SENATE, No. 738

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Senator ANTHONY M. BUCCO
District 25 (Morris and Somerset)

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SYNOPSIS

Provides for student recipients of educational opportunity funds to be exempt from 20 hour weekly work requirement ordinarily required for student SNAP participation.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning the 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. a. The Department of Human Services shall authorize a student of higher education who is the recipient of an award from the New Jersey Educational Opportunity Fund to obtain nutrition assistance benefits under the Supplemental Nutrition Assistance Program, regardless of whether the student satisfies the 20 hour weekly student work requirement established by federal law at 7 CFR 273.5(b)(5).

b. (1) The provisions of subsection a. of this section shall remain inoperative until such time as the federal Food and Nutrition Service approves the change in, and authorizes a waiver of, existing federal student work requirements for the students identified in subsection a. of this section.

(2) Within 90 days after the effective date of this section, the commissioner shall: (a) apply to the federal Food and Nutrition Service to secure any appropriate federal approvals or waivers that may be necessary to implement and enforce the provisions of this section; and (b) take any additional actions as may be necessary to ensure that the State's implementation of this section is done in compliance with all applicable provisions of federal and State law and regulation.

c. Following the receipt of necessary federal approvals and waivers, as provided by subsection b. of this section, the department shall implement and enforce the provisions of this section. In so doing, the department shall institute a public awareness campaign that is designed to inform high school seniors and students of higher education about the new SNAP eligibility criteria applicable to Educational Opportunity Fund award recipients under this section.

d. As used in this section:

"Commissioner" means the Commissioner of Human Services.

"Department" means the Department of Human Services.

"Educational Opportunity Fund" means the fund established pursuant to section 4 of P.L.1968, c.142 (C.18A:71-31), which provides financial assistance to needy students to attend institutions of higher education.

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

2. The Department of Human Services shall adopt 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.

3. This act shall take effect immediately.

STATEMENT

This bill would require the Department of Human Services (DHS) to authorize a student of higher education who is the recipient of an award from the New Jersey Educational Opportunity Fund to obtain nutrition assistance benefits under the State's Supplemental Nutrition Assistance Program (SNAP), regardless of whether the student satisfies the 20 hour weekly work requirement, established by federal law at 7 CFR 273.5(b)(5), which is ordinarily required for students of higher education to participate in SNAP. The Educational Opportunity Fund provides financial assistance to needy students, in order to enable them to attend institutions of higher education.

Because SNAP was established pursuant to federal law, and because the program is subject to compliance with certain minimum federally-established work requirements and eligibility criteria, the bill's relaxation of work requirements for Educational Opportunity Fund award recipients will not take effect until such time as the federal Food and Nutrition Service (FNS) approves the change in, and authorizes a waiver of, existing federal student work requirements for the students identified in the bill.

The bill would require the Commissioner of Human Services, within 90 days after the bill's effective date, to: 1) apply to the FNS to secure any appropriate federal approvals or waivers that may be necessary to implement and enforce the bill's provisions; and 2) take any additional action as may be necessary to ensure that the State's implementation of the bill is done in compliance with all applicable provisions of federal and State law and regulation.

Following the receipt of the necessary federal approvals and waivers, the DHS will be required to implement and enforce the bill's expanded SNAP eligibility requirements for Educational Opportunity Fund award recipients. In so doing, the DHS would be required to institute a public awareness campaign that is designed to inform high school seniors and students of higher education about the new SNAP eligibility criteria applicable to these award recipients.