

On SNAP Benefits

MYTH: Individuals convicted of a drug felony can never receive Supplemental Nutrition Assistance Program (SNAP) benefits.

FACT: Only six states have kept the drug felony ban in place in its entirety. Most states have modified or eliminated the ban.

Section 115 of the Personal Responsibility and Work Opportunity Act of 1996 prohibited states from providing Food Stamps (now the Supplemental Nutrition Assistance Program) to individuals convicted of drug felonies unless the state passes legislation to extend benefits to these individuals.

Only the following 6 states have kept the welfare ban entirely in place: Arizona, Arkansas, Indiana, Mississippi, South Carolina, and West Virginia. All other states have modified the ban or have eliminated it entirely.

The following 20 states and the District of Columbia have eliminated the ban entirely: California, Delaware, Illinois, Iowa, Maine, Massachusetts, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, and Wyoming.

The following 24 states have amended the ban to allow some individuals to regain eligibility by meeting certain additional requirements, such as receiving or completing drug or alcohol treatment: Alabama, Alaska, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Carolina, North Dakota, Tennessee, Texas, Virginia, and Wisconsin.

A number of state SNAP agencies have also requested a SNAP Pre-Release Waiver, which allows them to accept benefit applications and conduct eligibility interviews for incarcerated individuals nearing release.

For More Information

Visit the SNAP website at www.fns.usda.gov/snap for information on application and eligibility requirement.