

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2015

As Amended by House Committee on Welfare
Reform

Brief*

HB 2015, as amended, would amend law pertaining to public assistance programs for which federal moneys are expended. The bill would direct the Secretary for Children and Families (Secretary) to request a waiver from the U.S. Department of Agriculture to exclude candy and soft drinks from the definition of eligible foods in the food assistance program, known as the Supplemental Nutrition Assistance Program (SNAP). If the waiver is granted, the Secretary would prohibit the purchase of candy and soft drinks with food assistance. If denied, the Secretary would request such a waiver each year until it is granted. The bill would also make a technical change.

The bill would apply the definitions of candy and soft drinks found in the Kansas Retailers' Sales Tax Act, KSA 79-3602, which states:

- “Candy” means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces;
 - “Candy” does not include any preparation containing flour and shall require no refrigeration; and
- “Soft drinks” means nonalcoholic beverages that contain natural or artificial sweeteners;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- “Soft drinks” does not include beverages that contain milk or milk products, soy, rice, or similar milk substitutes or beverages that are greater than 50 percent vegetable or fruit juice by volume.

Background

The bill was introduced by the House Committee on Welfare Reform at the request of Representative Awerkamp.

House Committee on Welfare Reform

In the House Committee hearing on February 4, 2025, a representative of the Opportunity Solutions Project and a private citizen provided **proponent** testimony. The proponents discussed the potential health benefits of a candy and soda prohibition while citing concern for the ongoing health risks and nutrition deficits facing the American public.

Opponent testimony was provided by a representative of Fuel True Independent Energy and Convenience and a representative of the Kansas Food Bank, Harvester–The Community Food Network, and Second Harvest Community Food Bank. Both representatives emphasized the infeasibility of a candy and soda prohibition, saying the vague definitions and ever accelerating nature of the product market would mean that eligibility decisions would often be left to individual cashiers, and retailers, and regulators would not have the capacity for oversight.

Written-only opponent testimony was provided by representatives of the Department for Children and Families (DCF), Greater Topeka Chamber, Kansas Action for Children, Kansas Chamber, Kansas Food Action Network, and National Confectioners Association.

No other testimony was provided.

The House Committee amended the bill to make technical amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, DCF indicates that enactment of the bill would have no fiscal effect on the agency.

Public assistance; Supplemental Nutrition Assistance Program; food assistance; waiver; candy; soft drinks; soda