

This is an emergency amendment to 8.139.500 NMAC Section 8 effective 10/1/2026.

8.139.500.8 BASIS OF ISSUANCE:

A. Income standards: Determination of need in SNAP is based on federal guidelines. Participation in the program is limited to households whose income is determined to be a substantial limiting factor in permitting them to obtain a nutritious diet. The net and gross income eligibility standards are based on the federal income poverty levels established in the Community Services Block Grant Act 42 USC 9902(2).

B. Gross income standards: The gross income eligibility standards for the 48 contiguous states, District of Columbia, Guam and the Virgin Islands is one hundred thirty percent of the federal income poverty levels for the 48 states and the District of Columbia. One hundred thirty percent of the annual income poverty guidelines is divided by 12 to determine monthly gross income standards, rounding the results upward as necessary. For households larger than eight, the increment in the federal income poverty guidelines is multiplied by one hundred thirty percent, divided by 12, and the results rounded upward if necessary.

C. Net income standards: The net income eligibility standards for the 48 contiguous states, District of Columbia, Guam and the Virgin Islands are the federal income poverty levels for the 48 contiguous states and the District of Columbia. The annual income poverty guidelines are divided by 12 to determine monthly net income eligibility standards, (results rounded upward if necessary). For households larger than eight, the increment in the federal income poverty guidelines is divided by 12, and the results rounded upward if necessary.

D. Yearly adjustment: Income eligibility limits are revised each October 1st to reflect the annual adjustment to the federal income poverty guidelines for the 48 contiguous states and the District of Columbia and can be found at [~~<https://www.fns.usda.gov/snap/cost-living-adjustment-cola-information>~~] SNAP Cost-of-Living Adjustment (COLA) Information | Food and Nutrition Administration.

E. Deductions and standards:

(1) Determination: Expense and standard deduction amounts are determined by federal guidelines and may be adjusted each year. Households eligible based on income and resource guidelines, and other relevant eligibility factors, are allowed certain deductions to determine countable income.

(2) Yearly adjustment: The expense and standard deductions may change each year. If federal guidelines mandate a change, it is effective each October 1st, and can be found at [~~<https://www.fns.usda.gov/snap/cost-living-adjustment-cola-information>~~] SNAP Cost-of-Living Adjustment (COLA) Information | Food and Nutrition Administration and [~~http://www.HCA.state.nm.us/LookingForInformation/Federal_Poverty_Level_Guidelines.aspx~~] Federal Poverty Level Guidelines - Income Eligibility – New Mexico Health Care Authority.

[8.139.500.8 NMAC - Rp 8.139.500.8 NMAC, 7/16/2024; A/E 10/1/2026]