



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2415/1

SWB:cdc

2025 SENATE BILL 154

March 21, 2025 - Introduced by Senators KAPENGA, CABRAL-GUEVARA, NASS and TOMCZYK, cosponsored by Representatives MOSES, KNODL, KAUFERT, ALLEN, BEHNKE, CALLAHAN, DITTRICH, GOEBEN, GUNDRUM, MAXEY, MURPHY, NEDWESKI, NEYLON, O'CONNOR, PENTERMAN, SNYDER and WICHGERS. Referred to Committee on Government Operations, Labor and Economic Development.

1 **AN ACT** *to create* 49.79 (7x) of the statutes; **relating to:** requiring the
2 Department of Health Services to seek any necessary waiver to prohibit the
3 purchase of candy or soft drinks with FoodShare benefits.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to request any necessary waiver from the U.S. Department of Agriculture to prohibit the purchase of candy or soft drinks with FoodShare benefits. Under current law, the federal food stamp program, known as the Supplemental Nutrition Assistance Program and called FoodShare in this state, provides benefits to eligible low-income households for the purchase of food. FoodShare is administered by DHS. The federal government pays the benefits for FoodShare while the state and federal government share the cost of administration. Current federal law defines the foods eligible for purchase under FoodShare. The bill requires DHS to seek any necessary waiver to prohibit the use of FoodShare benefits for the purchase of candy or soft drinks. If the waiver is granted, DHS must prohibit the use of FoodShare benefits to purchase candy or soft drinks. If any necessary waiver is not granted, the bill requires DHS to resubmit the waiver request annually until it is granted.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

SENATE BILL 154**SECTION 1**

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.79 (7x) of the statutes is created to read:

49.79 (7x) EXCLUSIONS; FOOD STAMP PROGRAM. (a) In this subsection:

1. “Candy” has the meaning given in s. 77.51 (1fm).

2. “Soft drinks” has the meaning given in s. 77.51 (17w).

(b) The department shall request any necessary waiver from the U.S. department of agriculture in accordance with 7 USC 2026 to prohibit the use of benefits under the food stamp program for the purchase of candy or soft drinks from the list of eligible foods under 7 CFR 271.2. If a waiver requested under this paragraph is granted the department shall prohibit the purchase of candy or soft drinks with benefits provided through the federal food stamp program. If any necessary waiver from the U.S. department of agriculture is not granted, then the department shall submit the waiver request under this paragraph annually until the waiver is granted.

(END)