



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2908

Introduced 1/27/2026, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-4.50a new

Amends the Administration Article of the Illinois Public Aid Code. Requires the Department of Human Services, as the lead State agency responsible for administering Supplemental Nutrition Assistance Program (SNAP) benefits to eligible Illinois residents, to submit a SNAP Food Restriction Waiver to the U.S. Department of Agriculture's Food and Nutrition Service to modify allowable purchases under the SNAP program by excluding from the definition of "eligible food" candy, prepared desserts, carbonated and noncarbonated soft drinks, certain fruit and vegetable juices containing 50% or less of natural fruit or vegetable, energy drinks, and other specified beverage mixes and concentrates. Provides that upon federal approval, the Department shall ensure that SNAP recipients are notified and informed of the SNAP Food Restriction Waiver, the specific food items and beverages restricted under the waiver, and the implementation date for the waiver. Requires the Department to also engage directly with SNAP-authorized retailers to prepare them to comply with the SNAP Food Restriction Waiver.

LRB104 17804 KTG 31237 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 12-4.50a as follows:

6 (305 ILCS 5/12-4.50a new)

7 Sec. 12-4.50a. SNAP Food Restriction Waiver.

8 (a) Findings. The General Assembly finds the following:

9 (1) The "N" in SNAP stands for "Nutrition," and the
10 Declaration of Policy in the Food and Nutrition Act of 2008
11 (Public Law 88-525, as amended via Public Law 118-5)
12 underscores the importance of nutrition and health. However,
13 this "Nutrition Assistance" program is, in practice, enabling
14 the purchase of highly processed, low-nutrient beverages and
15 candy, which undermines public health outcomes for families
16 across Illinois.

17 (2) National data show that soda, unhealthy snacks, candy,
18 and dessert products account for a significant share of SNAP
19 redemptions-nearly 23%, or \$27,000,000,000, of all purchases.
20 Given the well-established link between consumption of
21 low-nutrient foods and adverse health outcomes, current SNAP
22 policy contributes to higher rates of obesity, type 2
23 diabetes, cardiovascular disease, hypertension, and other

1 chronic conditions in Illinois communities.

2 (3) Chronic diet-related conditions disproportionately
3 affect low-income households, the same populations that depend
4 on SNAP for food security. In Illinois, an outsized burden of
5 obesity and diabetes persists among low-income adults and
6 children, contributing to increased healthcare utilization and
7 costs. For example, State health data indicate that a
8 substantial share of Illinois adults are living with obesity,
9 and diabetes prevalence in many counties exceeds national
10 averages. These conditions impose significant costs on
11 Illinois' public health systems, including Medicaid, which
12 allocates hundreds of millions of dollars annually to the
13 treatment of diet-related chronic diseases.

14 (4) Reforming SNAP to better align with nutritional
15 objectives will support healthier outcomes for low-income
16 families in Illinois. Evidence from peer-reviewed research
17 suggests that disallowing purchases of sugary drinks-such as
18 soda-using SNAP benefits could prevent obesity and type 2
19 diabetes at scale. It is estimated that excluding
20 sugar-sweetened beverages from SNAP purchases could prevent
21 obesity in an estimated 141,000 children and reduce new cases
22 of type 2 diabetes in approximately 240,000 adults nationally.

23 (5) Limiting SNAP eligibility for sugar-sweetened
24 beverages, unhealthy drinks, and candy represents a
25 commonsense, evidence-based first step toward improving
26 nutrition and advancing health equity in Illinois.

1 (b) As the lead State agency responsible for administering
2 Supplemental Nutrition Assistance Program (SNAP) benefits to
3 eligible Illinois residents, the Department of Human Services
4 shall submit a SNAP Food Restriction Waiver to the U.S.
5 Department of Agriculture's Food and Nutrition Service to
6 exercise Section 17 of the Food and Nutrition Act of 2008 to
7 modify allowable purchases under the SNAP program by excluding
8 from the definition of "eligible food" the following food
9 items and beverages as described or defined:

10 (1) Excluded food items:

11 (A) "Candy" means a product that involves the
12 preparation of sugar or artificial sweeteners in
13 combination with chocolate, fruits, nuts, caramels,
14 gummies, and hard candies, or other ingredients or
15 flavorings, presented in the form of bars, drops, or
16 pieces.

17 (B) "Prepared desserts" means a processed,
18 shelf-stable, ready-to-eat, prepackaged sweet food
19 intended for immediate consumption without any further
20 preparation. This would include foods mostly made out
21 of chemically modified substances extracted from
22 foods, along with additives to enhance taste, texture,
23 appearance, and durability, with minimal use of whole
24 foods. Anything that requires refrigeration for
25 storage or safety is excluded from the candy
26 definition and will still be SNAP-eligible, such as

1 birthday cake.

2 (2) Excluded beverages:

3 (A) Carbonated and noncarbonated soft drinks are
4 excluded, including, but not limited to, colas, ginger
5 ale, near-beer, root beer, lemonade, and orangeade.

6 (B) All other drinks or punches with natural fruit
7 or vegetable juice that contain 50% or less by volume
8 of natural fruit or vegetable juice are also excluded.

9 (C) Beverage mixes and ingredients intended to be
10 made into taxable beverages are excluded, whether
11 liquid or frozen, concentrated or non-concentrated,
12 dehydrated, powdered, granulated, sweetened or
13 unsweetened, and seasoned or unseasoned.

14 (D) Concentrates intended to be made into
15 beverages that contain 50% or less by volume of
16 natural fruit or vegetable juice are excluded as well.

17 (E) Energy drinks are carbonated or non-carbonated
18 beverages containing a stimulant such as fortified
19 caffeine, guarana, glucuronolactone, or taurine. They
20 may also include herbal extracts such as ginseng,
21 mineral salts and vitamins, or high doses of organic
22 acids, amino acids, inositol, sugars, or other similar
23 compounds, in addition to sweeteners. Juices or
24 natural fruit pulp or concentrates may also be added.
25 Energy drinks are specifically formulated to enhance
26 energy, alertness, or physical performance. Beverages

1 marketed primarily as sports drinks to increase
2 hydration, such as Gatorade, or medically necessary
3 nutritional products, are not included.

4 (c) Upon federal approval, the Department shall ensure
5 that SNAP recipients are notified and informed of the SNAP
6 Food Restriction Waiver, the specific food items and beverages
7 restricted under the waiver, and the implementation date for
8 the waiver. The Department shall also engage directly with
9 SNAP-authorized retailers to prepare them to comply with the
10 SNAP Food Restriction Waiver.