

**SB57 ENGROSSED**



1 SB57

2 KHBE455-2

3 By Senators Orr, Chesteen, Carnley, Waggoner, Barfoot, Stutts,  
4 Hovey, Kelley, Weaver, Givhan, Allen, Butler

5 RFD: Finance and Taxation General Fund

6 First Read: 13-Jan-26



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to public assistance; to require the Department of Human Resources to request a waiver to exclude candy and soda from the definition of "eligible foods" for purposes of SNAP benefits; to require the department to prohibit the purchase of candy and soda with SNAP benefits if the waiver is granted; to require the Department of Revenue to coordinate implementation of the waiver and provide for the duties of the department; and to provide for the resubmission of the request, if the request is denied; and to prohibit penalties for certain retailers for accidental noncompliance, with exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) CANDY. Food products that list sugar, cane sugar, corn syrup, or high fructose corn syrup as a primary ingredient. The term includes any confectionery products primarily composed of sugar or sweeteners and intended for consumption as candy, including, but not limited to, chocolate bars, non-chocolate candy, chewing gum, and similar products.



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29 The term does not include any baked goods, prepared desserts,  
30 bakery items, baking mixes, cooking ingredients, dessert  
31 toppings, frostings, jellies, jams, marshmallows, hot cocoa  
32 mix, powdered drink mixes, or other foods intended primarily  
33 for cooking, baking, or meal preparation.

34 (2) DEPARTMENT. The Alabama Department of Human  
35 Resources.

36 (3) SNAP BENEFIT. A financial benefit, coupon, or  
37 privilege available under the federal Supplemental Nutrition  
38 Assistance Program, 7 U.S.C. Chapter 51.

39 (4) SODA. Beverages that list, as the first two  
40 ingredients, any combination of: (i) carbonated water; and  
41 (ii) sugar, cane sugar, corn syrup, or high fructose corn  
42 syrup. The term does not include any beverages that contain  
43 low or non-caloric sweeteners.

44 (5) USDA FOOD AND NUTRITION SERVICE. The United States  
45 Department of Agriculture Food and Nutrition Service.

46 (b) The commissioner of the department shall request a  
47 waiver from the USDA Food and Nutrition Service to authorize  
48 the department to exclude candy and soda from the definition  
49 of "eligible foods" under 7 C.F.R. § 271.2.

50 (c) (1) If the waiver described in subsection (b) is  
51 approved by the USDA Food and Nutrition Service, the  
52 department shall prohibit the use of SNAP benefits for the  
53 purchase of candy and soda, provided that retailers must be  
54 provided at least one month's notice before the waiver may  
55 become effective. The Department of Revenue, in consultation  
56 with the department, shall provide notice of the effective



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57 date of the waiver to SNAP-authorized retailers.

58 (2) The Department of Revenue shall coordinate with  
59 SNAP-authorized retailers to implement the approved waiver.  
60 The Alabama Department of Revenue shall work directly with  
61 retailers to:

62 a. Identify items included and excluded under the  
63 waiver; and

64 b. Provide guidance on SNAP-eligible and  
65 SNAP-ineligible purchases. The guidance shall include, but not  
66 be limited to, product identification on existing universal  
67 product codes or other standard point-of-sale identifiers used  
68 by retailers.

69 (3) The Department of Revenue shall offer technical  
70 assistance, training, and any other necessary resources to  
71 support retailers in compliance with the waiver and minimize  
72 disruption to retail operations.

73 (d) If the waiver described in subsection (b) is  
74 denied, the commissioner shall resubmit the request for a  
75 waiver to the USDA Food and Nutrition Service annually until  
76 approval is granted.

77 (e) If the waiver described in subsection (b) is  
78 approved, no retailer may be subject to any fine, penalty, or  
79 other punishment for the accidental acceptance of SNAP  
80 benefits for the purchase of candy or soda, unless the  
81 retailer has more than three accidental acceptances during one  
82 fiscal year.

83 Section 2. This act shall become effective on October  
84 1, 2026.



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85  
86  
87 Senate

88 Read for the first time and referred .....13-Jan-26  
89 to the Senate committee on Finance  
90 and Taxation General Fund

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92 Read for the second time and placed .....05-Feb-26  
93 on the calendar:  
94 2 amendments

95  
96 Read for the third time and passed .....03-Mar-26  
97 as amended

98 Yeas 24  
99 Nays 2  
100 Abstains 0

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Patrick Harris,  
Secretary.