

Chapter 635

(House Bill 338)

AN ACT concerning

**Human Services – Food Supplements
(Summer SNAP for Children Act)**

FOR the purpose of renaming the food stamp program to be the food supplement program; requiring the State to provide matching funds for a certain supplement for certain individuals in a household that receives certain federally funded benefits; providing for the amount of the supplemental benefit; providing that the supplemental benefit is subject to certain requirements; providing that the supplemental benefit is for each child in the household; requiring the supplemental benefit to be provided in certain months; establishing the manner in which the supplemental benefit is provided; prohibiting a household from receiving more than one supplemental benefit per child; requiring a county to submit a certain application by a certain date to receive funding for the supplemental benefit; requiring the application to include certain information; requiring the Department of Human Services to notify certain counties of certain available funding on or before a certain date each year; providing that receipt of certain funding by a county is contingent on approval of a certain final plan; requiring certain counties to submit a certain final plan to the Department on or before a certain date; requiring the Department to approve or reject a certain final plan and provide notice of the decision on or before a certain date; allowing a county with a rejected final plan to submit a revised final plan for approval; requiring the Department to certify available funding for an approved final plan; specifying the required State and local shares of funding for a county with an approved final plan; specifying the manner in which available State funding for the supplemental benefit is apportioned among counties with approved final plans; requiring the Governor to appropriate certain amounts of funding for the supplemental benefits in certain fiscal years; authorizing a county to provide certain additional funding; prohibiting certain required funding from being affected by certain additional funding; requiring the Governor to appropriate a certain amount of funding for the supplemental benefits in certain fiscal years; if certain federal funding is available, requiring the Department of Human Services, in consultation with the State Department of Education, to apply for a certain federal grant to implement a Summer Electronic Benefit Transfer for Children demonstration project; requiring the Department to report to certain committees of the General Assembly on or before a certain date annually; providing for the termination of certain provisions of this Act; defining a certain term; and generally relating to the food ~~stamp~~ supplement program.

BY repealing and reenacting, ~~without~~ with amendments,
Article – Human Services
Section 5–501
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY adding to

Article – Human Services
 Section 5–501.1
 Annotated Code of Maryland
 (2007 Volume and 2018 Supplement)

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

Article – Human Services

5–501.

(a) The Department may implement a food ~~stamp~~ **SUPPLEMENT** program in accordance with the federal ~~Food Stamp Act~~ **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**.

(b) The State shall bear the nonfederal portion of the administrative costs of the food ~~stamp~~ **SUPPLEMENT** program for each county.

(c) Each local department shall administer the food ~~stamp~~ **SUPPLEMENT** program:

- (1) under the supervision and control of the Department; and
- (2) in accordance with the regulations of the Department and federal law.

(d) If a household includes an individual who is at least 62 years old and receives a federally funded benefit in an amount less than \$30 per month under the food ~~stamp~~ **SUPPLEMENT** program, the State shall provide a supplement to increase the total benefit to \$30 per month.

5–501.1.

(A) IN THIS SECTION, “CHILD” MEANS AN INDIVIDUAL WHO IS UNDER THE AGE OF 19 YEARS AT ANY TIME DURING A CALENDAR YEAR.

(B) (1) SUBJECT TO SUBSECTIONS (E) AND (F) OF THIS SECTION, IF A HOUSEHOLD INCLUDES AN INDIVIDUAL WHO RECEIVES A FEDERALLY FUNDED BENEFIT UNDER THE FOOD ~~STAMP~~ SUPPLEMENT PROGRAM, THE STATE SHALL PROVIDE MATCHING FUNDS TO A COUNTY TO SUPPLEMENT BENEFITS RECEIVED UNDER § 5–501 OF THIS SUBTITLE FOR EACH CHILD IN THE HOUSEHOLD ~~IN THE AMOUNT OF.~~

(2) FOR EACH CHILD IN THE HOUSEHOLD, THE COMBINED STATE AND COUNTY SUPPLEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL AT LEAST:

~~(1)~~ **(I) \$30 PER MONTH IN THE MONTHS OF JUNE, JULY, AND AUGUST; AND**

~~(2)~~ **(II) \$10 IN THE MONTH OF DECEMBER.**

(C) (1) A SUPPLEMENT PROVIDED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE ADDED TO THE HOUSEHOLD FOOD ~~STAMP~~ SUPPLEMENT PROGRAM BENEFIT ACCOUNT 15 DAYS AFTER THE FEDERALLY FUNDED BENEFIT IS ADDED TO THE ACCOUNT IN JUNE, JULY, AND AUGUST.

(2) A SUPPLEMENT PROVIDED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE ADDED TO THE HOUSEHOLD FOOD ~~STAMP~~ SUPPLEMENT PROGRAM BENEFIT ACCOUNT 7 DAYS AFTER THE FEDERALLY FUNDED BENEFIT IS ADDED TO THE ACCOUNT IN DECEMBER.

(D) A HOUSEHOLD MAY NOT RECEIVE MORE THAN ONE SUPPLEMENT PER CHILD UNDER SUBSECTION (B) OF THIS SECTION.

(E) (1) (I) TO RECEIVE FUNDING IN THE FOLLOWING FISCAL YEAR FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION, A COUNTY SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT ON OR BEFORE DECEMBER 1.

(II) THE APPLICATION SHALL INCLUDE THE FOLLOWING INFORMATION:

1. A PROPOSED PLAN TO SUCCESSFULLY IMPLEMENT DISTRIBUTION OF SUPPLEMENTS AWARDED TO THE COUNTY;

2. A PROPOSED PLAN TO ~~MARKET AND~~ COMMUNICATE THE AVAILABILITY OF FOOD ~~STAMP~~ SUPPLEMENT PROGRAM BENEFITS AND SUPPLEMENTS TO ELIGIBLE FAMILIES;

3. THE PROCESS BY WHICH THE COUNTY WILL EVALUATE THE IMPACT OF THE SUPPLEMENTS;

4. FOOD ~~STAMP~~ SUPPLEMENT PROGRAM ~~PARTICIPATION~~ ELIGIBILITY AND ENROLLMENT RATES IN THE COUNTY; ~~AND~~

5. CERTIFICATION OF THE MAXIMUM AMOUNT OF LOCAL SHARE FUNDS AVAILABLE; AND

6. ANY OTHER RELEVANT INFORMATION REQUIRED BY THE DEPARTMENT.

(2) (I) ON OR BEFORE JANUARY 15 EACH YEAR, THE DEPARTMENT SHALL NOTIFY EACH COUNTY THAT SUBMITTED A COMPLETE APPLICATION OF THE AMOUNT OF FUNDING AVAILABLE IN THE NEXT FISCAL YEAR FOR SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION.

(II) RECEIPT OF AVAILABLE FUNDING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS CONTINGENT ON APPROVAL BY THE DEPARTMENT OF A COUNTY'S FINAL PLAN SUBMITTED IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

(3) ON OR BEFORE MARCH 1 EACH YEAR, A COUNTY THAT IS NOTIFIED OF AVAILABLE FUNDING SHALL SUBMIT A FINAL PLAN TO THE DEPARTMENT THAT INCLUDES:

(I) A ~~MARKETING AND~~ COMMUNICATION PLAN TO INFORM ELIGIBLE FAMILIES OF THE FOOD ~~STAMP~~ SUPPLEMENT PROGRAM AND THE SUPPLEMENTS AVAILABLE UNDER THIS SECTION;

(II) IF FUNDING IS NOT SUFFICIENT TO PROVIDE A MINIMUM SUPPLEMENT OF \$100 TO ALL CHILDREN IN THE COUNTY RECEIVING FOOD ~~STAMP~~ SUPPLEMENT PROGRAM BENEFITS IN THE FISCAL YEAR, A DESIGNATION OF WHICH CHILDREN WILL BE ELIGIBLE TO RECEIVE THE SUPPLEMENTS UNDER THIS SECTION;

(III) THE CRITERIA USED TO DETERMINE ELIGIBILITY UNDER ITEM (II) OF THIS PARAGRAPH; AND

(IV) AN EVALUATION PLAN TO MEASURE:

- 1. THE IMPACT OF THE SUPPLEMENTS ON RECIPIENTS;**
- 2. FOOD ~~STAMP~~ SUPPLEMENT PROGRAM PARTICIPATION; AND**
- 3. ANY OTHER RELEVANT INFORMATION REQUIRED BY THE DEPARTMENT.**

(4) (I) THE DEPARTMENT SHALL REVIEW A FINAL PLAN SUBMITTED UNDER PARAGRAPH (3) OF THIS SUBSECTION AND APPROVE OR REJECT THE FINAL PLAN.

(II) THE DEPARTMENT SHALL NOTIFY A COUNTY OF ITS DECISION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE ~~MAY 15~~ APRIL 1.

(III) IF THE DEPARTMENT REJECTS A COUNTY'S FINAL PLAN, THE COUNTY MAY SUBMIT A REVISED FINAL PLAN FOR APPROVAL ON OR BEFORE APRIL 15.

(IV) IF THE DEPARTMENT APPROVES A COUNTY'S FINAL PLAN, THE DEPARTMENT SHALL CERTIFY THE AMOUNT OF FUNDING THAT WILL BE PROVIDED ~~TO~~ FOR THE COUNTY IN THE FOLLOWING FISCAL YEAR.

(5) EACH COUNTY WITH AN APPROVED FINAL PLAN SHALL BE AWARDED FUNDING IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.

(F) (1) ~~(I) THE GOVERNOR SHALL INCLUDE \$2,000,000 IN THE FISCAL 2021 BUDGET FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(II) IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE AN ADDITIONAL \$500,000 OVER THE PRIOR FISCAL YEAR APPROPRIATION FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION~~ THE STATE AND LOCAL SHARES OF FUNDING REQUIRED FOR A COUNTY WITH AN APPROVED FINAL PLAN SHALL BE EQUAL TO THE STATE AND LOCAL SHARE PERCENTAGES ESTABLISHED BY THE STATE AND LOCAL COST-SHARE FORMULA FOR THAT COUNTY REQUIRED UNDER § 5-303(D)(3)(I) OF THE EDUCATION ARTICLE.

(2) ~~IN (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN EACH FISCAL YEAR, THE DEPARTMENT SHALL PROVIDE THE STATE SHARE OF FUNDS TO~~ FOR EACH COUNTY WITH AN APPROVED FINAL PLAN FOR THE FISCAL YEAR IN AN AMOUNT EQUAL TO THE PRODUCT OF:

1. ~~THE TOTAL AMOUNT OF FUNDS APPROPRIATED UNDER PARAGRAPH (1) OF THIS SUBSECTION MULTIPLIED BY~~ SUBSECTION (G) OF THIS SECTION; AND

2. THE NUMBER OF CHILDREN IN HOUSEHOLDS THAT RECEIVE A FEDERAL BENEFIT UNDER THE FOOD STAMP SUPPLEMENT PROGRAM RECIPIENTS IN THE COUNTY WHO ARE ELIGIBLE FOR A BENEFIT UNDER THIS SECTION AND THEN, DIVIDED BY THE TOTAL NUMBER OF CHILDREN IN HOUSEHOLDS

THAT RECEIVE A FEDERAL BENEFIT UNDER THE FOOD ~~STAMP~~ SUPPLEMENT PROGRAM ~~RECIPIENTS IN THE STATE WHO ARE ELIGIBLE FOR A BENEFIT UNDER THIS SECTION~~ IN ALL COUNTIES WITH AN APPROVED FINAL PLAN.

(II) THE AMOUNT OF FUNDS PROVIDED TO A COUNTY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE GREATER THAN THE STATE SHARE AMOUNT THAT CORRESPONDS TO THE MAXIMUM AVAILABLE LOCAL SHARE FUNDS CERTIFIED UNDER SUBSECTION (E)(1)(II)5 OF THIS SECTION.

(3) (I) A COUNTY MAY PROVIDE FUNDING IN ADDITION TO THE FUNDING ~~PROVIDED~~ REQUIRED UNDER PARAGRAPH ~~(2)~~ (1) OF THIS SUBSECTION TO INCREASE THE NUMBER OF SUPPLEMENTS PROVIDED IN THE COUNTY.

(II) FUNDING PROVIDED BY A COUNTY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT AFFECT THE AMOUNT OF FUNDING THE DEPARTMENT IS REQUIRED TO PROVIDE UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(G) EACH YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$200,000 FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, if federal funding is available, the Department of Human Services, in consultation with the State Department of Education, shall annually apply for a grant from the U.S. Department of Agriculture to implement a Summer Electronic Benefit Transfer for Children demonstration project.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1 of each year, the Department of Human Services shall report, in accordance with § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Appropriations Committee on the status of the Summer Electronic Benefit Transfer for Children grant application and, if a grant has been awarded, the progress toward implementing a demonstration project.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019. Sections 2 and 3 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2022, Sections 2 and 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.