

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1743

5 By: Representatives Bentley, Beck, Christiansen, Cloud, Gates, L. Johnson, J. Mayberry, Penzo, B.  
6 Smith, Womack  
7 By: Senator Flippo  
8

## For An Act To Be Entitled

10 AN ACT TO PROMOTE THE PURCHASE OF HEALTHY PRODUCTS  
11 WITH SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM  
12 BENEFITS; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 TO PROMOTE THE PURCHASE OF HEALTHY  
16 PRODUCTS WITH SUPPLEMENTAL NUTRITION  
17 ASSISTANCE PROGRAM BENEFITS.  
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19  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

24 (a) The General Assembly finds that:

25 (1) The Supplemental Nutrition Assistance Program, formerly  
26 known as the "Food Stamp Program", assists eligible low-income individuals  
27 with the purchase of food;

28 (2) Overconsumption of foods, food products, and beverages  
29 containing large amounts of sugar increases the risk of obesity, diabetes,  
30 and other diseases;

31 (3) According to a recent study authorized by the United States  
32 Department of Agriculture, soft drinks were the top items purchased by  
33 Supplemental Nutrition Assistance Program households;

34 (4) According to the America's Health Rankings 2018 Annual  
35 Report, the prevalence of obesity among adults in Arkansas is thirty-five  
36 percent (35%), which is above the national average for obesity prevalence and



1 the seventh-highest percentage among all states;

2 (5) Consuming foods, food products, and beverages of  
 3 insufficient nutritional value endangers the health of Arkansas residents;  
 4 and

5 (6) The use of Supplemental Nutrition Assistance Program  
 6 benefits to purchase products that have insufficient or no nutritional value  
 7 induces the supply of unhealthy products available to the general population.

8 (b) It is the intent of the General Assembly that the Supplemental  
 9 Nutrition Assistance Program, formerly known as the "Food Stamp Program",  
 10 align with other programs and initiatives aimed at improving the health and  
 11 welfare of Arkansas citizens.

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 13 SECTION 2. Arkansas Code Title 20, Chapter 76, Subchapter 2, is  
 14 amended to add additional sections to read as follows:

15 20-76-216. Use of Supplemental Nutrition Assistance Program benefits  
 16 for food products.

17 (a)(1) As used in this section, "food products" means substances,  
 18 whether in liquid, concentrated, solid, frozen, dried, or dehydrated form,  
 19 that are sold for ingestion or chewing by humans and are consumed for their  
 20 taste or nutritional value.

21 (2) "Food products" includes prepared foods.

22 (3) "Food products" does not include candy, soft drinks, energy  
 23 drinks, or dietary supplements.

24 (b) The Supplemental Nutrition Assistance Program shall allow benefits  
 25 to be used only for food products.

26 (c)(1) The Department of Human Services shall prohibit the use of  
 27 benefits under the Supplemental Nutrition Assistance Program for items that  
 28 are not food products.

29 (2) The Department of Human Services shall consult with the  
 30 Department of Finance and Administration to follow guidelines established  
 31 under the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.,  
 32 concerning soft drinks and candy that are not food products.

33 (d) The Department of Human Services shall request a demonstration  
 34 waiver from the United States Secretary of Agriculture to allow the  
 35 implementation of this section.

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