SPONSOR: Rep. Neal & Rep. Minor-Brown & Sen. Lockman
Reps. Heffernan, K. Johnson, Morrison, Lambert, Romer, Burns, Ortega, Ross Levin, Chukwuocha, Harris; Sens. Hansen, Hoffner, Townsend, Seigfried

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION NO. 2
AS AMENDED BY
HOUSE AMENDMENT NO. 1

DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO EXPLORE PARTICIPATING IN THE FEDERAL RESTAURANT MEALS PROGRAM.

WHEREAS, the United States Department of Agriculture (USDA) Supplemental Nutrition Assistance Program (SNAP) fed more than 42 million Americans per month, including more than 121,000 Delawareans, in Fiscal Year 2023; and

WHEREAS, even though SNAP is the nation's most effective anti-hunger program, the general provisions of SNAP don't always fulfill the dietary, familial, and wellness needs of its recipients; and

WHEREAS, a 2021 USDA report, "Barriers that Constrain the Adequacy of SNAP Allotments", found that 88% of SNAP participants reported facing some type of barrier to achieving a healthy diet throughout the month; and

WHEREAS, the USDA report identified physical disability, lack of food storage space, and lack of kitchen equipment, as barriers to making healthy meals from scratch; and

WHEREAS, SNAP participants may be unhoused individuals who cannot access a place to cook, kitchen utensils, and food storage; and

WHEREAS, other SNAP participants are seniors or individuals with disabilities who may face challenges cooking; and

WHEREAS, except in limited circumstances, SNAP beneficiaries cannot use their benefits to purchase "hot foods or hot food products readily available for immediate consumption", according to federal law; and

WHEREAS, on account of the hot foods limitation, certain individuals may be foreclosed from accessing a nutritious and sustaining prepared meal; and

WHEREAS, Congress created the Restaurant Meals Program (RMP) that a state can choose to incorporate into their SNAP program; and

WHEREAS, the RMP ensures hot foods are available to a subset of SNAP participants who might otherwise not be able to prepare a meal; and



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WHEREAS, participation in RMP is limited to SNAP participants who are 60 years old or older, disabled, or unhoused, or other eligible family members of those participants; and

WHEREAS, states may partner with restaurants to allow RMP-eligible individuals to use their SNAP benefits to purchase hot foods or hot prepared meals at participating restaurants; and

WHEREAS, participating restaurants must offer meals to RMP-eligible individuals at a concessional rate; and

WHEREAS, Arizona, California, Illinois, Massachusetts, Michigan, New York, Rhode Island, and our neighboring states of Maryland and Virginia, operate an RMP; and

WHEREAS, each state has the freedom to set its own requirements for choosing how many and which restaurants participate; and

WHEREAS, a state may design its RMP to meet the diverse needs of its residents; and

WHEREAS, New York has had success using its RMP to support small businesses, in addition to ensuring its residents have access to hot meals; and

WHEREAS, Rhode Island's RMP initiative was encouraged by the interest of a restaurant franchise that saw an opportunity to recoup some expenses on food that it was otherwise giving away; and

WHEREAS, Delaware can benefit its residents and business community by participating in the RMP; and

WHEREAS, the RMP aligns with Governor Meyer's Executive Order #5 to improve food access and address system gaps; and

WHEREAS, the Department of Health and Social Services has participated in other innovative programs to ensure Delawarean participants have access to healthy and fresh food options, such as the SNAP Online Purchasing Pilot.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 153rd General Assembly of the State of Delaware, with the approval of the Governor, that the Department of Health and Social Services (DHSS) is directed to explore participating in the federal Restaurant Meals Program (RMP) to allow individuals who receive SNAP and are also disabled, at least 60 years old, unhoused, or a qualifying family member, to use their benefits to purchase hot foods or hot prepared meals from participating restaurants.

BE IT FURTHER RESOLVED that no later than September 30, 2025, DHSS shall submit a final report expressing its conclusion about whether participation in RMP is recommended, including a summary of the analysis performed, any facts and findings relevant to its conclusion about participation, data about the number of Delawareans, by zip code, who would be eligible to participate in the RMP if Delaware were to participate, the projected cost of



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implementing RMP, and a comparison of the costs and benefits of implementing the RMP in some zip codes as opposed to statewide.

BE IT FURTHER RESOLVED that if participating in the RMP is recommended, the report shall include a proposed implementation plan to include who will lead this effort, and whether it is recommended that the RMP be initiated statewide or within tailored zip codes, and if the decision is that starting with tailored zip codes is preferable, the steps that will be taken to ensure statewide implementation is possible in the future.

BE IT FURTHER RESOLVED that DHSS shall submit its report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, with copies to all members of the General Assembly, the Controller General, and the Director and the Librarian of the Division of Legislative Services.



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