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By: Delegates Solomon, Cain, Acevero, Anderson, Attar, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Carr, Chang, Charkoudian, Charles, Clippinger, Conaway, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Forbes, Fraser-Hidalgo, Gilchrist, Guyton, Harrison, Haynes, Healey, Henson, Hettleman, Hill, Ivey, M. Jackson, Kaiser, Kelly, Korman, Krimm, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena-Melnyk, Pendergrass, Proctor, Qi, Queen, Reznik, Rosenberg, Ruth, Sample-Hughes, Shetty, Smith, Stein, Stewart, Terrasa, Turner, Valderrama, Valentino-Smith, Washington, C. Watson, Wells, Wilkins, Williams, K. Young, and P. Young

Introduced and read first time: February 7, 2020

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2	Human Services - Food Supplement Program - Eligibility
3	(Protect Against Hunger Act)

- FOR the purpose of establishing that the criteria for determining eligibility for the food supplement program in the Department of Human Services are the criteria in effect on a certain date, notwithstanding certain changes in federal law; requiring the State to provide certain food supplement program benefits for which federal funding is not available; and generally relating to the food supplement program.
- 9 BY repealing and reenacting, without amendments,
- 10 Article Human Services
- 11 Section 5–501
- 12 Annotated Code of Maryland
- 13 (2019 Replacement Volume and 2019 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Human Services
- 16 Section 5–502
- 17 Annotated Code of Maryland
- 18 (2019 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 2 That the Laws of Maryland read as follows:

3 Article – Human Services

- 4 5-501.
- 5 (a) (1) The Department may implement a food supplement program in accordance with the federal Supplemental Nutrition Assistance Program.
- 7 (2) The food supplement program shall include a Restaurant Meals 8 Program in accordance with \S 5–505 of this subtitle.
- 9 (b) The State shall bear the nonfederal portion of the administrative costs of the 10 food supplement program for each county.
- 11 (c) Each local department shall administer the food supplement program:
- 12 (1) under the supervision and control of the Department; and
- 13 (2) in accordance with the regulations of the Department and federal law.
- 14 (d) If a household includes an individual who is at least 62 years old and receives 15 a federally funded benefit in an amount less than \$30 per month under the food supplement 16 program, the State shall provide a supplement to increase the total benefit to \$30 per 17 month.
- 18 5–502.
- 19 **(A)** Except as provided in **SUBSECTION (B) OF THIS SECTION AND** § 5–503 of this subtitle, if any provision of this subtitle conflicts with any federal law, the federal law shall prevail.
- (B) (1) NOTWITHSTANDING ANY CHANGE IN FEDERAL LAW AFTER JULY 1, 2019, THAT LIMITS ELIGIBILITY FOR THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, ELIGIBILITY FOR THE FOOD SUPPLEMENT PROGRAM SHALL BE DETERMINED UNDER THE STATE'S ELIGIBILITY REQUIREMENTS IN EFFECT ON JULY 1, 2019.
- 27 (2) THE STATE SHALL PROVIDE FOOD SUPPLEMENT PROGRAM 28 BENEFITS TO ELIGIBLE INDIVIDUALS FOR WHOM FEDERAL FUNDING IS NOT 29 AVAILABLE.
- 30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020.