

JAN 17 2025

A BILL FOR AN ACT

RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding four new sections to part II to be appropriately designated and to read as follows:

"§346-A Supplemental nutrition assistance program; ineligible households. The department shall exercise its option under federal regulations to prorate or exclude certain income from household members who are ineligible for the supplemental nutrition assistance program by:

(1) Counting only the proportionate share of income from those household members ineligible for the supplemental nutrition assistance program due to immigration status or other federally permitted exclusion criteria, as allowed under federal regulations; and

(2) Ensuring that household benefit calculations are completed in a manner that does not unduly penalize eligible household members.



1 **§346-B Supplemental nutrition assistance program; standard**
2 **medical deduction.** (a) Pursuant to federal guidance, the
3 department shall establish a standardized medical expense
4 deduction option for elderly or disabled household members, as
5 defined under federal regulations, who incur medical expenses
6 above the federal minimum threshold. The department shall apply
7 a standard medical expense deduction for all eligible
8 households, in lieu of requiring verification of actual medical
9 expenses, to the extent allowed by federal law.

10 (b) Households with documented medical expenses exceeding
11 the standard deduction may opt to claim actual medical expenses.

12 **§346-C Supplemental nutrition assistance program;**
13 **pre-release application program.** (a) In accordance with
14 federal guidance, the department shall establish a pre-release
15 supplemental nutrition assistance program application process
16 for individuals who are incarcerated and scheduled for release.
17 The department shall:

18 (1) Partner with correctional facilities to identify
19 eligible individuals within a specified time frame
20 before their release date;



1 (2) Facilitate the completion and submission of
2 supplemental nutrition assistance program applications
3 so that benefits, if approved, are available
4 immediately upon or shortly after release;

5 (3) Provide information, counseling, and assistance with
6 supplemental nutrition assistance program eligibility
7 criteria to incarcerated individuals transitioning
8 back into the community;

9 (4) Seek any necessary federal waivers, approvals, or
10 clarifications to effectuate this section; and

11 (5) Comply with all applicable federal rules governing
12 supplemental nutrition assistance program application
13 and eligibility processes, ensuring that no benefits
14 are issued to an incarcerated individual before their
15 release.

16 (b) The department shall adopt rules pursuant to chapter
17 91 for the purposes of this section.

18 **\$346-D Supplemental nutrition assistance program; reports.**

19 The department shall submit an annual report to the legislature
20 no later than twenty days prior to the convening of each regular



1 session, beginning with the regular session of 2026. The annual
2 report shall include:

3 (1) Data on the implementation and utilization of the
4 supplemental nutrition program options established
5 pursuant to sections 346-A, 346-B, and 346-C,
6 including the number and characteristics of
7 participating households;

8 (2) The administrative costs savings or changes resulting
9 from the adoption of these options;

10 (3) An analysis of the impact of these options on
11 participation rates in the State's supplemental
12 nutrition assistance program and benefit adequacy; and

13 (4) Recommendations for any proposed changes or
14 improvements."

15 SECTION 2. Section 346-53.3, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~[+]§346-53.3[+]~~ **Temporary assistance for needy families**
18 **and ~~[food stamps]~~ supplemental nutrition assistance program for**
19 **individuals with a felony conviction ~~[which]~~ that has as an**
20 **element the possession, use, or distribution of a controlled**
21 **substance. ~~[Section]~~ (a) For purposes of temporary assistance**



1 for needy families, section 115(a) of Public Law 104-193 shall
2 not apply in Hawaii to persons who are complying with treatment
3 or who have not refused or failed to comply with treatment.

4 (b) For purposes of the supplemental nutrition assistance
5 program, section 115(a) of Public Law 104-193 shall not apply in
6 Hawaii."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 4. In codifying the new sections added by section
11 1 of this Act, the revisor of statutes shall substitute
12 appropriate section numbers for the letters used in designating
13 the new sections in this Act.

14 SECTION 5. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect upon its approval.

17

INTRODUCED BY: 



S.B. NO. 963

Report Title:

Supplemental Nutrition Assistance Program; Ineligible Income;
Drug Felony Ban; Standard Medical Deduction; Pre-release
Application Form; DHS

Description:

For the Supplemental Nutrition Assistance Program, requires the Department of Human Services to: (1) prorate or exclude certain income from household members who are ineligible for the Program; (2) establish a standardized medical expense deduction option for elderly or disabled household members; (3) establish a pre-release Program application form for individuals who are incarcerated and scheduled for release; and (4) report to the Legislature. Specifies that, for purposes of the Supplemental Nutrition Assistance Program, the federal restriction of providing Program benefits to certain individuals does not apply in Hawaii.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

