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STATE MODEL POLICY | Health & Harvest

STATE POLICYMAKERS CAN REDUCE FRAUD & IMPROVE SNAP THROUGH DATA SHARING

PURPOSE OF THIS ACT

- The Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps, is being abused and tax dollars are being wasted. In many states, there is no accountability as data is not being shared publicly by state governments who administer the program.
- Since federal Fiscal Year (FY) 2014, SNAP's costs have increased [as much as 61%](#) (in 2022) and [improper payment rates](#) have increased to being consistently around 200% higher – going from 3.66% in 2014 to around 11% the past several years.
- The SNAP program has suffered from a lack of national oversight for decades. The cost to taxpayers is now consistently around [\\$100 Billion](#) per year. Decades-long lack of oversight, as well as recent fraud findings point to a dire threat of the program being overrun and insufficient funding available in the future to serve those truly in need.
- Greater data sharing and oversight coordinated between states and USDA helps minimize fraud in the program and is foundationally needed by USDA to determine whether the program is being conducted in compliance with the obligations in the law.
- Accordingly, USDA has required submission of 2025 SNAP recipient data by each state's chief administrative agency in charge of benefits. This data will be housed in the National SNAP Information Database, and may be used solely for authorized program integrity, oversight, audit, and enforcement purposes.
- Despite USDA's demands, and oversight requirements in the law, states have yet to disclose their recipient data. Doing so is key to ending abuse of SNAP. Disclosure will enable ongoing authoritative analysis of state data and better national detection of fraud.
- States passing SNAP data sharing laws like the below will not only ensure the type of transparency and responsiveness needed to cut fraud today, but also that program resources remain available for those truly in need tomorrow.
- For more information, [see AFPI's Issue Brief](#) on this subject.

PROPOSED STATE LEGISLATIVE TEXT

SECTION I. SHORT TITLE.

An Act to facilitate transparency and oversight in the administration of the Supplemental Nutrition Assistance Program (SNAP). This Act may be cited as the Supplemental Nutrition Assistance Program Transparency, Error-Reduction, and Anti-Fraud Measures (S.N.A.P. T.E.A.M.) Act.



SECTION II. FINDINGS

WHEREAS, the [State/Commonwealth/Territory] of [State] has reason to believe that there is significant undiscovered fraud, waste, and abuse amongst SNAP enrollees that could be discovered with greater national access and cross referencing of data between states.

WHEREAS, the failure to take action to reduce Supplemental Nutrition Assistance Program benefit payment waste, fraud, and/or abuse may undermine effective administration of the Program and federal oversight efforts and determinations and to provide necessary benefits to [State demonym];

WHEREAS, it is in the interest of the People of the [State/Commonwealth/Territory] of [State] to ensure the continued funding Supplemental Nutrition Assistance Program benefits;

WHEREAS, effective oversight of the Supplemental Nutrition Assistance Program requires timely access to accurate, recipient-level data for program integrity and fraud prevention purposes;

WHEREAS, USDA has established a secure national system to support oversight, determinations, audit, and enforcement activities authorized under federal law;

WHEREAS, participation in USDA's transparency initiatives enhances the ability to detect improper payments and prevent fraud, waste and abuse while protecting eligible households' access to benefits; and

WHEREAS, the [State/Commonwealth/Territory] of [State] should take proactive steps to ensure that there is not fraud, waste, and abuse in the administration of the SNAP program within this state, including by, but not limited to, ensuring the availability of recipient-level information of Supplemental Nutrition Assistance Program recipients to the United States Department of Agriculture and both state and federal law enforcement agencies;

Be it enacted by the Legislature of the [State/Commonwealth/Territory] of [State],

SECTION III. STATEMENT OF PURPOSE.

It is the intention of the legislature that [State] to facilitate lawful data transparency necessary for SNAP oversight determinations and fraud prevention;

To ensure the secure and timely transmission of SNAP program data to USDA for authorized program integrity purposes; and

To support consistent, uniform administration of SNAP in coordination with federal oversight efforts.

SECTION IV. DEFINITIONS.

For purposes of this Act:

“Program Data” shall mean and include, but is not limited to, recipient-level data, case file information, and any other program data necessary for the administration, oversight, integrity, or enforcement of the Supplemental Nutrition Assistance Program by state and federal agencies and officials.



SECTION V. MAINTENANCE AND TRANSFER OF DATA

- (1) The [State Agency] shall take all necessary steps, including, but not limited to, developing and maintaining information systems necessary to collect and transmit Program Data to, the USDA's secure national database, to support oversight, audit, and enforcement activities authorized under federal law and ensure availability of such information upon request by federal agencies.
- (2) The [State Agency] shall take all necessary steps to ensure that the Program Data maintained and transferred consistent with this Act, shall be maintained and transferred consistent with all State and Federal laws and safeguards governing the privacy and security of Program Data, including, including applicable federal and state privacy, cybersecurity, and data-protection requirements, and any federal requirements governing systems of records maintained by USDA.
- (3) Upon request by the United States Department of Agriculture, the [State Agency] shall transmit Program Data in such form, manner, frequency, and within such time frame as the United States Department of Agriculture may request, including through secure electronic data transfer systems designated by the United States Secretary of Agriculture.
- (4) Upon request by any Federal law enforcement or investigative agency, or any request by a law enforcement and investigative agency of this [State], made for the purposes of administering or enforcing this Act, the [State Agency] shall transmit Program Data in such form, manner, frequency, and within such time frame as such enforcement agency requests, including through secure electronic data transfer systems designated by the United States Secretary of Agriculture.
- (5) No provision of this section shall be construed to limit any existing authority of the United States Department of Agriculture or any State or federal law enforcement agency to access Program Data necessary for oversight, enforcement, audit, or evaluation purposes related to the State's administration of Supplemental Nutrition Assistance Program benefits.

SECTION VI. AUTHORIZED REGULATIONS.

The [State agency/Secretary/Administrator] shall adopt rules and regulations necessary to maintain and transmit information consistent with this Act and to effectuate the provisions of this Act, no later than [#] days after this Act becomes law.

SECTION VII. SEVERABILITY.

If any provision of this Act is held invalid, the remaining provisions shall remain in full force and effect.

SECTION VIII. DATE EFFECTIVE.

This Act shall take effect on the [#] day following enactment.

