

ASSEMBLY, No. 2892

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Establishes Restaurant Meals Program in DHS; permits certain individuals to use SNAP benefits at approved restaurants; requires participation by certain restaurants operated by institutions of higher education.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2020)

1 AN ACT establishing a Restaurant Meals Program and
2 supplementing Title 44 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 “Approved Food Vendor” means a restaurant located in an
9 eligible county and approved by the applicable county welfare
10 agency to accept SNAP benefits from eligible homeless, disabled,
11 or elderly individuals for the purchase of food at low or reduced
12 prices.

13 “Commissioner” means the Commissioner of Human Services.

14 “Department” means the Department of Human Services.

15 “Eligible county” means a county in the State in which homeless,
16 disabled, or elderly individuals eligible for participation in the
17 SNAP are underserved, as determined by the Department of Human
18 Services.

19 “Restaurant” means any facility in which food is prepared for
20 consumption on the premises, in compliance with all federal, State,
21 and local health and safety laws, regulations, and ordinances, and
22 purchased in the facility by consumers.

23 “Program” or “RMP” means a Restaurant Meals Program
24 established pursuant to this act and in a manner consistent with
25 federal statute and regulation, including those requirements outlined
26 in 7 U.S.C. s.2020(e)(25).

27 “SNAP” means the New Jersey Supplemental Nutrition
28 Assistance Program, established pursuant to the federal “Food and
29 Nutrition Act of 2008,” Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

30

31 2. The department shall establish a Restaurant Meals Program
32 (RMP), within the New Jersey Supplemental Nutrition Assistance
33 Program (SNAP), to allow eligible homeless, disabled, or elderly
34 individuals to use SNAP benefits at approved food vendors. The
35 program shall be administered by the department, in conjunction
36 with the State’s county welfare agencies, in a manner consistent
37 with federal statute and regulation, including those requirements
38 outlined in 7 U.S.C. s.2020(e)(25).

39

40 3. a. The department shall:

41 (1) annually issue guidance to all county welfare agencies
42 indicating which counties are eligible to participate in the RMP, and
43 instructions for participating in the RMP and appealing a non-
44 eligible determination; and

45 (2) provide that the electronic benefit distribution system
46 implemented by the department pursuant to section 5 of
47 P.L.1997, c.37 (C.44:10-75) allows all SNAP recipients who are

1 eligible for the RMP to utilize their benefits at all approved food
2 vendors.

3 b. Under the oversight of the department, each county welfare
4 agency located in an eligible county that elects to participate in the
5 RMP shall, to the extent permitted by federal law, determine the
6 number, type, and location of restaurants to include as approved
7 food vendors in the program. A county welfare agency shall
8 consider the agency's administrative capacity, the location of
9 participating restaurants, and SNAP recipient demand within the
10 county in making this determination.

11

12 4. Each public or private institution of higher education in the
13 State that is located in an eligible county that elects to participate in
14 the RMP, pursuant to section 3 of this act, shall:

15 a. apply to become an approved food vendor in the program, if
16 the institution operates any qualifying on-campus restaurants;

17 b. annually provide all on-campus restaurants not operated by the
18 institution with information regarding the RMP and the manner in
19 which to apply for the program; and

20 c. annually inform enrolled students about the program if an on-
21 campus restaurant has been approved as a food vendor in the RMP.

22

23 5. The commissioner shall issue a report no later than six
24 months following the effective date of this act, and annually
25 thereafter, to the Governor and, pursuant to section 2 of
26 P.L.1991, c.164 (C.52:14-19.1), to the Legislature, which shall
27 include, but not be limited to, the following information regarding
28 the RMP: the counties eligible for participation and those that elect
29 to participate; the names and addresses of all approved food
30 vendors in each participating county; and the number of SNAP
31 recipients participating in the program by county. The report shall
32 also specify approved food vendor and participant information
33 regarding the program's implementation at institutions of higher
34 education throughout the State.

35

36 6. The Commissioner of Human Services shall adopt rules and
37 regulations pursuant to the "Administrative Procedure Act"
38 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of
39 this act.

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41 7. This act shall take effect immediately.

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44 STATEMENT

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46 This bill establishes a Restaurant Meals Program (RMP), within
47 the New Jersey Supplemental Nutrition Assistance Program (SNAP
48 – formerly the Food Stamp Program), in the Department of Human

1 Services. The RMP is to be administered by the department, in
2 conjunction with the State's county welfare agencies, in a manner
3 consistent with federal statute and regulation, including those
4 requirements outlined in 7 U.S.C. s.2020(e)(25).

5 Generally, federal law prohibits SNAP benefits from being used
6 to purchase prepared food at restaurants. However, through the
7 RMP, states have the option to allow eligible homeless, disabled, or
8 elderly individuals to use SNAP benefits at approved restaurants
9 that offer food at low or reduced prices. The goal of this program is
10 to provide certain vulnerable SNAP participants, who may not have
11 the means to store and prepare food, access to meals.

12 Under the bill, the department is required to: 1) annually issue
13 guidance to all county welfare agencies indicating which counties
14 are eligible to participate in the RMP, and instructions for
15 participating in the RMP and appealing a non-eligible
16 determination; and 2) provide that the electronic benefit distribution
17 system used by SNAP recipients to purchase food can also be
18 utilized by participants in the RMP at all approved food vendors.

19 Under the oversight of the department, each county welfare
20 agency located in an eligible county that elects to participate in the
21 RMP is responsible for determining the number, type, and location
22 of restaurants to include as approved food vendors in the program.
23 County welfare agencies must consider the agency's administrative
24 capacity, the location of participating restaurants, and SNAP
25 recipient demand within the county in making this determination.

26 Each public or private institution of higher education in the State
27 that is located in an eligible county that elects to participate in the
28 RMP must apply to become an approved food vendor in the program,
29 if the institution operates any qualifying on-campus restaurants.
30 Furthermore, the institution must annually: 1) provide all on-campus
31 restaurants not operated by the institution with information regarding
32 the RMP and the manner in which to apply, and 2) inform enrolled
33 students about the program if an on-campus restaurant has been
34 approved as a food vendor in the RMP.

35 Under the bill, the Commissioner of Human Services is required
36 to issue a report no later than six months following the effective
37 date of the bill, and annually thereafter, to the Governor and to the
38 Legislature that includes, but is not limited to, the following
39 information regarding the RMP: the counties eligible for
40 participation and those that elect to participate; the names and
41 addresses of all approved food vendors in each participating county;
42 and the number of SNAP recipients participating in the program by
43 county. The report must also specify approved food vendor and
44 participant information regarding the program's implementation at
45 institutions of higher education throughout the State.