

House Engrossed

SNAP; allowed purchases; waiver

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2396

AN ACT

AMENDING TITLE 46, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 46-232; RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE
PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 46, chapter 2, article 2, Arizona Revised
3 Statutes, is amended by adding section 46-232, to read:

4 46-232. Use of supplemental nutrition assistance benefits;
5 purchases; waiver; definitions

6 A. THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC SECURITY SHALL
7 REQUEST ANY WAIVER FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE TO
8 IMPLEMENT THIS SECTION THAT INCLUDES THE AUTHORITY TO RESTRICT THE
9 PURCHASE OF NONELIGIBLE FOODS USING SUPPLEMENTAL NUTRITION ASSISTANCE
10 PROGRAM BENEFITS.

11 B. IF THE WAIVER IS NOT GRANTED, THE DIRECTOR SHALL RESUBMIT THE
12 REQUEST ANNUALLY AND MAY PURSUE THE UNITED STATES DEPARTMENT OF
13 AGRICULTURE PILOT OR DEMONSTRATION AUTHORITY AS ALLOWED UNDER FEDERAL LAW.

14 C. THE DEPARTMENT SHALL PROVIDE CLEAR GUIDANCE TO SUPPLEMENTAL
15 NUTRITION ASSISTANCE PROGRAM RECIPIENTS AND RETAILERS AND ALLOW A
16 REASONABLE IMPLEMENTATION PERIOD TO ENSURE COMPLIANCE WITH THIS SECTION.

17 D. THIS SECTION DOES NOT REDUCE BENEFIT AMOUNTS, RESTRICT ACCESS TO
18 ELIGIBLE FOODS OR LIMIT PARTICIPATION IN THE SUPPLEMENTAL NUTRITION
19 ASSISTANCE PROGRAM.

20 E. FOR THE PURPOSES OF THIS SECTION:

21 1. "ELIGIBLE FOODS" MEANS ANY FOOD ITEM THAT MAY BE PURCHASED USING
22 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS AND INCLUDES THE
23 FOLLOWING CATEGORIES:

24 (a) WHOLE MEATS, POULTRY AND FISH, INCLUDING FROZEN, FRESH OR
25 CANNED PRODUCTS.

26 (b) DAIRY PRODUCTS, INCLUDING MILK, CHEESE, YOGURT, BUTTER, CREAM
27 AND MILK ALTERNATIVES.

28 (c) EGGS AND EGG SUBSTITUTES.

29 (d) FRUITS AND VEGETABLES, INCLUDING FRESH, FROZEN, DRIED OR CANNED
30 PRODUCTS WITHOUT ADDED SWEETENERS.

31 (e) GRAINS AND GRAIN PRODUCTS, INCLUDING FLOUR, RICE, PASTA,
32 CEREALS AND TORTILLAS.

33 (f) COOKING OILS AND FATS.

34 (g) WATER PRODUCTS WITHOUT ADDED SWEETENERS OR SUGAR SUBSTITUTES.

35 (h) ONE HUNDRED PERCENT FRUIT OR VEGETABLE JUICE.

36 (i) ANY FOOD ITEM APPROVED FOR PURCHASE UNDER THE FEDERAL WOMEN,
37 INFANTS AND CHILDREN FOOD PROGRAM.

38 2. "NONELIGIBLE FOODS" INCLUDES ANY OF THE FOLLOWING:

39 (a) SUGAR-SWEETENED BEVERAGES, INCLUDING SODA AND ENERGY DRINKS.

40 (b) CANDY AND CONFECTIONERY PRODUCTS.

41 (c) SNACK FOODS OF MINIMAL NUTRITIONAL VALUE AS DEFINED BY THE
42 UNITED STATES DEPARTMENT OF AGRICULTURE.

43 (d) PREPARED HOT FOODS INTENDED FOR IMMEDIATE CONSUMPTION.

1 Sec. 2. Legislative findings

2 A. The legislature finds that the supplemental nutrition assistance
3 program is intended to:

4 1. Promote access to nutritious food.

5 2. Support the health and well-being of recipients.

6 3. Ensure responsible stewardship of taxpayer monies.

7 B. The purpose of section 46-232, Arizona Revised Statutes, as
8 added by this act, is to prioritize access to whole and minimally
9 processed foods while limiting the purchase of items with minimal
10 nutritional value.