

# SENATE BILL REPORT

## HB 1820

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As of March 27, 2015

**Title:** An act relating to requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education.

**Brief Description:** Requiring the department of social and health services to request all necessary exemptions and waivers from the federal government to allow students to use electronic benefit transfer cards at institutions of higher education.

**Sponsors:** Representatives Reykdal, Zeiger, Senn, Haler, Riccelli, Bergquist, Kagi, Wilcox, Pollet, Walkinshaw, McBride, Stambaugh, Muri, Harmsworth, Springer, Stanford, Tharinger and Goodman.

**Brief History:** Passed House: 3/02/15, 68-29.

**Committee Activity:** Human Services, Mental Health & Housing: 3/30/15.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Alison Mendiola (786-7444)

**Background:** The Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps, provides nutritional support benefits to low-income individuals and families. Congress authorizes funding and establishes requirements for SNAP through the Food and Nutrition Act, commonly referred to as the Farm Bill. Congress renews the Food and Nutrition Act through the reauthorization process every five years, with the most recent reauthorization occurring in 2014.

Approved Retailer Requirements. SNAP is administered by the U.S. Department of Agriculture, under the Food and Nutrition Service (FNS). In order for a food retailer to be able to accept SNAP benefits, they must apply and be approved by the FNS.

To be eligible, the retailer must sell food for home preparation and consumption and meet one of the following criteria:

1. offer for sale, on a continuous basis, at least three varieties of qualifying foods in each of the following four staple food groups, with perishable foods in at least two of the categories:
  - a. meat, poultry, or fish;

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- b. bread or cereal;
  - c. vegetables or fruits; and
  - d. dairy products; and
2. more than one-half of the total dollar amount of all retail sales, e.g. food, nonfood, gas, and services, sold in the store must be from the sale of eligible staple foods.

Eligible Food Items. The definitions of eligible foods under SNAP are set in Section 3(k) of the Food and Nutrition Act of 2008, as amended. In general, items that are not eligible for purchase with SNAP benefits include food products that contain alcohol or tobacco products; items that are not intended for human consumption, e.g. paper products, pet foods, etc.; foods sold hot at the point of sale; and vitamins and supplements. Under some limited conditions, restaurants may be authorized to accept SNAP benefits from qualified homeless, elderly, or disabled people in exchange for low-cost meals.

Electronic Benefits Transfer Card. The Electronic Benefits Transfer card operates like a debit card and contains both food and cash benefits for recipients of SNAP and Temporary Assistance for Needy Families benefits.

Waiver Process. A state may apply to FNS for an approved waiver to federal rules. Waivers may be approved under certain conditions, including when approval of a waiver would result in a more effective and efficient administration of the program.

**Summary of Bill:** The Department of Social and Health Services (DSHS) must request all necessary exemptions and waivers from federal statutes, rules, and requirements to authorize on-campus food retail establishments located on Washington's institutions of higher education to accept SNAP benefits. The stated intent is to retain a waiver from the U.S. Department of Agriculture to allow students to use SNAP benefits at on-campus food retail establishments. DSHS must complete this request in consultation with the State Board for Community and Technical Colleges and the Student Achievement Council. DSHS must provide quarterly reports to the appropriate committees of the Legislature until January 1, 2018, that describe their efforts to secure the waiver or exemption. If DSHS cannot obtain the necessary exemption or waiver by January 1, 2018, this act expires on that date.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.