

Date of Hearing: April 23, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2309 (Bains) – As Introduced February 19, 2026

SUBJECT: CalFresh Protection Act

SUMMARY: Establishes the CalFresh Protection Act to require the California Department of Social Services (CDSS) to use state funds, through a continuously appropriated General Fund backstop, to continue issuing CalFresh benefits at full allotment levels to existing recipients during a federal funding lapse and to seek federal reimbursement once funding is restored. Specifically, **this bill:**

- 1) Creates the CalFresh Protection Act and requires CDSS, notwithstanding any other law, in the event of a federal funding lapse that results in the withholding, suspension, or delay of federally funded CalFresh benefits, to utilize state funds to ensure that CalFresh benefits continue to be issued to existing recipients.
- 2) Requires the issued benefits to be provided at the same monthly allotment level that existing recipients would have received had there not been a federal funding lapse.
- 3) Requires CDSS to declare a federal funding lapse during any period which the federal government fails to appropriate sufficient funds to the United States Department of Agriculture (USDA) to cover the full monthly allotment of Supplemental Nutrition Assistance Program (SNAP) benefits for eligible households in California.
- 4) Requires, notwithstanding existing law governing the encumbrance of continuously appropriated funds, in the event of a declaration by the director of a federal funding lapse, an amount necessary to cover the costs to implement this section, as determined by the director, to be continuously appropriated without regard to fiscal years to CDSS from the General Fund.
- 5) Requires the requirement to fund benefits to continue for the duration of the federal funding lapse or for a period of three months, whichever is shorter.
- 6) Requires CDSS to maintain distinct accounting records for all state funds expended for benefits under these provisions.
- 7) Requires CDSS, upon the restoration of federal funding to the USDA to cover the full monthly allotment of SNAP benefits for eligible households in California, to immediately take all necessary steps to seek reimbursement from the federal government for state funds expended during the lapse.
- 8) Provides that this act is an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are to ensure that the State of California has the immediate legal authority and financial mechanism to prevent mass hunger and economic instability in the event of a future federal government shutdown, it is necessary that this act take effect immediately.

- 9) Makes the following findings and declarations:
- a) The CalFresh program, federally known as SNAP, is the first line of defense against hunger for millions of Californians, including children, seniors, and individuals with disabilities;
 - b) The recent federal government shutdown in October and November 2025 demonstrated that federal political gridlock can directly threaten the food security of California's most vulnerable residents;
 - c) While the State of California provided support to food banks during the 2025 federal government shutdown, the inability to access CalFresh benefits via electronic benefit transfer (EBT) cards caused significant distress and economic disruption; and,
 - d) Legislative intent is to ensure that no Californian goes hungry due to a lapse in federal appropriations by establishing a state-funded backstop for CalFresh benefits.

EXISTING LAW:

State law:

- 1) Establishes access to sufficient, affordable, and healthy food as a human right and requires state agencies and departments to consider this state policy when it is pertinent to the distribution of sufficient affordable food. (Welfare and Institutions Code [WIC] § 18700)
- 2) Establishes the CalFresh program to administer the provision of federal SNAP benefits to families and individuals meeting certain criteria, as specified. (WIC § 18900 *et seq.*)

Federal law:

- 3) Establishes SNAP pursuant to the Food Stamp Act of 1964. (7 United States Code § 2011 *et seq.*)

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Food Insecurity.* The USDA defines food security as consistent access to enough food for an active, healthy life. Despite California declaring food as a human right through SB 628 (Hurtado), Chapter 879, Statutes of 2023, and producing nearly half of the nation's fruits and vegetables, an estimated 1.75 million California households (12.5%) experienced food insecurity in 2024, according to the Current Population Survey. Contributing factors include income inequality, geographic barriers, and rising food prices.

Food insecurity has significant lifelong impacts. Households often must choose between food and other necessities such as rent or medication. Poor nutrition during pregnancy and early childhood is associated with adverse birth outcomes, developmental delays, and increased illness. Among older children and adolescents, food insecurity is linked to poorer academic performance, behavioral challenges, and higher-risk behaviors. Over time, it contributes to

cycles of poverty and chronic diseases such as diabetes, obesity, and heart disease, as well as stress, anxiety, and depression.

CalFresh, California's implementation of the federal SNAP, is the state's largest food assistance program and the primary way of reducing food insecurity. Administered by CDSS and county human services agencies, the program serves low-income families, seniors, people with disabilities, and individuals facing barriers to employment. Recipients receive their monthly benefits via an EBT card to purchase eligible food such as fruits and vegetables, meat, dairy products, and seeds and plants that produce food at authorized retailers, including grocery stores, supermarkets, and farmers' markets. In 2024-25, about 5.5 million Californians received over \$12.5 billion in CalFresh benefits, all federally funded, with an average monthly benefit of about \$192 per person. Eligibility extends up to 200% of the federal poverty level under broad-based categorical eligibility.

CalFresh significantly reduces food insecurity. Research shows SNAP lowers overall food insecurity by about 20% and by 33% among children. According to the Public Policy Institute of California, CalFresh kept approximately 856,000 Californians out of poverty in 2023, including 312,000 children,¹ making it the state's largest poverty-reduction program.

Recent Federal Government Shutdown Impacts on CalFresh. The nation recently faced the longest federal government shutdown in history, which began on October 1, 2025, after Congress failed to pass a budget or continuing resolution. On October 10, 2025, the USDA Food and Nutrition Service notified states that available federal funds would be insufficient to fully fund November 2025 SNAP benefits nationwide (*see* All County Letter [ACL] No. 25-75).² The USDA directed states to pause submission of November benefit issuance files to EBT vendors. In response, CDSS instructed the California Statewide Automated Welfare System to delay sending these files to the state's EBT contractor, Fidelity Information Services. CDSS confirmed that it could continue covering administrative costs through December 2025. CDSS further warned that if the shutdown persisted beyond October 23, November benefits would be delayed.

On November 1, 2025, SNAP benefits were not issued for the first time in the program's six-decade history, despite the existence of about \$5 billion in contingency funds, which were created to provide benefits in circumstances like a federal shutdown. In response, California, alongside at least 23 states, filed litigation challenging USDA's refusal to use those funds, arguing the decision conflicted with federal appropriations law and prior agency practice during the 2019 shutdown. In addition to filing a lawsuit, California used state funds and emergency food systems to mitigate food insecurity by allocating \$80 million to food banks and deploying the National Guard to distribute food, while counties and school districts provided emergency meals, gift cards, and other supports. Multiple other states also used state funds and emergency food systems to support SNAP recipients, including providing partial state-funded benefits (Virginia and Louisiana), allocating emergency funding to food banks and food distribution (New York, South Carolina, Hawaii), and using Temporary Assistance for Needy Families (TANF; known in California as California Work Opportunity and Responsibility to Kids) funds to provide extra assistance to families that are in the TANF program to offset lost SNAP benefits.

¹ <https://www.ppic.org/publication/poverty-in-california/>

² https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACLs/2025/25-75.pdf?ver=hbtOdbuxBHtEbj5_ZvQLPg%3d%3d

On October 31, 2025, federal courts in Massachusetts and Rhode Island ruled that the USDA's suspension of benefits was unlawful and required the agency to use available funds, at least in part. The Administration responded by announcing on November 3, 2025, that it would issue partial benefits (approximately 65% of maximum allotments), citing insufficient contingency funding to cover the roughly \$8 billion monthly SNAP cost. The USDA also indicated that no benefits would be available for newly certified households in November and warned of significant issuance delays. Subsequent court orders on November 6, 2025, from Rhode Island required full-benefit issuance by November 7, 2025, prompting the Administration to appeal to the First Circuit Court of Appeals requesting an immediate stay of the rulings. After a temporary administrative stay by the United States Supreme Court, the USDA directed states on November 8, 2025, to halt full benefit issuance, undo any full-benefit issuances, and proceed with partial payments. California was among a small number of states that had already issued full benefits prior to the stay.

On November 9, 2025, the First Circuit Court of Appeals upheld the requirement to issue full benefits, though a temporary hold remained in place until November 13. On November 12, 2025, the President signed the fiscal year 2026 Continuing Appropriations Act, restoring full SNAP funding through September 30, 2026. Despite this resolution, many households experienced delays or temporary gaps in food assistance.

This bill creates a state backstop to ensure CalFresh benefits continue at full allotment during a federal government shutdown or federal SNAP funding lapse by continuously appropriating GF money to CDSS, requiring reimbursement from the federal government when funding resumes, and making *the bill* an urgency measure to take effect immediately.

Author's Statement: According to the Author, "For 5.5 million Californians, CalFresh is not a safety net. It is the floor beneath their feet. It is the only thing standing between a family and an empty refrigerator, between a child going to school hungry, between a senior skipping meals to pay rent, between life and death.

"In October and November of 2025, Washington's political dysfunction cut off that floor: EBT cards stopped working, food bank shelves ran dry, and parents skipped meals so their children could eat.

"California has no legal mechanism to step in and continue issuing benefits directly, and our most vulnerable residents paid the price for a crisis they did not cause. [This bill] changes that.

"If federal SNAP funding lapses again, the Director of Social Services will declare the lapse and the state will immediately continue issuing CalFresh benefits at the same monthly amounts using state funds.

"For a mother planning her grocery trip around her CalFresh balance, for a senior timing their meals around their monthly allotment: nothing changes. Because that stability is not a luxury, it is a lifeline.

"We can't wait for Washington to protect our people. We will do it ourselves."

Equity Implications: Programs such as CalFresh disproportionately serve communities that have historically faced structural inequities, including households of color. Nationally and in

California, participants in these programs are more likely to be Latino and Black, reflecting longstanding disparities in income, food access, housing stability, and health outcomes. Interruptions in benefits may therefore disproportionately harm these communities, as well as households with children, seniors, and people with disabilities who rely on these programs for consistent access to nutritious food. By requiring the state to continue issuing CalFresh benefits during a federal funding lapse, *this bill* may help prevent gaps in assistance that could exacerbate food insecurity.

Arguments in Support: The California Catholic Conference writes, “The recent federal government shutdown in October and November 2025 demonstrated that federal gridlock can directly threaten the food security of California’s most vulnerable residents. While California provided support to food banks during shutdown, the inability to access CalFresh benefits via electronic benefit transfer (EBT) cards caused significant distress and economic disruption. The lapse in government funding not only impacts vulnerable residents who depend on food assistance but also threatens the stability of local grocers and the capacity for local food banks to meet the increasing demand... Society has a collective responsibility to ensure that all members have access to food, particularly those who are vulnerable or in need. Policies and economic systems must be evaluated by how they affect the hungry and marginalized.”

Arguments in Opposition: None on file.

RELATED AND PRIOR LEGISLATION:

AB 2072 (Solache) of the current legislative session, creates the CalFresh and WIC Contingency Fund (fund) and authorizes CDSS and the California Department of Public Health (CDPH), upon appropriation, to use fund moneys to maintain CalFresh and California Special Supplemental Food Program for Women, Infants, and Children (WIC) benefits during a federal government shutdown or lapse in federal appropriations. Authorizes CDPH to obtain short-term financing to maintain WIC benefits, with associated interest and administrative costs payable from the fund. *AB 2072 is set to be heard by the Assembly Appropriations Committee on April 22, 2026.*

SB 1077 (Gonzalez) of the current legislative session, requires CDSS to create a landing page on its website that informs the public about the status of CalFresh during a government shutdown that affects CalFresh benefits and requires CDSS to work with stakeholders to create a communications plan for CalFresh recipients and public officials during a government shutdown. and to create a benefit issuance mechanism that allows the department to quickly issue CalFresh benefits during a federal government shutdown that affects CalFresh benefit disbursement. *SB 1077 is placed on the Senate Appropriations Committee suspense file.*

AB 1211 (Sharp-Collins) of 2025, would have required CDSS, if the federal government reduced SNAP benefits, to ensure that CalFresh benefits remain at current levels, and to use state funds if federal funding was insufficient, among other things. *AB 1211 was held on the Assembly Appropriations Committee suspense file.*

REGISTERED SUPPORT / OPPOSITION:

Support

AARP

Alameda County Office of Education
Alzheimer's Greater Los Angeles
Alzheimer's Orange County
Alzheimer's San Diego
California Catholic Conference
California Family Resource Association
California School Employees Association
California Teachers Association
Child Abuse Prevention Center and its Affiliates Safe Kids California, Prevent Child Abuse
California and the California Family Resource Association
County of Orange

Opposition

None on file.

Analysis Prepared by: Bri-Ann Hernández-Mengual / HUM. S. / (916) 319-2089