

As Introduced

**136th General Assembly
Regular Session
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S. B. No. 315

Senators Schaffer, Craig

Cosponsors: Senators Koehler, DeMora, Weinstein, Antonio

To amend sections 5101.54 and 5101.542 of the
Revised Code to require Ohio's SNAP program to
begin using chip-enabled EBT cards, to name this
act the Enhanced Cybersecurity for SNAP Act, and
to make an appropriation.

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

Section 1. That sections 5101.54 and 5101.542 of the
Revised Code be amended to read as follows:

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

(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;

(2) Prescribe forms for applications, certificates,
reports, records, and accounts of county departments of job and
family services, and other matters;

(3) Require such reports and information from each county
department of job and family services as may be necessary and

advisable;	20
(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;	21 22 23 24
(5) Conduct such investigations as are necessary;	25
(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;	26 27 28 29 30 31 32 33 34 35 36
(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 provide for the recipients to participate in work activities, developmental activities, and alternative work activities described in sections 5107.40 to 5107.69 of the Revised Code that are comparable to programs authorized by 7 U.S.C. 2015(d) (4). The rules may reference rules adopted under section 5107.05	37 38 39 40 41 42 43 44 45 46 47 48 49

of the Revised Code governing work activities, developmental 50
activities, and alternative work activities described in 51
sections 5107.40 to 5107.69 of the Revised Code. 52

(8) Adopt rules in accordance with section 111.15 of the 53
Revised Code that are consistent with the Food and Nutrition Act 54
of 2008, the regulations adopted thereunder, and this section 55
governing the following: 56

(a) Eligibility requirements for the supplemental 57
nutrition assistance program; 58

(b) Sanctions for failure to comply with eligibility 59
requirements; 60

(c) Allotment of supplemental nutrition assistance program 61
benefits; 62

(d) To the extent permitted under federal statutes and 63
regulations, a system under which some or all recipients of 64
supplemental nutrition assistance program benefits subject to 65
employment and training requirements established by rules 66
adopted under division (A) (7) of this section receive the 67
benefits after satisfying the requirements; 68

(e) Administration of the program by county departments of 69
job and family services; 70

(f) Other requirements necessary for the efficient 71
administration of the program. 72

(9) Submit a plan to the United States secretary of 73
agriculture for the department of job and family services to 74
operate a simplified supplemental nutrition assistance program 75
pursuant to 7 U.S.C. 2035 under which requirements governing the 76
Ohio works first program established under Chapter 5107. of the 77

Revised Code also govern the supplemental nutrition assistance 78
program in the case of households receiving supplemental 79
nutrition assistance program benefits and participating in Ohio 80
works first. 81

(10) Collect information on suspicious electronic benefit 82
transfer card transactions and provide the information to each 83
impacted county department for analysis and investigation. Such 84
information shall include transactions of even dollar amounts, 85
full monthly benefit amounts, multiple same-day transactions, 86
out-of-state transactions, and any other suspicious trends. 87

(11) Not later than one year after the effective date of 88
this amendment, adopt rules in accordance with Chapter 119. of 89
the Revised Code concerning cybersecurity and digital service 90
related to electronic benefit transfer cards and mobile payments 91
under the supplemental nutrition assistance program. At a 92
minimum, rules adopted under division (A) (11) of this section 93
shall ensure that cybersecurity measures for electronic benefit 94
transfer cards and mobile payments meet security safeguards that 95
are used in the private sector and required by federal agencies 96
for credit, debit, and other payment cards and mobile payments. 97
The director shall review rules adopted pursuant to division (A) 98
(11) of this section every five years and update them as 99
necessary. 100

(B) A household that is entitled to receive supplemental 101
nutrition assistance program benefits and that is determined to 102
be in immediate need of nutrition assistance shall receive 103
certification of eligibility for program benefits, pending 104
verification, within twenty-four hours, or, if mitigating 105
circumstances occur, within seventy-two hours, after 106
application, if: 107

(1) The results of the application interview indicate that 108
the household will be eligible upon full verification; 109

(2) Information sufficient to confirm the statements in 110
the application has been obtained from at least one additional 111
source, not a member of the applicant's household. Such 112
information shall be recorded in the case file and shall 113
include: 114

(a) The name of the person who provided the name of the 115
information source; 116

(b) The name and address of the information source; 117

(c) A summary of the information obtained. 118

The period of temporary eligibility shall not exceed one 119
month from the date of certification of temporary eligibility. 120
If eligibility is established by full verification, benefits 121
shall continue without interruption as long as eligibility 122
continues. 123

There is no limit on the number of times a household may 124
receive expedited certification of eligibility under this 125
division as long as before each expedited certification all of 126
the information identified in division (F) (1) of this section 127
was verified for the household at the last expedited 128
certification or the household's eligibility was certified under 129
normal processing standards since the last expedited 130
certification. 131

At the time of application, the county department of job 132
and family services shall provide to a household described in 133
this division a list of community assistance programs that 134
provide emergency food. 135

(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;
- (g) Gross nonexempt income;
- (h) Utility expenses;

(i) Medical expenses;	163
(j) Enrollment status in other state-administered public assistance programs within and outside this state;	164 165
(k) Any available information related to potential identity fraud or identity theft.	166 167
(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.	168 169 170 171 172
(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.	173 174 175 176 177 178 179
(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.	180 181 182 183 184 185
(5) (a) The department shall sign a memorandum of understanding with any department, agency, or division as needed to obtain the information identified in division (F) (1) of this section.	186 187 188 189
(b) The department may contract with one or more independent vendors to provide the information identified in	190 191

division (F) (1) of this section.	192
(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.	193 194 195 196 197 198
(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.	199 200 201 202
(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:	203 204 205 206
(1) Reviewing information pursuant to division (F) (3) of this section regarding households with income from self-employment;	207 208 209
(2) Recertifying households with income from self-employment.	210 211
(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.	212 213 214 215 216 217 218 219
(I) In the case of suspected fraud, the department shall	220

refer the case for an administrative disqualification hearing or 221
to the county prosecutor of the county in which the applicant or 222
recipient resides for investigation, or both. 223

(J) The department shall adopt rules in accordance with 224
Chapter 119. of the Revised Code to implement divisions (F) to 225
(I) of this section. 226

(K) Except as prohibited by federal law, the department 227
may assign any of the duties described in this section to any 228
county department of job and family services. 229

Sec. 5101.542. (A) Immediately following a county 230
department of job and family services' certification that a 231
household determined under division (B) of section 5101.54 of 232
the Revised Code to be in immediate need of nutrition assistance 233
is eligible for the supplemental nutrition assistance program, 234
the department of job and family services shall provide for the 235
household to be sent by regular United States mail an electronic 236
benefit transfer card containing the amount of benefits the 237
household is eligible to receive under the program. The card 238
shall be sent to the member of the household in whose name 239
application for the supplemental nutrition assistance program 240
was made or that member's authorized representative. 241

(B) Except as provided in division (C) of this section, 242
the department shall replace any electronic benefit transfer 243
card that is reported by a household to be lost, stolen, or 244
damaged, within two business days of receiving notice of the 245
card's condition, in accordance with 7 C.F.R. 274.6(b). 246

(C) (1) The department shall implement the option described 247
in 7 C.F.R. 274.6(b) (5) and shall withhold a replacement 248
electronic benefit transfer card from a household that requests 249

four or more replacement cards during a twelve-month period 250
until the requirements specified in 7 C.F.R. 274.6(b) (5) have 251
been satisfied. 252

(2) The department shall not withhold a replacement card 253
as described under division (C) (1) of this section if the 254
individual requesting the replacement has a disability directly 255
related to the loss of the card. 256

(D) The department shall establish a process as part of 257
the department's existing customer service telephone hotline 258
that allows individuals to lock or unlock an electronic benefit 259
transfer card that has been lost or stolen. 260

(E) Not later than October 1, 2026, the department shall 261
replace all existing electronic benefit transfer cards with 262
chip-enabled cards that meet the requirements specified in 263
technical guidance prepared by the United States department of 264
agriculture. Thereafter, all new electronic benefit transfer 265
cards issued shall be chip-enabled cards as described in this 266
section. 267

Section 2. That existing sections 5101.54 and 5101.542 of 268
the Revised Code are hereby repealed. 269

Section 3. This act shall be known as the Enhanced 270
Cybersecurity for SNAP Act. 271

Section 4. All items in this act are hereby appropriated 272
as designated out of any moneys in the state treasury to the 273
credit of the designated fund. For all operating appropriations 274
made in this act, those in the first column are for fiscal year 275
2026 and those in the second column are for fiscal year 2027. 276
The operating appropriations made in this act are in addition to 277
any other operating appropriations made for these fiscal years. 278

Section 5.					279
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1	2	3	4	5	
A	JFS DEPARTMENT OF JOB AND FAMILY SERVICES				
B	General Revenue Fund				
C	GRF	600569	SNAP EBT Modernization	\$5,300,000	\$0
D	General Revenue Fund Total			\$5,300,000	\$0
E	Federal Fund Group				
F	3840	600610	Food Assistance Programs	\$5,300,000	\$0
G	Federal Fund Group Total			\$5,300,000	\$0
H	TOTAL ALL BUDGET FUND GROUPS			\$10,600,000	\$0
SNAP EBT MODERNIZATION					281
The foregoing appropriation items 600569, SNAP EBT					282
Modernization, and 600610, Food Assistance Programs, shall be					283
used to support the transition to chip-enabled Supplemental					284
Nutrition Assistance Program electronic benefit transfer cards.					285
On July 1, 2026, or as soon as possible thereafter, the					286
Director of Job and Family Services may certify to the Director					287
of Budget and Management an amount up to the unexpended,					288
unencumbered balance associated with these appropriations at the					289
end of fiscal year 2026 to be reappropriated to fiscal year					290
2027. The amounts certified are hereby reappropriated to the					291
same appropriation items for fiscal year 2027.					292
Section 6. Within the limits set forth in this act, the					293

Director of Budget and Management shall establish accounts	294
indicating the source and amount of funds for each appropriation	295
made in this act, and shall determine the manner in which	296
appropriation accounts shall be maintained. Expenditures from	297
operating appropriations contained in this act shall be	298
accounted for as though made in, and are subject to all	299
applicable provisions of, H.B. 96 of the 136th General Assembly.	300