



SPONSOR: Rep. Hensley & Rep. Dukes & Rep. Hudson &
Rep. D. Short & Rep. Wilson & Sen. Pettyjohn
Reps. Briggs King, Spiegelman; Sens. Bonini, Lavelle,
Richardson, Simpson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 186

AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Add new Section to Title 31 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 606. Use of food stamps to purchase healthy food

4 Benefits provided pursuant to this chapter shall only be used for foods, food products, and beverages that have
5 beneficial nutritional value.

6 Section 2. The Department of Health and Social Services shall draft a list of foods, food products, and beverages
7 with proven beneficial nutritional value. The Department of Health and Social Services shall use the Women, Infants, and
8 Children Program guidelines as a basis for drafting this list, and shall expand on that list with a focus on improving
9 selection and affordability.

10 Section 3. Not later than 120 days after the effective date of this Act, the Department of Health and Social
11 Services shall promulgate such rules, regulations, and standards as are necessary to further the objectives and provisions of
12 this Act, including but not limited to identifying specific foods, food products, and beverages, or general categories of
13 foods, food products, and beverages consistent with this Act that have beneficial nutritional value.

14 Section 4. Not later than 30 days after the enactment of this Act, the Department of Health and Social Services
15 shall request a waiver from the Secretary of the United States Department of Agriculture to allow the implementation of the
16 provisions of this Act.

17 Section 5. Except for Section 1, this Act shall become effective upon the Secretary of the United States
18 Department of Agriculture's granting of a waiver to allow the implementation of the provisions of this Act. Section 1 shall
19 become effective upon either promulgation of regulations under Section 3 herein or 6 months after the Secretary of the
20 United States Department of Agriculture's granting a waiver to allow the implementation of the provisions of this Act,
21 whichever occurs first.

22 Section 6. This Act shall be known as the Delaware Nutritional Improvement Act

SYNOPSIS

The Supplemental Nutrition Assistance Program (SNAP), also referred to as “the food stamp program,” assists eligible low-income individuals with the purchase of food. This Act, known as the Delaware Nutritional Improvement Act, seeks to bring the Supplemental Nutrition Assistance Program in line with other state programs and initiatives aimed at improving the health and welfare of Delawareans.

SNAP benefits are paid entirely with federal funds, but the costs to administer the program are split between the federal and state government.

As is the case with another jointly administered state-federal program – the Women, Infants, and Children Program (WIC) – this Act seeks to require SNAP benefits to be used solely for the purchase of healthy foods identified by the Department of Health and Social Services as having beneficial nutritional value. This will not only improve the efficiency of such expenditures but it should also improve the well-being of recipients, as well as potentially reduce health care expenditures.

Using the WIC guidelines as a starting point, this Act instructs the Delaware Department of Health and Social Services (DHSS) to draft a list of approved foods. The DHSS shall create the list with the goal of expanding on the WIC designations to improve selection and increase affordability. Under this Act, future SNAP benefits could be used only to purchase items designated as having beneficial nutritional value.

Because the SNAP benefits are paid with federal funds, this Act would not become effective until the Secretary of the United States Department of Agriculture grants a waiver allowing its implementation. The status of this waiver may be obtained from the Director of the Department of Health and Social Services.