to the contrary, the office shall develop a brief, simple application form for the SNAP for all program, widely available in English, Spanish, and any additional language the office deems appropriate.

(b) The office shall develop an outreach plan that seeks to maximize participation in SNAP for all by eligible individuals and households. The office shall develop this plan in consultation with food outreach organizations and consider how such outreach may be used to reach as many potential applicants as possible.

(c) The office shall ensure SNAP for all outreach activities are provided in a culturally competent manner, including timely interpretation services to individuals in their primary or preferred language. This includes in-office services, services provided outside of the office, and public-facing materials including application forms and informational materials related to SNAP for all. This shall include spoken or signed, real-time communication in which the qualified human interpreter is fluent in both the source and target language and is trained as an interpreter.

9. The office shall report to the governor and legislature and publish monthly data with non-identifying information including, but not limited

to, number of applications submitted, number of applications processed, application determinations, the number of households receiving benefits, and the total amount of benefits paid. The office may, but is not required to, include SNAP for all data with its monthly SNAP reporting.

§ 4. This act shall take effect six months after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.