Title of Proposed Rule:		Updates		
CDHS Tracking #: Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP	Rule Author: Teri Cha	hone: 3	03-866-5813	
,		Ē	-Mail:	-
		t	eri.chast	en@state.co.us
	RULEMAKING	<b>3 PACKET</b>		
Type of Rule: (complete a and a.         a.       X       Board         b.       Regular	<i>b, below)</i> Executive Direct         X	or		
This package is submitted to	State Board Administ	ration as: (check all	that app	nly)
X AG Initial X Review	Initial Board Reading	AG 2 <sup>nd</sup> Review		cond Board Reading doption
This package contains the fo	llowing types of rules	: (check all that apply	)	
Number10Amended Rul0New Rules0Repealed Rul0Reviewed Rul	les			
What month is being requested	for this rule to first go b	efore the State Board	? Se	eptember 2023
What date is being requested fo	r this rule to be offective	<u></u>	0	ctober 2023
Is this date legislatively requ		2:	N	
I hereby certify that I am aware Executive Director's Office, Buc Office Director Approval:		d Office of Information	n Techn	
REVIEW TO BE COMPLETED	BY STATE BOARD AD	MINISTRATION		
Comments:				
Estimated 1st Board Sept Dates: 2023	tember 2nd Board 3	October Ef 2023	fective [	Date October 1, 2023 (Emer) November 30, 2023 (Perm)

Title of Proposed Rule:	SNAP FFY24 COLA Updates
CDHS Tracking #:	23-08-18-01

Office, Division, & Program: Rule Author: Teri Chasten Office of Economic Security, Food and Energy Assistance Division, SNAP

Phone: 303-866-5813

E-Mail:

teri.chasten@state.co.us

# STATEMENT OF BASIS AND PURPOSE

## Summary of the basis and purpose for new rule or rule change.

Explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. 1500 Char max

The Supplemental Nutrition Assistance Program (SNAP) is a federal food assistance program actively administered in Colorado. SNAP provides food assistance benefits as part of a federal nutrition program to help low-income households purchase food. The United States Department of Agriculture, Food and Nutrition Service annually evaluates Federal income poverty guidelines and cost of living increases to determine appropriate adjustments to income eligibility standards, benefit allotments, and deductions for the upcoming Federal Fiscal Year (FFY). The modified figures are typically made available to states during the month of August immediately prior to the next fiscal year. The COLA changes in this regulation package are required to become effective 10/01/2023.

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

Х

to comply with state/federal law and/or

to preserve public health, safety and welfare

## Justification for emergency:

Each year, FNS disseminates the new standards to states for use in the upcoming federal fiscal year. The COLA adjustments are mandated to be implemented at the beginning of FFY24 (October 1, 2023). It is imperative to incorporate these rules to comply with federal SNAP regulations that must be effective October 1, 2023. Noncompliance with federal SNAP regulations as of October 1, 2023, conflicts with public interest.

## State Board Authority for Rule:

Code	Description
26-1-107, C.R.S. (2022)	State Board to promulgate rules
26-1-109, C.R.S. (2022)	State department rules to coordinate with federal programs
26-1-111, C.R.S. (2022)	State department to promulgate rules for public assistance and welfare activities.

**Program Authority for Rule**: Give federal and/or state citations and a summary of the language authorizing the rule-making function AND authority.

Code	Description
26-2-301 (2022), C.R.S.	Designates the Colorado Department of Human Services as the responsible
	agency to administer the Food Assistance Program in the State of Colorado.
26-2-302 (2022), C.R.S.	Prohibits any interference that would prevent the
	Colorado Department of Human Services from complying with federal mandates prescribed under the federal "Food Stamp Act" as amended.
26-1-107(5)(b) (2022),	Authorizes the State Board to adopt rules for "programs administered by

Title of Proposed	Rule: SNAP FFY24 COLA Updates	
CDHS Tracki	ng #: <u>23-08-18-01</u>	
Office, Division, & Prog Office of Economic Sec Food and Energy Assis Division, SNAP	curity,	Phone: 303-866-5813
		E-Mail:
		teri.chasten@state.co.us
C.R.S.	the state department as set out in this title [2 the Department as the agency to "administer	
Agricultural Act of 2014 (Public Law 113-79)	Federal program authority	
Does the rule incorporate Does this rule repeat langu		X No X No
lf yes, please explain.		

#### Title of Proposed Rule: SNAP FFY24 COLA Updates CDHS Tracking #: 23-08-18-01

Office, Division, & Program: Rule Author: Teri Chasten Office of Economic Security, Food and Energy Assistance **Division, SNAP** 

Phone: 303-866-5813

E-Mail:

teri.chasten@state.co.us

# **REGULATORY ANALYSIS**

# 1. List of groups impacted by this rule.

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule? Changes to COLA amounts will benefit all SNAP applicants and participants as well as county SNAP administration and staff. There are no adverse impacts with the adoption of these changes in rules.

## 2. Describe the qualitative and quantitative impact.

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

Annual adjustments to the four-tiered mandatory standard utility allowances, standard deduction, homeless shelter deduction, maximum allotments, and income threshold guidelines have the potential to increase current benefit amounts for participants and increase program accessibility for future applicants.

## 3. Fiscal Impact

For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources. Answer should NEVER be just "no impact" answer should include "no impact because .... "

State Fiscal Impact (Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)

There is no impact because the costs associated with the Colorado Benefits Management System to incorporate these changes have already been allocated in the system maintenance budget.

County Fiscal Impact

There is no impact to counties as the systematic changes required with this update are handled by the state as well as updates to state training materials.

# Federal Fiscal Impact

There are no federal fiscal impacts with this rule change as there is no involvement from a federal agency.

Other Fiscal Impact (such as providers, local governments, etc.)

There are no other fiscal impacts associated with this rule change.

## 4. Data Description

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

Title of Proposed Rule: CDHS Tracking #:	SNAP FFY24 COLA Updates 23-08-18-01	
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Federal memorandums from the Food and Nutrition Services as well as data from the Consumer Price Index for all Urban Consumers were used in the development of this rule.

## 5. Alternatives to this Rule-making

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative. Answer should NEVER be just "no alternative" answer should include "no alternative because..."

As these annual COLA are federally mandated by SNAP federal partners to be incorporated into regulation prior to implementation, there are no available alternatives that exist to incorporate these program changes statewide.

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		E-Mail: teri.chasten@state.co.us					

OVERVIEW OF PROPOSED RULE Compare and/or contrast the content of the current regulation and the proposed change.

Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
7.000	Incorrect Statutory Reference	Section 26.5.103 C.R.S.	Section 26.5-101(3) C.R.S.		
4.000.1	Outdated language	<b>4.000.1 SNAP DEFINITIONS</b> "Able-Bodied Adult Without Dependents (ABAWD)" means an individual aged eighteen (18) through the age of forty- nine (49) without a physical or mental disability who lives in a SNAP household with no one under the age of eighteen (18).	<b>4.000.1 SNAP DEFINITIONS</b> "Able-Bodied Adult Without Dependents (ABAWD)" means an individual aged eighteen (18) through the age of FIFTY- TWO (52) forty-nine (49) without a physical or mental disability who lives in a SNAP household with no one under the age of eighteen (18). ****		

Title of Proposed Rule:	SNAP FFY24 COLA Updates	
CDHS Tracking #:	23-08-18-01	
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		E-Mail:

teri.chasten@state.co.us

4.207.3(	Outdated figures and dates											Updated figures and dates	
D)		4.207.3 Benefit Allotment			4.207.3 Benefit Allotment								
		***			****								
		D.		maximum and						inimum m			
				nefit allotment tables nnounced by the	benefit a the USD	llotme	ent table	es will l	be adjuste	ed as ann	ounced by		
		USDA,		initialities by the		¬, I IN	10.						
			Househol	Maximum			Hous		Maxir				
			d Size	Monthly			d S	ize	Mon <sup>:</sup> Allotr				
				Allotment Effective					Effec				
				October 1,					Octob 202				
			1	<b>2022</b> \$281			1		\$2 <mark>9</mark> ′	-			
			2	\$516			2		\$5 <mark>3</mark> 5				
			3	\$740			3		\$7 <mark>66</mark> \$9 <mark>7</mark> 3				
			<u>4</u> 5	\$939 \$1,116			5		\$1,15				
			6	\$1,339			6		\$1,3 <mark>8</mark>				
			7 8	<u>\$1,480</u> \$1,691			7		\$1, <mark>53</mark>				
			Each	+\$211			8 Ea		\$1, <mark>75</mark> +\$2 <mark>4</mark>				
			additional				additi		+ <b>⊅</b> ∠+	+19			
			person Househo	Minimum			pers						
			ld Size	Monthly			iseho Size		imum nthly				
				Allotment Effective				Allo	tment				
				October 1,					ective ober 1,				
			1-2	<b>2022</b> \$23				20	)2 <mark>2</mark> 3				
4.311	Outdated and incomplete	4.311	ABAWD W	· · · · · · · · · · · · · · · · · · ·	4.311 AE		1-2		523	NTS		Updated language; added	
4.311	information		REMENTS	UNIX								regulatory language	
			Sec. 10.101		ABAWDs								
		ABAWL	os must tultill	an ABAWD work	addition	to the	genera	ai work	requirem	ents. For	the		

Office, Office Food	Title of Proposed Rule: CDHS Tracking #:SNAP FFY 23-08-18-0Division, & Program: of Economic Security, and Energy Assistance n, SNAPRule Author	)1	Phone: 303-866-5813 E-Mail: teri.chasten@state.co.us	
	requirement in addition to the general work requirements. For the remainder of this section, client statement is considered acceptable verification unless questionable. If verification is requested from the client, case documentation must thoroughly explain why the original client statement was considered questionable. A. To fulfill the ABAWD work requirement, the ABAWD must be: *** Failure to meet the ABAWD work requirement will result in the ABAWD losing eligibility as a result of the accruing three countable months within a thirty-six (36) calendar month period.	WORK REQUIREMEN 1. AGED SEVE YOUNGER; 2. AGED FIFTY 3. DETERMINE CERTIFIED A MENTALLY O EMPLOYMEN MEDICALLY PHYSICALLY FOR EMPLO A. ARE TEM PER BEN GOV PRIM B. ARE OR EMF DET OFF	Juestionable. If verification is documentation must inal client statement was DIVUDALS ARE NOT /DS AND ARE JBJECT TO THE ABAWD NT: NTEEN (17) OR /-THREE (53) OR OLDER; ED TO BE MEDICALLY AS PHYSICALLY OR	

			SNAP FFY24 COLA Updates					
		<b>CDHS Tracking #:</b> Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP			en	Phone: 303-866-581	3	
	_					E-Mail: teri.chasten@state.	co.us	
			/ * F t / t	ABAWD must b Failure to meet he ABAWD los ACCRUE the a hirty-six (36) c	PHYSICI LICENSE PSYCHO WORKEI QUALIFI PROFES IN 12-200 315-126, CLIENT MENTAL EMPLOY IS RESIDING IN T HOUSEHOLD WI WHO IS UNDER EIGHTEEN (18). INDIVIDUAL DOE INCLUDED IN TH HOUSEHOLD FO TO APPLY. fill the ABAWD work re- sing eligibility as a res- peruing three countal alendar month period	TIONER, ATED ENTATIVE OF THE AN'S OFFICE, A ED OR CERTIFIED DLOGIST, A SOCIAL R, OR ANY OTHER ED HEALTH SIONAL AS DEFINED D-101 THROUGH 12- C.R.S., THAT THE S PHYSICALLY OR LY UNFIT FOR MENT THE SAME PHYSICAL TH AN INDIVIDUAL THE AGE OF THE MINOR S NOT HAVE TO BE E SAME SNAP R THIS EXCLUSION equirement, the quirement will result in the of IF THEY ole months within a		
4.311.1	Missing language	4.311.1 ABAWD Exemption While ABAWDs can be exem general work requirement exe these individuals could also r	npt under emptions,	ANY INDIVIDU	VD Exemptions IAL WHO MEETS TH BE EXEMPT FROM T	E DEFINITION OF AN HE ABAWD WORK	Added language	

	т	itle of Proposed Rule: SNAP F	FY24 CC	LA Updates			
	Office, Office Food a	CDHS Tracking #: 23-08-18 Division, & Program: Rule Aut of Economic Security, and Energy Assistance n, SNAP	-01		Phone: 303-866-581	3	
					E-Mail:		
					teri.chasten@state.	co.us	
		<ul> <li>the following ABAWD exemptions:</li> <li>A. Age eighteen (18) through the age of forty-nine (49);</li> <li>B. Exempt from the general work requirements;</li> <li>C. Is residing in a SNAP household where a household member is under age 18;</li> <li>D. Pregnancy;</li> <li>E. Exempt under a waiver approved by the USDA, FNS;</li> <li>F. Exempt using Colorado defined state exemptions as identified in the current SNAP Employment and Training State Plan.</li> </ul>	EXEMI genera could a A. AB. C. BD. C.	REMENT BY MEETING ON PTIONS: While ABAWDs can I work requirement exemption loo meet one of the following Age eighteen (18) through (49); Exempt from the general w Is residing in a household w or is under the age 18; Pregnancy; A PERSON EXPERIENCIN FINED IN SECTION 4.000.1 VETERANS AGED TWENTY-FOUR (24 YOUNGER AND IN FOSTI EIGHTEENTH (18 <sup>TH</sup> ) BIRT Exempt under a waiver app Exempt using Colorado de as identified in the current is	E OF THE FOLLOW be exempt under ns, these individuals ABAWD exemptions: the age of forty-nine vork requirements; where a household NG HOMELESSNESS, 4) YEARS AND ER CARE ON THEIR THDAY proved by the USDA, fined state exemptions		
			date:	Training State Plan.			
			***				
4.401.1	Outdated figures and dates	4.401.1 Gross Income Limits	4.401.1	Gross Income Limits		Updated figures and dates	
		Effective October 1, 2022, the gross	Effectiv	ve October 1, 202 <mark>32</mark> , the gros	s income levels for one		

					Y24 COLA L	Jpdates				
<u><u></u></u>				23-08-18-0			Dha		21.0	
Offi Foo	ice, Division, ice of Econo od and Energ ision, SNAP	mic Se	curity,	Rule Autho	or: Ten Chas	sten	Pho	ne: 303-866-58	313	
2							E-M	lail:		
							teri.	chasten@stat	e.co.us	
	income lev percent (13 (200%), an percent (16 level for the	30%), two 1d one hur 65%) of th	hundred   ndred sixty e federal	percent y-five poverty	(200%), and	ty level for the	ixty-five perce	ed percent nt (165%) of the g household size		
	size is as f		5		Househ	130%	200%	165%		
	Hous ehol d	130% Gross Incom	200% Gross Incom	165% Gross Incom	old Size	Gross Income Level	Gross Income Level	Gross Income Level		
	Size	e Level \$1,473	e Level \$2,266	e Level \$1,869	1	\$1, <mark>5804<del>73</del></mark>	\$2, <del>266</del> 430	\$ <del>1,869</del> 2,0 05		
	2 3	\$1,984 \$2,495	\$3,072 \$3,840	\$2,518 \$3,167	2	\$2,137 <del>1,98</del> 4	\$3, <del>052</del> 288	\$2,712 <del>518</del>		
		\$3,007 \$3,518 \$4,029	\$4,626 \$5,412 \$6,200	\$3,816 \$4,465 \$5,114	3	\$2, <mark>6944<del>95</del></mark>	\$ <del>3,8</del> 404,1 44	\$3,419 <del>167</del>		
	7 8 Each	\$4,541 \$5,052 +\$512	\$6,986 \$7,772 +788	\$5,763 \$6,412 +\$649	4	\$3, <mark>250<del>007</del></mark>	\$4 <del>,626</del> 5,0 00	\$ <del>3,8164</del> ,1 25		
	additi onal perso				5	\$3, <mark>807<del>518</del></mark>	\$5, <mark>412</mark> 858	\$4, <mark>465</mark> 832		
	n				6	\$4, <mark>364<del>029</del></mark>	\$6, <del>200</del> 714	\$5, <del>114539</del>		
					7	\$4, <mark>921<del>541</del></mark>	\$ <del>6,986</del> 7,5 70	\$6,246 <del>5,7</del> <del>63</del>		
					8	\$5,478 <del>052</del>	\$ <del>7,772</del> 8,4 28	\$6, <mark>9524<del>12</del></mark>		
					Each addition al person	+\$557 <del>12</del>	+ <del>788</del> 858	+\$707 <del>649</del>		
I										

# Title of Proposed Rule: <u>SNAP FFY24 COLA Updates</u>

CDHS Tracking #: 23-08-18-01

Phone: 303-866-5813

Office, Division, & Program: Rule Author: Teri Chasten Office of Economic Security, Food and Energy Assistance Division, SNAP

E-Mail: teri.chasten@state.co.us

4.401.2	Outdated figures and dates	Household Size	100% Net Income Level \$1,133	4.401.2 Net Income Level		
				Effective October 1, 2022, t hundred percent (100%) of	the federal poverty level for the	
		2	\$1,526	corresponding household si	ze is as follows.	
		3	\$1,920	Household Size	100% Net Income Level	
				1	\$1, <del>133</del> 215	
		4	\$2,313	2	\$1, <del>526</del> 644	
				3	\$ <del>1,920</del> 2,072	
		5	\$2,706	4	\$2, <mark>313</mark> 500	
				5	\$2, <mark>706</mark> 929	
		6	\$3,100	6	\$3, <del>100</del> 357	
				7	\$3, <mark>493</mark> 785	
		7	\$3,493	8	\$ <del>3,886</del> 4,214	
		'	ψ0, <del>4</del> 90	Each additional person	+\$ <del>394</del> 429	
		8	\$3,886	***		
		Each additional person	+\$394			
		<b>4.401.2 Net Income</b> Effective October 1, level of one hundred the federal poverty le corresponding house follows:	2022, the net income percent (100%) of evel for the			

Title of Proposed Rule:	SNAP FFY24 COLA Updates

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teri.chasten@state.co.us	

4.407.3       Standard Deduction A standard deduction of 8.31% of the federal poverty income guidelines for the household size as described in 4.4012, will be used to calculate the amount that is allowed to all households. The established standard amount will be adjusted annually as announced by FNS, USDA. The calculation of 8.31% of the federal poverty income guidelines for the household size as described in 4.4012, will be used to rail households. The calculation of 8.31% of the federal poverty income guidelines for the household size as described in 4.4012, will be used to rail households. The calculation of 8.31% of the federal poverty income guidelines for the household size of all households will be used for all households size of six (6). All households will be used for all households will be the household size of six (6) cornore eligible members will use the six (6) person standard deduction.       A standard Deduction Amount Hill be adjusted annually as announced by FNS, USDA. The calculate the household size of six (6). All households will be used for all households will be used for all households will be used for all households size of six (6). All households size of six (6). Person standard deduction.         Image: the size of the free stabilished standard and the six (6) person standard deduction.       Image: the size of six (6). All households size of six (6). Person standard deduction.         Image: the size of the household size of six (6). All households size of six (6). All households size of six (6). Person standard deduction.       Image: the size of six (6). Person standard deduction.         Image: the size of the size o	4.407.1	Outdated figures and dates					4 407 1	Standard Deduction	<b>.</b>				Updated figures and dates	
4.407.3       Outdated figures and dates         4.407.3       Outdated figures and dates         8.       A shelter deduction cap, as specified below, applies to households had do not contain a person who is aged sixty (60) and older or a person with a disability shell receive an excess shelter       4.407.3 Excess Shelter Deduction and the section who is aged sixty (60) and older or a person with a disability set defined in Section who is aged sixty (60) and older or a person with a disability set defined in Section       Updated figures and dates			<b>4.407.1 Standard Deduction</b> A standard deduction of 8.31% of the federal poverty income guidelines for the household size as described in 4.401.2 will be used to calculate the amount that is allowed to all households. The established standard amount will be adjusted annually as announced by FNS, USDA. The calculation of 8.31% of the federal poverty income guidelines for			income guidelines for the household size as described in 4.401.2 will be used to calculate the amount that is allowed to all households. The established standard amount will be adjusted annually as announced by FNS, USDA. The calculation of 8.31% of the federal poverty income guidelines for eligible members will be used for all households up to the household size of six (6). All households with six (6) or more eligible members will use								
4.407.3       Outdated figures and dates       4.407.3 Excess Shelter Deduction ***       Updated figures and dates ***       4.407.3 Excess Shelter Deduction ***       4.407.3 Excess Shelter Deduction cap, as sperson who is aged sixty (60) and older or			households up to	the hous	sehol	d size of		Standard I	Deduction	Amo	unt			
4.407.3       Outdated figures and dates         4.407.3       Outdated figures and dates         4.407.3       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section Anousholds that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section Anousholds containing a person with a disability as defined in Section Anousholds containing a person with a disability shall receive an excess shelter       Updated figures and person with a disability shall receive an excess shelter							F	lousehold Size	1- <b>34</b>	4	5	6+		
4.407.3       Outdated figures and dates <b>4.407.3 Excess Shelter Deduction *** 4.407.3 Excess Shelter Deduction *** b A shelter deduction cap, as</b> specified below, applies to         households that do not contain a         person who is aged sixty (60)         and older or a person with a         disability as defined in Section         who is aged sixty (60) and older or a person         who is aged sixty (60) and older and/or a person         who is aged sixty (60)							\$19 <mark>83</mark>	\$20 8						
Household Size       1-4       5       6+         Effective October 1, 2022       \$193       \$       \$258         4.407.3       Outdated figures and dates       4.407.3 Excess Shelter Deduction       4.407.3 Excess Shelter Deduction         ***       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability shall receive an excess shelter       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older and/or a person with a disability shall receive an excess shelter			Standard Dee	duction	Amo	ount								
4.407.3       Outdated figures and dates       4.407.3 Excess Shelter Deduction       4.407.3 Excess Shelter Deduction       4.407.3 Excess Shelter Deduction         ***       B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person who is aged sixty (60) and older or a person who is aged sixty (60) and older or a person who is aged sixty (60) and older and/or a person who is aged sixty (60) and older and/or a person with a disability as defined in Section       4.304.41. Those households containing a person whith a disability shall receive an excess shelter				1-4	5	6+	***							
4.407.3 Excess Shelter Deduction       ***         ***       ***         B.       A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section and older or a person with a disability as defined in Section         who is aged sixty (60) and older and/or a person with a disability shall receive an excess shelter			October 1,	\$193	2 2	\$258								
<ul> <li>***</li> <li>B. A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section and older or a person with a disability as defined in Section</li> </ul>	4.407.3	Outdated figures and dates					4.407.3	Excess Shelter Ded	uction				Updated figures and dates	
4.304.41. Those households deduction for the monthly cost of shelter that exceeds fifty percent (50%) of the household's			*** B. A shelter specified househo person w and olde disability	r deduction l below, a lds that of vho is ag r or a pe as defin	on ca applie do nc jed si erson ned in	ap, as es to ot contain a xty (60) with a o Section	<ul> <li>B. A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section 4.304.41. Those households containing a person who is aged sixty (60) and older and/or a person</li> </ul>			a on person erson elter at				

	Office, Office Food a	itle of Proposed Rule: CDHS Tracking #: Division, & Program: of Economic Security, and Energy Assistance h, SNAP	23-08-18-0	01	Phone: 303-866-581 E-Mail: teri.chasten@state.	
4.407.3	Outdated figures and dates	<ul> <li>containing a person sixty (60) and older a person with a disabil receive an excess sh deduction for the mo shelter that exceeds (50%) of the househ monthly income afte applicable deduction</li> <li>Shelter Deduction O Effective October 1, 2022</li> <li>C. Households in which individuals are expen- homelessness and a receiving free shelte the calendar month entitled to use a star estimate of shelter e</li> <li>The FNS, USDA, pro- update of this estima annually when the sl for other households The Homeless Shelter Ded Effective October 1, 2022</li> <li>Homeless Shelter Ded</li> <li>Effective October 1, 2022</li> </ul>	and/or a ity shall helter onthly cost of fifty percent old's r all other s. <b>2ap</b> \$624 a all riencing tre not r throughout shall be helter cap is adjusted. er ws: luction \$166.81	monthly income after all oth deductions.         Shelter Deduction         Effective October 1, 2023         C.       Households in which all ind experiencing homelessness free shelter throughout the be entitled to use a standar expenses.         The FNS, USDA, provides estimated figure annually wother households is adjusted.         Momeless Shelter Deduction is as followed by the standard of the sta	n Cap 2 \$67224 dividuals are s and are not receiving calendar month shall rd estimate of shelter an update of this when the shelter cap for ed. The Homeless ows: eduction \$179.66466.81	
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Title of Proposed Rule:	SNAP FFY24 COLA Updates	
CDHS Tracking #:	23-08-18-01	
Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP	Rule Author: Teri Chasten	Phone: 303-866-5813
		E-Mail:

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ισπ.	Chaster		us

Standard Utility Allowance	Allowance
***	***
A. Heating and Cooling Utility Allowance (HCUA)	A. Heating and Cooling Utility Allowance (HCUA)
***	***
4. The HCUA standard is as follows:	4. The HCUA standard is as follows:
HCUA Standard	HCUA Standard
	Effective October 1, 20232 \$560 31
Effective October 1, 2022 \$531	
B. Basic Utility Allowance (BUA)	B. Basic Utility Allowance (BUA)
***	***
3. The BUA standard is as follows:	3. The BUA standard is as follows:
BUA Standard	Effective October 1, 20232 \$35638
Effective October 1, 2022 \$338	C. One Utility Allowance (OUA)
C. One Utility Allowance (OUA)	***
***	3. The OUA standard is as follows:
3. The OUA standard is as follows:	OUA StandardEffective October 1, 20232\$674
OUA StandardEffective October 1, 2022\$64	D. Telephone allowance
D. Telephone allowance	

CDHS Tracking #: 23-08-18-01 Office, Division, & Program: Rule Author: Teri Chasten	
Office, Division, & Program: Rule Author: Teri Chasten	
Office of Economic Security, Food and Energy Assistance Division, SNAP	Phone: 303-866-5813
	E-Mail:

teri.chasten@state.co.us

			andard	The telephone allowance is as follows: Telephone Standard Effective October 1, 20232 \$91 86		
4.408	Outdated dates	<ul> <li>4.408 RESOURCE EL STANDARDS</li> <li>***</li> <li>E. The resource lim follows:</li> <li>Effective Octobe resource limit fo that do contain a aged sixty (60) a a person with a a thousand two hu dollars (\$4,250). limit for househo contain a memb sixty (60) and ol person with a dis thousand seven fifty dollars (\$2,7</li> </ul>	IGIBILITY hits are as er 1, 2022, the r households a member who is and older and/or disability is four undred and fifty . The resource olds that do not er who is aged der and/or a sability is two hundred and	<b>OURCE ELIGIBILITY STANDARDS</b> the resource limits are as follows: ffective October 1, 20232, the resource limit for buseholds that do contain a member who is ged sixty (60) and older and/or a person with a sability is four thousand two hundred and fifty ollars (\$4,250). The resource limit for household at do not contain a member who is aged sixty i0) and older and/or a person with a disability is i0 thousand seven hundred and fifty dollars i2,750).	Updated dates	

Title of Proposed Rule:	SNAP FFY24 COLA Updates	
CDHS Tracking #:	23-08-18-01	
Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP	Rule Author: Teri Chasten	Phone: 303-866-5813
-		E-Mail: teri.chasten@state.co.us

Title of Proposed Rule:	SNAP FFY24 COLA Updates	
CDHS Tracking #:	23-08-18-01	
Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP	Rule Author: Teri Chasten	Phone: 303-866-5813
		E-Mail:
		teri.chasten@state.co.us
5	STAKEHOLDER COMMENT SUMMARY	

#### Development

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

Office of Economic Security (OES) Sub-PAC

#### This Rule-Making Package

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

Office of Economic Security (OES) PAC

## **Other State Agencies**

Are other State Agencies (such as HCPF or CDPHE) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes X No

If yes, who was contacted and what was their input?

## Sub-PAC

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes X No

Name of Sub-PAC	Economic Security Su	Ib-PAC	
Date presented			
What issues were raised?			
Vote Count	For	Against	Abstain
If not presented, explain why.			

## PAC

Have these rules been approved by PAC?

Yes X No

Date presented			
What issues were raised?			
Vote Count	For	Against	Abstain
If not presented, explain why.			

#### **Other Comments**

Comments were received from stakeholders on the proposed rules:

Yes X No

#### **DOCUMENT 4**

Title of Proposed Rule: CDHS Tracking #:	SNAP FFY24 COLA Updates 23-08-18-01	
Office, Division, & Program: Office of Economic Security, Food and Energy Assistance Division, SNAP	Rule Author: Teri Chasten	Phone: 303-866-5813
		E-Mail: teri.chasten@state.co.us

If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, <u>by specifying the section and including the Department/Office/Division response</u>. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

#### 4.000.1 SNAP DEFINITIONS

"Able-Bodied Adult Without Dependents (ABAWD)" means an individual aged eighteen (18) through the age of FIFTY-TWO (52) forty-nine (49) without a physical or mental disability who lives in a SNAP household with no one under the age of eighteen (18).

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#### 4.207.3 Benefit Allotment

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D. The SNAP maximum and minimum monthly benefit allotment tables will be adjusted as announced by the USDA, FNS.

Household Size	Maximum Monthly Allotment Effective October 1, 20232
1	\$2 <mark>9181</mark>
2	\$5 <mark>35<del>16</del></mark>
3	\$7 <mark>6640</mark>
4	\$973 <del>39</del>
5	\$1,155 <del>16</del>
6	\$1,386 <del>39</del>
7	\$1,5324 <del>80</del>
8	\$1,751 <del>691</del>
Each additional person	+\$2 <mark>11</mark> 19

Household Size	Minimum Monthly Allotment Effective October 1, 20232
1-2	\$23

\*\*\*

## 4.311 ABAWD WORK REQUIREMENTS

ABAWDs must fulfill an ABAWD work requirement in addition to the general work requirements. For the remainder of this section, client statement is considered acceptable verification unless questionable. If verification is requested from the client, case documentation must thoroughly explain why the original client statement was considered questionable.

- A. THE FOLLOWING INDIVUDALS ARE NOT CONSIDERED ABAWDS AND ARE THEREFORE NOT SUBJECT TO THE ABAWD WORK REQUIREMENT:
  - 1. AGED SEVENTEEN (17) OR YOUNGER.

- 2. AGED FIFTY-THREE (53) OR OLDER.
- 3. DETERMINED TO BE MEDICALLY CERTIFIED AS PHYSICALLY OR MENTALLY UNFIT FOR EMPLOYMENT. AN INDIVIDUAL IS MEDICALLY CERTIFIED AS PHYSICALLY OR MENTALLY UNFIT FOR EMPLOYMENT IF THEY:
  - A. ARE RECEIVING TEMPORARY OR PERMANENT DISABILITY BENEFITS ISSUED BY GOVERNMENTAL OR PRIVATE SOURCES;
  - B. ARE OBVIOUSLY MENTALLY OR PHYSICALLY UNFIT FOR EMPLOYMENT AS DETERMINED BY THE LOCAL OFFICE; OR
  - C. PROVIDE A STATEMENT FROM A PHYSICIAN, PHYSICIAN'S ASSISTANT, NURSE, NURSE PRACTITIONER, DESIGNATED REPRESENTATIVE OF THE PHYSICIAN'S OFFICE, A LICENSED OR CERTIFIED PSYCHOLOGIST, A SOCIAL WORKER, OR ANY OTHER QUALIFIED HEALTH PROFESSIONAL AS DEFINED IN 12-200-101 THROUGH 12-315-126, C.R.S., THAT THE CLIENT IS PHYSICALLY OR MENTALLY UNFIT FOR EMPLOYMENT.
- 4. RESIDING IN THE SAME PHYSICAL HOUSEHOLD WITH AN INDIVIDUAL WHO IS UNDER THE AGE OF EIGHTEEN (18). THE MINOR INDIVIDUAL DOES NOT HAVE TO BE INCLUDED IN THE SAME SNAP HOUSEHOLD FOR THIS EXCLUSION TO APPLY.
- AB. To fulfill the ABAWD work requirement, the ABAWD must be:

\*\*\*

Failure to meet the ABAWD work requirement will result in the ABAWD losing eligibility as a result of IF THEY ACCRUE the accruing three countable months within a thirty-six (36) calendar month period.

## 4.311.1 ABAWD Exemptions

ANY INDIVIDUAL WHO MEETS THE DEFINITION OF AN ABAWD CAN BE EXEMPT FROM THE ABAWD WORK REQUIREMENT BY MEETING ONE OF THE FOLLOW EXEMPTIONS: While ABAWDs can be exempt under general work requirement exemptions, these individuals could also meet one of the following ABAWD exemptions:

- A. Age eighteen (18) through the age of forty-nine (49);
- AB. Exempt from the general work requirements;
- C. Is residing in a household where a household member is under the age 18;
- BD. Pregnancy;
- C. A PERSON EXPERIENCING HOMELESSNESS, AS DEFINED IN SECTION 4.000.1;
- D. VETERANS;
- E. AGED TWENTY-FOUR (24) YEARS AND YOUNGER AND IN FOSTER CARE ON THEIR EIGHTEENTH (18<sup>TH</sup>) BIRTHDAY;
- FE. Exempt under a waiver approved by the USDA, FNS; OR
- GF. Exempt using Colorado defined state exemptions as identified in the current SNAP Employment and Training State Plan.

#### 4.401.1 Gross Income Limits

Effective October 1, 20232, the gross income levels for one hundred thirty percent (130%), two hundred percent (200%), and one hundred sixty-five percent (165%) of the federal poverty level for the corresponding household size are as follows:

Household	130% Gross Income	200% Gross Income	165% Gross Income
Size	Level	Level	Level
1	\$1,580 <del>473</del>	\$2, <mark>266</mark> 430	\$ <del>1,869</del> 2,005
2	\$2,137 <del>1,984</del>	\$3, <mark>052</mark> 288	\$2,712 <del>518</del>
3	\$2, <mark>694<del>495</del></mark>	\$ <del>3,840</del> 4,144	\$3,419 <del>167</del>
4	\$3, <mark>250<del>007</del></mark>	\$ <del>4,626</del> 5,000	\$ <del>3,8164</del> ,125
5	\$3, <mark>807<del>518</del></mark>	\$5, <mark>412</mark> 858	\$4, <mark>465</mark> 832
6	\$4, <mark>364<del>029</del></mark>	\$6, <del>200</del> 714	\$5, <del>114</del> 539
7	\$4,921 <del>541</del>	\$ <del>6,986</del> 7,570	\$6,246 <del>5,763</del>
8	\$5, <mark>478<del>052</del></mark>	\$ <del>7,772</del> 8,428	\$6, <mark>9524<del>12</del></mark>
Each additional	+\$557 <mark>12</mark>	+788858	+\$707 <del>649</del>
person			

#### 4.401.2 Net Income Levels

Effective October 1, 20223, the net income level of one hundred percent (100%) of the federal poverty level for the corresponding household size is as follows:

Household Size	100% Net Income Level
1	\$1, <del>133</del> 215
2	\$1, <del>526</del> 644
3	\$ <del>1,920</del> 2,072
4	\$2, <mark>313</mark> 500
5	\$2, <del>706</del> 929
6	\$3, <del>100</del> 357
7	\$3, <mark>493</mark> 785
8	\$ <del>3,886</del> 4,214
Each additional person	+\$ <del>394</del> 429

\*\*\*

## 4.407.1 Standard Deduction

A standard deduction of 8.31% of the federal poverty income guidelines for the household size as described in 4.401.2 will be used to calculate the amount that is allowed to all households. The established standard amount will be adjusted annually as announced by FNS, USDA. The calculation of 8.31% of the federal poverty income guidelines for eligible members will be used for all households up to the household size of six (6). All households with six (6) or more eligible members will use the six (6) person standard deduction.

	Standard Deduction Amount				
	Household Size	1- <mark>34</mark>	4	5	6+
Effective	e October 1, 202 <mark>32</mark>	\$19 <mark>83</mark>	\$208	\$2 <mark>44<del>25</del></mark>	\$2 <mark>7958</mark>

\*\*\*

#### 4.407.3 Excess Shelter Deduction

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B. A shelter deduction cap, as specified below, applies to households that do not contain a person who is aged sixty (60) and older or a person with a disability as defined in Section 4.304.41. Those households containing a person who is aged sixty (60) and older and/or a person with a disability shall receive an excess shelter deduction for the monthly cost of shelter that exceeds fifty percent (50%) of the household's monthly income after all other applicable deductions.

Shelter Deduction Cap		
Effective October 1, 20232 \$67224		

C. Households in which all individuals are experiencing homelessness and are not receiving free shelter throughout the calendar month shall be entitled to use a standard estimate of shelter expenses.

The FNS, USDA, provides an update of this estimated figure annually when the shelter cap for other households is adjusted. The Homeless Shelter Deduction is as follows:

Homeless Shelter Deduction		
Effective October 1, 20232 \$179.66166.81		

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#### 4.407.31 Four-Tiered Mandatory Standard Utility Allowance

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A. Heating and Cooling Utility Allowance (HCUA)

\*\*\*

4. The HCUA standard is as follows:

HCUA Standard	
Effective October 1, 20232	\$5 <mark>6031</mark>

B. Basic Utility Allowance (BUA)

\*\*\*

3. The BUA standard is as follows:

BUA Standard	
Effective October 1, 20232	\$3 <mark>5638</mark>

C. One Utility Allowance (OUA)

\*\*\*

3. The OUA standard is as follows:

OUA Standard	
Effective October 1,	\$6 <mark>74</mark>
202 <mark>32</mark>	

#### D. Telephone allowance

\*\*\*

2. The telephone allowance is as follows:

Telephone Standard		
Effective October 1,	\$91 <del>86</del>	
202 <mark>32</mark>		

\*\*\*

## 4.408 RESOURCE ELIGIBILITY STANDARDS

\*\*\*

E. The resource limits are as follows:

Effective October 1, 20232, the resource limit for households that do contain a member who is aged sixty (60) and older and/or a person with a disability is four thousand two hundred and fifty dollars (\$4,250). The resource limit for households that do not contain a member who is aged sixty (60) and older and/or a person with a disability is two thousand seven hundred and fifty dollars (\$2,750).

\*\*\*