

# SENATE, No. 3251

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**SYNOPSIS**

Establishes ReadyReturn program; requires Taxation to prepare initial tax filing for certain taxpayers; requires several State agencies to use tax data to facilitate identification and enrollment for certain social services programs; makes an appropriation.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** requiring certain State agencies to use available data to  
2       streamline processes for individuals filing income tax returns and  
3       making public assistance applications, amending and  
4       supplementing various parts of the statutory law, and making an  
5       appropriation.

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

9  
10      1. The Legislature finds and declares that:

11      a. Each year, many low-income New Jersey residents do not  
12      file State or federal income tax returns because their annual income  
13      falls below the minimum threshold established for filing State and  
14      federal tax returns, and the residents do not realize that they may  
15      qualify for the federal and State Earned Income Tax Credit. Other  
16      State residents may not file tax returns because: 1) the individuals  
17      have difficulty accessing requisite tax forms, 2) the taxpayers did  
18      not receive their tax documents in the mail, or 3) the individuals  
19      may find the task of completing and mailing State and federal tax  
20      returns to be overly time consuming or burdensome. These  
21      taxpayers may be more likely to file a tax return if they had access  
22      to free assistance in preparing and filing State and federal tax  
23      returns.

24      b. While New Jersey offers a broad range of social services  
25      programs to serve low-income residents, many individuals do not  
26      apply for all of the programs for which they qualify, for a variety of  
27      reasons, including, but not limited to:

28          (1) individuals may be unaware of the range of programs for  
29          which they may qualify;

30          (2) some individuals seeking social services may be discouraged  
31          by the need to complete separate and complex applications for each  
32          assistance program; and

33          (3) many State residents find the task of locating and gathering  
34          the various income and financial information required to apply for  
35          each safety net program overly burdensome.

36      c. The Division of Taxation within the Department of the  
37      Treasury has ready access to a taxpayer's wage information, as  
38      reported to the division by the taxpayer's employer.

39      d. Residents of New Jersey would greatly benefit from a  
40      program that harnesses the State's existing tax filing process to  
41      facilitate low income residents in accessing essential safety net  
42      benefits.

43      e. Such a program would ultimately increase State revenues,  
44      since it would increase the number of residents filing taxes, and

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 would result in a savings to the State by creating efficiencies in  
2 enrolling residents in social services programs.

3  
4 2. R.S.54:50-8 is amended to read as follows:

5 54:50-8. a. The records and files of the director respecting the  
6 administration of the State Uniform Tax Procedure Law or of any  
7 State tax law shall be considered confidential and privileged and  
8 neither the director nor any employee engaged in the administration  
9 thereof or charged with the custody of any such records or files, nor  
10 any former officer or employee, nor any person who may have  
11 secured information therefrom under subsection d., e., f., g., p.,  
12 **【or】** q., or r. of R.S.54:50-9 or any other provision of State law,  
13 shall divulge, disclose, use for their own personal advantage, or  
14 examine for any reason other than a reason necessitated by the  
15 performance of official duties any information obtained from the  
16 said records or files or from any examination or inspection of the  
17 premises or property of any person. Neither the director nor any  
18 employee engaged in such administration or charged with the  
19 custody of any such records or files shall be required to produce any  
20 of them for the inspection of any person or for use in any action or  
21 proceeding except when the records or files or the facts shown  
22 thereby are directly involved in an action or proceeding under the  
23 provisions of the State Uniform Tax Procedure Law or of the State  
24 tax law affected, or where the determination of the action or  
25 proceeding will affect the validity or amount of the claim of the  
26 State under some State tax law, or in any lawful proceeding for the  
27 investigation and prosecution of any violation of the criminal  
28 provisions of the State Uniform Tax Procedure Law or of any State  
29 tax law.

30 b. The prohibitions of this section, against unauthorized  
31 disclosure, use or examination by any present or former officer or  
32 employee of this State or any other individual having custody of  
33 such information obtained pursuant to the explicit authority of State  
34 law, shall specifically include, without limitation, violations  
35 involving the divulgence or examination of any information from or  
36 any copy of a federal return or federal return information required  
37 by New Jersey law to be attached to or included in any New Jersey  
38 return. Any person violating this section by divulging, disclosing or  
39 using information shall be guilty of a crime of the fourth degree.  
40 Any person violating this section by examining records or files for  
41 any reason other than a reason necessitated by the performance of  
42 official duties shall be guilty of a disorderly persons offense.

43 c. Whenever records and files are used in connection with the  
44 prosecution of any person for violating the provisions of this section  
45 by divulging, disclosing or using records or files or examining  
46 records and files for any reason other than a reason necessitated by  
47 the performance of official duties, the defendant shall be given  
48 access to those records and files. The court shall review such

1 records and files in camera, and that portion of the court record  
2 containing the records and files shall be sealed by the court.

3 (cf: 2019, c.367, s.1)

4  
5 3. R.S.54:50-9 is amended to read as follows:

6 54:50-9. Nothing herein contained shall be construed to prevent:

7 a. The delivery to a taxpayer or the taxpayer's duly authorized  
8 representative of a copy of any report or any other paper filed by  
9 the taxpayer pursuant to the provisions of this subtitle or of any  
10 such State tax law;

11 b. The publication of statistics so classified as to prevent the  
12 identification of a particular report and the items thereof;

13 c. The director, in the director's discretion and subject to  
14 reasonable conditions imposed by the director, from disclosing the  
15 name and address of any licensee under any State tax law, unless  
16 expressly prohibited by such State tax law;

17 d. The inspection by the Attorney General or other legal  
18 representative of this State of the reports or files relating to the  
19 claim of any taxpayer who shall bring an action to review or set  
20 aside any tax imposed under any State tax law or against whom an  
21 action or proceeding has been instituted in accordance with the  
22 provisions thereof;

23 e. The examination of said records and files by the  
24 Comptroller, State Auditor or State Commissioner of Finance, or by  
25 their respective duly authorized agents;

26 f. The furnishing, at the discretion of the director, of any  
27 information contained in tax reports or returns or any audit thereof  
28 or the report of any investigation made with respect thereto, filed  
29 pursuant to the tax laws, to the taxing officials of any other state,  
30 the District of Columbia, the United States and the territories  
31 thereof, providing said jurisdictions grant like privileges to this  
32 State and providing such information is to be used for tax purposes  
33 only;

34 g. The furnishing, at the discretion of the director, of any  
35 material information disclosed by the records or files to any law  
36 enforcing authority of this State who shall be charged with the  
37 investigation or prosecution of any violation of the criminal  
38 provisions of this subtitle or of any State tax law;

39 h. The furnishing by the director to the State agency  
40 responsible for administering the Child Support Enforcement  
41 program pursuant to Title IV-D of the federal Social Security Act,  
42 Pub.L.93-647 (42 U.S.C. s.651 et seq.), with the names, home  
43 addresses, social security numbers and sources of income and assets  
44 of all absent parents who are certified by that agency as being  
45 required to pay child support, upon request by the State agency and  
46 pursuant to procedures and in a form prescribed by the director;

47 i. The furnishing by the director to the Board of Public  
48 Utilities any information contained in tax information statements,

1 reports or returns or any audit thereof or a report of any  
2 investigation made with respect thereto, as may be necessary for the  
3 administration of P.L.1991, c.184 (C.54:30A-18.6 et al.) and  
4 P.L.1997, c.162 (C.54:10A-5.25 et al.);

5 j. The furnishing by the director to the Director of the Division  
6 of Alcoholic Beverage Control in the Department of Law and  
7 Public Safety any information contained in tax information  
8 statements, reports or returns or any audit thereof or a report of any  
9 investigation made with respect thereto, as may be relevant, in the  
10 discretion of the director, in any proceeding conducted for the  
11 issuance, suspension or revocation of any license authorized  
12 pursuant to Title 33 of the Revised Statutes;

13 k. The inspection by the Attorney General or other legal  
14 representative of this State of the reports or files of any tobacco  
15 product manufacturer, as defined in section 2 of P.L.1999, c.148  
16 (C.52:4D-2), for any period in which that tobacco product  
17 manufacturer was not or is not in compliance with subsection a. of  
18 section 3 of P.L.1999, c.148 (C.52:4D-3), or of any licensed  
19 distributor as defined in section 102 of P.L.1948, c.65 (C.54:40A-  
20 2), for the purpose of facilitating the administration of the  
21 provisions of P.L.1999, c.148 (C.52:4D-1 et seq.);

22 l. The furnishing, at the discretion of the director, of  
23 information as to whether a contractor or subcontractor holds a  
24 valid business registration as defined in section 1 of P.L.2001, c.134  
25 (C.52:32-44);

26 m. The furnishing by the director to a State agency as defined in  
27 section 1 of P.L.1995, c.158 (C.54:50-24) the names of licensees  
28 subject to suspension for non-payment of State tax indebtedness  
29 pursuant to P.L.2004, c.58 (C.54:50-26.1 et al.);

30 n. The release to the United States Department of the Treasury,  
31 Bureau of Financial Management Service, or its successor of  
32 relevant taxpayer information for purposes of implementing a  
33 reciprocal collection and offset of indebtedness agreement entered  
34 into between the State of New Jersey and the federal government  
35 pursuant to section 1 of P.L.2006, c.32 (C.54:49-12.7);

36 o. The examination of said records and files by the  
37 Commissioner of Health [and Senior Services], the Commissioner  
38 of Human Services, the Medicaid Inspector General, or their  
39 respective duly authorized agents, pursuant to section 5 of  
40 P.L.2007, c.217 (C.26:2H-18.60e), section 3 of P.L.1968, c.413  
41 (C.30:4D-3), or section 5 of P.L.2005, c.156 (C.30:4J-12);

42 p. The furnishing at the discretion of the director of employer  
43 provided wage and tax withholding information contained in tax  
44 reports or returns filed pursuant to N.J.S.54A:7-2, 54A:7-4 and  
45 54A:7-7, to the designated municipal officer of a municipality  
46 authorized to impose an employer payroll tax pursuant to the  
47 provisions of Article 5 (Employer Payroll Tax) of the "Local Tax  
48 Authorization Act," P.L.1970, c.326 (C.40:48C-14 et seq.), for the

1 limited purpose of verifying the payroll information reported by  
2 employers subject to the employer payroll tax;

3 q. The furnishing by the director to the Commissioner of Labor  
4 and Workforce Development of any information, including, but not  
5 limited to, tax information statements, reports, audit files, returns,  
6 or reports of any investigation for the purpose of labor market  
7 research or assisting in investigations pursuant to any State wage,  
8 benefit or tax law as enumerated in section 1 of P.L.2009, c.194  
9 (C.34:1A-1.11); or pursuant to P.L.1940, c.153 (C.34:2-21.1 et  
10 seq.);

11 r. The furnishing of records and data by the director to the  
12 Commissioner of Human Services, the Commissioner of Health, the  
13 Commissioner of Community Affairs or the Secretary of  
14 Agriculture for the purpose of developing and implementing a  
15 process to identify and enroll individuals and households who may  
16 be eligible for public assistance benefits, as required by sections 7,  
17 8, and 9 of P.L. , c. (C. , C. , and C. ) (pending  
18 before the Legislature as this bill).

19 (cf: 2019, c.367, s.2)

20  
21 4. (New section) There is established the ReadyReturn  
22 Program in the Division of Taxation in the Department of the  
23 Treasury, in partnership with the Department of Human Services,  
24 the Department of Health, the Department of Community Affairs,  
25 and the Department of Agriculture. The program is an optional  
26 filing method that provides eligible taxpayers tax returns using data  
27 already collected by the division from reports from employers and  
28 other sources. The division will then share income and other data,  
29 derived from W-2 and income tax forms, with the Department of  
30 Human Services, the Department of Health, the Department of  
31 Community Affairs, and the Department of Agriculture in order to  
32 identify and enroll individuals, including dependent minors, who  
33 may be eligible for certain social services programs offered by the  
34 State.

35  
36 5. (New section) a. For taxable years beginning on or after  
37 January 1, 2021, the division shall prepare, as part of the  
38 ReadyReturn Program, an electronic tax return for any taxpayer  
39 whose wages were reported by the taxpayer's employer to the  
40 division, using the data from that report to calculate the return. An  
41 eligible taxpayer may participate in the program by filing the tax  
42 return prepared for the taxpayer pursuant to this section. A tax  
43 return prepared pursuant to this section shall include:

44 (1) a record of the taxpayer's wages for the taxable year; and

45 (2) the tax liability of the taxpayer based on the income of the  
46 taxpayer for the taxable year.

1       b. The division shall develop an alternative method for an  
2 eligible taxpayer to request the taxpayer's completed tax return in  
3 paper form.

4       c. The division shall notify each taxpayer that is eligible for a  
5 tax return prepared pursuant to this section that the ReadyReturn  
6 Program is a filing option available to eligible taxpayers. The  
7 notification shall include the following information:

8       (1) a description of the program;

9       (2) the taxpayer's eligibility for participation in the program and  
10 the taxpayer's ability to view or file a tax return prepared for the  
11 taxpayer pursuant to the program; and

12       (3) that the taxpayer's participation in the program is optional.

13       d. As used in sections 4 through 5 of this act:

14       "Division" means the Division of Taxation in the Department of  
15 the Treasury.

16       "Eligible taxpayer" or "taxpayer" means any individual whose  
17 income in whole or in part is subject to the tax imposed by the  
18 "New Jersey Gross Income Tax Act," P.L.1976, c.47 (C.54A:1-1 et  
19 seq.) and whose wages were reported by the taxpayer's employer to  
20 the division.

21       "ReadyReturn Program" or "program" means the ReadyReturn  
22 Program established pursuant to section 4 of this act.

23

24       6. (New section) The Director of the Division of Taxation  
25 shall promulgate regulations pursuant to the "Administrative  
26 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to  
27 effectuate the provisions of sections 4 through 5 of this act.

28

29       7. (New section) a. Notwithstanding the provisions of any  
30 other law to the contrary, no later than January 1, 2021, the  
31 Commissioner of Human Services, in coordination with the  
32 Division of Taxation within the Department of the Treasury, and as  
33 part of the ReadyReturn program established pursuant to section 4  
34 of P.L.     , c.     (C.     ) (pending before the Legislature as this  
35 bill), shall utilize income and other data derived from W-2 and  
36 income tax forms, which shall be provided electronically by the  
37 division, to develop and implement an automated process to identify  
38 and enroll individuals, including dependent minors, who may be  
39 eligible for benefits under the following programs:

40       (1) the Work First New Jersey/Temporary Assistance for Needy  
41 Families (WFNJ/TANF) and WFNJ/General Assistance  
42 (WFNJ/GA) programs;

43       (2) subsidized child care services for qualified low-income  
44 households;

45       (3) the Supplemental Nutrition Assistance Program (SNAP);  
46 and

1 (4) any other social services programs administered by the  
2 department which the commissioner deems appropriate to include  
3 under this initiative.

4 b. Whenever feasible, and to the extent allowed under State and  
5 federal statute and regulation, the department shall confer  
6 presumptive eligibility for the programs enumerated in subsection a.  
7 of this section for those individuals, including dependent minors,  
8 identified through this automated process. Following a  
9 determination of presumptive eligibility, the department shall notify  
10 the individual, in writing, of the individual's status, and shall secure  
11 written authorization from the individual for enrollment in the  
12 applicable social services program.

13 c. If the department is unable to confer presumptive eligibility  
14 or determine with certainty that an individual, including a  
15 dependent minor, is eligible for enrollment in one or more of the  
16 programs enumerated in subsection a. of this section, the  
17 department shall utilize the information provided by the division to  
18 contact and further screen the individual to determine eligibility for  
19 benefits under these programs. If the individual's eligibility for  
20 benefits under any program specified in subsection a. of this section  
21 is subsequently confirmed, the department shall secure  
22 authorization from the individual before expeditiously enrolling the  
23 individual in the program.

24 d. The department shall utilize income and other data provided  
25 electronically by the division to notify beneficiaries of an eligibility  
26 redetermination, as required under State or federal statute, for any  
27 program specified in subsection a. of this section.

28 e. The commissioner shall apply for such State plan  
29 amendments or waivers as may be necessary to implement the  
30 provisions of this section and to continue to secure federal financial  
31 participation for the WFNJ/TANF program, subsidized child care  
32 programs for qualified low-income households, and SNAP.

33 f. As used in this section,

34 "Supplemental Nutrition Assistance Program (SNAP)" means the  
35 New Jersey Supplemental Nutrition Assistance Program,  
36 established pursuant to the federal "Food and Nutrition Act of  
37 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

38 "Work First New Jersey" means the program established  
39 pursuant to P.L.1997, c. 38 (C.44:10-55 et seq.) in accordance with  
40 authorization received under Title IV of the federal "Personal  
41 Responsibility and Work Opportunity Reconciliation Act of 1996,"  
42 Pub.L.104-193 (8 U.S.C. s.1601 et seq.). Work First New Jersey  
43 includes the federal Temporary Assistance to Needy Families  
44 program and the State General Assistance program.

45  
46 8. (New section) a. Notwithstanding the provisions of any  
47 other law to the contrary, no later than January 1, 2021, the  
48 Commissioner of Health, in coordination with the Division of



1 Taxation within the Department of the Treasury, and as part of the  
2 ReadyReturn program established pursuant to section 4 of P.L. ,  
3 c. (C. ) (pending before the Legislature as this bill), shall  
4 utilize income and other data derived from W-2 and income tax  
5 forms, which shall be provided electronically by the division, to  
6 develop and implement an automated process to identify women,  
7 and their children under the age of five, who may be eligible for  
8 benefits under the Special Supplemental Nutrition Program for  
9 Women, Infants, and Children (WIC), established pursuant to the  
10 federal "Child Nutrition Act of 1966," Pub.L. 95-267 (42 U.S.C. s.  
11 1786).

12 b. Whenever feasible, and to the extent allowed under State and  
13 federal statute and regulation, the department shall confer  
14 presumptive eligibility for WIC benefits for those women, and their  
15 eligible children, identified through this automated process.  
16 Following a determination of presumptive eligibility, the  
17 department shall notify the woman, in writing, of the status of the  
18 woman and her eligible children, and shall secure written  
19 authorization from the woman for enrollment in the WIC program.

20 c. If the department is unable to confer presumptive eligibility  
21 or determine with certainty that a woman, and her children under  
22 the age of five, is eligible for enrollment in the WIC program, the  
23 department shall utilize the information provided by the division to  
24 contact a potentially-eligible woman for further screening to  
25 determine eligibility for benefits under the WIC program. If the  
26 department subsequently confirms eligibility for WIC benefits, the  
27 department shall secure authorization from the woman before  
28 expeditiously enrolling the woman and her eligible children in the  
29 program.

30 d. The department shall utilize income and other data provided  
31 electronically by the division to process and notify WIC  
32 beneficiaries of an eligibility redetermination, as required under  
33 State or federal statute.

34 e. The commissioner shall apply for such State plan  
35 amendments or waivers as may be necessary to implement the  
36 provisions of this act and to continue to secure federal financial  
37 participation for the WIC program.

38

39 9. (New section) a. Notwithstanding the provisions of any  
40 other law to the contrary, no later than January 1, 2021, the  
41 Commissioner of the Department of Community Affairs (DCA), in  
42 coordination with the Division of Taxation within the Department  
43 of the Treasury, and as part of the ReadyReturn program established  
44 pursuant to section 4 of P.L. , c. (C. ) (pending before the  
45 Legislature as this bill), shall utilize income and other data derived  
46 from W-2 and income tax forms, which shall be provided  
47 electronically by the division, to develop and implement an  
48 automated process to identify and enroll individuals, who are over

1 age 18, whose households may be eligible for benefits under the  
2 Low-Income Home Energy Assistance Program (LIHEAP),  
3 established pursuant to Pub.L. 97-35 (42 U.S.C. s.8621 et seq.).

4 b. Whenever feasible, and to the extent allowed under State and  
5 federal statute and regulation, the department shall confer  
6 presumptive eligibility for LIHEAP assistance for any eligible  
7 individual in a household who has been identified through this  
8 automated process. Following a determination of presumptive  
9 eligibility, the department shall notify the individual, in writing, of  
10 the individual's status, and shall secure written authorization from  
11 the individual for enrollment of the household in LIHEAP.

12 c. If the department is unable to confer presumptive eligibility  
13 or determine with certainty that an individual's household is  
14 eligible for enrollment in LIHEAP, the department shall utilize the  
15 information provided by the division to contact and further screen  
16 individuals in the household to determine eligibility for benefits  
17 under this program. If the eligibility for assistance under LIHEAP  
18 is subsequently confirmed, the department shall secure  
19 authorization from one eligible adult, who is over the age of 18, in  
20 the household, before expeditiously enrolling the household in  
21 LIHEAP.

22 d. The department shall utilize income and other data provided  
23 electronically by the division to process and notify beneficiaries of  
24 an eligibility redetermination, as required under State or federal  
25 stature, for LIHEAP.

26 e. The commissioner shall apply for such State plan  
27 amendments or waivers as may be necessary to implement the  
28 provisions of this act and to continue to secure federal financial  
29 participation for any State energy assistance expenditures under  
30 LIHEAP.

31  
32 10. (New section) a. Notwithstanding the provisions of any  
33 other law to the contrary, no later than January 1, 2021, the  
34 Secretary of Agriculture, in coordination with the Division of  
35 Taxation within the Department of the Treasury and the  
36 Commissioner of Education, and as part of the ReadyReturn  
37 program established pursuant to section 4 of P.L. , c. (C. )  
38 (pending before the Legislature as this bill), shall utilize income and  
39 other data derived from W-2 and income tax forms, which shall be  
40 provided electronically by the division, to develop and implement  
41 an automated process to identify and enroll individuals, including  
42 dependent minors, who may be eligible for nutrition assistance  
43 benefits, authorized pursuant to the federal "Healthy, Hunger-Free  
44 Kids Act of 2010," Pub.L.111-296 (42 U.S.C., s.1751 et seq.), and  
45 food distribution programs authorized under the federal  
46 "Agriculture Improvement Act of 2018," Pub.L.115-334. These  
47 programs include, but are not limited to:

48 (1) the National School Lunch Program;

1 (2) the School Breakfast Program;  
2 (3) the Child and Adult Care Food Program;  
3 (4) the Summer Food Service Program;  
4 (5) the Emergency Food Assistance Program (TEFAP); and,  
5 (6) any other nutrition assistance and food distribution programs  
6 administered by the department which the commissioner deems  
7 appropriate to include under this initiative.

8 b. Whenever feasible, and to the extent allowed under State and  
9 federal statute and regulation, the department shall confer  
10 presumptive eligibility for the programs enumerated in subsection a.  
11 of this section for those individuals, including dependent minors,  
12 identified through this automated process. Following a  
13 determination of presumptive eligibility, the department shall notify  
14 the individual, in writing, of the individual's status, and shall secure  
15 written authorization from the individual for enrollment in the  
16 applicable nutrition assistance programs.

17 c. If the department is unable to confer presumptive eligibility  
18 or determine with certainty that an individual, including a  
19 dependent minor, is eligible for enrollment in one or more of the  
20 programs enumerated in subsection a. of this section, the  
21 department shall utilize the information provided by the division to  
22 contact and further screen the individual to determine eligibility for  
23 benefits under these programs. If the individual's eligibility for  
24 benefits under any program specified in subsection a. of this section  
25 is subsequently confirmed, the department shall secure  
26 authorization from the individual before expeditiously enrolling the  
27 individual in the program.

28 d. The department shall utilize income and other data provided  
29 electronically by the division to notify beneficiaries of an eligibility  
30 redetermination, as required under State or federal statute, for any  
31 program specified in subsection a. of this section.

32 e. The commissioner shall apply for such State plan  
33 amendments or waivers as may be necessary to implement the  
34 provisions of this section and to continue to secure any available  
35 federal financial participation for the applicable nutrition assistance  
36 programs.

37 f. As used in this section,

38 "Child and Adult Care Food Program" means the federal  
39 program administered by the Food and Nutrition Service within the  
40 United States Department of Agriculture and authorized pursuant to  
41 the "Healthy, Hunger Free Kids Act of 2010," Pub.L.111-296 (42  
42 U.S.C., s.1751 et seq.).

43 "Emergency Food Assistance Program (TEFAP)" means the  
44 federal food distribution program, established pursuant to the  
45 "Emergency Food Assistance Act of 1983," Pub.L.98-8 (7 U.S.C.  
46 s.7501 et seq.), which supports food banks, soup kitchens and other  
47 emergency feeding organizations that serve low-income Americans.  
48 TEFAP is administered at the federal level by the Food and

1 Nutrition Service within the United States Department of  
2 Agriculture, and at the State level by the Department of Agriculture.

3 “National School Lunch Program” means the federal program  
4 authorized under the “Richard B. Russell National School Lunch  
5 Act,” Pub.L.79-396 (42 U.S.C. s.1751 et seq.).

6 “School Breakfast Program” means the program established  
7 pursuant to P.L.2003, c.4 (C.18A:33-10) in accordance with  
8 authorization received under Section 4 of the “Child Nutrition Act  
9 of 1966,” Pub.L. 95-267 (42 U.S.C. s. 1786).

10 “Summer Food Service Program” means the program established  
11 under P.L.2017, c.387 (C.18A:33-23) in accordance with  
12 authorization received pursuant to the “Richard B. Russell National  
13 School Lunch Act,” Pub.L.79-396 (42 U.S.C. s.1751 et seq.).

14  
15 11. (New section) The Commissioner of Human Services,  
16 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410  
17 (C.52:14B-1 et seq.), and in consultation with the State Treasurer,  
18 the Commissioner of Health, the Commissioner of Community  
19 Affairs, the Secretary of Agriculture, and the Commissioner of  
20 Education, shall adopt such rules and regulations necessary to  
21 implement the provisions of sections 7 through 10 of this act.

22  
23 12. (New section) There are appropriated, from the General  
24 Fund to the Department of the Treasury, such sums as are necessary  
25 to effectuate the purposes of this act. The State Treasurer is hereby  
26 authorized to allocate funds, from the total amount appropriated  
27 under this section, to the Department of Human Services, the  
28 Department of Health, the Department of Community Affairs and  
29 the Department of Agriculture to carry out each department’s  
30 responsibilities under the ReadyReturn program established  
31 pursuant to section 4 of P.L. , c. (C. ) (pending before the  
32 Legislature as this bill).

33  
34 13. (New section) Sections 4 through 6 of this act will take  
35 effect immediately. Sections 7 through 11 of this act shall take  
36 effect on January 1, 2021, but the State Treasurer, the  
37 Commissioner of Human Services, the Commissioner of Health, the  
38 Commissioner of Community Affairs, the Secretary of Agriculture,  
39 and the Commissioner of Education may take such anticipatory  
40 administrative action in advance thereof as shall be necessary for  
41 the implementation of this act.

42  
43  
44 STATEMENT

45  
46 This bill establishes the ReadyReturn Program in the Division of  
47 Taxation in the Department of the Treasury, which will manage the  
48 program in partnership with the Department of Human Services, the

1 Department of Health, the Department of Community Affairs, and  
2 the Department of Agriculture. The ReadyReturn Program, which  
3 is modeled after a pilot program that the State of California initiated  
4 in 2005, is an optional tax return filing method that provides  
5 eligible taxpayers tax returns using data already collected by the  
6 division from reports from employers and other sources. The  
7 division will then share income and other data, derived from W-2  
8 and income tax forms, with the Department of Human Services  
9 (DHS), the Department of Health (DOH), the Department of  
10 Community Affairs (DCA), and the Department of Agriculture  
11 (DOA) in order to routinely identify and enroll individuals,  
12 including dependent minors, who may be eligible for certain social  
13 services programs administered by the State.

14 It is the intent of the bill's sponsor to harness the State's existing  
15 tax filing process to facilitate low income residents in accessing  
16 essential safety net benefits, such as cash, nutrition, subsidized  
17 child care, and heating assistance. The ReadyReturn Program is  
18 designed to increase the income tax data gathered by the State  
19 through the removal of any obstacles in the preparation of a tax  
20 return. Subsequently, various State departments can use the data  
21 collected to streamline and expedite the application process for  
22 social services programs. As a result, the State should realize  
23 increased revenues from the higher number of residents filing tax  
24 returns, and should realize General Fund savings from increased  
25 efficiencies in enrolling individuals in social services programs

26 Under the bill, for taxable years beginning on or after January 1,  
27 2021, the Division of Taxation in the Department of the Treasury is  
28 to prepare, as part of the ReadyReturn Program, an electronic tax  
29 return for any taxpayer whose wages were reported by the  
30 taxpayer's employer to the division, using the data from that report  
31 to calculate the return. An eligible taxpayer may participate in the  
32 program by filing the tax return prepared for the taxpayer pursuant  
33 to the bill. A tax return prepared pursuant to the bill is to include: a  
34 record of the taxpayer's wages for the taxable year; and the tax  
35 liability of the taxpayer based on the income of the taxpayer for the  
36 taxable year.

37 The division is to develop an alternative method for an eligible  
38 taxpayer to request the taxpayer's completed tax return in paper  
39 form.

40 The division is to notify each taxpayer that is eligible for a tax  
41 return prepared pursuant to the bill that the ReadyReturn Program is  
42 a filing option available to eligible taxpayers. The notification is to  
43 include the following information: a description of the program; the  
44 taxpayer's eligibility for participation in the program and the  
45 taxpayer's ability to view or file a tax return prepared for the  
46 taxpayer pursuant to the program; and that the taxpayer's  
47 participation in the program is optional.

1       In addition, the bill requires the division to electronically provide  
2 data from W-2 forms and income tax returns to the DHS, DOH,  
3 DCA and DOA, and amends current statute to newly authorize the  
4 division to share earnings and tax data with these departments.

5       The departments will utilize the income and other data from the  
6 division to identify and screen New Jersey residents for eligibility  
7 for the social services programs under their purview, such as: the  
8 Work First New Jersey Program; subsidized child care programs;  
9 the Supplemental Nutrition Assistance Program; the Special  
10 Supplemental Nutrition for Women, Infants, and Children program;  
11 the Low-Income Home Energy Assistance Program, and free and  
12 reduced-price school meals during the school year and in the  
13 summer. Where feasible, and permitted under State and federal  
14 statute and regulation, the DHS, DOH, DCA and DOA will confer  
15 presumptive eligibility for all social services programs for which an  
16 individual is eligible. Subsequent to a presumptive eligibility  
17 determination, the departments will notify the individual in question  
18 of the individual's enrollment in a social services program, and  
19 secure authorization for services and benefits.

20       In the case of an individual for whom an eligibility determination  
21 cannot be made based on the available information, the departments  
22 will initiate contact to: 1) notify the individual of their potential  
23 eligibility for assistance or services under one or more programs, 2)  
24 obtain any information needed to determine the individual's  
25 eligibility for these programs, 3) secure the individual's  
26 authorization to be provided social services through one or more  
27 programs; and, 4) expeditiously enroll the individual in any social  
28 services programs for which the individual is eligible.

29       Under this bill, the DHS, DOH, DCA and DOA are also  
30 authorized to automatically issue a redetermination of benefits,  
31 using the same income and tax data provided by the division.  
32 Beneficiaries of social services programs will be notified of the  
33 outcome of any redetermination of benefits. For any beneficiary for  
34 whom continued eligibility for a social services program cannot be  
35 determined from the available income and tax data, the department  
36 overseeing the program shall contact the beneficiary to secure the  
37 requisite information.

38       In addition, the bill authorizes the commissioners of the DHS,  
39 DOH, DCA and DOA to submit any state plan amendments or  
40 federal waivers needed to implement the requirements of the bill,  
41 and to ensure continued federal financial participation for the  
42 relevant social services programs.

43       Finally, the bill appropriates from the General Fund such sums as  
44 are necessary to effectuate the purposes of the ReadyReturn  
45 Program. The State Treasurer is authorized to determine the  
46 amount of funding, from the total amount appropriated, to be  
47 allocated to the DHS, DOH, DCA and DOA to fulfill each  
48 department's responsibilities under the ReadyReturn Program.