

## CHAPTER 99

## AN ACT

SB 1585

Relating to Supplemental Nutrition Assistance Program benefits; and prescribing an effective date.

Whereas many of the hungriest Oregonians who rely on Supplemental Nutrition Assistance Program benefits face the most significant barriers to obtaining adequate nutrition from traditional groceries, including the lack of kitchen facilities or the means of preparing and cooking meals, special dietary needs or the need for specific foods due to prescription medications that they must take; now, therefore,

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** (1) The Task Force on Maximizing Supplemental Nutrition Assistance Program Benefits is established.

(2) The task force consists of members appointed by the Director of Human Services who represent the geographic and racial or ethnic diversity of this state and who have:

- (a) Expertise in food insecurity.
- (b) Personal experience receiving Supplemental Nutrition Assistance Program benefits.
- (c) Experience in the restaurant industry.
- (d) Experience in the retail grocery industry.
- (e) Personal or professional experience in working with Oregonians who experience barriers to accessing hot food, such as seniors, individuals with disabilities or homeless individuals.

(3) The task force shall analyze options available under any applicable federal waivers or federal programs under 7 U.S.C. 2026, or other options available with federal approval, to maximize the food choices for recipients of Supplemental Nutrition Assistance Program benefits, including by allowing benefits to be used to purchase hot foods and hot foods that are ready for immediate consumption.

(4) The Department of Human Services shall provide staff support to the task force.

(5) Based on the analysis of the task force, the Department of Human Services shall develop a plan to implement a program to allow recipients to use Supplemental Nutrition Assistance Program benefits to purchase hot foods and hot foods that are ready for immediate consumption, including restaurant meals, and shall pursue federal approval from the United States Department of Agriculture, if approval is needed, or pursue options currently available under federal law to implement the program.

(6) The plan for the program as described in subsection (5) of this section must include, but is not limited to, recommendations for an evaluation of the program to examine:

- (a) Access to the program;
- (b) The efficacy of the program in allowing participants to obtain restaurant meals; and

(c) The cost of the program.

(7) A majority of the members of the task force constitutes a quorum for the transaction of business.

(8) Official action by the task force requires the approval of a majority of the members of the task force.

(9) The task force shall elect one of its members to serve as chairperson.

(10) If there is a vacancy for any cause, the director shall make an appointment to become immediately effective.

(11) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.

(12) The task force may adopt rules necessary for the operation of the task force.

(13) No later than January 31, 2025, the task force shall submit a report on the implementation of the program, in the manner provided in ORS 192.245, to the interim committees of the Legislative Assembly related to human services.

(14) Members of the task force are entitled to compensation and to reimbursement for actual and necessary travel and other expenses the members incur in the performance of their duties on the task force in the manner and amounts provided for in ORS 292.495.

(15) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.

(16) The department shall solicit public feedback on the plan developed under subsection (5) of this section to ensure that the department receives feedback from an equity perspective before implementing the program.

(17) The department may implement the program on a statewide basis or initially as a pilot program.

**SECTION 2.** Section 1 of this 2024 Act is amended to read:

**Sec. 1.** [(1) *The Task Force on Maximizing Supplemental Nutrition Assistance Program Benefits is established.*]

[(2) *The task force consists of members appointed by the Director of Human Services who represent the geographic and racial or ethnic diversity of this state and who have:*]

- [(a) *Expertise in food insecurity.*]
- [(b) *Personal experience receiving Supplemental Nutrition Assistance Program benefits.*]
- [(c) *Experience in the restaurant industry.*]
- [(d) *Experience in the retail grocery industry.*]
- [(e) *Personal or professional experience in working with Oregonians who experience barriers to accessing hot food, such as seniors, individuals with disabilities or homeless individuals.*]

*[(3) The task force shall analyze options available under any applicable federal waivers or federal programs under 7 U.S.C. 2026, or other options available with federal approval, to maximize the food choices for recipients of Supplemental Nutrition Assistance Program benefits, including by allowing benefits to be used to purchase hot foods and hot foods that are ready for immediate consumption.]*

*[(4) The Department of Human Services shall provide staff support to the task force.]*

*[(5) Based on the analysis of the task force, the Department of Human Services shall develop a plan to implement a program to allow recipients to use Supplemental Nutrition Assistance Program benefits to purchase hot foods and hot foods that are ready for immediate consumption, including restaurant meals, and shall pursue federal approval from the United States Department of Agriculture, if approval is needed, or pursue options currently available under federal law to implement the program.]*

*[(6) The plan for the program as described in subsection (5) of this section must include, but is not limited to, recommendations for an evaluation of the program to examine:]*

*[(a) Access to the program;]*

*[(b) The efficacy of the program in allowing participants to obtain restaurant meals; and]*

*[(c) The cost of the program.]*

*[(7) A majority of the members of the task force constitutes a quorum for the transaction of business.]*

*[(8) Official action by the task force requires the approval of a majority of the members of the task force.]*

*[(9) The task force shall elect one of its members to serve as chairperson.]*

*[(10) If there is a vacancy for any cause, the director shall make an appointment to become immediately effective.]*

*[(11) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.]*

*[(12) The task force may adopt rules necessary for the operation of the task force.]*

*[(13) No later than January 31, 2025, the task force shall submit a report on the implementation of the program, in the manner provided in ORS 192.245, to the interim committees of the Legislative Assembly related to human services.]*

*[(14) Members of the task force are entitled to compensation and to reimbursement for actual and necessary travel and other expenses the members incur in the performance of their duties on the task force in the manner and amounts provided for in ORS 292.495.]*

*[(15) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.]*

*[(16) The department shall solicit public feedback on the plan developed under subsection (5) of this section to ensure that the department receives feedback from an equity perspective before implementing the program.]*

*[(17) The department may implement the program on a statewide basis or initially as a pilot program.]*

**To the extent permitted by federal law, the Department of Human Services shall allow recipients of Supplemental Nutrition Assistance Program benefits who lack access to kitchen facilities or a means of preparing meals to use the benefits to purchase hot foods and hot foods that are ready for immediate consumption, including restaurant meals.**

**SECTION 3.** The amendments to section 1 of this 2024 Act by section 2 of this 2024 Act become operative one year after receipt of any approval that is necessary to carry out the plan for implementing the program described in section 1 of this 2024 Act or one year after the notification from the United States Secretary of Agriculture that no federal approval is necessary.

**SECTION 4.** The Department of Human Services shall notify the Legislative Counsel immediately upon receipt of:

**(1)** Any federal approval described in section 3 of this 2024 Act or the denial of approval; or

**(2)** Notification from the United States Secretary of Agriculture that no approval is necessary.

**SECTION 5.** Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Human Services by section 1 (3), chapter 610, Oregon Laws 2023, for the biennium ending June 30, 2025, for self-sufficiency programs, is increased by \$481,371 for carrying out section 1 of this 2024 Act.

**SECTION 6.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3 (3), chapter 610, Oregon Laws 2023, for the biennium ending June 30, 2025, as the maximum limits for payment of expenses from federal funds, but excluding federal funds not described in section 2, chapter 610, Oregon Laws 2023, collected or received by the Department of Human Services, for self-sufficiency programs, is increased by \$698,970 for carrying out section 1 of this 2024 Act.

**SECTION 7.** This 2024 Act takes effect on the 91st day after the date on which the 2024 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Approved by the Governor April 4, 2024

Filed in the office of Secretary of State April 4, 2024

Effective date June 6, 2024