

HOUSE BILL No. 1263

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2; IC 12-14-30-9.5; IC 16-30-1-1.

Synopsis: Use of SNAP benefits. Prohibits Supplemental Nutrition Assistance Program (SNAP) benefits recipients from using SNAP benefits to purchase accessory foods, including: (1) energy drinks; (2) sweetened beverages; (3) soft drinks; (4) corn or potato chips; and (5) prepared desserts, including cookies, candy, ice cream, cakes, and pies. Allows SNAP recipients to purchase hot prepared chicken that is not fried or breaded using SNAP benefits. Requires the office of the secretary of family and social services to apply for a waiver or authorization to implement the prohibition and allowance if a waiver or authorization from a federal agency is required, and allows a delay in implementation until the waiver or authorization is received. Requires the Indiana department of health (department) to include promotion of healthy eating as part of the department's promotion of health and wellness activities, including by developing and making available materials that provide guidance on purchasing and preparing healthy foods on a limited budget.

Effective: July 1, 2026.

Lauer

January 6, 2026, read first time and referred to Committee on Family, Children and Human Affairs.



Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1263

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-1.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 1.1. "Accessory food", for purposes of
4 IC 12-14-30-9.5, has the meaning set forth in IC 12-14-30-9.5(a).**

5 SECTION 2. IC 12-7-2-77.3 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2026]: **Sec. 77.3. "Energy drink", for purposes of
8 IC 12-14-30-9.5, has the meaning set forth in IC 12-14-30-9.5(b).**

9 SECTION 3. IC 12-7-2-179.6 IS ADDED TO THE INDIANA
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: **Sec. 179.6. "Soft drink", for purposes
12 of IC 12-14-30-9.5, has the meaning set forth in IC 12-14-30-9.5(c).**

13 SECTION 4. IC 12-7-2-189.6 IS ADDED TO THE INDIANA
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: **Sec. 189.6. "Sweetened beverage", for
16 purposes of IC 12-14-30-9.5, has the meaning set forth in
17 IC 12-14-30-9.5(d).**

2026

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1 SECTION 5. IC 12-14-30-9.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 9.5. (a) **As used in this section,**
4 **"accessory food":**
5 (1) means accessory food items excluded from the definition
6 of "staple food" under 7 CFR 271.2; and
7 (2) **includes the following:**
8 (A) An energy drink.
9 (B) A sweetened beverage.
10 (C) A soft drink.
11 (D) Corn or potato chips.
12 (E) Prepared desserts, including:
13 (i) cookies;
14 (ii) candy;
15 (iii) ice cream;
16 (iv) cakes; and
17 (v) pies.
18 (b) **As used in this section, "energy drink" means a beverage**
19 **that:**
20 (1) contains at least sixty-five (65) milligrams of caffeine per
21 eight (8) fluid ounces; and
22 (2) is advertised or marketed as being specifically designed to
23 provide metabolic stimulation or an increase to the
24 consumer's mental or physical energy.
25 (c) **As used in this section, "soft drink" means a carbonated**
26 **beverage to which sugar or an artificial sweetener has been added.**
27 (d) **As used in this section, "sweetened beverage" means a**
28 **nonalcoholic beverage:**
29 (1) to which a natural or artificial sweetener is added; and
30 (2) that is sold for human consumption;
31 **including a soft drink and other flavored beverages.**
32 (e) **The following apply with regards to SNAP benefits:**
33 (1) Except as provided in subsection (f), a SNAP recipient may
34 not use SNAP benefits to purchase an accessory food.
35 (2) A SNAP recipient may use SNAP benefits to purchase hot
36 prepared chicken that is not fried or breaded, such as
37 rotisserie chicken or grilled chicken fingers.
38 (f) **This section does not apply to the following:**
39 (1) A milk product or a product, other than a soft drink or
40 energy drink, containing milk or milk protein.
41 (2) A milk substitute, including soy milk, rice milk, or almond
42 milk.



(3) A beverage, other than a soft drink or energy drink, in which the only added sweetener does not add calories to the beverage.

(4) A beverage that is:

(A) intended by the manufacturer for consumption by an infant; and

(B) commonly referred to as infant formula.

(5) A beverage, other than a soft drink or energy drink, intended by the manufacturer for use for weight reduction.

(6) A carbonated beverage to which no sugar or artificial sweetener has been added.

(7) A fruit or vegetable juice, other than a soft drink or energy drink, to which no sugar or artificial sweetener has been added.

(8) A beverage or other product, other than a soft drink or energy drink, intended for use as recommended by a health care professional.

(9) A beverage or other product, other than a soft drink or energy drink, that contains plant protein sources.

(10) A product, other than a soft drink or energy drink,

(A) is fortified with a vitamin or

(A) is fortified with a vitamin or mineral, and
(B) contains a source of protein.

(g) If the office of the secretary determines that a waiver or authorization by a federal agency is needed to implement this section, the office:

(1) shall, not later than July 1, 2027, request the necessary waiver or authorizations; and

waiver or authorization; and
(2) may delay implementation of this section until the waiver or authorization is granted.

or authorization is granted.
SECTION 6. IC 16-30-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** The state department shall carry out health planning and resources development responsibilities and functions within Indiana. The state department shall do the following in the state department's planning activities:

(1) Promote health and wellness activities

- (2) Encourage the prevention of disease

- (3) Encourage innovations in the financing and delivery systems for health services.

(4) Foster competition

(4) Foster competition.
(5) Consider the accessibility and quality of health care services

(b) The state department shall include promotion of healthy eating as part of the state department's promotion of health and



- 1 **wellness activities under subsection (a)(1), including by developing**
- 2 **and making available materials that provide guidance on**
- 3 **purchasing and preparing healthy foods on a limited budget.**

