

SB57 ENROLLED



1 SB57
2 BY7ERQJ-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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1 Enrolled, An Act,

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4 Relating to public assistance; to require the
5 Department of Human Resources to request a waiver to exclude
6 candy and soda from the definition of "eligible foods" for
7 purposes of SNAP benefits; to require the department to
8 prohibit the purchase of candy and soda with SNAP benefits if
9 the waiver is granted; to provide for the resubmission of the
10 request, if the request is denied; to require the Governor to
11 designate an agency to publish certain information relating to
12 products that are ineligible for purchase using SNAP benefits;
13 and to prohibit penalties for certain retailers for accidental
14 noncompliance, with exceptions.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 (1) CANDY. Food products that list sugar, cane sugar,
19 corn syrup, or high fructose corn syrup as a primary
20 ingredient. The term includes any confectionery products
21 primarily composed of sugar or sweeteners and intended for
22 consumption as candy, including, but not limited to, chocolate
23 bars, non-chocolate candy, chewing gum, and similar products.
24 The term does not include any baked goods, prepared desserts,
25 bakery items, baking mixes, cooking ingredients, dessert
26 toppings, frostings, jellies, jams, marshmallows, hot cocoa
27 mix, powdered drink mixes, or other foods intended primarily
28 for cooking, baking, or meal preparation.



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29 (2) DEPARTMENT. The Alabama Department of Human
30 Resources.

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

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

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

41 (b) The commissioner of the department shall request a
42 waiver from the USDA Food and Nutrition Service to authorize
43 the department to exclude candy and soda from the definition
44 of "eligible foods" under 7 C.F.R. § 271.2. The requested
45 waiver shall include an implementation date of no sooner than
46 April 1, 2027.

47 (c) (1) If the waiver described in subsection (b) is
48 approved by the USDA Food and Nutrition Service, the
49 department shall prohibit the use of SNAP benefits for the
50 purchase of candy and soda, provided that retailers must be
51 provided at least one month's notice before the waiver may
52 become effective. The department shall provide notice of the
53 effective date of the waiver to SNAP-authorized retailers.

54 (2) If the waiver described in subsection (b) is
55 approved by the USDA Food and Nutrition Service, the Governor
56 shall direct the appropriate agency to publish a list of items



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57 included and excluded under the waiver. The list shall
58 include, but not be limited to, product identification on
59 existing universal product codes or other standard
60 point-of-sale identifiers used by retailers.

61 (d) If the waiver described in subsection (b) is
62 denied, the commissioner shall resubmit the request for a
63 waiver to the USDA Food and Nutrition Service annually until
64 approval is granted.

65 (e) If the waiver described in subsection (b) is
66 approved, no retailer may be subject to any fine, penalty, or
67 other punishment for the accidental acceptance of SNAP
68 benefits for the purchase of candy or soda, unless the
69 retailer has more than three accidental acceptances during one
70 fiscal year.

71 Section 2. This act shall become effective on October
72 1, 2026.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 03-Mar-26

I hereby certify that the within Act originated in and passed the Senate, as amended.

Senate 09-Apr-26

I hereby certify that the within Act originated in and passed the Senate, as amended by Conference Committee Report.

Patrick Harris,
Secretary.

House of Representatives
Passed: 08-Apr-26, as amended.

House of Representatives
Passed: 09-Apr-26, as amended by Conference Committee Report.

By: Senator Orr