

ASSEMBLY, No. 4242

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Requires DHS to conduct public outreach regarding noncitizen SNAP participation.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the participation of noncitizens in the New
2 Jersey Supplemental Nutrition Assistance Program and
3 supplementing Title 44 of the Revised Statutes.

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

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8 1. a. The Department of Human Services, working in
9 consultation and cooperation with relevant noncitizen advocacy
10 organizations, shall engage in comprehensive outreach efforts and
11 public awareness campaigns to ensure that all noncitizens are made
12 aware of how participation in SNAP affects whether a noncitizen
13 applying for admission or adjustment of status is inadmissible to the
14 United States, pursuant to the federal “Inadmissibility on Public
15 Charge Grounds” rule (84 FR 41292). At a minimum, the
16 department shall provide outreach at social service agencies that
17 serve noncitizens in the State and other organizations focused on
18 food assistance, and may use all available media, including print,
19 radio, televisions, and the Internet to provide information in
20 multiple languages on how participation in SNAP specifically
21 affects whether a noncitizen applying for admission or adjustment
22 of status is inadmissible to the United States and which types of
23 noncitizens are exempt from the rule.

24 b. As used in this section:

25 “Department” means the Department of Human Services.

26 “SNAP” means the New Jersey Supplemental Nutrition
27 Assistance Program, established pursuant to the federal “Food and
28 Nutrition Act of 2008,” Pub.L.110-246 (7 U.S.C. s.2011 et seq.)
29 and P.L.1998, c.32 (C.44: et seq.).

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31 2. The Commissioner of Health, pursuant to the
32 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
33 1 et seq.), shall promulgate rules and regulations to effectuate the
34 provisions of this act.

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36 3. This act shall take effect immediately.

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STATEMENT

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41 This bill requires the Department of Human Services to engage
42 in comprehensive outreach efforts to ensure that all noncitizens are
43 made aware of how participation in the New Jersey Supplemental
44 Nutrition Assistance Program (SNAP) affects whether a noncitizen
45 applying for admission or adjustment of status is inadmissible to the
46 United States, pursuant to the federal “Inadmissibility on Public
47 Charge Grounds” rule (84 FR 41292) also known as the “public
48 charge rule.” The bill would require the department to work in

1 consultation and cooperation with noncitizen advocacy
2 organizations in performing this outreach.

3 The recent expansion to the federal “Inadmissibility on Public
4 Charge Grounds” rule has casted uncertainty and confusion within
5 the noncitizen community, as to whether participation in a noncash
6 government benefits program such as SNAP affects whether a
7 noncitizen applying for admission or adjustment of status is
8 inadmissible to the United States. As a result, many noncitizen
9 families are hesitant to apply to SNAP, even if those noncitizens are
10 eligible for SNAP and exempt from the “public charge rule.” Non-
11 citizens exempt from the “public charge rule” include refugees,
12 asylees, Afghans and Iraqis with special immigrant visas, certain
13 nonimmigrant trafficking and crime victims, individuals applying
14 under the federal “Violence Against Women Act,” special
15 immigrant juveniles, and those to whom the United States
16 Department of Homeland Security has granted a waiver of public
17 charge inadmissibility. In order to maximize participation in
18 SNAP, this bill helps ensure that noncitizens are fully aware of how
19 participation in the program may or may not affect inadmissibility
20 into the United States, pursuant to 84 FR 41292.