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SENATE BILL 137

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC ASSISTANCE; PROHIBITING CATEGORICAL  
ELIGIBILITY FOR FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE  
PROGRAM BENEFITS BASED ON ELIGIBILITY IN THE TEMPORARY  
ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] LIMITATION ON CATEGORICAL  
ELIGIBILITY.--

A. As used in this section:

(1) "authority" means the health care  
authority;

(2) "cash assistance" means monthly payments  
of at least seventy-five dollars (\$75.00) for at least six  
consecutive months provided to eligible households pursuant to  
cash assistance programs funded by legislative appropriations

1 of available block grant funding from the temporary assistance  
2 for needy families program pursuant to the federal temporary  
3 assistance for needy families program pursuant to the federal  
4 Social Security Act; and

5 (3) "noncash benefits" means goods, services,  
6 referrals, informational materials, hotline access, brochures,  
7 digital resources or other nonmonetary benefits funded in whole  
8 or in part by money made available pursuant to the federal  
9 temporary assistance for needy families program pursuant to the  
10 federal Social Security Act or other state maintenance-of-  
11 effort-funded payments.

12 B. The authority shall not designate, identify or  
13 use any noncash benefit as a qualifying benefit for purposes of  
14 conferring categorical eligibility for the federal supplemental  
15 nutrition assistance program pursuant to 7 U.S.C. Section 2014,  
16 as that section may be amended or renumbered, except as  
17 provided in Subsection C of this section.

18 C. The authority may confer federal supplemental  
19 nutrition assistance program categorical eligibility upon  
20 households in which each member receives:

- 21 (1) cash assistance;  
22 (2) social security benefits pursuant to the  
23 federal Social Security Act; or  
24 (3) general assistance benefits.

25 D. The authority shall not exclude, disregard or

1 deduct any federal supplemental nutrition assistance program  
2 benefit or resource solely on the basis that such benefits or  
3 resources are excluded pursuant to the state's temporary  
4 assistance for needy families program or medicaid programs  
5 unless expressly required by federal law.

6 E. The authority may adopt benefit or resource  
7 policies for eligibility for the federal supplemental nutrition  
8 assistance program only to the extent that:

9 (1) the authority is required to adopt such  
10 policies by federal law; and

11 (2) such policies do not result in elimination  
12 of the federal supplemental nutrition assistance program's  
13 asset limit or expansion of gross income standards above  
14 federal maximums.

15 F. The authority shall promulgate rules necessary  
16 to implement the provisions of this section by April 1, 2027.

17 SECTION 2. EFFECTIVE DATE.--The effective date of the  
18 provisions of this act is January 1, 2027.