



Supplemental Nutrition Assistance Program  
**50-State Survey**

**SNAP Drug Felony Bans**

State	Type of Ban			Eligibility requirements						Notes
	Full ban in place <sup>1</sup>	Legislation opts out	Modified ban	Distinction between distribution and possession	Disqualified after multiple convictions	Requires drug testing	Requires drug treatment	Post conviction/ release ineligibility period	Requires parole compliance	
Alabama <a href="#">ALA. CODE § 38-1-8</a>	N	N	Y	N	N	Y	Y	N	Y	
Alaska <a href="#">ALASKA STAT. § 47.27.015</a>	N	N	Y	N	N	N	Y	N	Y	

<sup>1</sup> These States have not enacted legislation opting out of the ban

Arizona <a href="#">ARIZ. REV. STAT. ANN. § 13-3418</a>	N	N	Y	N	N	N	N	Y	N	Period of ineligibility at the court's discretion
Arkansas <a href="#">ARK. CODE ANN. § 20-76-409</a>	N	Y	N	N	N	N	N	N	N	
California <a href="#">CAL. WELF. &amp; INST. CODE § 18901.3</a>	N	N	Y	N	N	N	N <sup>2</sup>	N	Y	
Colorado <a href="#">COLO. REV. STAT. ANN. § 26-2-706(3)</a>	N	N	Y	N	N	N	Y	N	N	
Connecticut <a href="#">CONN. GEN. STAT. ANN. § 17b-112d</a>	N	N	Y	N	N	N	Y <sup>3</sup>	Y <sup>4</sup>	Y	
Delaware <a href="#">DEL. CODE ANN. TIT. 31, § 605</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

<sup>2</sup> Unless required by Parole or Probation

<sup>3</sup> If required by Court

<sup>4</sup> If required by Court

District of Columbia <a href="#">D.C. CODE § 4-205.71</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Florida <a href="#">FLA. STAT. ANN. § 414.095</a>	N	N	Y	Y	N	N	N	N	N	
Georgia <a href="#">Ga. Code Ann. § 49-4-22</a>	N	N	Y	N	N	N	N	N	Y	
Hawaii <a href="#">Haw. Rev. Stat. § 346-53.3</a>	N	N	Y	N	N	N	Y	N	N	
Idaho <a href="#">Idaho Code Ann. § 56-202</a>	N	N	Y	N	N	N	N	N	Y	
Illinois <a href="#">305 Ill. Comp. Stat. Ann. 5/1-10</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Indiana <a href="#">Ind. Code Ann. § 12-14-30-3</a>	N	N	Y	N	N	N	N	N	Y	
Iowa <a href="#">Iowa Code Ann. §</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

<a href="#">234.12</a>										
Kansas <a href="#">Kan. Stat. Ann. § 39-709e</a>	N	N	Y	N	N	Y	Y	N	Y	
Kentucky <a href="#">Ky. Rev. Stat. Ann. § 205.2005</a>	N	N	Y	N	N	N	Y	N	N	Exception for otherwise eligible pregnant women
Louisiana <a href="#">La. Rev. Stat. Ann. 46:233.3</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Maine <a href="#">Me. Rev. Stat. tit. 22, § 3104(14)</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Maryland <a href="#">MD HUMAN SERV § 5-601</a> <a href="#">Md. Code Regs. 07.03.17.04</a>	N	N	Y	N	N	Y	Y	Y	N	Maryland's modified ban only applies to felons dealing in large quantities of illegal drugs as defined by MD CRIM LAW §§ 5-612, 613.
Massachusetts	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	



<a href="#">Department of Transitional Assistance, Field Operations Memo 2001-38</a>										
<p>Michigan</p> <p>This provision is uncodified and passed each year as part of Michigan's appropriations bill. <a href="#">See enrolled Senate Bill 139, section 619.</a></p>	N	N	Y	N	Y	N	N	N	Y	
<p>Minnesota</p> <p><a href="#">Minn. Stat. Ann. § 609B.435</a></p>	N	N	Y	N	N	Y	N	N	N	<p>First time drug test failure results in a 30 percent reduction of benefits. A second disqualification results in permanent disqualification from the program.</p>
<p>Mississippi</p> <p><a href="#">Miss. Code Ann. §43-12-71</a></p>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

Missouri <a href="#">Mo. Ann. Stat. § 208.247</a>	N	N	Y	N	Y	Y	Y	N	Y	
Montana <a href="#">Mont. Code Ann. § 53-4-231</a>	N	N	Y	N	N	N	N <sup>5</sup>	N	Y	
Nebraska <a href="#">Neb. Rev. Stat. § 68-1017.02</a>	N	N	Y	Y	Y	N	Y	N	N	
Nevada <a href="#">Nev. Rev. Stat. Ann. § 422A.345</a>	N	N	Y	N	N	N	Y	N	N	Exception for otherwise eligible pregnant women with doctor's certification that health and safety of mother and unborn child depend on the receipt of benefits
New Hampshire <a href="#">N.H. Rev. Stat. Ann. § 167:81-a</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

<sup>5</sup> Unless required by Parole

New Jersey <a href="#">N.J. Stat. Ann. § 44:10-48(d)</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
New Mexico <a href="#">N.M. Stat. Ann. § 27-2B-11</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
New York  The section of code could not be located, this provision may be uncodified. The USDA's <a href="#">SNAP Options Report</a> indicates that New York completely opted out of the SNAP felony ban.	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
North Carolina <a href="#">N.C. Gen. Stat. Ann. § 108A-25.2</a>	N	N	Y	N	Y	N	Y	Y	N	
North Dakota <a href="#">ND Century Code 50-06-05.1</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Ohio <a href="#">Ohio Rev. Code Ann. § 5101.84</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

Oklahoma <a href="#">1997 Okla. Sess. Law Serv. Ch. 414 (H.B. 2170) §§28, 31</a> (the provision opting out of SNAP felony ban is not codified)	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Oregon <a href="#">Or. Rev. Stat. Ann. § 411.119</a>	N	N	Y	Y	N	N	N	N	Y	
Pennsylvania <a href="#">62 Pa. Cons. Stat. Ann. § 432.24</a>	N	N	Y	N	N	Y	Y	N	Y	
Rhode Island <a href="#">R.I. Gen. Laws Ann. § 40-6-8</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
South Carolina  (The federal SNAP felony ban is the default policy and no state legislation is required to maintain the federal ban)	Y	N	N	N/A	N/A	N/A	N/A	N/A	N/A	
South Dakota	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	



<a href="#">S.D. Codified Laws § 28-12-3</a>										
Tennessee <a href="#">Tenn. Code Ann. § 71-5-308</a>	N	N	Y	Y	N	Y	Y	N	Y	Permanent ineligibility for Class A felonies
Texas <a href="#">Tex. Hum. Res. Code Ann. § 33.018</a>	N	N	Y	N	Y	N	N	N	Y	If an individual violates a condition of their parole, they are ineligible for SNAP for 2 years.
Utah <a href="#">Utah Code Ann. § 35A-3-311</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Vermont <a href="#">Vt. Stat. Ann. tit. 33, § 1203a</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
Virginia <a href="#">Va. Code Ann. § 63.2-505.2</a>	N	N	Y	N	N	Y	Y	N	Y	
Washington <a href="#">Wash. Rev. Code Ann. § 74.08.025</a>	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	
West Virginia	N	Y	N	N/A	N/A	N/A	N/A	N/A	N/A	



<a href="#">W. Va. Code § 9-2-3a</a>										
Wisconsin <a href="#">Wis. Stat. Ann. § 49.79</a>	N	N	Y	N	N	Y	N	N	N	
Wyoming <a href="#">WY Stat. §42-2-103(B)(xiii)</a>		Y	N	N/A	N/A	N/A	N/A	N/A	N/A	

**SUPPORTERS**



Robert Wood Johnson Foundation

**The Network for Public Health Law is a national initiative of the Robert Wood Johnson.**

**This document was developed by Hillary Payne, J.D. Candidate, and Mary-Claire Morrow, J.D. Candidate, at the University of Maryland Francis King Carey School of Law, and updated in 2020 by Alexis Gbemudu, J.D. Candidate, and Devon Horine, J.D. Candidate, at the University of Maryland Francis King Carey School of Law, with guidance and review by Mathew Swinburne, J.D., Associate Director, Network for Public Health Law – Eastern Region at the University of Maryland Francis King Carey School of Law. The Public Health Law Network provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.**

**Updated: April 2020**