

CHAPTER 267

AN ACT concerning the New Jersey Special Supplemental Nutrition Program for Women, Infants, and Children, and supplementing Title 26 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.26:1A-36.3f Definitions.

1. As used in this act:

“Food instrument” means a voucher, check, electronic benefits transfer card, coupon, or other document which is used by a participant in the WIC program to obtain supplemental foods.

“WIC” means the federal Special Supplemental Nutrition Program for Women, Infants, and Children, established pursuant to the “Child Nutrition Act of 1966,” Pub.L.89-642 (42 U.S.C. s.1771 et seq.).

C.26:1A-36.3g WIC benefits, eligible foods, online purchasing, delivery charges.

2. a. An individual who receives benefits under the WIC program may, to the extent authorized by the WIC program or any waivers obtained by the Department of Health pursuant to subsection b. of this section, be permitted to:

(1) purchase WIC-eligible foods using the online platform of an authorized New Jersey WIC vendor, including an approved vendor which operates predominantly as an online retailer; and

(2) utilize funds available through any New Jersey WIC food instrument to pay the delivery charge levied by an authorized New Jersey WIC vendor for home delivery of the individual’s WIC-eligible purchase.

b. The Commissioner of Health shall apply to the Food and Nutrition Service within the United States Department of Agriculture for participation in any waivers or approvals made available by the WIC program to implement the provisions of this section.

3. The Commissioner of Health shall adopt such rules and regulations, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to implement the provisions of this act.

4. This act shall take effect immediately.

Approved January 16, 2024.