

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 Assem-
bly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "SNAP for all act".

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

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

21 It is the intent of the legislature that all New Yorkers, regardless
22 of immigration status, have access to food assistance to maximize the
23 impact of nutrition safety net funding to reduce poverty, fight hunger,
24 and improve health for all low-income New Yorkers. The intent of the
25 legislature is to create a program known as "SNAP for all," which will
26 provide a state-funded benefit for excluded immigrant New Yorkers, to
27 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.

LBD10135-01-5

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

3 § 95-b. SNAP for all program. 1. For the purposes of this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (c) When an eligible recipient under this section is issued an author-
12 ization to participate in the SNAP for all program by written or elec-
13 tronic means, such authorization to participate may be redeemed for SNAP
14 for all benefits at designated redemption centers by the recipient or by
15 an authorized representative. When an eligible recipient under this
16 section is issued SNAP for all benefits, such SNAP for all benefits may
17 be used to purchase food items from a food distributor by the recipient
18 or by an authorized representative. Any other transfer or sale of
19 authorizations to participate in SNAP for all benefits shall constitute
20 an unauthorized use of said authorizations or benefits.

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

29 (e) SNAP for all benefits shall be accepted by local nutrition incen-
30 tives for farmers' and green markets which accept federal SNAP benefits.
31 The office may work in conjunction with organizations working to assist
32 farmers' and green markets to accept SNAP benefits to reduce compli-
33 cations for individual beneficiaries and marketers.

34 5. (a) In accordance with regulations of the office, each commissioner
35 of social services is authorized and shall apply for inclusion of their
36 social services district in the SNAP for all program. Each commissioner
37 shall assist needy families and individuals of their social services
38 district to obtain nutritionally adequate diets through participation in
39 such program. However, only those persons who qualify for SNAP for all
40 benefits in accordance with state requirements, and standards promulgat-
41 ed by the office, shall be certified as eligible to receive such bene-
42 fits.

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

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

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

1 numbers or information that could be used to locate a person or group of
2 persons, shall be treated as highly sensitive information. This informa-
3 tion shall not be divulged to federal immigration and customs enforce-
4 ment or its agents, the department of justice or its agents, or any
5 other prosecuting or immigration authority unless duly ordered by a
6 court having jurisdiction over the affected social services district or
7 the office.

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

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

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

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

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

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

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

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

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

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

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

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