

Stricken language would be deleted from and underlined language would be added to present law.  
Act 969 of the Regular Session

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: S4/7/25

## A Bill

SENATE BILL 217

By: Senator C. Penzo  
By: Representative Bentley

### For An Act To Be Entitled

AN ACT TO AMEND THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A WAIVER TO EXCLUDE CANDY AND SOFT DRINKS FROM ELIGIBLE FOODS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AND FOR OTHER PURPOSES.

### Subtitle

TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO REQUEST A WAIVER TO EXCLUDE CANDY AND SOFT DRINKS FROM ELIGIBLE FOODS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

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

SECTION 1. Arkansas Code Title 20, Chapter 76, Subchapter 1, is amended to add an additional section to read as follows:

20-76-120. Waiver to enhance nutrition in the Supplemental Nutrition Assistance Program.

The Secretary of the Department of Human Services shall request a waiver from the United States Department of Agriculture to exclude candy and soft drinks from the definition of eligible foods under 7 C.F.R. § 271.2, as it existed on January 1, 2025.

(1) If a waiver requested under this section is granted, the secretary shall prohibit the purchase of candy and soft drinks with benefits provided through the Supplemental Nutrition Assistance Program.

(2) If the waiver requested under this section is not granted,



the secretary shall request a waiver annually until the waiver to exclude candy and soft drinks from the definition of eligible foods is granted.

*/s/C. Penzo*

**APPROVED: 4/21/25**