

House Bill 947

By: Representatives Momtahan of the 17<sup>th</sup>, Cannon of the 172<sup>nd</sup>, Tarvin of the 2<sup>nd</sup>, Powell of the 33<sup>rd</sup>, Jones of the 25<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to general provisions of public assistance, so as to prohibit the purchase of certain  
3 food and beverage items with federal Supplemental Nutrition Assistance Program (SNAP)  
4 benefits; to provide for the submission of a waiver application to the United States  
5 Department of Agriculture; to provide for definitions; to provide for duties of the Division  
6 of Family and Children Services of the Department of Human Services; to provide for  
7 monitoring and reporting; to provide for identification requirements for electronic benefits  
8 transfer cards; to provide for eligibility; to provide for recertification; to provide for  
9 partnerships with farmers markets; to provide for certain restricted categories for SNAP  
10 benefits; to provide for related matters; to provide for a short title; to provide for legislative  
11 findings; to provide for an effective date; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 This Act shall be known and may be cited as the "Georgia SNAP Healthier Choices Act of  
15 2026."

H. B. 947

**SECTION 2.**

16

17 The General Assembly finds that:

18 (1) The federal Supplemental Nutrition Assistance Program was created to support the  
19 health and nutritional needs of low-income individuals and families;20 (2) The purchase of low-nutrient, high-sugar, and artificially sweetened foods undermines  
21 the public health objectives of the program; and22 (3) It is the intent of the General Assembly to seek federal approval to restrict the purchase  
23 of specified "junk food" items with SNAP benefits in order to promote healthier outcomes  
24 for Georgia families.**SECTION 3.**

25

26 Article 1 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
27 general provisions of public assistance, is amended by adding a new Code section to read as  
28 follows:29 "49-4-23.30 (a) As used in this Code section, the term:31 (1) 'EBT card' or 'electronic benefits transfer card' means the plastic card used by  
32 low-income individuals and families to access government assistance by allowing the  
33 user to purchase eligible groceries or receive funds at authorized retailers.34 (2) 'Made-to-order beverages or foods' means:35 (A) Hot beverages prepared at the point of sale, including but not limited to coffee,  
36 lattes, cappuccinos, espresso drinks, hot chocolate, and tea;37 (B) Cold beverages prepared at the point of sale, including but not limited to iced  
38 coffees, iced teas, specialty lemonades, energy drink mixes, smoothies, and blended  
39 beverages; or40 (C) Any item prepared for immediate consumption, whether hot or cold, that is not  
41 packaged for home consumption at the time of purchase.

42 (3) 'Restricted items' means food or beverage products ineligible for purchase using  
43 SNAP benefits, including but not limited to:

44 (A) No more than four packs or single units of carbonated soft drinks, including diet  
45 sodas, per household per calendar month;

46 (B) No more than four beverages or packs of beverages containing artificial sweeteners  
47 per household per calendar month;

48 (C) Candy, including chocolate, gum, and sugar based confections;

49 (D) Energy drinks and stimulant beverages;

50 (E) Juices containing less than 50 percent fruit or vegetable juice; and

51 (F) Packaged desserts with more than ten grams of added sugar per serving, including  
52 cakes, brownies, pies, and similar items.

53 (4) 'SNAP' means the federal Supplemental Nutrition Assistance Program as  
54 administered in Georgia by the Division of Family and Children Services under the  
55 federal Food and Nutrition Act of 2008.

56 (b) Within 60 days of the effective date of this Act, the commissioner, or his or her  
57 designee, shall submit a formal request to the United States Department of Agriculture,  
58 Food and Nutrition Service, for a waiver or demonstration project under the federal Food  
59 and Nutrition Act of 2008 authorizing the State of Georgia to implement the SNAP  
60 purchasing restrictions described in this Code section.

61 (c) The Division of Family and Children Services, under the department, shall provide  
62 technical and operational support for the waiver application and assist in all aspects of  
63 program design and implementation.

64 (d) The department shall provide a written report to the House Committee on Health, the  
65 House Committee on Public and Community Health, and the Senate Health and Human  
66 Services Committee no later than October 1, 2026, detailing the status of the waiver  
67 application. Thereafter, the department shall update those committees every 90 days until  
68 the waiver is granted or denied.

69 (e) Upon approval of the waiver by the United States Department of Agriculture, the  
70 Division of Family and Children Services shall:

71 (1) Update SNAP administrative systems and guidance to enforce the restrictions  
72 outlined in this Code section;

73 (2) Provide written notice to all authorized SNAP retailers in Georgia with a list of  
74 restricted items and instructions for point-of-sale compliance;

75 (3) Distribute informational materials to SNAP recipients outlining the changes to  
76 eligible purchases, the rationale for the policy, and resources for healthy food options;  
77 and

78 (4) Ensure that enforcement does not interfere with the eligibility or delivery of benefits  
79 for otherwise qualified recipients.

80 (f) The Division of Family and Children Services shall monitor the impact of this program  
81 on SNAP usage, food purchases, and public health outcomes.

82 (g) The purchase restrictions described in this Code section shall not be implemented until  
83 a waiver or federal authorization is granted by the United States Department of Agriculture.  
84 If such waiver or authorization is granted, the Division of Family and Children Services  
85 shall submit a report to the General Assembly by December 1, 2027, or 90 days after the  
86 date of such waiver or authorization, whichever is later. Such report shall summarize:

87 (1) Retailer compliance and system implementation;

88 (2) SNAP purchasing trends and outcomes;

89 (3) Any unintended consequences or access barriers; and

90 (4) Recommendations for policy adjustments or expansion.

91 (h) All EBT cards issued in Georgia shall display:

92 (1) The full legal name of the SNAP participant;

93 (2) A recent photograph of the SNAP participant;

94 (3) A printed statement citing applicable Georgia or federal law prohibiting the sale,  
95 trade, or transfer of EBT cards for unlawful purposes; and

- 96 (4) The SNAP fraud-reporting hotline number for the United States Department of  
97 Agriculture and instructions for reporting suspected fraudulent use.
- 98 (i) Nothing contained in subsection (h) of this Code section shall limit the ability of any  
99 legally authorized individual to use the EBT card consistent with federal law and  
100 regulations.
- 101 (j) No person may participate in SNAP in this state unless such person:
- 102 (1) Verifies United States citizenship at application and recertification, consistent with  
103 federal law; and
- 104 (2) Meets all federal SNAP work requirements applicable to such person's household  
105 category.
- 106 (k) Beginning January 1, 2027, all SNAP recipients shall recertify their eligibility once  
107 every 12 months, with recertification scheduled to occur in the month of the applicant's  
108 birthday, provided that certification periods remain consistent with federal maximum  
109 certification period requirements.
- 110 (l) The Georgia Department of Agriculture, in coordination with the Division of Family  
111 and Children Services, shall:
- 112 (1) Identify and pursue all federal grants, pilot programs, and technical assistance  
113 opportunities offered by the United States Department of Agriculture to support and  
114 expand the use of SNAP at local farmers markets;
- 115 (2) Provide training and assistance for farmers markets and agricultural vendors seeking  
116 SNAP authorization;
- 117 (3) Promote participation by vendors offering fruits, vegetables, and meats that comply  
118 with this Code section; and
- 119 (4) Expand state-wide access to SNAP eligible agricultural vendors.
- 120 (m) The Division of Family and Children Services shall jointly with the Department of  
121 Human Services submit an annual report to the General Assembly by December 31 of each  
122 year summarizing:

- 123 (1) Vendor participation in farmers market SNAP programs;  
124 (2) The impact of the restrictions established in this Code section on purchasing patterns;  
125 (3) Public health indicators, including but not limited to obesity rates among minors;  
126 (4) Any implementation issues or unintended consequences; and  
127 (5) Recommendations for improvements or additional pilot programs.
- 128 (n) SNAP benefits shall not be used to purchase made-to-order beverages or foods sold  
129 within a retail grocery store by an in-store vendor, kiosk, or concessionaire, including but  
130 not limited to coffee shops, beverage counters, smoothie counters, or similar service areas.  
131 This restriction applies regardless of whether the vendor operates under a national brand  
132 or is a private in-store concession, including but not limited to:
- 133 (1) Coffee kiosks;  
134 (2) Juice bars; or  
135 (3) Beverage stands located inside supermarkets, hypermarkets, grocery stores, or similar  
136 retail establishments.
- 137 (o) The Division of Family and Children Services shall issue guidance to authorized SNAP  
138 retailers clarifying that SNAP benefits may not be accepted for any items prepared or  
139 mixed at the point of sale that are intended for immediate consumption, even when such  
140 vendors are located physically within an otherwise SNAP-eligible retail store.
- 141 (p) The Division of Family and Children Services shall require affected retailers to  
142 implement point-of-sale controls that ensure made-to-order beverages and foods are coded  
143 as SNAP-ineligible, consistent with federal SNAP regulations prohibiting the purchase of  
144 prepared hot foods and foods intended for immediate consumption."

145 **SECTION 4.**

146 This Act shall become effective upon its approval by the Governor or upon its becoming law  
147 without such approval.

148

**SECTION 5.**

149 All laws and parts of laws in conflict with this Act are repealed.