



2026 South Dakota Legislature
House Bill 1056
ENROLLED

AN ACT

ENTITLED An Act to require that the Department of Social Services submit a federal waiver request to exclude soft drinks from the supplemental nutrition assistance program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. On or before September 1, 2026, the secretary of the Department of Social Services shall submit a waiver request, as authorized by 7 U.S.C. § 2026 (January 1, 2026), to the United States Department of Agriculture, to exclude soft drinks from the definition of eligible foods under 7 C.F.R. § 271.2 (January 1, 2026), for the supplemental nutrition assistance program.

If the waiver is approved, the department shall implement the restriction within six months of the date of approval.

If the waiver requested under this section is not approved, the secretary must annually submit a waiver request until it is approved.

For the purposes of this section, "soft drink" means a nonalcoholic beverage that contains natural or artificial sweeteners. The term does not include:

- (1) Milk or milk products;
- (2) Rice, soy, or similar milk substitutes; or
- (3) Juices that have been approved by the Department of Health for eligibility in the supplemental nutrition program for women, infants, and children.

An Act to require that the Department of Social Services submit a federal waiver request to exclude soft drinks from the supplemental nutrition assistance program.

I certify that the attached Act originated in the:
House as Bill No. 1056

Received at this Executive Office this ____ day of _____, 2026 at _____ M.

Chief Clerk of the House

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this ____ day of _____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1056
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State