

**As Passed by the House**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Am. 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, Schmidt, Willis, Baker, Bird, Brownlee, Claggett, Click, Daniels, Demetriou, Ghanbari, Hall, D., Hiner, Isaacsohn, Jarrells, John, King, Klopfenstein, Lawson-Rowe, Manning, Mathews, A., Mathews, T., McClain, Miller, M., Mohamed, Newman, Odioso, Oelslager, Peterson, Plummer, Richardson, Ritter, Robb Blasdel, Rogers, Salvo, Sims, Swearingen, Tims, White, A., Young**

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To amend sections 5101.54 and 5101.542 and to enact 1  
section 5101.5411 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 2026, 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 5101.5411 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 States department of agriculture a plan for the administration of the supplemental nutrition assistance program; 14  
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- (2) Prescribe forms for applications, certificates, reports, records, and accounts of county departments of job and family services, and other matters; 17  
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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 39  
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subject to the requirements and establishing sanctions for 43  
failure to satisfy the requirements. The rules shall be 44  
consistent with 7 U.S.C. 2015, including its work and employment 45  
and training requirements, and, to the extent practicable, shall 46  
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 administration of the program.	73 74
(9) Submit a plan to the United States secretary of agriculture for the department of job and family services to operate a simplified supplemental nutrition assistance program pursuant to 7 U.S.C. 2035 under which requirements governing the Ohio works first program established under Chapter 5107. of the Revised Code also govern the supplemental nutrition assistance program in the case of households receiving supplemental nutrition assistance program benefits and participating in Ohio works first.	75 76 77 78 79 80 81 82 83
(10) Collect information on suspicious electronic benefit transfer card transactions and provide the information to each impacted county department for analysis and investigation. Such information shall include transactions of even dollar amounts, full monthly benefit amounts, multiple same-day transactions, out-of-state transactions, and any other suspicious trends.	84 85 86 87 88 89
<u>(11) Not later than one year after the effective date of this amendment, adopt rules in accordance with Chapter 119. of the Revised Code concerning cybersecurity and digital service related to electronic benefit transfer cards and mobile payments under the supplemental nutrition assistance program. At a minimum, rules adopted under division (A) (11) of this section shall ensure that cybersecurity measures for electronic benefit transfer cards and mobile payments meet security safeguards that are used in the private sector and required by federal agencies for credit, debit, and other payment cards and mobile payments. The director shall review rules adopted pursuant to division (A) (11) of this section every five years and update them as</u>	90 91 92 93 94 95 96 97 98 99 100 101

<u>necessary.</u>	102
(B) A household that is entitled to receive supplemental nutrition assistance program benefits and that is determined to be in immediate need of nutrition assistance shall receive certification of eligibility for program benefits, pending verification, within twenty-four hours, or, if mitigating circumstances occur, within seventy-two hours, after application, if:	103 104 105 106 107 108 109
(1) The results of the application interview indicate that the household will be eligible upon full verification;	110 111
(2) Information sufficient to confirm the statements in the application has been obtained from at least one additional source, not a member of the applicant's household. Such information shall be recorded in the case file and shall include:	112 113 114 115 116
(a) The name of the person who provided the name of the information source;	117 118
(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 month from the date of certification of temporary eligibility. If eligibility is established by full verification, benefits shall continue without interruption as long as eligibility continues.	121 122 123 124 125
There is no limit on the number of times a household may receive expedited certification of eligibility under this division as long as before each expedited certification all of the information identified in division (F)(1) of this section	126 127 128 129

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 134  
and family services shall provide to a household described in 135  
this division a list of community assistance programs that 136  
provide emergency food. 137

(C) Before certifying supplemental nutrition assistance 138  
program benefits, the department shall verify the eligibility of 139  
each household in accordance with division (F) of this section. 140  
All applications shall be approved or denied through full 141  
verification within thirty days from receipt of the application 142  
by the county department of job and family services. 143

(D) Nothing in this section shall be construed to prohibit 144  
the certification of households that qualify under federal 145  
regulations to receive supplemental nutrition assistance program 146  
benefits without charge under the Food and Nutrition Act of 147  
2008. 148

(E) Any person who applies for the supplemental nutrition 149  
assistance program shall receive a voter registration 150  
application under section 3503.10 of the Revised Code. 151

(F) (1) In order to verify household eligibility as 152  
required by federal regulations and this section, the department 153  
shall, except as provided in division (F) (2) of this section, 154  
verify at least the following information before certifying 155  
supplemental nutrition assistance program benefits: 156

(a) Household composition; 157

(b) Identity; 158

(c) Citizenship and alien eligibility status;	159
(d) Social security numbers;	160
(e) State residency status;	161
(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	182 183 184 185

applicant's behalf, to verify the identity of the members of the	186
applicant household.	187
(5) (a) The department shall sign a memorandum of	188
understanding with any department, agency, or division as needed	189
to obtain the information identified in division (F) (1) of this	190
section.	191
(b) The department may contract with one or more	192
independent vendors to provide the information identified in	193
division (F) (1) of this section.	194
(c) Nothing in this section prevents the department or a	195
county department of job and family services from receiving or	196
reviewing additional information related to eligibility not	197
identified in this section or from contracting with one or more	198
independent vendors to provide additional information not	199
identified in this section.	200
(6) The department shall explore joining a multistate	201
cooperative, such as the national accuracy clearinghouse, to	202
identify individuals enrolled in public assistance programs	203
outside of this state.	204
(G) The department shall use the same criteria to verify	205
gross nonexempt income from self-employment pursuant to division	206
(F) (1) of this section as were used during initial certification	207
when:	208
(1) Reviewing information pursuant to division (F) (3) of	209
this section regarding households with income from self-	210
employment;	211
(2) Recertifying households with income from self-	212
employment.	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 information, providing prior written notice of a change or adverse action, and notifying the household of the right to a fair hearing.

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

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

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

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

(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) On the effective date of this amendment, the 259  
department shall begin work to ensure that all new electronic 260  
benefit transfer cards are chip-enabled cards that meet the 261  
requirements specified in technical guidance prepared by the 262  
United States department of agriculture. Once the department is 263  
capable of issuing cards that meet those requirements, it shall 264  
replace all existing electronic benefit transfer cards with 265  
chip-enabled cards under the department's ordinary time frame 266  
for replacing electronic benefit transfer cards. 267

Sec. 5101.5411. The director of job and family services 268  
shall ensure that the department of job and family services' web 269  
site contains a mechanism that allows supplemental nutrition 270  
assistance program benefit recipients to report alleged 271  
fraudulent transactions to the department. 272

<b>Section 2.</b> That existing sections 5101.54 and 5101.542 of	273
the Revised Code are hereby repealed.	274
<b>Section 3.</b> This act shall be known as the Enhanced	275
Cybersecurity for SNAP Act of 2026.	276
<b>Section 4.</b> All items in this act are hereby appropriated	277
as designated out of any moneys in the state treasury to the	278
credit of the designated fund. For all operating appropriations	279
made in this act, those in the first column are for fiscal year	280
2026 and those in the second column are for fiscal year 2027.	281
The operating appropriations made in this act are in addition to	282
any other operating appropriations made for these fiscal years.	283
<b>Section 5.</b>	284
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A	JFS DEPARTMENT OF JOB AND FAMILY SERVICES				
B	General Revenue Fund				
C	GRF	600569	SNAP EBT Modernization	\$0	\$2,250,000
D	TOTAL GRF General Revenue Fund			\$0	\$2,250,000
E	Federal Fund Group				
F	3840	600610	Food Assistance Programs	\$0	\$750,000
G	TOTAL FED Federal Fund Group			\$0	\$750,000
H	TOTAL ALL BUDGET FUND GROUPS			\$0	\$3,000,000
	SNAP EBT MODERNIZATION				286

The foregoing appropriation items 600569, SNAP EBT 287  
Modernization, and 600610, Food Assistance Programs, shall be 288  
used to support the transition to chip-enabled Supplemental 289  
Nutrition Assistance Program electronic benefit transfer cards. 290

**Section 6.** Within the limits set forth in this act, the 291  
Director of Budget and Management shall establish accounts 292  
indicating the source and amount of funds for each appropriation 293  
made in this act, and shall determine the manner in which 294  
appropriation accounts shall be maintained. Expenditures from 295  
operating appropriations contained in this act shall be 296  
accounted for as though made in, and are subject to all 297  
applicable provisions of, H.B. 96 of the 136th General Assembly. 298