

118TH CONGRESS
1ST SESSION

H. R. 1427

To amend the Food and Nutrition Act of 2008 to limit the use of business integrity and reputation factors when determining the eligibility of a retail food store or a wholesale food concern to be approved to redeem supplemental nutrition assistance program benefits.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. TRONE (for himself, Mr. CORREA, Ms. NORTON, Mr. MCGOVERN, Mrs. WATSON COLEMAN, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food and Nutrition Act of 2008 to limit the use of business integrity and reputation factors when determining the eligibility of a retail food store or a wholesale food concern to be approved to redeem supplemental nutrition assistance program benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SNAP Second Chance
5 Act of 2023”.

1 **SEC. 2. AMENDMENT.**

2 Section 9(a) of the Food and Nutrition Act of 2008
3 (7 U.S.C. 2018(a)) is amended by adding at end the fol-
4 lowing:

5 “(5) BUSINESS INTEGRITY AND REPUTATION.—

6 “(A) TREATMENT OF CRIMINAL VIOLA-
7 TIONS.—

8 “(i) No retail food store or wholesale
9 food concern may be denied authorization
10 to redeem supplemental nutrition assist-
11 ance program benefits solely based on a
12 criminal conviction.

13 “(ii) For the purpose of approving an
14 application for authorization to redeem
15 supplemental nutrition assistance program
16 benefits, the Secretary may only consider a
17 criminal offense that occurs in the 5-year
18 period ending on the date of such applica-
19 tion.

20 “(iii) An applicant that is convicted of
21 a criminal offense shall not be denied au-
22 thorization to redeem supplemental nutri-
23 tion assistance program benefits on the
24 basis of business integrity and reputation
25 of the if the applicant shows sufficient

1 mitigation or rehabilitation as determined
2 under subparagraph (B).

3 “(B) SUFFICIENT MITIGATION OR REHA-
4 BILITATION.—An applicant with a criminal con-
5 viction shall not be denied authorization to re-
6 deem supplemental nutrition assistance pro-
7 gram benefits on the basis business integrity
8 and reputation factors if the applicant estab-
9 lishes sufficient mitigation or rehabilitation by
10 providing any of the following:

11 “(i) Evidence that a period of 5 years
12 elapsed beginning on the date of a felony
13 conviction, the release from any correc-
14 tional institution for financial fraud or de-
15 ception under Federal, State, or Tribal
16 law, and compliance with all applicable
17 terms and conditions of probation or pa-
18 role.

19 “(ii) Evidence that a period of 3 years
20 elapsed beginning on the date of a felony
21 conviction, the release from any correc-
22 tional institution without subsequent con-
23 viction of a crime, and compliance with all
24 terms and conditions of probation or pa-
25 role.

1 “(iii) Any other evidence of mitigation
2 or rehabilitation and of present fitness pro-
3 vided, including—

4 “(I) circumstances relative to the
5 offense, including mitigating cir-
6 cumstances or social conditions sur-
7 rounding the commission of the of-
8 fense;

9 “(II) age of the person at the
10 time the offense was committed;

11 “(III) the length of time since
12 the offense was committed; and

13 “(IV) whether elements of the of-
14 fense are directly related to the re-
15 sponsibilities and requirements for the
16 redemption of the supplemental nutri-
17 tion assistance program benefits.”.

18 **SEC. 3. RULEMAKING.**

19 Not later than 180 days after the date of enactment
20 of this Act, the Secretary shall issue rules to carry out
21 the amendment made under this Act.

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