

116TH CONGRESS
2D SESSION

S. 5038

To amend the Food and Nutrition Act of 2008 to modify the definition of a household under the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2020

Ms. DUCKWORTH (for herself and Mr. DURBIN) 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 modify the definition of a household under the supplemental nutrition assistance program, and for other purposes.

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 “Supportive Living
5 Food Access Protection Act of 2020”.

6 **SEC. 2. DEFINITIONS OF FOOD AND HOUSEHOLD.**

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

1 (1) in subsection (k)(3), by inserting “residen-
 2 tial care settings provided funds by the appropriate
 3 State agency under regulations issued under section
 4 1915(c) of the Social Security Act (42 U.S.C.
 5 1396n(c)),” before “public or private”; and

6 (2) in subsection (m)(5), by adding at the end
 7 the following:

8 “(F)(i) Individuals who are 60 years of age
 9 or over or who receive supplemental security in-
 10 come benefits or disability or blindness pay-
 11 ments under title I, II, X, XIV, or XVI of the
 12 Social Security Act (42 U.S.C. 301 et seq.) who
 13 reside in a residential care setting provided
 14 funds by the appropriate State agency under
 15 regulations issued under section 1915(c) of the
 16 Social Security Act (42 U.S.C. 1396n(c)); and

17 “(ii) the spouses of those individuals if the
 18 spouse resides in a residential care setting de-
 19 scribed in clause (i).”.

20 **SEC. 3. ISSUANCE AND USE OF PROGRAM BENEFITS.**

21 Section 7(f)(2)(B)(ii) of the Food and Nutrition Act
 22 of 2008 (7 U.S.C. 2016(f)(2)(B)(ii)) is amended by insert-
 23 ing “and residential care settings provided funds by the
 24 appropriate State agency under regulations issued under

1 section 1915(c) of the Social Security Act (42 U.S.C.
2 1396n(c))” before the period at the end.

3 **SEC. 4. REVIEW OF PROGRAM OPERATIONS.**

4 (a) IN GENERAL.—Section 9(i)(2) of the Food and
5 Nutrition Act of 2008 (7 U.S.C. 2018(i)(2)) is amended
6 by striking “December 31, 2020” and inserting “the date
7 that is 1 year after the date of enactment of the Sup-
8 portive Living Food Access Protection Act of 2020”.

9 (b) REGULATIONS.—The Secretary shall promulgate
10 any regulations necessary to carry out the amendment
11 made by subsection (a) not later than 1 year after the
12 date of enactment of this Act.

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