

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 163

Representatives Rader, Deeter

Cosponsors: Representatives Fischer, Williams, Lett, Glassburn, McNally, Brennan, Synenberg, White, E., Sigrist, Somani, Brewer, Russo, Miller, J., Thomas, D., Robinson, Grim, Brent, Troy, Cockley, Piccolantonio, Miller, K., Thomas, C., Denson, Upchurch, Abdullahi

To amend sections 5101.54 and 5101.542 and to enact 1
section 5101.543 of the Revised Code to require 2
Ohio's SNAP program to begin using chip-enabled 3
EBT cards, to name this act the Enhanced 4
Cybersecurity for SNAP Act of 2025, and to make 5
an appropriation. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5101.54 and 5101.542 be amended 7
and section 5101.543 of the Revised Code be enacted to read as 8
follows: 9

Sec. 5101.54. (A) The director of job and family services 10
shall administer the supplemental nutrition assistance program 11
in accordance with the Food and Nutrition Act of 2008 (7 U.S.C. 12
2011 et seq.). The department of job and family services may: 13

(1) Prepare and submit to the secretary of the United 14
States department of agriculture a plan for the administration 15
of the supplemental nutrition assistance program; 16

(2) Prescribe forms for applications, certificates, 17

reports, records, and accounts of county departments of job and family services, and other matters; 18
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(3) Require such reports and information from each county department of job and family services as may be necessary and advisable; 20
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(4) Administer and expend any sums appropriated by the general assembly for the purposes of the supplemental nutrition assistance program and all sums paid to the state by the United States as authorized by the Food and Nutrition Act of 2008; 23
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(5) Conduct such investigations as are necessary; 27

(6) Enter into interagency agreements and cooperate with investigations conducted by the department of public safety, including providing information for investigative purposes, exchanging property and records, passing through federal financial participation, modifying any agreements with the United States department of agriculture, providing for the supply, security, and accounting of supplemental nutrition assistance program benefits for investigative purposes, and meeting any other requirements necessary for the detection and deterrence of illegal activities in the supplemental nutrition assistance program; 28
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(7) Adopt rules in accordance with Chapter 119. of the Revised Code governing employment and training requirements of recipients of supplemental nutrition assistance program benefits, including rules specifying which recipients are subject to the requirements and establishing sanctions for failure to satisfy the requirements. The rules shall be consistent with 7 U.S.C. 2015, including its work and employment and training requirements, and, to the extent practicable, shall 39
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provide for the recipients to participate in work activities, 47
developmental activities, and alternative work activities 48
described in sections 5107.40 to 5107.69 of the Revised Code 49
that are comparable to programs authorized by 7 U.S.C. 2015(d) 50
(4). The rules may reference rules adopted under section 5107.05 51
of the Revised Code governing work activities, developmental 52
activities, and alternative work activities described in 53
sections 5107.40 to 5107.69 of the Revised Code. 54

(8) Adopt rules in accordance with section 111.15 of the 55
Revised Code that are consistent with the Food and Nutrition Act 56
of 2008, the regulations adopted thereunder, and this section 57
governing the following: 58

(a) Eligibility requirements for the supplemental 59
nutrition assistance program; 60

(b) Sanctions for failure to comply with eligibility 61
requirements; 62

(c) Allotment of supplemental nutrition assistance program 63
benefits; 64

(d) To the extent permitted under federal statutes and 65
regulations, a system under which some or all recipients of 66
supplemental nutrition assistance program benefits subject to 67
employment and training requirements established by rules 68
adopted under division (A) (7) of this section receive the 69
benefits after satisfying the requirements; 70

(e) Administration of the program by county departments of 71
job and family services; 72

(f) Other requirements necessary for the efficient 73
administration of the program. 74

(9) Submit a plan to the United States secretary of 75
agriculture for the department of job and family services to 76
operate a simplified supplemental nutrition assistance program 77
pursuant to 7 U.S.C. 2035 under which requirements governing the 78
Ohio works first program established under Chapter 5107. of the 79
Revised Code also govern the supplemental nutrition assistance 80
program in the case of households receiving supplemental 81
nutrition assistance program benefits and participating in Ohio 82
works first. 83

(10) Collect information on suspicious electronic benefit 84
transfer card transactions and provide the information to each 85
impacted county department for analysis and investigation. Such 86
information shall include transactions of even dollar amounts, 87
full monthly benefit amounts, multiple same-day transactions, 88
out-of-state transactions, and any other suspicious trends. 89

(11) Not later than one year after the effective date of 90
this amendment, adopt rules in accordance with Chapter 119. of 91
the Revised Code concerning cybersecurity and digital service 92
related to electronic benefit transfer cards and mobile payments 93
under the supplemental nutrition assistance program. At a 94
minimum, rules adopted under division (A) (11) of this section 95
shall ensure that cybersecurity measures for electronic benefit 96
transfer cards and mobile payments meet security safeguards that 97
are used in the private sector and required by federal agencies 98
for credit, debit, and other payment cards and mobile payments. 99
The director shall review rules adopted pursuant to division (A) 100
(11) of this section every five years and update them as 101
necessary. 102

(B) A household that is entitled to receive supplemental 103
nutrition assistance program benefits and that is determined to 104

be in immediate need of nutrition assistance shall receive 105
certification of eligibility for program benefits, pending 106
verification, within twenty-four hours, or, if mitigating 107
circumstances occur, within seventy-two hours, after 108
application, if: 109

(1) The results of the application interview indicate that 110
the household will be eligible upon full verification; 111

(2) Information sufficient to confirm the statements in 112
the application has been obtained from at least one additional 113
source, not a member of the applicant's household. Such 114
information shall be recorded in the case file and shall 115
include: 116

(a) The name of the person who provided the name of the 117
information source; 118

(b) The name and address of the information source; 119

(c) A summary of the information obtained. 120

The period of temporary eligibility shall not exceed one 121
month from the date of certification of temporary eligibility. 122
If eligibility is established by full verification, benefits 123
shall continue without interruption as long as eligibility 124
continues. 125

There is no limit on the number of times a household may 126
receive expedited certification of eligibility under this 127
division as long as before each expedited certification all of 128
the information identified in division (F)(1) of this section 129
was verified for the household at the last expedited 130
certification or the household's eligibility was certified under 131
normal processing standards since the last expedited 132
certification. 133

At the time of application, the county department of job and family services shall provide to a household described in this division a list of community assistance programs that provide emergency food.

(C) Before certifying supplemental nutrition assistance program benefits, the department shall verify the eligibility of each household in accordance with division (F) of this section. All applications shall be approved or denied through full verification within thirty days from receipt of the application by the county department of job and family services.

(D) Nothing in this section shall be construed to prohibit the certification of households that qualify under federal regulations to receive supplemental nutrition assistance program benefits without charge under the Food and Nutrition Act of 2008.

(E) Any person who applies for the supplemental nutrition assistance program shall receive a voter registration application under section 3503.10 of the Revised Code.

(F) (1) In order to verify household eligibility as required by federal regulations and this section, the department shall, except as provided in division (F) (2) of this section, verify at least the following information before certifying supplemental nutrition assistance program benefits:

(a) Household composition;

(b) Identity;

(c) Citizenship and alien eligibility status;

(d) Social security numbers;

(e) State residency status;

(f) Disability status;	162
(g) Gross nonexempt income;	163
(h) Utility expenses;	164
(i) Medical expenses;	165
(j) Enrollment status in other state-administered public assistance programs within and outside this state;	166 167
(k) Any available information related to potential identity fraud or identity theft.	168 169
(2) A household's eligibility for supplemental nutrition assistance program benefits may be certified before all of the information identified in division (F) (1) of this section is verified if the household's certification is being expedited under division (B) of this section.	170 171 172 173 174
(3) On at least a quarterly basis and consistent with federal regulations, as information is received by a county department of job and family services, the county department shall review and act on information identified in division (F) (1) of this section that indicates a change in circumstances that may affect eligibility, to the extent such information is available to the department.	175 176 177 178 179 180 181
(4) Consistent with federal regulations, as part of the application for public assistance and before certifying benefits under the supplemental nutrition assistance program, the department shall require an applicant, or a person acting on the applicant's behalf, to verify the identity of the members of the applicant household.	182 183 184 185 186 187
(5) (a) The department shall sign a memorandum of understanding with any department, agency, or division as needed	188 189

to obtain the information identified in division (F) (1) of this section.	190 191
(b) The department may contract with one or more independent vendors to provide the information identified in division (F) (1) of this section.	192 193 194
(c) Nothing in this section prevents the department or a county department of job and family services from receiving or reviewing additional information related to eligibility not identified in this section or from contracting with one or more independent vendors to provide additional information not identified in this section.	195 196 197 198 199 200
(6) The department shall explore joining a multistate cooperative, such as the national accuracy clearinghouse, to identify individuals enrolled in public assistance programs outside of this state.	201 202 203 204
(G) The department shall use the same criteria to verify gross nonexempt income from self-employment pursuant to division (F) (1) of this section as were used during initial certification when:	205 206 207 208
(1) Reviewing information pursuant to division (F) (3) of this section regarding households with income from self-employment;	209 210 211
(2) Recertifying households with income from self-employment.	212 213
(H) If the department receives information concerning a household certified to receive supplemental nutrition assistance program benefits that indicates a change in circumstances that may affect eligibility, the department shall take action in accordance with federal regulations, including verifying unclear	214 215 216 217 218

information, providing prior written notice of a change or 219
adverse action, and notifying the household of the right to a 220
fair hearing. 221

(I) In the case of suspected fraud, the department shall 222
refer the case for an administrative disqualification hearing or 223
to the county prosecutor of the county in which the applicant or 224
recipient resides for investigation, or both. 225

(J) The department shall adopt rules in accordance with 226
Chapter 119. of the Revised Code to implement divisions (F) to 227
(I) of this section. 228

(K) Except as prohibited by federal law, the department 229
may assign any of the duties described in this section to any 230
county department of job and family services. 231

Sec. 5101.542. (A) Immediately following a county 232
department of job and family services' certification that a 233
household determined under division (B) of section 5101.54 of 234
the Revised Code to be in immediate need of nutrition assistance 235
is eligible for the supplemental nutrition assistance program, 236
the department of job and family services shall provide for the 237
household to be sent by regular United States mail an electronic 238
benefit transfer card containing the amount of benefits the 239
household is eligible to receive under the program. The card 240
shall be sent to the member of the household in whose name 241
application for the supplemental nutrition assistance program 242
was made or that member's authorized representative. 243

(B) Except as provided in division (C) of this section, 244
the department shall replace any electronic benefit transfer 245
card that is reported by a household to be lost, stolen, or 246
damaged, within two business days of receiving notice of the 247

card's condition, in accordance with 7 C.F.R. 274.6(b). 248

(C) (1) The department shall implement the option described 249
in 7 C.F.R. 274.6(b) (5) and shall withhold a replacement 250
electronic benefit transfer card from a household that requests 251
four or more replacement cards during a twelve-month period 252
until the requirements specified in 7 C.F.R. 274.6(b) (5) have 253
been satisfied. 254

(2) The department shall not withhold a replacement card 255
as described under division (C) (1) of this section if the 256
individual requesting the replacement has a disability directly 257
related to the loss of the card. 258

(D) Not later than two years after the effective date of 259
this amendment, the department shall replace all existing 260
electronic benefit transfer cards with chip-enabled cards that 261
meet the requirements specified in technical guidance prepared 262
by the United States department of agriculture. Thereafter, all 263
new electronic benefit transfer cards issued shall be chip- 264
enabled cards as described in this section. 265

Sec. 5101.543. The director of job and family services 266
shall ensure that the department of job and family services' web 267
site contains a mechanism that allows supplemental nutrition 268
assistance program benefit recipients to report alleged 269
fraudulent transactions to the department. 270

Section 2. That existing sections 5101.54 and 5101.542 of 271
the Revised Code are hereby repealed. 272

Section 3. This act shall be known as the Enhanced 273
Cybersecurity for SNAP Act of 2025. 274

Section 4. All items in this act are hereby appropriated 275
as designated out of any moneys in the state treasury to the 276

credit of the designated fund. For all operating appropriations 277
made in this act, those in the first column are for fiscal year 278
2026 and those in the second column are for fiscal year 2027. 279
The operating appropriations made in this act are in addition to 280
any other operating appropriations made for these fiscal years. 281

Section 5. 282
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A	JFS DEPARTMENT OF JOB AND FAMILY SERVICES			
B	General Revenue Fund			
C	GRF 600569	SNAP EBT Modernization	\$5,300,000	\$0
D	TOTAL GRF General Revenue Fund		\$5,300,000	\$0
E	Federal Fund Group			
F	3840 600610	Food Assistance Programs	\$5,300,000	\$0
G	TOTAL FED Federal Fund Group		\$5,300,000	\$0
H	TOTAL ALL BUDGET FUND GROUPS		\$10,600,000	\$0

SNAP EBT MODERNIZATION 284

The foregoing appropriation items 600569, SNAP EBT 285
Modernization, and 600610, Food Assistance Programs, shall be 286
used to support the transition to chip-enabled Supplemental 287
Nutrition Assistance Program electronic benefit transfer cards. 288

On July 1, 2026, or as soon as possible thereafter, the 289
Director of Job and Family Services may certify to the Director 290
of Budget and Management an amount up to the unexpended, 291

unencumbered balance associated with these appropriations at the 292
end of fiscal year 2026 to be reappropriated to fiscal year 293
2027. The amounts certified are hereby reappropriated to the 294
same appropriation items for fiscal year 2027. 295

Section 6. Within the limits set forth in this act, the 296
Director of Budget and Management shall establish accounts 297
indicating the source and amount of funds for each appropriation 298
made in this act, and shall determine the manner in which 299
appropriation accounts shall be maintained. Expenditures from 300
operating appropriations contained in this act shall be 301
accounted for as though made in, and are subject to all 302
applicable provisions of, the main operating appropriations act 303
of the 136th General Assembly. 304