



HUNGER SOLUTIONS
NEW YORK UNITING POLICIES AND
PROGRAMS TO END HUNGER

Important Updates on ABAWD SNAP Time Limit in New York State

- 1. Updated List of Waived Areas for January 1 - March 31, 2020**
- 2. County by County Impacts of USDA Final Rule to Eliminate Waivers**
- 3. Fifteen States including NYS and NYC File Lawsuit Against Final Rule**

Several years ago, New York State reinstated a rule that restricts unemployed, childless adults to three months of SNAP benefits in a 36 month period unless they meet strict work rules, are exempt, or live in a waived area. In federal regulations, the rule is referred to as Able-Bodied Adults Without Dependents (ABAWD).

New Waivers for January to March 2020 Announced

The Office of Temporary Disability and Assistance (OTDA) released the list of [USDA approved waived areas for 2020](#), which include counties, cities, towns, and jurisdictions within the state that continue to have high unemployment rates and therefore are **waived from applying the time limit rule to SNAP recipients from January 1 - March 31, 2020**.

Highlights of 2020 waivers:

- 38 Counties have waivers (*35 counties outside of New York City/three counties within NYC*) - Schenectady County was added.
- 3 jurisdictions have waivers (*cities or towns within a county*) - City of Newburgh in Orange County no longer has a waiver.
- 7 Community Districts in Manhattan and Queens have waivers - Queens Community District 14 was added.

For a full list of the counties, jurisdictions and community districts that are waived see Hunger Solution New York's updated [desk guide](#). In areas that are currently enforcing the time-limit, community organizations can play an [important role in helping low-income adults keep their SNAP benefits](#) by educating clients who may be subject to the time limit rule and informing them of the actions they must take to keep their benefits.

County by County Impact of USDA Rule to Eliminate Waivers

In April 2020, a new final rule will take effect and it is estimated that only one county in NYS will be eligible for a waiver under the new criteria. See a [county-by-county list](#) of the number of people who will be newly subject to the time-limit rule. For additional information on the changes to the waiver criteria and estimates of people projected to lose benefits as a result of the rule change, visit our [ABAWD Time Limit web page](#).

Fifteen States Including NYS and NYC File Lawsuit Against USDA's Final Rule

On January 16, A group of 15 attorneys general and New York City filed multi-state litigation to prevent USDA from implementing the SNAP final rule that changes waiver criteria for areas with too few jobs. The litigation asks the court to find the rule unlawful and to issue an injunction to prevent it from taking effect on April 1, 2020.

More than 100,000 comments were submitted on the proposed rule, many of which detailed the great harm the rule change would cause.

Joining the attorneys general from the District of Columbia and New York State on the litigation are attorneys general from California, Connecticut, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, Oregon, Pennsylvania, Rhode Island, Vermont, and Virginia, along with New York City. A [press release](#) is available online.



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