

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1375 - L.D. 2051

**An Act to Ensure Access to the Supplemental Nutrition Assistance Program
in Maine**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3104-A, sub-§1, as amended by PL 2013, c. 368, Pt. OO, §§1 and 2, is repealed.

Sec. 2. 22 MRSA §3104-A, sub-§1-A is enacted to read:

1-A. Food assistance. The department shall provide food assistance to households that would be eligible for assistance under the federal Supplemental Nutrition Assistance Program, 7 United States Code, Section 2011 et seq. but for having an immigration status that does not qualify for federal food assistance benefits as follows.

A. An individual who was receiving food assistance under former subsection 1 as of July 1, 2011 may continue to receive assistance, as long as the individual remains eligible without regard to interruptions in coverage or gaps in eligibility for service.

B. A noncitizen who was neither receiving assistance on July 1, 2011 nor had an application pending for assistance on July 1, 2011 who was later approved is not eligible for food assistance through a state-funded program unless that noncitizen has both a qualifying immigration status under subparagraph (1) and at least one of the qualifying conditions under subparagraph (2), as follows:

(1) The individual is lawfully present in the United States but does not have an immigration status that qualifies for federal food assistance benefits and is not lawfully present solely as a temporary worker, student or tourist. Lawfully present individuals include:

(a) Qualified aliens under 8 United States Code, Section 1641;

(b) Lawful permanent residents who do not meet the special conditions for federal assistance under 8 United States Code, Section 1613;

(c) Asylees under Section 208 of the federal Immigration and Nationality Act, 8 United States Code, Section 1158;

- (d) Individuals who have a pending application for asylum or withholding of removal with the Department of Homeland Security or the Department of Justice Immigration Court;
 - (e) Refugees under Section 207 of the federal Immigration and Nationality Act, 8 United States Code, Section 1157;
 - (f) Individuals with Temporary Protected Status;
 - (g) Individuals with Special Immigrant Juvenile Status; and
 - (h) Individuals who received or were eligible to receive federal Supplemental Nutrition Assistance Program benefits on July 3, 2025 but who are no longer eligible pursuant to the federal Food and Nutrition Act of 2008, as amended by Public Law 119-21 (2025); and
- (2) The individual is:
- (a) Elderly or disabled, as described under the laws governing supplemental security income, 42 United States Code, Sections 1381 to 1383f;
 - (b) A victim of domestic violence or human trafficking or experiencing the effects of domestic violence or human trafficking;
 - (c) Unable to work or the dependent child of a parent who is unable to work due to the time necessary to obtain proper work documentation, as defined by the department in rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or
 - (d) Unemployed or the dependent child of a parent who is unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.