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Written-only Opponent Testimony on SB 79  
Senate Committee on Government Efficiency

Chairwoman Erickson and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to SB 79, which would direct the Secretary for Children and Families to request a waiver from federal Supplemental Nutrition Assistance Program rules that would allow the state to prohibit the purchase of candy and soft drinks with food assistance benefits.

Kansas Action for Children is a nonprofit advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive. We work across the political spectrum to improve the lives of Kansas children through bipartisan advocacy, partnership, and information-sharing on key issues, including early learning and education, health, and economic security for families.

While we support the idea of promoting healthier nutrition choices for children, prohibiting the purchase of candy and soft drinks with food assistance is a counterproductive measure in achieving that goal. This one-size-fits-all approach does not acknowledge the complexities that exist in communities throughout the state. Many Kansans do not have convenient access to healthy foods and must purchase whatever is available to them. In fact, one in six Kansans live in a food desert.<sup>1</sup> Dollar stores are often the only nearby option for those living in a food desert, and these stores rarely carry fresh fruits and vegetables. If you visit one of these stores, you'll find that the healthier options they carry tend to have high concentrations of salt or sugar and may still fall within the definition of SNAP exemptions created by this bill.

This issue is exacerbated by the fact that food deserts tend to be located in areas where there are also higher concentrations of families who do not own a car. In Shawnee County, for example, more than 5,000 households do not own a car.<sup>2</sup> This combination of factors makes it very difficult for low-income SNAP recipients to get to a store that has an abundance of options that would be considered SNAP-approved.

Furthermore, low-income working families often have little time to prepare meals and commonly rely on pre-packaged goods to stave off hunger. Time-constrained families will still need to rely on these products, regardless of whether they are SNAP-approved. Prohibiting their purchases will not change

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<sup>1</sup> U.S. Department of Agriculture Economic Research Service. (2025). *Food Research Atlas*. <https://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas>

<sup>2</sup> U.S. Census Bureau. (n.d.). *2018-2022 American Community Survey, Profile of Selected Housing Characteristics*. <https://ksdata.ku.edu/ksdata/ksah/trans/15trans12.pdf>

consumption habits for Kansas families, but it will require them to spend more of their own budget on food, leaving them with less money for other required expenses.

This legislation would also create unnecessary stigma. Assistance programs should help people live normal lives, but when we enact non-essential regulations and statutes like this one — which restrict Kansans' behaviors based on their income — it only serves to socially isolate them. The state is signaling that they are not allowed to behave in the same way as those who have more wealth, holding them to a higher standard simply because they're struggling financially. This is a logic that flies in the face of the fact that low-income people manage their money better than higher earners, spending more of their income on basic necessities.<sup>3</sup>

Lastly, this bill would create inefficiencies at all levels. The U.S. Department of Agriculture has never granted this particular waiver to any state, under either a Republican or Democratic administration. Requiring the Secretary for Children and Families to request such a waiver would be an exercise in futility, using state resources to file a request we already expect will be denied. In the off chance such a waiver was granted, grocers would need to create a system to determine how to categorize purchases. Those working the checkout counters would be required to know which granola bars and sports drinks fit into the sugary foods category versus those that do not.<sup>4</sup>

If we want Kansas families who receive food assistance to eat healthier, perhaps we should first address the systemic issues that leave entire communities without access to healthy foods. We are eager to work with lawmakers to explore funding mechanisms to support local grocery stores in food deserts, or to require dollar stores to carry produce and other healthy products. However, we do not believe SB 79 is a productive way to improve outcomes and will only result in Kansas families having less money to pay their bills.

Thank you for the opportunity to provide testimony on this topic, and please do not hesitate to contact me at [dustin@kac.org](mailto:dustin@kac.org) if you have additional questions.

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<sup>3</sup> U.S. Bureau of Labor Statistics. (2023). *Consumer Expenditures Report*.

<https://www.bls.gov/news.release/pdf/cesan.pdf>

<sup>4</sup> Posler, B. (February 13, 2024). *Testimony to the House Committee on Welfare Reform on HB 2673*. Fuel True.

[https://kslegislature.gov/li\\_2024/b2023\\_24/committees/ctte\\_h\\_welfare\\_reform\\_1/documents/testimony/20240213\\_01.pdf](https://kslegislature.gov/li_2024/b2023_24/committees/ctte_h_welfare_reform_1/documents/testimony/20240213_01.pdf)