



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1184/P1
SWB:wlj

DOA:.....Lessner, BB0226 - Healthy Food Incentive Program

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Healthy eating incentive pilot program

This bill modifies certain provisions of the healthy eating incentive pilot program. The bill defines an eligible retailer, for purposes of the program, to be a retailer authorized to participate in the federal Supplemental Nutrition Assistance Program, or SNAP. Under current law, DHS must select, through a competitive selection process, one or more nonprofit organizations to administer the program statewide. The bill modifies that requirement, instead requiring only that DHS select one or more third-party organizations through the competitive selection process. Current law requires DHS to seek any available federal matching moneys from the Gus Schumacher Nutrition Incentive Program to fund the program. The bill specifies that DHS must require any organization chosen to administer the program to fulfill that requirement to seek federal matching funds. Under the bill, a third-party organization chosen to administer the program may retain for administrative purposes an amount not to exceed 33 percent of the total contracted amount or the applicable cap found in federal law or guidance, whichever is lower.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.79 (7w) (a) 1. of the statutes is amended to read:

49.79 (7w) (a) 1. “Eligible retailer” ~~includes any supermarket, grocery store, wholesaler, small-scale store, corner store, convenience store, neighborhood store, bodega, farmers’ market, direct marketing farmer, nonprofit cooperative food-purchasing venture, or community-supported agriculture program~~ means a retailer

BILL**SECTION 1**

authorized to participate in the ~~food stamp program~~ federal supplemental nutrition assistance program.

SECTION 2. 49.79 (7w) (b) of the statutes is amended to read:

49.79 (7w) (b) The department shall, through a competitive selection process, contract with one or more ~~nonprofit~~ 3rd-party organizations to administer a healthy food incentive program statewide. The healthy food incentive program shall provide to any food stamp program ~~recipient~~ assistance group that uses benefits at an eligible retailer participating in the healthy food incentive program under this subsection a monetary amount up to the amount of food stamp program benefits used at the eligible retailer for the purpose of purchasing fruits and vegetables from the eligible retailer. In administering the program, a ~~nonprofit~~ 3rd-party organization shall prioritize including in the healthy food incentive program eligible retailers that source fruits and vegetables primarily from growers in this state and shall establish a timeline for expiration of matching monetary amounts provided for the purchase of fruits and vegetables under the healthy food incentive program such that a matching monetary amount expires no later than one year after it is provided. The department may establish a maximum amount of benefits that may be matched per day for a food stamp program ~~recipient~~ assistance group. Any ~~nonprofit~~ 3rd-party organization administering the healthy food incentive program shall ensure that matching amounts provided under the program that are unused and expire remain with the ~~nonprofit~~ 3rd-party organization and, upon expiration, are available for use to provide matching amounts to other food stamp ~~recipients~~ assistance groups under the program.

SECTION 3. 49.79 (7w) (c) of the statutes is amended to read:

BILL**SECTION 3**

49.79 (7w) (c) The department may allocate no more than 25 percent of the funding available for the healthy food incentive program under this subsection to program development, promotion of and outreach for the program, training, data collection, evaluation, administration, and reporting and shall allocate the remainder of the funding available to the eligible retailers participating in the healthy food incentive program under this subsection. The department shall seek, or require any 3rd-party organization chosen under par. (b) to seek, any available federal matching moneys from the Gus Schumacher Nutrition Incentive Program to fund the healthy food incentive program under this subsection.

SECTION 4. 49.79 (7w) (cd) of the statutes is created to read:

49.79 (7w) (cd) A 3rd-party organization chosen under par. (b) may retain for administrative purposes an amount not to exceed 33 percent of the total contracted amount or the applicable cap found in federal law or guidance, whichever is lower.

****NOTE: I understood the reference in the instructions to the “contract vendor” to mean the 3rd-party organization, so I used the phrasing “[a] 3rd-party organization chosen under par. (b)” for purposes of this provision. Please let me know if that is inconsistent with your intent.

(END)