

**NOTICE OF PUBLIC HEARING**

The New Mexico Human Services Department (HSD) will hold a public hearing to allow public comment to adopt the Supplemental Nutrition Assistance Program (SNAP) rules. The Human Services Department (HSD) is proposing to amend the rule to be in compliance with federal law which would otherwise place HSD in violation. The rule will be amended under the following statutory authority: Under the statutory authority of The Food Stamp Program as authorized by the Food Stamp Act of 1977 as amended (7 U.S.C. 2011 et. seq.). Regulations issued pursuant to the act are contained in 7 CFR Parts 270-282. State authority for administering the food stamp program is contained in Chapter 27 NMSA, 1978. Administration of the Human Services Department (HSD), including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983). The hearing will be held on Friday March 13, 2020 from 9:00 a.m. to 10:00 a.m. at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505.

The Department is promulgating proposed regulations to update the following Supplemental Nutrition Assistance Program (SNAP) rules: Create consistency and be in compliance with 7 CFR 273.12(a)(2), SNAP households must report substantial lottery and gambling winnings within 10 days of the end of the month in which the household received the winnings. Section 4009 of the Agricultural Act of 2014 requires households with substantial lottery or gambling winnings, to immediately lose eligibility for SNAP benefits. As specified in the final rule, substantial lottery or gambling winnings are defined as a cash prize won in a single game, before taxes or other amounts are withheld, which is equal to or greater than the SNAP resource limit for elderly or disabled households. Clarify in 8.139.400.11 NMAC that participants in a SNAP Employment & Training (E&T) program are still eligible if they are enrolled in a course or program of study that is part of a career and technical education program (as defined in Section 3 of the Carl D. Perkins Education Act of 2006), or are participating in remedial courses, basic adult education, literacy instruction, or English as a Second Language. Update 8.139.400.12 NMAC to prohibit anyone convicted of Federal aggravated sexual abuse, murder, sexual exploitation and abuse of children, sexual assault, or similar State laws, and who are also not in compliance with the terms of their sentence or parole, or are a fleeing felon, from receiving SNAP benefits.

The Human Services Register Vol. 43 No. 1 outlining the proposed regulations are available on the HSD's website at: <http://www.hsd.state.nm.us/LookingForInformation/income-support-division-registers.aspx>. Individuals wishing to testify or to request a copy of the proposed regulation should contact the Income Support Division, P.O. Box 2348, Santa Fe, New Mexico 87504-2348, or by calling 505-827-7250 or 505-827-7254.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at 505-827-6201 or through the New Mexico Relay system, at 711 or toll free at 1-800-659-1779. The Department requests at least a 10-day advance notice to provide requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments. Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, March 13, 2020. The agency shall post all written comments on its website, if one exists, as soon as practicable and no more than 3 business days following receipt to allow for public review. All written comments received by the agency shall also be available for public inspection at the main office of the agency. Please send comments to:

Human Services Department  
P.O. Box 2348,  
Santa Fe, New Mexico 87504-2348

You may send comments electronically to: [HSD-isdrules@state.nm.us](mailto:HSD-isdrules@state.nm.us)