

Kristen Chevrier proposes the following substitute bill:

SNAP Funds Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses the Supplemental Nutrition Assistance Program.

Highlighted Provisions:

This bill:

- defines "ultra-processed food";
- directs the Department of Workforce Services (DWS) to:
 - define the term ultra-processed food within a certain time frame of when the United States Department of Health and Human Services defines this term; and
 - submit the term ultra-processed food to the Rules Review and General Oversight Committee for review;
- submit a waiver request to the federal government regarding the use of Supplemental Nutrition Assistance Program funds for ultra-processed foods; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-17-101, as enacted by Laws of Utah 2025, Chapter 467

35A-17-102, as enacted by Laws of Utah 2025, Chapter 467

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

Section 1. Section **35A-17-101** is amended to read:

35A-17-101 . Definitions.

29 As used in this section:

30 (1) "SNAP" means the federal Supplemental Nutrition Assistance Program, 7 U.S.C.
31 Chapter 51.

32 (2) "SNAP benefit" means a financial benefit, coupon, or privilege available under SNAP.

33 (3)(a) "Soft drink" means a nonalcoholic beverage that is made with carbonated water
34 and that is flavored and sweetened with sugar or artificial sweeteners.

35 (b) "Soft drink" does not include a beverage that contains milk, milk products, soy, rice,
36 or other milk substitutes, or that is greater than 50% vegetable or fruit juice by
37 volume.

38 (4) "Ultra-processed food" means the same as that term is defined in department rule in
39 accordance with Section 35A-17-102.

40 Section 2. Section **35A-17-102** is amended to read:

41 **35A-17-102 . SNAP waiver request -- Requirements -- Reporting.**

42 (1)(a) [~~On or before July 1, 2025, the~~] The department shall submit a request for a
43 federal waiver to the United States Department of Agriculture, Food and Nutrition
44 Service, to authorize the department to prohibit the use of SNAP benefits for the
45 purchase of soft drinks.

46 (b) No later than three months after the day on which the United States Department of
47 Health and Human Services defines the term ultra-processed food, the department
48 shall:

49 (i) define the term ultra-processed food in rule, in accordance with Title 63G, Chapter
50 3, Utah Administrative Rulemaking Act;

51 (ii) submit the definition of ultra-processed food to the Rules Review and General
52 Oversight Committee for review; and

53 (iii) submit a request for a federal waiver to the United States Department of
54 Agriculture, Food and Nutrition Service, to authorize the department to prohibit
55 the use of SNAP benefits for the purchase of ultra-processed food.

56 (c) The waiver request described in [Subsection (1)(a)] Subsections (1)(a) and (b) shall
57 include:

58 (i) justification for the waiver, including:

59 (A) public health concerns;

60 (B) SNAP's statutory intent; and

61 (C) cost savings to taxpayers;

62 (ii) an implementation plan to ensure that existing point-of-sale systems used by Utah

- 63 retailers are able to enforce the waiver restrictions;
- 64 (iii) a strategy for education and outreach to inform SNAP recipients of alternative
- 65 healthy food options; and
- 66 (iv) a mechanism to track the impact of the waiver restrictions on SNAP recipients,
- 67 including:
- 68 (A) spending patterns; and
- 69 (B) health outcomes.
- 70 (2)(a) If the waiver under Subsection (1) is approved by Food and Nutrition Services,
- 71 the department shall implement the SNAP benefits restriction under Subsection (1)
- 72 no later than six months after the day on which the waiver is granted.
- 73 (b) If the waiver under Subsection (1) is denied, the department shall:
- 74 (i) resubmit the request for a waiver no later than three months after the day on which
- 75 the waiver is denied; and
- 76 (ii) resubmit the request annually until a waiver approval is granted.
- 77 (3)(a) On or before November 1 of each year, the department shall provide a written
- 78 report to the Economic Development and Workforce Services Interim Committee
- 79 detailing:
- 80 (i) the status of the waiver request;
- 81 (ii) data on SNAP spending patterns in Utah;
- 82 (iii) any identified challenges with SNAP; and
- 83 (iv) any recommendations for further policy action.
- 84 (b) The report described in Subsection (3)(a) shall be included in the department's
- 85 annual report in accordance with Section 35A-1-109.

86 Section 3. **Effective Date.**

87 This bill takes effect on May 6, 2026.