

**461-135-0520**

**Effective 4-01-26**

**Time Limit and Special Requirements for ABAWD; SNAP**

This rule establishes the time limit and special requirements for receipt of Supplemental Nutrition Assistance Program (SNAP) benefits for certain adults.

- (1) Unless the context indicates otherwise, the following definitions apply to rules in OAR chapter 461:
  - (a) "Able-bodied adult without dependents (ABAWD)" means an individual 18 years of age or over, but under the age of 65, without dependents.
    - (A) For purposes of this rule, an individual is "without dependents" if there is no child under 14 years of age in the individual's *filing group* (see OAR [461-110-0310](#) and [461-110-0370](#)).
    - (B) For purposes of this rule, an individual is not "without dependents" when:
      - (i) A child under 14 years of age has joined the individual's *filing group*, has not yet been added to the individual's SNAP case due to being on another SNAP case, and the child will be added to the individual's SNAP case when the notice period ends (see OAR [461-175-0050](#)).
      - (ii) A child under 14 years of age has joined the individual's *filing group*, has not yet been added to the individual's SNAP case due to effective date provisions, and the child under age 14 will be added to the individual's SNAP case when effective date provisions allow (see OAR [461-180-0010](#)).

- (b) "SNAP time-limit areas" means areas of Oregon in which the limitation on *eligibility* (see OAR [461-001-0000](#)) for SNAP benefits for individuals with an ABAWD status in section 6(o)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)(2)) applies. Effective December 1, 2025, "SNAP time-limit areas" are:
- (A) All counties of Oregon except the Tribal areas and lands held in trust in subsection (c) of this section.
  - (B) Tribal areas and lands held in trust of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw; the Confederated Tribes of Grand Ronde; the Confederated Tribes of the Umatilla Indian Reservation; and the Confederated Tribes of Warm Springs.
- (c) "SNAP time-limit exempt areas" means areas of Oregon in which the limitation on *eligibility* for SNAP benefits contained in section 6(o)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)(2)) does not apply per a waiver approved by the United States Department of Agriculture. Effective December 1, 2025, "SNAP time-limit exempt areas" are: Tribal areas and lands held in trust of the Burns Paiute Tribe, the Confederated Tribes of Siletz Indians, the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians and the Klamath Tribes.
- (2) Effective January 1, 2025, except as provided otherwise in this rule, an individual with an ABAWD status who resides in one of the *SNAP time-limit areas* (see section (1)(b) of this rule) is ineligible to receive food benefits as a member of any household after the individual received food benefits for three *countable months* (see section (3) of this rule) during January 1, 2025 to December 31, 2027.
- (3) Effective January 1, 2025, "countable months" means months within the 36-month period of January 1, 2025, to December 31, 2027, in which an individual as a member of any household receives SNAP benefits in Oregon or in any other state, unless at least one of the following applies:

- (a) Benefits are prorated for the month.
- (b) An individual is exempt from the SNAP time limit for any part of the month for any of the following reasons:
  - (A) The individual resides for any part of the month in one of the *SNAP time-limit exempt areas* (see section (1) of this rule).
  - (B) The individual is pregnant.
  - (C) The individual meets the criteria under OAR [461-130-0310](#)(3)(a) or (b).
  - (D) The individual meets the definition of Indian, Urban Indian, or California Indian as defined by the Indian Health Care Improvement Act.
- (c) The individual participated in one or more of the activities in paragraphs (A) to (D) of this subsection for 20 hours per week averaged over the month. For purposes of this rule, 20 hours per week averaged monthly means 80 hours per month. (Activities may be combined in one month to meet the 20 hours per week averaged monthly requirement.)
  - (A) Work for pay, in exchange for goods or services, or unpaid work as a volunteer.
    - (i) Work in exchange for goods and services includes bartering and in-kind work.
    - (ii) Unpaid or voluntary work hours must be verified by the employer.
    - (iii) For self-employed individuals, countable income after deducting the costs of producing income (as described in OAR [461-145-0930](#)(4)) must average at least the federal minimum wage multiplied by 20 hours per week.

- (B) Participate in a program under the Workforce Investment Act of 1998, Pub. L. No. 105-220, 112 Stat. 936 (1998).
  - (C) Participate in a program under section 236 of the Trade Act of 1974, Pub. L. 93-618, 88 Stat. 2023, (1975) (19 U.S.C. 2296).
  - (D) Comply with the SNAP Employment and Training program requirements described in OAR [461-001-0020](#), [461-130-0305](#), and [461-130-0315](#). Work search activities must be combined with other work-related activities to equal 20 hours per week and may not exceed 9 hours per week.
- (d) The individual complied with the Workfare requirements in OAR [461-190-0500](#), or a comparable program.
- (4) To remove a *countable month*, an individual must report they were *exempt* or submit evidence to the Department they met the 80-hour activity requirement.
- (5) An individual with an ABAWD status who is ineligible under section (2) of this rule but otherwise eligible may regain *eligibility* if the requirements of subsections (a) or (b) of this section are met.
- (a) The individual becomes *exempt* under subsection (3)(b) of this rule. *Eligibility* regained under this subsection begins on the date the individual files a new application and continues as long as the individual is *exempt* and is otherwise eligible. If not eligible on the *filing date* (see OAR [461-115-0040](#)), *eligibility* begins the date all other *eligibility* requirements are met.
  - (b) The individual, during a consecutive 30-day period during which the individual is not receiving SNAP benefits, meets the requirements of subsection (3)(c) or (3)(d) of this rule.
    - (A) *Eligibility* regained under this subsection begins on the date the individual files a new application and continues as long as the individual meets the requirements of subsection (3)(c) or (3)(d) of this rule and is otherwise

eligible. If not eligible on the *filing date*, *eligibility* begins the date all other *eligibility* requirements are met.

- (B) There is no limit to how many times an individual may regain *eligibility* under this subsection during January 1, 2025, to December 31, 2027.
- (c) See OAR [461-180-0010](#) to add an individual to an open SNAP case after the individual has regained *eligibility* under this section.
- (6) An individual who regains *eligibility* under section (5) of this rule and later fails to comply with the participation requirements of subsection (3)(c) or (3)(d) of this rule may receive benefits for an additional three consecutive *countable months*. The *countable months* are determined as follows:
  - (a) If the individual stopped participation in a work program, *countable months* start when the Department notifies the individual they are no longer meeting the work requirement.
  - (b) If the individual stopped participation in a work program, *countable months* start when the individual notifies the Department they are no longer meeting the work requirement.
  - (c) If a change occurred which results in an individual becoming subject to the time limit in section (2) of this rule and the change was required to be reported under rules in OAR chapter 461, division 170, the *countable months* start when the change occurred.
  - (d) If a change occurred which results in an individual becoming subject to the time limit and the change was not required to be reported under rules in OAR chapter 461, division 170, *countable months* start when the Department obtains current information about the individual and determines if they meet any exemptions under subsection (3)(c) of this rule.
  - (e) An individual may only receive benefits without meeting the requirements of subsection (3)(c) or (3)(d) of this rule for no

more than a total of six *countable months* during January 1, 2025, to December 31, 2027.

- (7) The Department is authorizing the use of discretionary exemptions, granted by the Food and Nutrition Service, for individuals with an ABAWD status who are at risk of having their benefits closed or reduced. Under these special exemptions, individuals will be eligible to receive a discretionary exemption each month.
  - (a) Effective September 1, 2025, a discretionary exemption shall be issued for each month an individual meets one of the following:
    - (A) The individual resides in an area offering ABAWD support services but is not eligible for those support services due to lacking USCIS work authorization (also called employment authorization).
    - (B) The individual is a *resource parent* (see OAR [413-015-0115](#)) choosing not to apply for SNAP benefits for a foster child in their care and *household group* (see OAR [461-110-0210](#)).
  - (b) Effective February 1, 2026, a discretionary exemption shall be issued each month the individual resides in the following *SNAP time-limit areas* that do not offer ABAWD support services: Crook, Gilliam, Jefferson, Lake, Morrow, Sherman, and Wheeler counties.
  - (c) The following restrictions apply:
    - (A) A discretionary exemption is only valid for one month at a time.
    - (B) A discretionary exemption may not be granted for a previous month.
    - (C) The Department will not disqualify an individual with an ABAWD status from the SNAP program for non-

participation when they have been issued a discretionary exemption for the following month.

- (8) An individual with an ABAWD status is eligible for the following:
  - (a) A transportation payment to attend an initial in-person ABAWD orientation.
  - (b) Support payments necessary for completing the activities listed in the individual's case plan (see OAR [461-001-0020](#)) and as allowed under OAR [461-190-0360](#).
- (9) SNAP eligibility provisions in sections (1) and (3) of this rule implement section 10102 of Pub. L. 119-21, 139 Stat. 72 (2025), and are applied to existing SNAP cases as follows:
  - (a) For a *benefit group* whose SNAP eligibility is based on an application with a *filing date* of July 4, 2025, or after, the Department shall redetermine SNAP eligibility to apply the provisions of this rule.
  - (b) For a *benefit group* whose SNAP eligibility is based on an application with a *filing date* before July 4, 2025, the Department shall apply the provisions of this rule when SNAP eligibility is redetermined for any reason.
- (10) See OAR [461-135-0665](#) for SNAP eligibility provisions and effective dates that implement section 10102 of Pub. L. 119-21, 139 Stat. 72 (2025) in this rule for the time period October 1, 2025, through January 31, 2026.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.070](#), [411.121](#), [411.816](#)

Statutes/Other Implemented: ORS [409.010](#), [409.050](#), [411.060](#), [411.070](#), [411.121](#), [411.816](#), [411.825](#), [411.837](#), [419B.550](#), 7 USC 2015, 7 USC 2029, 7 CFR 273.7, 7 CFR 273.24, Financial Responsibility Act, H.R.1 3746, 118th Congress (2023)

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