

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S4/7/25

A Bill

SENATE BILL 217

5 By: Senator C. Penzo
6 By: Representative Bentley
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For An Act To Be Entitled

9 AN ACT TO AMEND THE SUPPLEMENTAL NUTRITION ASSISTANCE
10 PROGRAM; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES
11 TO REQUEST A WAIVER TO EXCLUDE CANDY AND SOFT DRINKS
12 FROM ELIGIBLE FOODS UNDER THE SUPPLEMENTAL NUTRITION
13 ASSISTANCE PROGRAM; AND FOR OTHER PURPOSES.
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Subtitle

16 TO REQUIRE THE DEPARTMENT OF HUMAN
17 SERVICES TO REQUEST A WAIVER TO EXCLUDE
18 CANDY AND SOFT DRINKS FROM ELIGIBLE
19 FOODS UNDER THE SUPPLEMENTAL NUTRITION
20 ASSISTANCE PROGRAM.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 20, Chapter 76, Subchapter 1, is
26 amended to add an additional section to read as follows:

27 20-76-120. Waiver to enhance nutrition in the Supplemental Nutrition
28 Assistance Program.

29 The Secretary of the Department of Human Services shall request a
30 waiver from the United States Department of Agriculture to exclude candy and
31 soft drinks from the definition of eligible foods under 7 C.F.R. § 271.2, as
32 it existed on January 1, 2025.

33 (1) If a waiver requested under this section is granted, the
34 secretary shall prohibit the purchase of candy and soft drinks with benefits
35 provided through the Supplemental Nutrition Assistance Program.

36 (2) If the waiver requested under this section is not granted,



1 the secretary shall request a waiver annually until the waiver to exclude
2 candy and soft drinks from the definition of eligible foods is granted.

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4 /s/C. Penzo
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