**Section 121.96 Uses for SNAP Benefits**

a) SNAP benefits shall be used to purchase eligible food from food retailers and/or wholesalers and for qualified individuals to use at approved restaurants participating in the Restaurant Meals Program authorized by the United States Department of Agriculture (USDA) to accept SNAP benefits.

b) SNAP benefits may be used to purchase seeds and plants for use in gardens to produce food for personal consumption.

c) SNAP benefits may not be used to:

1) purchase alcoholic beverages and tobacco

2) pay back grocery bills (incurred prior to receipt of SNAP benefits.)

3) purchase hot foods or hot food products which can be eaten immediately and that are sold in retail food stores, except as indicated in section (e) below.

d) Households that do not reside in permanent dwellings or have no fixed mailing address may use their SNAP benefits to purchase meals prepared for and served by USDA authorized public or private nonprofit establishments which feed such individuals and public or private nonprofit shelters which provide temporary residence (except that such establishments and shelters may only request voluntary use of SNAP benefits by such individuals and may not request such households to pay more than the average cost of the food contained in a meal served by the establishment or shelter. "Average cost" refers to direct costs, through purchases of food used in preparation of meals. For purposes of this rule, "average cost" shall be determined by averaging costs over a period of one calendar month.).

AGENCY NOTE: In accordance with 7 CFR 272.9, the Department shall approve public and private nonprofit establishments and shelters serving the homeless if the establishment shelter serves meals to the homeless. The Food and Nutrition Service of USDA shall authorize as retail food stores, those establishments and shelters which apply and qualify for authorization to accept SNAP benefits from homeless recipients in accordance with 7 CFR 278.1 and 278.2.

e) The Restaurant Meals Program (RMP) permits SNAP households who are homeless or whose members are all elderly (60 or older) and/or disabled and their spouses with the ability to use their Electronic Benefit Transfer (EBT) card to purchase prepared food at concession prices (prices for meals sold to SNAP customers that are below the regular menu price) from restaurants authorized by USDA Food and Nutrition Services (FNS) and contracted with the Illinois Department of Human Services (IDHS) to participate in the program. The EBT system will electronically identify an eligible recipient at the point of sale.

(Source: Amended at 46 Ill. Reg. 2131, effective January 21, 2022)