ASSEMBLY, No. 2653

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Requires DHS to ensure that expedited benefits under Supplemental Nutrition Assistance Program (SNAP) are made available to certain households.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning benefits under the federal Supplemental Nutrition Assistance Program and supplementing Title 44 of the Revised Statutes.

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

1. As used in this act:

"Commissioner" means the Commissioner of Human Services.

"Community shelter for victims of domestic violence" means "community shelter for victims of domestic violence" as defined in section 2 of P.L.1978, c.159 (C.40:55D-66.2).

"County welfare agency" means a county welfare agency or board of social services.

"Department" means the Department of Human Services.

"Residential substance use disorders treatment facility" means a facility regulated by the department pursuant to P.L.1970, c.334 (C.26:2G-21 et seq.).

"Supplemental Nutrition Assistance Program" or "SNAP" means the federal Supplemental Nutrition Assistance Program, established pursuant to the "Food and Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

2. a. The Department of Human Services shall ensure that an expedited application for benefits under the Supplemental Nutrition Assistance Program is made available to eligible households, by utilizing procedures adopted by regulation of the commissioner that expedite the issuance of benefits for:

(1) a household with less than $150 in monthly gross income, provided that the liquid resources of the household do not exceed $100;

(2) a migrant or seasonal farm worker household that is destitute, as defined by regulation of the commissioner, provided that the household's liquid resources do not exceed $100; and

(3) an eligible household that has combined monthly gross income and liquid resources that are less than the monthly rent or mortgage payment plus utility expenses of the household.

b. The calculations made pursuant to paragraphs (1), (2), and (3) of subsection a. of this section shall be made in accordance with regulations adopted by the commissioner.

c. A household that is certified to receive SNAP benefits on an expedited basis pursuant to this section shall be assigned a minimum certification period of two calendar months.

3. a. For a household that is entitled to expedited processing of an application for benefits under section 2 of this act, the county welfare agency administering the SNAP program shall make the SNAP benefits available to the household no later than the seventh

calendar day following the date on which an application was filed for those benefits.

b. For an applicant who is a resident of a residential substance use disorders treatment facility, community shelter for victims of domestic violence, or other group living arrangement as provided for by regulation of the commissioner, who is entitled to expedited processing of an application for benefits under section 2 of this act, the county welfare agency administering the SNAP program shall make the SNAP benefits available to the resident no later than the seventh calendar day following the date on which an application was filed for those benefits.

c. For a resident of a public institution who applies for the federal Supplemental Security Income program under the Social Security Administration's Prerelease Program for the Institutionalized, benefits under the SNAP program shall be made available to the resident within seven calendar days following the date of the resident's release from the institution.

d. (1) If a household is entitled to expedited processing of an application for benefits under section 2 of this act, and also qualifies for a waiver of an in-office interview under regulations adopted by the commissioner, the county welfare agency shall, unless unable to reach the household, conduct a home interview, complete the application, and make SNAP benefits available to the household no later than the seventh calendar day following the date on which the application was filed for those benefits.

(2) If the application is not complete and the county welfare agency conducts a telephone interview and needs to mail the application to the household for signature, the mailing time, defined as the days the application is in the mail to and from the household and the days the application is in the household's possession pending signature and mailing, shall not be counted toward meeting the requirement to make SNAP benefits available no later than the seventh calendar day following the date on which an application was filed for those benefits.

e. If a household is initially determined not to be entitled to an expedited application for benefits pursuant to section 2 of this act, and the county welfare agency subsequently determines that the household is entitled to an expedited application for SNAP benefits, the county welfare agency shall process the application for benefits within the seven calendar days specified in this section, which shall begin on the date that the household was determined by the county welfare agency to be entitled to the expedited processing of its application.

4. The Commissioner of Human Services, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of this act; except that, notwithstanding any provision of

P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the commissioner may adopt, immediately upon filing with the Office of Administrative Law, such regulations as the commissioner deems necessary to implement the provisions of this act, which shall be effective for a period not to exceed six months and may thereafter be amended, adopted or re-adopted by the commissioner in accordance with the requirements of P.L.1968, c.410 (C.52:14B-1 et seq.).

5. This act shall take effect immediately.

STATEMENT

This bill provides that the Department of Human Services is to ensure that an expedited application for benefits under the Supplemental Nutrition Assistance Program (SNAP) program, formerly known as the Food Stamp program, is made available to certain households, by utilizing procedures that expedite the issuance of benefits for: 1) a household with less than $150 in monthly gross income, provided that the liquid resources of the household do not exceed $100; 2) a migrant or seasonal farm worker household that is destitute, as defined by regulation of the commissioner, provided that the household's liquid resources do not exceed $100; and 3) an eligible household with combined monthly gross income and liquid resources that are less than the monthly rent or mortgage payment plus utility expenses of the household. These SNAP benefits are to be provided for a minimum period of two calendar months.

The bill also specifies the particulars for making the benefits available. For a household that is entitled to expedited processing of an application, the county welfare agency administering the SNAP program is to make the benefits available no later than the seventh calendar day following the date on which an application was filed for those benefits. Similarly, for an applicant who is a resident of a substance use disorders treatment facility, community shelter for victims of domestic violence, or other group living arrangement, benefits are also to be made available no later than the seventh calendar day following the date on which an application was filed. In the case of a resident of a public institution who applies for the federal Supplemental Security Income program under the Social Security Administration's Prerelease Program for the Institutionalized, SNAP benefits are to be made available within seven calendar days following the date of the resident's release from the institution.

Lastly, if a household is initially determined not to be entitled to an expedited application for SNAP benefits, and the county welfare agency subsequently determines that the household is entitled to an

expedited application for benefits, the county welfare agency is to process the application within the seven calendar days specified in the bill, which would begin on the date that the household was determined by the county welfare agency to be entitled to the expedited processing of its application.