

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB2382
Version:	SUBPCS1
Request Number:	12393
Author:	Rep. Hill
Date:	2/20/2025
Impact:	OKDHS: \$45,000,000

Research Analysis

The proposed subcommittee substitute for HB 2382 names the act the "Making Oklahoma Kids Health Against Act." The subpcs includes findings regarding the fact that a significant portion of SNAP funds is currently spent on nonnutritive food items and that reducing these purchases will enhance public health. The measure directs DHS to submit a request to the United States Department of Agriculture Food and Nutrition Service for a waiver to exclude candy and soft drinks from being eligible for SNAP benefits. Upon federal approval for the waiver, DHS will develop and issue guidance to retailers, conduct public outreach and education efforts, partner with public health agencies and community organizations to support nutrition education and access to health foods, and monitor and enforce compliance with the waiver requirements. The Department must submit an annual report to the Governor and Legislature leadership.

HB 2832 requires the Department of Human Services (DHS) to adopt the following measures to verify eligibility in the Supplemental Nutrition Assistance Program (SNAP):

- DHS must enter into data-matching agreements with the state agencies listed in the measure in order to cross-check households enrolled in SNAP with other state data sets;
- DHS must review agency records on at least a monthly basis for information concerning individuals in households enrolled in SNAP that indicates a change in circumstances that may affect assistance eligibility;
- DHS must review the items listed in the measure on at least a monthly basis.

All households receiving assistance must report changes to circumstances within 10 days the change becomes known to the household. Categorical eligibility exempting households from such gross income standards requirements will not be granted for any noncash, in-kind, or other benefit, unless expressly required by federal law. DHS will conduct an on-site inspection of authorized retailers that accept EBT to identify suspicious transaction records or amounts indicating possibly trafficking of benefits or other criminal conduct and make referrals for proper investigations under the law. DHS must make findings of noncompliance and fraud investigations in SNAP available on its website to the public at least quarterly. This data will be aggregate and nonconfidential and non-personally identifiable information.

Prepared By: Suzie Nahach, House Research Staff

Fiscal Analysis

HB 2382 directs the Department of Human Services (OKDHS) to establish data-matching agreements with state agencies to verify the eligibility of individuals enrolled in the Supplemental Nutrition Assistance Program (SNAP). Additionally, the proposed committee

substitute requires OKDHS to submit a request to the United States Department of Agriculture Food and Nutrition Service to exclude candy and soft drinks from being eligible to purchase using SNAP benefits within Oklahoma.

OKDHS officials estimate a total cost of Ninety Million Dollars (\$90,000,000) to implement the provisions of this measure, with Forty-Five Million Dollars (\$45,000,000) to be funded by the state and the remaining Forty-Five Million Dollars (\$45,000,000) provided by federal funds. Majority of the total cost is attributed to the need for additional personnel. OKDHS worked with the program area to assess staffing needs and concluded that a significant number of employees will be required to fulfill the duties outlined in the measure, particularly within their Adult and Family Services (AFS) division and their Office of Inspector General (OIG) division. They anticipate the need for eight hundred sixty-five (865) additional staff, with associated costs totaling Eighty Million Dollars (\$80,000,000).

OKDHS confirmed that the request to exclude candy and soda from being purchased with SNAP benefits is unlikely to affect the agency, however, it would have an impact on retailers. As a result, the state share for HB 2382 is estimated to have a \$45,000,000 impact on the state budget.

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Other Considerations

None.