



SB 1254– The F.R.E.S.H. Act

IN BRIEF

SB 1254 - the Food for Re-entry and Ensuring Stable Homes (FRESH) Act - will allow and assist incarcerated people in applying for CalFresh benefits up to 90 days before their release to better prepare them for reentry. The bill will also create a workgroup within the California Department of Social Services (CDSS) to begin recommendations for a statewide reentry process.

BACKGROUND

The Supplemental Nutrition Assistance Program (SNAP)—called CalFresh in California and sometimes known as food stamps—is the largest food assistance program in the nation.¹ The CalFresh program is administered locally by county human service agencies, where county eligibility workers assist in the completion of CalFresh applications.

Under federal law, incarcerated individuals become ineligible to receive CalFresh benefits after 30 days of confinement. The United States’ Department of Agriculture (USDA) allows for waivers to deviate from current provisions. Several states including New Jersey, New York, Oregon, and Colorado, have applied for waivers to allow for the pre-enrollment of incarcerated people, with programs dating as far back to 2005 in some states.²

California has previously passed legislation for pre-enrollment of state health and human services. AB 720 (Skinner, 2013) gave counties the option to create Medi-Cal pre-enrollment programs, from which 42 counties did by 2016.³ AB 3073 (Wicks, 2020) required the California Department of Social Services (CDSS) to issue an all-county letter (ACL) with recommendations on pre-enrollment on incarcerated applicants for CalFresh. These recommendations included suggestions for collaboration between county prison, social services and jails and steps to increase CalFresh access for incarcerated people. Additionally, Orange County applied for a county waiver to USDA for a pilot program of the pre-enrollment of incarcerated individuals’ CalFresh in 2021.⁴

¹ [CalFresh Outreach](#).

² [Realignment: the Policy Opportunity for a CalFresh Pre-enrollment Program](#)

³ Ibid.

⁴ [Innovative Proposal to Pre-Enroll Inmates in Nutrition Program Prior to Release Granted Federal Approval](#)

THE PROBLEM

California has historically had a low ranking on the USDA’s statewide ranking for eligible households to enroll and participate in food stamps, due in part to barriers to acquiring CalFresh for all applicants.⁵ In 2019, roughly 20% of formerly incarcerated people suffered from food insecurity.⁶ This is double the rate of the general population.⁷

Federal regulations currently prevent incarcerated individuals from receiving CalFresh by rendering them ineligible for these benefits after 30 days of confinement.

While there is already an existing re-entry process for Medi-Cal, there are no equivalent enrollment processes for CalFresh, and various other supportive services.⁸

THE SOLUTION

SB 1254 establishes pre-enrollment of incarcerated individuals in CalFresh, helping to reduce food insecurity upon reentry.

Specifically, the bill requires CDSS to submit applicable waivers to the federal government to allow for pre-enrollment of incarcerated individuals prior to their release from state prison or county jail on or by January 1, 2026. SB 1254 also requires CDSS to partner with the California Department of Corrections and Rehabilitation (CDCR) and county jails to enroll otherwise eligible applicants for the CalFresh program.

Furthermore, the bill would require county eligibility workers to assist incarcerated individuals that are within 90 days of release with the completion of a CalFresh application and require CDCR, state prisons, and county jails to collaborate with CDSS to facilitate entrance into those facilities.

SB 1254 also creates a workgroup within CDSS to create a report to the department and Legislature with recommendations for a statewide reentry process incorporating all potential necessary resources for an individual’s reentry into the community. The bill will also require CDSS and Department of Health Care Services to create and test a Medi-Cal and CalFresh combined

⁵ [Realignment](#), Ibid.

⁶ Testa A, Jackson DB. Food Insecurity Among Formerly Incarcerated Adults. *Criminal justice and behavior*. 2019;46(10):1493-1511. doi:10.1177/0093854819856920

⁷ [Food Insecurity is Rising and Incarceration Puts Families at Risk](#)

⁸ [CalAim for Re-entry](#)

application for incarcerated individuals soon leaving incarceration by or on January 1, 2026.

This bill decreases barriers to re-entry, helps address issues of food insecurity in California, and builds upon existing work in connecting individuals with state services in an effective manner.

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FOR MORE INFORMATION

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