

1 State of Arkansas *As Engrossed: H1/19/17 H1/20/17 H1/25/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 1035

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5 By: Representatives Bentley, Richmond, Dotson, Ballinger, Barker, Beck, Boyd, Brown, Coleman, Davis,
6 Deffenbaugh, C. Douglas, Drown, C. Fite, L. Fite, Gates, M. Gray, Hammer, G. Hodges, Holcomb, Jean,
7 Ladyman, Lemons, Lowery, A. Mayberry, McCollum, McNair, D. Meeks, S. Meeks, Payton, Petty,
8 Pilkington, B. Smith, Speaks, Sullivan, Vaught, Watson, Womack, *Wardlaw, Lundstrum*

9 By: Senators Bledsoe, Collins-Smith, Flippo, B. Johnson, Rice, G. Stubblefield

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For An Act To Be Entitled

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AN ACT TO CREATE THE ARKANSAS HEALTHY FOOD

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IMPROVEMENT ACT; TO RESTRICT THE FOOD STAMP BENEFITS

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TO HEALTHY FOODS; AND FOR OTHER PURPOSES.

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Subtitle

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TO CREATE THE ARKANSAS HEALTHY FOOD

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IMPROVEMENT ACT.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. Legislative findings and intent.

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(a) The General Assembly finds that:

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(1) The Supplemental Nutrition Assistance Program, formerly

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known as the food stamp program, assists eligible low-income individuals with
the purchase of food;

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(2) Overconsumption of excessively sugared foods, food products,

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and beverages increases the risk of obesity and other diseases;

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(3) People living in poverty are more likely to consume

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nutrient-poor food; and

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(4) The rate of obesity in Arkansas has increased while the

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obesity rate across the United States have remained level, according to a
recent study.

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(b) It is the intent of the General Assembly that:



1 (1) The Supplemental Nutrition Assistance Program, formerly
2 known as the food stamp program, align with other programs and initiatives
3 aimed at improving the health and welfare of Arkansas citizens; and

4 (2) Insufficient nutritional value foods, food products, and
5 beverages are endangering the health of Arkansas residents.
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7 SECTION 2. Arkansas Code Title 20, Chapter 76, Subchapter 2, is
8 amended to add an additional section to read as follows:

9 20-76-215. Use of food stamps for healthy food.

10 (a) The Supplemental Nutrition Assistance Program, formerly known as
11 the food stamp program, shall only allow benefits to be used only for foods,
12 food products, and beverages that have sufficient nutritional value.

13 (b)(1) The Department of Health shall identify specific foods, food
14 products, and beverages or general categories of foods, food products, and
15 beverages that have sufficient nutritional value.

16 (2) The Department of Health shall use the federal guidelines
17 for the Special Supplemental Food Program for Women, Infants, and Children as
18 a basis for identifying foods, food products, and beverages with sufficient
19 nutritional value.

20 (3) The Department of Health shall adopt rules to implement this
21 section pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et
22 seq., and legislative review and approval under § 10-3-309.

23 (3) The Department of Health shall adopt rules to implement this
24 section pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et
25 seq., and legislative review and approval under § 10-3-309.

26 (c) The Department of Human Services shall prohibit the use of
27 benefits under the Supplemental Nutrition Assistance Program, formerly known
28 as the food stamp program, for foods, food products, and beverages with
29 insufficient nutritional value based on rules implemented by the Department
30 of Health.

31 (d) The Department of Human Services shall request a waiver from the
32 Secretary of the United States Department of Agriculture to allow the
33 implementation.

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35 /s/Bentley
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