



Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

DATE: June 9, 2023

SUBJECT: SNAP Provisions in the Fiscal Responsibility Act of 2023

TO: All State Directors
Supplemental Nutrition Assistance Program

On June 3, 2023, the President signed into law the Fiscal Responsibility Act of 2023 (FRA). Attached is an information memorandum describing the Supplemental Nutrition Assistance Program (SNAP) provisions of that Act.

The FRA gradually increases the age of those subject to the able-bodied adults without dependents (ABAWD) time limit and adds new groups of individuals who are excepted from the ABAWD time limit. The changes related to ABAWD ages and exceptions are temporary and no longer effective beginning October 1, 2030.

The FRA also decreases States' annual allotment of ABAWD discretionary exemptions and limits States' ability to carry over unused discretionary exemptions. Finally, the FRA updates SNAP's purpose statement and requires the Department to make State ABAWD waiver requests and agency approvals available to the public.

FNS intends to provide more detailed information in future communications. In the meantime, State agencies with questions should contact their respective Regional Office representatives.

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Catherine Buhrig
Associate Administrator
Supplemental Nutrition Assistance Program
Food and Nutrition Service
U.S. Department of Agriculture

Attachment

Fiscal Responsibility Act of 2023
Division C, Grow the Economy
TITLE II— SNAP Exemptions

Effective September 1, 2023

Section 311(a)—Modification of able-bodied adults without dependents (ABAWD) Time Limit Exceptions

This provision increases the age of those subject to the ABAWD time limit to age 50.

This provision also adds new exceptions to the ABAWD time limit for homeless individuals, veterans, and individuals aged 24 or younger and in foster care on their 18th birthday (or higher age if the State offers extended foster care to a higher age).

Section 311(b)—Application

States must apply the changes to the age and other exceptions described in Section 311(a) to applications for certification or recertification received on or after September 1, 2023.

Effective October 1, 2023

Section 311(a)—Modification of ABAWD Time Limit Exceptions

This provision increases the age of those subject to the ABAWD time limit to age 52.

Section 312—Modification of ABAWD Discretionary Exemptions

This provision decreases States' annual allotment of ABAWD discretionary exemptions from 12 percent to 8 percent of the caseload subject to the ABAWD time limit. This provision also limits States' ability to carryover unused ABAWD discretionary exemptions to no more than one year.

Effective October 1, 2024

Section 311(a)—Modification of ABAWD Time Limit Exceptions

This provision further increases the age of those subject to the ABAWD time limit to age 54.

Sunsetting

The changes made under section 311(a) pertaining to the ABAWD age and exceptions cease to have effect on October 1, 2030.

Other Provisions Affecting SNAP

Section 313—Supplemental Nutrition Assistance Program under the Food and Nutrition Act of 2008

This provision adds language to the program's purpose statement related to assisting low-income adults in obtaining employment and increasing their earnings. Specifically, the language adds the following to the purpose of SNAP:

“That program includes as a purpose to assist low-income adults in obtaining employment and increasing their earnings. Such employment and earnings, along with program benefits, will permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation.”

Section 314–Waiver Transparency

This provision requires the Department to make State requests to waive the ABAWD time limit (including supporting data) and related agency waiver approvals available to the public within 30 days after the date of enactment.