

CHAPTER 329

AN ACT concerning food security and amending and supplementing P.L.2021, c.242.

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

1. Section 2 of P.L.2021, c.242 (C.52:27J-2) is amended to read as follows:

C.52:27J-2 Definitions.

2. As used in P.L.2021, c.242 (C.52:27J-1 et seq.):

“Emergency food organization” means a food bank which receives funding for Food and Hunger Programs pursuant to an annual State appropriations act.

"Food insecurity program" means a nutrition program in this State that provides nutrition assistance to individuals without reliable access to a sufficient quantity of affordable, nutritious food and includes, but is not limited to, the New Jersey Supplemental Nutrition Assistance Program, the New Jersey Supplemental Nutrition Program for Women Infants and Children, the Commodity Supplemental Food program, the Senior Farmers Market Nutrition Program, the Child and Adult Care Program, and the United States Department of Agriculture's school nutrition program.

C.52:27J-7 Monies appropriated, emergency food organizations, funding allocations; report, Office of the Food Security Advocate.

2. a. Notwithstanding any other law, rule, or regulation to the contrary, of the monies appropriated to emergency food organizations pursuant to an annual appropriations act:

- (1) 10 percent of each emergency food organization's funding allocation shall be expended on New Jersey agricultural products, and may include expenditures related to agricultural capital investment and innovation;

- (2) up to 30 percent of each emergency food organization's funding allocation may be used for administrative and staffing costs and the purchase of capital investments or infrastructure, including for the purchase of necessary technology, vehicles, and storage requirements including refrigeration or dry space; and

- (3) no less than 60 percent of each emergency food organization's State funding allocation shall be used to support local distribution agencies. Support for local distribution agencies includes the purchasing of food that fulfills local distribution agencies' stated needs, the awarding of cash funds to local distribution agencies, or the reimbursement of local distribution agencies based on costs incurred by each agency. Emergency food organizations shall be permitted to apply to the Office of the Food Security Advocate for a waiver to utilize these funds to fill a demonstrated need for a program that supports local distribution agencies.

- b. The Office of the Food Security Advocate, in consultation with the emergency food organizations, shall develop a process for eliciting and gathering data about local distribution agencies' food and capacity needs. Each emergency food organization, shall use the identified process and the resulting data to develop a data-informed plan for the equitable support of local distribution agencies. Each plan shall be tailored to the service area and needs of the emergency food organization, and shall provide for purchasing on behalf of local distribution agencies based on a stated need, the awarding of cash funds to local distribution agencies, or reimbursements to local distribution agencies based on costs incurred by each agency.

- c. Each emergency food organization shall provide a written report, on a monthly basis, to the Office of the Food Security Advocate, which details the following expenditures of State funds:

- (1) the aggregate total of financial support provided to local distribution agencies;
 - (2) the name of each of local distribution agency that received funding or other assistance in the specific month and the amount of funding and assistance received; and
 - (3) an aggregated list summarizing the capital purchases made by emergency food organizations and local distribution agencies in the month.
- d. The allotment of funding to emergency food organizations shall be contingent upon the successful implementation of the plan developed pursuant to subsection b. of this section and the satisfaction, by such emergency food organizations, of the fiscal and programmatic requirements and other contractual obligations detailed in their contracts.

3. This act shall take effect immediately.

Approved January 16, 2024.