

118TH CONGRESS
1ST SESSION

S. 2258

To amend the Food and Nutrition Act of 2008 to permit supplemental nutrition assistance program benefits to be used to purchase additional types of food items.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2023

Mr. BENNET (for himself, Mr. PADILLA, Mr. BLUMENTHAL, Mr. WELCH, Mrs. GILLIBRAND, Mr. HICKENLOOPER, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to permit supplemental nutrition assistance program benefits to be used to purchase additional types of food items.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hot Foods Act of
5 2023”.

1 **SEC. 2. HOT FOOD UNDER SUPPLEMENTAL NUTRITION AS-**
2 **SISTANCE PROGRAM.**

3 Section 3 of the Food and Nutrition Act of 2008 (7
4 U.S.C. 2012) is amended—

5 (1) in subsection (k)(1), by striking “consump-
6 tion except alcoholic beverages, tobacco, hot foods or
7 hot food products ready for immediate consumption
8 other than those authorized pursuant to clauses (3),
9 (4), (5), (7), (8), and (9) of this subsection” and in-
10 sserting “consumption, including hot foods or hot
11 food products ready for immediate consumption and
12 excluding alcoholic beverages, tobacco”;

13 (2) in subsection (o)(1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “and consumption” and insert-
16 ing “or home or immediate consumption”; and

17 (B) in subparagraph (A)—

18 (i) by striking the subparagraph des-
19 ignation and all that follows through “of-
20 fers” and inserting the following:

21 “(A)(i) offers”;

22 (ii) in clause (i) (as so designated), by
23 striking “or” at the end and inserting
24 “and”; and

25 (iii) by adding at the end the fol-
26 lowing:

1 “(ii) of which not more than 50 percent of
2 the total gross sales are from hot foods or hot
3 food products ready for immediate consump-
4 tion; or”; and

5 (3) in subsection (q)(2)—

6 (A) by striking “include accessory” and in-
7 serting the following: “include—

8 “(A) accessory”;

9 (B) in subparagraph (A) (as so des-
10 ignated), by striking the period at the end and
11 inserting “; and”; and

12 (C) by adding at the end the following:

13 “(B) hot foods or hot food products ready
14 for immediate consumption.”.

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