

Chapter 362

**(House Bill 101)**

AN ACT concerning

**Human Services – Supplemental Nutrition Assistance Program – Heat and Eat Program and Study on Maryland Energy Assistance Program Eligibility**

FOR the purpose of establishing the Heat and Eat Program within the Supplemental Nutrition Assistance Program in the Department of Human Services; providing for the purpose of the Heat and Eat Program; providing for the household eligibility requirements for the Heat and Eat Program; requiring the Department to make a certain determination for households to receive certain benefits; requiring the Department to adopt certain regulations; requiring the Department to conduct a certain feasibility study for establishing automatic eligibility and approval for a household to participate in the Maryland Energy Assistance Program under certain circumstances; requiring the Department, in conducting the study, to conduct a cost–benefit analysis; requiring the Department to submit a report of its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining a certain term; and generally relating to the Supplemental Nutrition Assistance Program ~~and~~, the Heat and Eat Program, and the Maryland Energy Assistance Program.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5–501(a)  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 Supplement)

BY adding to  
Article – Human Services  
Section 5–506  
Annotated Code of Maryland  
(2019 Replacement Volume and 2020 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) (1) The Department may implement a Supplemental Nutrition Assistance Program in accordance with the federal Supplemental Nutrition Assistance Program.

(2) The Supplemental Nutrition Assistance Program shall include:

(I) a Restaurant Meals Program in accordance with § 5–505 of this subtitle; AND

(II) A HEAT AND EAT PROGRAM IN ACCORDANCE WITH § 5–506 OF THIS SUBTITLE.

**5–506.**

(A) IN THIS SECTION, “STANDARD UTILITY ALLOWANCE” MEANS A MARYLAND ENERGY ASSISTANCE PROGRAM PAYMENT TO A HOUSEHOLD THAT IS AT LEAST \$21 PER YEAR.

(B) (1) THERE IS A HEAT AND EAT PROGRAM WITHIN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IN THE DEPARTMENT.

(2) THE PURPOSE OF THE HEAT AND EAT PROGRAM IS TO EXPAND FOOD ACCESS TO HOUSEHOLDS THAT ARE RECEIVING OR ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.

(C) (1) A HOUSEHOLD IS ELIGIBLE TO PARTICIPATE IN THE HEAT AND EAT PROGRAM IF THE HOUSEHOLD IS ELIGIBLE TO RECEIVE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS UNDER STATE AND FEDERAL LAW.

(2) IN DETERMINING THE ELIGIBILITY OF A HOUSEHOLD TO RECEIVE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS, THE DEPARTMENT SHALL APPLY A STANDARD UTILITY ALLOWANCE TO THE SHELTER DEDUCTION THAT IS USED FOR THE PURPOSE OF DETERMINING COUNTABLE GROSS INCOME FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ELIGIBILITY.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS:

(1) TO VERIFY HOUSEHOLD ELIGIBILITY FOR PARTICIPATION IN THE HEAT AND EAT PROGRAM; AND

(2) OTHERWISE NECESSARY TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Human Services shall study and make recommendations on the feasibility of establishing automatic eligibility and approval for a household to participate in the Maryland Energy Assistance Program if the household is receiving or eligible to receive Supplemental Nutrition Assistance Program benefits under State and federal law.

(b) In conducting the study required under subsection (a) of this section, the Department shall conduct a cost–benefit analysis.

(c) On or before December 31, 2021, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.**