

# Assembly approves ban on using food stamps to buy candy, soft drinks

Posted on Friday, Feb 20, 2026

The state would seek a federal waiver to bar those on food stamps from purchasing candy or soft drinks under legislation the Assembly approved today.

The bill passed 70-23 with bipartisan support after it was amended to include a request from Gov. Tony Evers to pump more state money into the FoodShare program to account for changes the federal government made in Republicans' One Big Beautiful Bill Act.

Rep. Ryan Clancy, D-Milwaukee, chided his colleagues for backing the bill, questioning why they were sitting in judgment of what made sense for others to consume.

"This has nothing to do with health," Clancy said. "This is about punishing people for poverty."

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Clancy argued it would also create unnecessary bureaucracy while costing state money; the amended version that passed includes \$3 million to help retail chains navigate what would no longer be eligible for purchase under the program.

But Rep. Clint Moses, R-Menomonie, ticked off a series of stats about obesity in Wisconsin, including those on the food stamps program, as well as what's spent on programs to treat diet-related health problems.

He noted the program already bans purchases for things like alcohol and tobacco.

“Redirecting benefits to healthier food could help reduce illness and save a lot of money,” Moses said.

The bill would direct the Department of Health Services to seek a federal waiver to implement the proposed ban, which now goes to the state Senate.

The bill includes a definition of candy that includes: chocolate bars, chewing gum, hard candies, gummies, caramels, taffy, licorice and mints. It doesn't cover baked goods, such as cakes, cookies, muffins, brownies, pastries, bread, or similar products.

Meanwhile, the definition of soft drinks includes nonalcoholic beverages that contain natural or artificial sweeteners, including soda, energy drinks, sports drinks or flavored water.

The amendment added to the bill today also addresses various changes to the program made by the federal act. That includes an increase in the share of administrative costs borne by the state, as well as additional positions to run eligibility checks of those enrolled.

Under the federal changes, if more than 6% of a state's enrollees are ineligible, it will lose federal dollars to cover the costs of the benefit starting in federal fiscal year 2027-28.

In federal fiscal year 2023-24, Wisconsin's error rate was just under 4.5%. If it eclipses 10%, Wisconsin would lose \$204.6 million.

GOP legislative leaders earlier this week included the money and positions in a \$2.3 billion package they sent to Gov. Tony Evers that included funding for education, a property tax credit, a rebate and other provisions. But the governor in his State of the State rejected including the money and positions in a tax deal.

The chamber also voted 54-39 to require the Evers administration to hand over the state's FoodShare rolls to the Trump administration.

The U.S. Department of Agriculture last year demanded states turn over names, addresses, Social Security numbers, immigration status and transaction records for participants in the Supplemental Nutrition Assistance Program in what it said was an effort to root out fraud. Dem AG Josh Kaul last month joined a lawsuit seeking to block the demand.