

1 SENATE BILL 137

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Crystal Brantley and James G. Townsend

10 AN ACT

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

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

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

19 A. As used in this section:

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

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

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underscored material = new
[bracketed material] = delete

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.