

HB0471S01 compared with HB0471

~~{Omitted text}~~ shows text that was in HB0471 but was omitted in HB0471S01

inserted text shows text that was not in HB0471 but was inserted into HB0471S01

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1

Social Services Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Logan J. Monson

Senate Sponsor:

2

LONG TITLE

General Description:

This bill enacts provisions related to social services programs.

Highlighted Provisions:

This bill:

▸ ~~{codifies}~~ amends provisions related to the Medicaid program, including:

- work requirements for certain Medicaid enrollees;
- verification standards for the Department of Health and Human Services (DHHS);
- citizenship requirements;
- procedures for disenrolling individuals no longer eligible for Medicaid due to death or state

residency requirements; and

- limiting retroactive eligibility;

▸ ~~{codifies}~~ amends provisions related to the Supplemental Nutrition Assistance Program, including provisions related to:

- work requirements;and
- citizenship; and

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- 19 • { **verification and eligibility;** }
- 20 ▸ creates reporting requirements { ~~;~~ **and** } .
- 21 ▸ { ~~requires certain state agencies to provide information to DHHS and the Division of~~
22 **Workforce Services for administering the Medicaid program.** }

20 Money Appropriated in this Bill:

21 None

22 Other Special Clauses:

23 This bill provides a special effective date.

24 Utah Code Sections Affected:

25 ENACTS:

26 **26B-3-142.1** (**Effective 01/01/27**), Utah Code Annotated 1953

27 **26B-3-142.2** (**Effective 01/01/27**), Utah Code Annotated 1953

28 **26B-3-142.3** (**Effective 05/06/26**), Utah Code Annotated 1953

29 **26B-3-142.4** (**Effective 01/01/27**), Utah Code Annotated 1953

30 **26B-3-142.5** (**Effective 05/06/26**), Utah Code Annotated 1953

31 **26B-3-142.6** (**Effective 01/01/27**), Utah Code Annotated 1953

32 **35A-17-202** (**Effective 05/06/26**), Utah Code Annotated 1953

33 **35A-17-301** (**Effective 05/06/26**), Utah Code Annotated 1953

34 **35A-17-302** (**Effective 05/06/26**), Utah Code Annotated 1953

38 ~~{35A-17-303, Utah Code Annotated 1953}~~

39 ~~{35A-17-304, Utah Code Annotated 1953}~~

40 ~~{35A-17-305, Utah Code Annotated 1953}~~

41 ~~{35A-17-306, Utah Code Annotated 1953}~~

42 ~~{35A-17-307, Utah Code Annotated 1953}~~

43 ~~{35A-17-402, Utah Code Annotated 1953}~~

44 ~~{35A-17-403, Utah Code Annotated 1953}~~



36 *Be it enacted by the Legislature of the state of Utah:*

37 Section 1. Section 1 is enacted to read:

38 **26B-3-142.1. (Effective 01/01/27) Medicaid work requirements.**

49 (1) As used in this section:

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- 50 (a) "Applicable individual" means an individual who:
- 51 (i) is eligible to enroll in Medicaid under 42 U.S.C. Sec. 1396a(a)(10)(A)(i)(VIII); or
- 52 (ii)
- (A) is eligible to enroll under a waiver that provides coverage that is equivalent to minimum essential coverage as described in 26 U.S.C. Sec. 5000A;
- 54 (B) is at least 19 years old and younger than 65 years old;
- 55 (C) is not pregnant;
- 56 (D) is not entitled to, enrolled for, or eligible to enroll for, benefits under Part A of Title XVIII of the Social Security Act; and
- 58 (E) is not entitled to, enrolled for, or eligible to enroll for, benefits under Part B of Title XVIII of the Social Security Act.
- 60 (b) "Health care professional" means ~~{ a physician, physician assistant, nurse, nurse practitioner, designated representative of a physician's office, a psychologist, or a social worker }~~ an individual practicing within the scope of the individual's professional license.
- 63 (c) "Work requirements" means the requirements established by 42 U.S.C. Sec. 1396a(xx).
- 65 (2) ~~{ On or before December 31, 2026, the }~~ The department shall implement work requirements for applicable individuals.
- 67 (3)
- (a) The department may not enroll an applicable individual in Medicaid unless, at the time of application, the individual demonstrates compliance with the work requirements for {the three consecutive months} one month immediately {before} preceding the month during which the individual applies.
- 71 (b) The department:
- 72 (i) shall ~~{require}~~ use documentary evidence, including claims data; and
- 73 (ii) may not ~~{accept}~~ rely exclusively on self-attestation as evidence.
- 74 ~~{(e) {The department shall verify an applicable individual's compliance with work requirements:} }~~
- 76 (i) ~~{(c)}~~ The department shall verify an applicable individual's compliance with work requirements through state wage data, Department of Workforce Services records, education or training program enrollment, or verified volunteer service documentation{;and}.
- 78 ~~{(ii) {at least quarterly between redetermination periods.} }~~
- 79

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- (d) ~~{No}~~ The department shall verify that an applicable individual ~~{ shall remain enrolled in Medicaid in any month unless the individual has demonstrated compliance }~~ complied with ~~{the}~~ work requirements for one month during the applicable individual's current eligibility period before completing the applicable individual's next redetermination of eligibility.
- 81 (4)
- (a) An applicable individual seeking an exemption from work requirements shall provide documentation for the exemption sought ~~unless the department is able to make the determination through other reliable sources of information.~~
- 83 (b) The department:
- 84 (i) shall verify all exemptions;
- 85 ~~{(ii) { may not seek or implement any additional optional exemptions under 42 U.S.C. Sec. 1396a(xx) (3)(B) or any other optional exemption; and } }~~
- 87 (iii) ~~{(ii)}~~ may not accept exemption designations, approvals, or determinations by a managed care organization{ : } ; and
- 77 (iii) may accept data provided by a managed care organization to verify or make a determination regarding an exemption.
- 89 (c) If the individual is attempting to obtain an exemption from the work requirements because the individual is medically frail or otherwise an individual with special needs, { as described in 42 C.F.R. Sec. 440.315(f), } and electronic data is determined insufficient, the department may ~~{ only approve the exemption if the individual has been medically certified by a statement from a health care professional as having }~~ :
- 82 (i) provisionally approve the exemption based on a diagnosis identified by the individual; and
- 84 (ii) shall verify the exemption using electronic data or through a statement from a health care professional indicating the individual as:
- 86 (A) being blind or disabled as defined in 42 U.S.C. Sec. 1382c(2) or (3);
- 94 (i) ~~{(B)}~~ having a disabling mental disorder;
- 95 (ii) ~~{(C)}~~ having a physical, intellectual, or ~~{mental}~~ developmental disability that significantly impairs ~~{their}~~ the individual's ability to perform one or more activities of daily living, which may include eating, dressing, bathing, grooming, getting in and out of bed and chairs, walking, going outdoors, or using the toilet; ~~{or}~~
- 99 (iii) ~~{(D)}~~ having a ~~{chronic}~~ substance use disorder~~{ : } ; or~~

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- 100 {~~(5) {The department shall disenroll any applicable individual who fails to comply with the work requirements.}~~}
- 93 (E) having a serious or complex medical condition.
- 102 (6){~~(5)~~} Once work requirements are implemented, beginning August 31, 2027, and no later than August 31 of each subsequent year, the department shall submit annual reports to the Health and Human Services Interim Committee and the governor on compliance rates, the number and type of exemptions granted, and the impact on Medicaid enrollment.
- 98 Section 2. Section 2 is enacted to read:
- 99 **26B-3-142.2. (Effective 01/01/27) Verification of eligibility.**
- 108 (1) Except as required under federal law, the department may not accept self-attestation of any of the following in the administration of the Medicaid program without verification before enrollment:
- 111 (a) income;
- 112 (b) residency;
- 113 (c) identity;and
- 114 {~~(d) {household composition; and}~~}
- 115 (e){~~(d)~~} citizenship or immigration status.
- 116 {(2) {The department shall:}}
- 117 {(a) {each month receive and review information:}}
- 118 {(i) {~~from the State Tax Commission concerning enrollees that may indicate a change in circumstances that may affect Medicaid eligibility;~~}}
- 120 {(ii) {~~from the Social Security Administration concerning enrollees, including earned income information, death register information, incarceration records, supplemental security income information, beneficiary records, earnings information, and pension information, that indicates a change in circumstances that may affect Medicaid eligibility;~~}}
- 125 {(iii) {~~from the federal Department of Health and Human Services concerning enrollees, including income and employment information maintained in the national directory of new hires database and child support enforcement data, that indicates a change in circumstances that may affect Medicaid eligibility;~~}}
- 129 {(iv) {~~from the Commission on Criminal and Juvenile Justice, concerning records related to jail and prison populations and other criminal matters that would benefit ineligibility; and~~}}
- 132 {(v) {~~from a source determined by the department, concerning household information;~~}}

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- 133 ~~{(b) {each quarter receive and review information from the Department of Workforce Services and the State Tax Commission concerning enrollees that indicates a change in circumstances that may affect eligibility, including changes to employment or wages; and}}~~
- 137 ~~{(c) {each year receive and review information concerning enrollees:}}~~
- 138 ~~{(i) {from the Internal Revenue Service, including tax filing data, adjusted gross income, and family composition, that indicates a change in circumstances that may affect Medicaid eligibility; and}}~~
- 141 ~~{(ii) {from the State Tax Commission, including adjusted gross income and family composition, that indicates a change in circumstances that may affect Medicaid eligibility.}}~~
- 144 ~~{(3) }~~
- ~~{(a) {The department shall enter into any data-sharing agreement with the agencies, departments, and bureaus described in this section as necessary to effectuate the requirements of this section.}}~~
- 147 ~~{(b) {A state agency described in this section shall share information with the department as described in this section.}}~~
- 149 ~~{(4) {The department may contract with an independent third party for database searches that may contain information that indicates a change in circumstances that may affect Medicaid applicant or enrollee eligibility.}}~~
- 152 (5)(2) Upon receiving information concerning an enrollee that indicates a change in circumstances that may affect Medicaid eligibility, the department shall promptly conduct an eligibility determination for the recipient.
- 110 (3) Except as provided in federal law, the department shall conduct an eligibility redetermination for an enrollee:
- 155 (6)(a) {Unless prohibited by federal law, the department shall conduct eligibility redeterminations for all adult enrollees younger than 65 years old whose eligibility is determined based upon the application of modified adjusted gross income standards under 42 C.F.R. Sec. 435.603, including adults} eligible under 42 U.S.C. Sec. 1396a(a)(10)(A)(i)(VIII) {and 42 U.S.C. Sec. 1396u-1, at least} once every six months{; } ; and
- 160 (7)(b) {The department shall conduct eligibility redeterminations for all enrollees} not described in Subsection ~~{(6) at least}~~ (3)(a) once every 12 months.
- 114 Section 3. Section 3 is enacted to read:
- 115 26B-3-142.3. (Effective 05/06/26)Citizenship requirements.
- 164

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(1) As used in this section, "qualified citizen" means a resident of the United States and meets at least one of the following criteria:

- 166 (a) a citizen or national of the United States;
- 167 (b) an alien lawfully admitted for permanent residence as an immigrant, as defined in 8 U.S.C. Secs. 1101(a)(15) and 1101(a)(20), excluding alien visitors, tourists, diplomats, students, or other individuals admitted temporarily without intent to abandon their residence in a foreign country;
- 171 (c) an alien who has been granted the status of Cuban or Haitian entrant, as defined in Section 501(e) of the Refugee Education Assistance Act of 1980; ~~or~~
- 173 (d) an individual lawfully residing in the United States in accordance with a Compact of Free Association, as referenced in 8 U.S.C. Sec. 1612(b)(2)(G){-}; or
- 127 (e) a lawfully present child described in 42 U.S.C. Sec. 1396b(v)(4).
- 175 (2) ~~The~~ Beginning on October 1, 2026, the department:
- 176 (a) unless required by federal law, may not provide medical assistance to any individual unless that individual is a qualified citizen;
- 178 (b) shall require that all income of ineligible household members of the applicant be included when calculating financial eligibility for Medicaidto the extent allowed under federal law;
- 180 (c) shall include an immigration status on all presumptive eligibility applications submitted to the agency;
- 182 (d) shall require hospitals, clinics, and other qualified entities conducting presumptive eligibility determinations to collect and transmit any attestation to the agency;
- 184 (e) may not allow a presumptive eligibility application to be approved unless the applicant attests that the applicant is a qualified citizen;and
- 186 ~~{(f) shall verify citizenship or immigration status before enrollment;}~~
- 187 (g)~~(f)~~ shall conduct regular cross-checks of applicant and enrollee information against federal databases, including the Systematic Alien Verification for Entitlements program{-and}.
- 190 ~~{(h) shall promptly refer all applicants identified as an individual who is not a citizen or national of the United States and does not have lawful immigration status as defined under federal law to the United States Immigration and Customs Enforcement or other appropriate federal authorities for further investigation and enforcement.}~~

143 Section 4. Section 4 is enacted to read:

144 **26B-3-142.4. (Effective 01/01/27)Multi-state enrollment.**

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- 196 (1)
- (a) ~~{ Beginning on or before January 1, 2027, the }~~ The department shall:
- 197 (i) receive and review address change information from returned mail by the United States Postal
- 200 Service, the National Change of Address database, and accountable care organizations;
- (ii) conduct cross-checks regarding all address change information against state Medicaid
- 203 enrollment {at least monthly} to identify enrollees who have moved out of state;
- (iii) receive and review information regarding out-of-state electronic benefit transactions; and
- 205 (iv) conduct cross-checks of out-of-state electronic benefit transactions against state Medicaid
- enrollment {at least monthly} to identify enrollees who have moved out of state.
- 208 (b) Upon receiving information concerning an enrollee that indicates a change in circumstances that
- may affect Medicaid eligibility, including a change in residency, the department shall promptly
- conduct an eligibility determination for the recipient.
- 211 (2) Beginning no later than October 1, 2029, the department shall submit enrollment information to
- CMS's national Medicaid enrollment database every month to identify individuals enrolled in
- Medicaid in multiple states at the same time.
- 214 (3)
- (a) Beginning August 31, 2028, and no later than August 31 of each subsequent year, the department
- shall submit an annual report to the Health and Human Services Interim Committee detailing the
- implementation of the requirements established in this section.
- 218 (b) The report shall include for the prior fiscal year:
- 219 (i) the number of enrollees flagged through address change information and out-of-state electronic
- benefit transactions;
- 221 (ii) the number of enrollees disenrolled from the Medicaid program due to enrollment in multiple states;
- and
- 223 (iii) the estimated fiscal impact to the state due to implementing the requirements of this section.
- 172 Section 5. Section 5 is enacted to read:
- 173 **26B-3-142.5. (Effective 05/06/26)Remove deceased enrollees.**
- 227 (1) As used in this section, "death master file" means the database maintained by the Social Security
- Administration that contains reported deaths.
- 229 (2) The department shall:
- 230 (a) receive and review information from the death master file;

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- 231 (b) conduct cross-checks between information obtained from the death master file and state Medicaid
232 enrollment at least each { month-} quarter to identify deceased enrollees;
- 233 (c) receive and review information regarding birth and death records from the Office of Vital Records
234 and Statistics;
- 235 {~~(d) { conduct cross-checks of data from the Office of Vital Records and Statistics against state~~
~~Medicaid enrollment each month to identify deceased Medicaid enrollees; } }~~
- 237 (e){~~(d)~~ remove any identified deceased enrollee from the Medicaid program promptly upon
238 confirmation of death;
- 239 (f){~~(e)~~ ensure that no Medicaid payments are made on behalf of a deceased enrollee for services
240 rendered after the date of death; and
- 241 (g){~~(f)~~ recoup any funds expended on deceased enrollees for capitations or services occurring after the
242 date of death.
- 243 (3) The { state auditor } Office of Inspector General of Medicaid Services, created in Section
- 244 63A-13-201, shall conduct periodic reviews to ensure compliance with these requirements.
- 190 Section 6. Section 6 is enacted to read:
- 191 **26B-3-142.6. (Effective 01/01/27)Retroactive eligibility.**
- 247 (1) As used in this section:
- 248 (a) "Expansion population" means the population who is enrolled in the Medicaid program under 42
249 U.S.C. Sec. 1396a(a)(10)(A)(i)(VIII).
- 250 (b) "Traditional population" means the population who is enrolled in Medicaid under a provision of
251 federal law that is not 42 U.S.C. Sec. 1396a(a)(10)(A)(i)(VIII), including pregnant women, children,
252 elderly individuals, and individuals with disabilities.
- 254 (c) "Retroactive eligibility" means Medicaid coverage for services provided before the month of
255 application, as authorized by 42 U.S.C. Sec. 1396(a)(34).
- 256 (2)
- 257 (a) The department shall limit retroactive eligibility for Medicaid benefits as follows:
- 258 (i) for the expansion population, Medicaid coverage may be made retroactive for no more than one
259 month before the month in which the enrollee submits a completed Medicaid application; and
- 260 (ii) for the traditional population, Medicaid coverage may be made retroactive for no more than two
261 months before the month in which the individual submits a completed Medicaid application.
- 263

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(b) The limitations described in Subsection (2)(a) apply only to initial applications for Medicaid and do not affect eligibility for continuous or ongoing coverage.

265 (3)

(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules necessary to implement and enforce the provisions of this section.

268 (b) The department may establish procedures to notify applicants and providers of changes in eligibility policy, and shall ensure compliance with all federal requirements regarding notice and due process.

271 (4)

(a) Beginning on August 31, 2027, and no later than August 31 of each subsequent year, the department shall submit an annual report to the Health and Human Services Interim Committee detailing the implementation and impact of the retroactive benefits limitation established in Subsection (2).

275 (b) The report shall include for the prior fiscal year:

276 (i) the number of Medicaid applications processed for the expansion population and the number of applications processed for the traditional population; and

278 {(ii) {~~the total number of health claims submitted to the Medicaid program that would have been paid if retroactive eligibility was three months but were denied payment because of Subsection (2)(a); and~~}
}

281 (iii){(ii)} the estimated savings to the state created due to the {~~denials described~~} benefits limitation established in Subsection {(4)(b)(ii)} (2).

225 Section 7. Section 7 is enacted to read:

228 **35A-17-202. (Effective 05/06/26)Approval of work requirement waiver request --**

Prohibition for work requirement discretionary exemption.

17. SNAP Benefits

2. Work Requirements

288 (1) The department may not submit a waiver for a work requirement in accordance with 7 {U.S.C. Sec. 2015(o)(4) unless the waiver is approved by the Legislature and governor by concurrent resolution.}

291 {(2) {~~The department may not exercise the state's option to provide exemptions from the work requirement described in 7 U.S.C. Sec. 2015(o)(6)(F).~~}

U.S.C. Sec. 2015(o)(4) unless the waiver is approved by the Legislature and governor by concurrent resolution.

233 Section 8. Section 8 is enacted to read:

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- 235 **35A-17-301. (Effective 05/06/26){Definitions} Inclusion of financial resources.**
3. ~~{Verification}~~ Citizenship
~~{As used in this part, "EBT" means an Electronic Benefits Transfer card used to access~~
~~SNAP benefits.}~~
- 236 (1) The department shall determine an individual's eligibility for SNAP benefits in accordance with 7
U.S.C. Ch. 51, Supplemental Nutrition Assistance Program.
- 238 (2) Notwithstanding 7 C.F.R. Sec.273.11(c)(3) and if approved by the United States Department
of Agriculture, the department may not prorate or exclude the income, deductions, or financial
resources of ineligible aliens in determining the eligibility and the value of the allotment of the
household of which the individual is a member.
- 242 Section 9. Section 9 is enacted to read:
- 243 **35A-17-302. (Effective 05/06/26){Reviewing for change of circumstances -- Requirements}**
Citizenship requirements.
- 300 ~~{(1) {To determine whether a change in circumstance exists that may affect an individual's or~~
~~household's eligibility to receive SNAP benefits, the department shall review at least once per month~~
~~information the department receives from:} }~~
- 303 ~~{(a) {the Department of Health and Human Services;} }~~
- 304 ~~{(b) {the Department of Corrections;} }~~
- 305 ~~{(c) {the National Change of Address database or returned mail received from the United States Postal~~
~~Service;} }~~
- 307 ~~{(d) {the United States Social Security Administration, including payments received from~~
~~Supplemental Security, pension, or beneficiary benefits;} }~~
- 244 (1) In accordance with 7 U.S.C. Sec. 2015(f), an individual may not participate in SNAP benefits unless
the individual:
- 309 ~~(e){(a) is a resident of the United States {Department of Health and Human Services, including data~~
~~from child support enforcement} ; and~~
- 311 ~~{(f) {the directory of new hires.} }~~
- 312 ~~{(2) {To determine whether a change in circumstance exists that may affect an individual's or~~
~~household's eligibility to receive SNAP benefits, the department shall review:} }~~
- 314 ~~{(a) {at least once per quarter data that may indicate a change in wages or employment; and} }~~
- 315

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{(b) {at least once per year data received from the State Tax Commission that may indicate a change in wages, household composition, or residency.}}

317 {(3) {The department may enter into a memorandum of understanding with a state agency, department, or division to share the information described in this section.}}

247 (b) meets at least one of the following criteria:

248 (i) is a citizen or national of the United States;

249 (ii) is an alien lawfully admitted for permanent residence as an immigrant, as defined in 8 U.S.C. Secs. 1101(a)(15) and 1101(a)(20), excluding alien visitors, tourists, diplomats, students, or other individuals admitted temporarily without intent to abandon their residence in a foreign country;

253 (iii) is an alien who has been granted the status of Cuban or Haitian entrant, as defined in Section 501(e) of the Refugee Education Assistance Act of 1980; or

255 (iv) is an individual lawfully residing in the United States in accordance with a Compact of Free Association, as referenced in 8 U.S.C. Sec. 1612(b)(2)(G).

319 (4){(2)} {~~Nothing in this section prevents the~~} The department {~~from entering into a contract with~~} shall require an {~~independent contractor~~} individual to {~~receive data that may be necessary for the department~~} provide documentary proof of citizenship or immigration status to determine {~~continued~~} eligibility {~~of an individual or household that receives SNAP benefits~~}.

259 (3) Acceptable forms of documentary evidence of an individual's citizenship or alien status include:

261 (a) birth or hospital records;

262 (b) voter registration cards;

263 (c) United States passports;

264 (d) United States Citizenship and Immigration Service documentation; or

265 (e) electronically available data.

323 (5){(4)} If {~~the department enters into~~} an {~~agreement~~} individual is unable to provide the documentation described in {~~Subsections~~} Subsection (3) {and (4)}, the {~~department~~} department shall {~~ensure that the agreement meets state and federal data privacy requirements~~} verify the individual's alien status using the Systematic Alien Verification for Entitlementsonline service during enrollment and eligibility recertification.

326 Section 10. Section 10 is enacted to read:

327 **35A-17-303. EBT review.**

328

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(1) At least once per month, the department shall review EBT data to determine whether an individual or household that receives SNAP benefits makes out-of-state EBT transactions for a period of 60 days or more.

331 (2) No later than 30 days from the day the department identifies the transactions described in
Subsection (1), the department shall contact the individual or household to determine whether the
individual or household resides in the state.

334 (3) An individual or household shall be ineligible to receive SNAP benefits if the department:

336 (a) determines that the individual or household no longer resides in the state; or

337 (b) is unable to determine whether the individual or household resides in the state.

338 Section 11. Section **11** is enacted to read:

339 **35A-17-304. Income asset verification.**

Unless required by federal law, the department may not:

341 (1) grant categorical eligibility under 7 U.S.C. Sec. 2014(a) or 7 C.F.R. Sec. 273.2(j)(2)(iii) for any
noncash, in-kind, or other benefit for SNAP benefits; and

343 (2) except for financial resources described in 7 U.S.C. Sec. 2014(g)(2)(D), apply gross income,
allowable financial resources, or other resources described in 7 U.S.C. Sec. 2014, at a higher
standard than provided in 7 U.S.C. Sec. 2014.

346 Section 12. Section **12** is enacted to read:

347 **35A-17-305. Eligibility certification period.**

The department shall assign certification periods of no less than three months and no
more four months to households with zero net income, households that include an able-bodied
adult without dependents, or other households whose circumstances are determined by the
Department of Workforce Services to be unstable.

352 Section 13. Section **13** is enacted to read:

353 **35A-17-306. Required action on changes that affect eligibility.**

If the department receives information that indicates a change in circumstances that
affects the eligibility of an individual or household that receives SNAP benefits, the
department shall immediately review the individual's or household's eligibility for SNAP
benefits to determine further eligibility.

358 Section 14. Section **14** is enacted to read:

359 **35A-17-307. Rulemaking.**

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In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the office shall make rules to implement this chapter.

362 Section 15. Section **15** is enacted to read:

363

Part 4. Citizenship

364

35A-17-402. Inclusion of financial resources.

365

(1) The department shall determine an individual's eligibility for SNAP benefits in accordance with 7 U.S.C. Chapter 51, Supplemental Nutrition Assistance Program.

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(2) Notwithstanding 7 C.F.R. 273.11(c)(3), the department may not prorate or exclude the income, deductions, or financial resources of ineligible aliens in determining the eligibility and the value of the allotment of the household of which the individual is a member.

371

Section 16. Section **16** is enacted to read:

372

35A-17-403. Citizenship requirements.

373

(1) In accordance with 7 U.S.C. Sec. 2015(f), an individual may not participate in SNAP benefits unless the individual is:

375

(a) a resident of the United States; and

376

(b) meets at least one of the following criteria:

377

(i) a citizen or national of the United States;

378

(ii) an alien lawfully admitted for permanent residence as an immigrant, as defined in 8 U.S.C. Secs. 1101(a)(15) and 1101(a)(20), excluding alien visitors, tourists, diplomats, students, or other individuals admitted temporarily without intent to abandon their residence in a foreign country;

382

(iii) an alien who has been granted the status of Cuban or Haitian entrant, as defined in Section 501(e) of the Refugee Education Assistance Act of 1980; or

384

(iv) an individual lawfully residing in the United States in accordance with a Compact of Free Association, as referenced in 8 U.S.C. Sec. 1612(b)(2)(G).

386

(2) The department shall require an individual to provide documentary proof of citizenship or immigration status to determine eligibility.

388

(3) Acceptable forms of documentary evidence of an individual's citizenship or alien status include:

390

(a) birth or hospital records;

391

(b) voter registration cards;

392

(c) United States passports;

393

(d) United States Citizenship and Immigration Service documentation; or

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- 394 (e) electronically available data.
- 395 (4)
- (a) If an individual is unable to provide the documentation described in Subsection (3), the department shall verify the individual's alien status using the Systematic Alien Verification for Entitlements online service during enrollment and eligibility recertification.
- 399 (b) If the department is unable to verify an individual's or household member's alien status using the Systematic Alien Verification for Entitlements online service, the department shall submit to the United States Department of Agriculture and the United States Immigration and Customs Enforcement the individual's or household member's information whether the individual or household member applies for SNAP benefits.
- 405 (5) The department shall review an individual's or household's continued eligibility for SNAP benefits at least monthly by using the Systematic Alien Verification for Entitlements online service or other federal database to confirm the individual's or household's citizenship or immigration status.

270 Section 10. **Effective date.**

Effective Date.

{~~This~~} Except as provided in Subsection (2), this bill takes effect {~~on~~} May 6, 2026.

272 (2) The actions affecting the following sections take effect on January 1, 2027:

273 (a) Section 26B-3-142.1 (Effective 01/01/27);

274 (b) Section 26B-3-142.2 (Effective 01/01/27);

275 (c) Section 26B-3-142.4 (Effective 01/01/27); and

276 (d) Section 26B-3-142.6 (Effective 01/01/27).

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