

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

A Bill

SENATE BILL 217

4
5 By: Senator C. Penzo
6 By: Representative Bentley

For An Act To Be Entitled

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8
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.

Subtitle

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17 TO REQUIRE THE DEPARTMENT OF HUMAN
18 SERVICES TO REQUEST A WAIVER TO EXCLUDE
19 CANDY AND SOFT DRINKS FROM ELIGIBLE
20 FOODS UNDER THE SUPPLEMENTAL NUTRITION
21 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 – Definitions.

29 (a) As used in this section:

30 (1) "Candy" means the same as defined in § 26-52-103; and

31 (2) "Soft drink" means the same as defined in § 26-52-103.

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

36 (2)(A) If the waiver requested under subdivision (b)(1) of this



1 section is granted, the secretary shall prohibit the purchase of candy and
2 soft drinks with benefits provided through the Supplemental Nutrition
3 Assistance Program.

4 (B) If the waiver requested under subdivision (b)(1) of
5 this section is not granted, the secretary shall request a waiver annually
6 until the waiver to exclude candy and soft drinks from the definition of
7 eligible foods is granted.

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