

2019 Arkansas House Bill No. 1743, Arkansas Ninety-Second General Assembly

ARKANSAS BILL TEXT

**TITLE: TO PROMOTE THE PURCHASE OF HEALTHY PRODUCTS WITH  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.**

VERSION: Introduced

March 07, 2019

Bentley



Image 1 within document in PDF format.

**SUMMARY: AN ACT TO PROMOTE THE PURCHASE OF HEALTHY PRODUCTS WITH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; AND FOR OTHER PURPOSES.**

**TEXT:**

Stricken language would be deleted from and underlined language would be added to present law.

HOUSE BILL 1743

A Bill

State of Arkansas

92nd General Assembly

Regular Session, 2019

By: Representatives Bentley, Beck, Christiansen, Cloud, Gates, L. Johnson, J. Mayberry, Penzo, B. Smith, Womack

By: Senator Flippo

For An Act To Be Entitled

**AN ACT TO PROMOTE THE PURCHASE OF HEALTHY PRODUCTS WITH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; AND FOR OTHER PURPOSES.**

Subtitle

**TO PROMOTE THE PURCHASE OF HEALTHY PRODUCTS WITH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

**SECTION 1. DO NOT CODIFY. Legislative findings and intent.**

**(a) The General Assembly finds that:**

**(1) The Supplemental Nutrition Assistance Program, formerly known as the "Food Stamp Program", assists eligible low-income individuals with the purchase of food;**

**(2) Overconsumption of foods, food products, and beverages containing large amounts of sugar increases the risk of obesity, diabetes, and other diseases;**

**(3) According to a recent study authorized by the United States Department of Agriculture, soft drinks were the top items purchased by Supplemental Nutrition Assistance Program households;**

**(4) According to the America's Health Rankings 2018 Annual Report, the prevalence of obesity among adults in Arkansas is thirty-five percent (35%), which is above the national average for obesity prevalence and the seventh-highest percentage among all states;**

**(5) Consuming foods, food products, and beverages of insufficient nutritional value endangers the health of Arkansas residents; and**

**(6) The use of Supplemental Nutrition Assistance Program benefits to purchase products that have insufficient or no nutritional value induces the supply of unhealthy products available to the general population.**

**(b) It is the intent of the General Assembly that the Supplemental Nutrition Assistance Program, formerly known as the "Food Stamp Program", align with other programs and initiatives aimed at improving the health and welfare of Arkansas citizens.**

SECTION 2. Arkansas Code Title 20, Chapter 76, Subchapter 2, is amended to add additional sections to read as follows:

**20-76-216. Use of Supplemental Nutrition Assistance Program benefits for food products.**

**(a)(1) As used in this section, "food products" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value.**

**(2) "Food products" includes prepared foods.**

**(3) "Food products" does not include candy, soft drinks, energy drinks, or dietary supplements.**

**(b) The Supplemental Nutrition Assistance Program shall allow benefits to be used only for food products.**

**(c)(1) The Department of Human Services shall prohibit the use of benefits under the Supplemental Nutrition Assistance Program for items that are not food products.**

**(2) The Department of Human Services shall consult with the Department of Finance and Administration to follow guidelines established under the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., concerning soft drinks and candy that are not food products.**

**(d) The Department of Human Services shall request a demonstration waiver from the United States Secretary of Agriculture to allow the implementation of this section.**