

SENATE, No. 2647

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 30, 2020

Sponsored by:

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

Senator NELLIE POU

District 35 (Bergen and Passaic)

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

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

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

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

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

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

34 d. As used in this section:

35 "Commissioner" means the Commissioner of Human Services.

36 "Department" means the Department of Human Services.

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

41 "Supplemental Nutrition Assistance Program" or "SNAP" means
42 the New Jersey Supplemental Nutrition Assistance Program,
43 established pursuant to the federal "Food and Nutrition Act of
44 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

45
46 2. The Department of Human Services shall adopt rules and
47 regulations, pursuant to the "Administrative Procedure Act,"

1 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
2 implement the provisions of this act.

3

4 3. This act shall take effect immediately.

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STATEMENT

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

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

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

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