

Title 52.
Subtitle 3.
Chapter 27J.
(New)
Office of Food
Insecurity
Advocate
§§1-6
C.52:27J-1 to
52:27J-6

P.L. 2021, CHAPTER 242, *approved September 30, 2021*
Senate, No. 3945 (*Second Reprint*)

1 **AN ACT** establishing the Office of Food Insecurity Advocate and
2 supplementing Title 52 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. The Legislature finds and declares that:
8 (a) Over one million people are estimated to be food insecure in
9 New Jersey and more than one-third of them are children;
10 (b) The coronavirus disease 2019 pandemic is projected to cause
11 a disproportionate increase in the rate of food insecurity in this
12 State compared to the national rate and neighboring states;
13 (c) Several departments are responsible for administering
14 different food insecurity programs in the State: the Department of
15 Human Services administers the New Jersey Supplemental
16 Nutrition Assistance Program; the Department of Health
17 administers the New Jersey Supplemental Nutrition Program for
18 Women Infants and Children; and the Department of Agriculture
19 ²**[and Education administer]** administers² the United States
20 Department of Agriculture’s school nutrition program in New
21 Jersey;
22 (d) The State’s food insecurity programs are currently operating
23 in silos and, in some cases, they may all cover the same families,
24 yet not all eligible families are enrolled into each program; and
25 (e) Establishing an Office of the Food Insecurity Advocate by
26 statute will help coordinate the administration of the State’s food
27 insecurity programs, advocate for the food insecure, and develop
28 new policy initiatives to combat hunger and facilitate greater access
29 to food relief programs.
30
31 2. As used in this act:

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.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate SBA committee amendments adopted June 17, 2021.
²Assembly floor amendments adopted June 24, 2021.

1 “Food insecurity program” means a nutrition program in this
2 State that provides nutrition assistance to individuals without
3 reliable access to a sufficient quantity of affordable, nutritious food
4 and includes, but is not limited to, the New Jersey Supplemental
5 Nutrition Assistance Program, the New Jersey Supplemental
6 Nutrition Program for Women Infants and Children, ¹the
7 Commodity Supplemental Food program, the Senior Farmers
8 Market Nutrition Program, the Child and Adult Care Program,¹ and
9 the United States Department of Agriculture’s school nutrition
10 program.

11
12 3. There is created in the Executive Branch of the State
13 Government the Office of the Food Insecurity Advocate. For the
14 purpose of complying with the provisions of Article V, Section IV,
15 paragraph 1 of the New Jersey Constitution, the Office of Food
16 Insecurity Advocate is allocated to the ¹Economic Development
17 Authority in the¹ Department of ¹the¹ Treasury, but notwithstanding
18 this allocation, the office shall be independent of any supervision or
19 control by the ¹Economic Development Authority or by the¹
20 department ¹,¹ or ¹by¹ any board or officer thereof, in the
21 performance of its duties. The office shall have the duty to
22 ²colloborate with the appropriate State agency to²:

23 (a) coordinate outreach for food insecurity programs, including
24 developing new initiatives and outreach campaigns and identifying
25 best practices to increase enrollment in the State’s food insecurity
26 programs;

27 (b) establish a 24-hour toll-free hunger hotline to assist in
28 making information about the State’s food insecurity programs as
29 widely available as possible;

30 (c) support grant application processes related to food insecurity
31 for in-state providers and State departments by monitoring available
32 grants, recommending grant applications, and assisting with the
33 grant application process;

34 (d) coordinate communication with and between food banks;

35 (e) establish best practices for food banks to reduce food waste
36 and to distribute more fresh produce and proteins to food insecurity
37 programs and food banks;

38 (f) ²**collaborate** cooperate² with research organizations and
39 universities to monitor ongoing gap analysis that identifies areas
40 that are undeserved by current food insecurity programs;

41 (g) ²**collaborate** work² with State and community partners to
42 develop a strategic plan to address identified gaps in areas that are
43 undeserved by current food insecurity programs;

44 (h) oversee the development and implementation of public-
45 private partnerships to address food insecurity;

1 (i) provide support in coordinating assistance to address food
2 insecurity during federal or State declared states of emergency;

3 ¹[and]¹

4 (j) coordinate food insecurity programming and initiatives for
5 institutions of higher education with the Office of the Secretary of
6 Higher Education¹;

7 (k) develop new initiatives, establish an outreach campaign, and
8 identify best practices to reach senior citizens, persons with
9 disabilities, and other vulnerable population; and

10 (l) coordinate outreach efforts for the newly unemployed who
11 might be eligible for food insecurity programs¹.

12
13 4. The administrator and chief executive officer of the office is
14 the food insecurity advocate, who shall be a person qualified by
15 training and experience to perform the duties of the office. The
16 food insecurity advocate shall be appointed by the Governor and
17 shall serve at the pleasure of the Governor during the Governor's
18 term of office and until the appointment and qualification of the
19 food insecurity advocate's successor. The food insecurity advocate
20 shall devote time entirely to the duties of the position and shall
21 receive a salary as determined by law. Any vacancy occurring in
22 the position of the food insecurity advocate shall be filled in the
23 same manner as the original appointment; except that if the food
24 insecurity advocate dies, resigns, becomes ineligible to serve for
25 any reason, or is removed from office, the Governor shall appoint
26 an acting food insecurity advocate, who shall serve until the
27 appointment and qualification of the food insecurity advocate's
28 successor, but in no event longer than six months from the
29 occurrence of the vacancy, and who shall exercise during this
30 period all the powers and duties of the food insecurity advocate
31 pursuant to the provisions of this act.

32
33 5. The food insecurity advocate, as administrator and chief
34 executive officer of the office, shall:

35 a. administer and organize the work of the office and establish
36 therein such administrative subdivisions as the food insecurity
37 advocate may deem necessary, proper and expedient. The food
38 insecurity advocate may formulate and adopt rules and regulations
39 and prescribe duties for the efficient conduct of the business, work
40 and general administration of the office. The food insecurity
41 advocate may delegate to subordinate officers or employees in the
42 office such power as the food insecurity advocate may deem
43 desirable to be exercised under the food insecurity advocate's
44 supervision and control;

45 b. appoint and remove stenographic, clerical, and other
46 secretarial assistants as may be required for the proper conduct of

1 the office, subject to the provisions of Title 11A of the New Jersey
2 Statutes, and other applicable statutes, and within the limits of
3 funds appropriated or otherwise made available therefor. In
4 addition, and within funding limits, the food insecurity advocate
5 may appoint, retain, or employ, without regard to the provisions of
6 Title 11A of the New Jersey Statutes or any other statutes, any
7 officers, financial managers, social workers, or other professionally
8 qualified personnel on a contract basis or otherwise as the food
9 insecurity advocate deems necessary;

10 c. maintain suitable headquarters for the office and such other
11 quarters as the food insecurity advocate shall deem necessary to the
12 proper functioning of the office;

13 d. solicit and accept grants of funds from the federal
14 government and from other public and any private sources for any
15 of the purposes of this act; provided, however, that any such funds
16 shall be expended only pursuant to an appropriation made by law;

17 e. serve as the liaison between the Office of the Food
18 Insecurity Advocate and the Departments of Agriculture, Education,
19 Health, and Human Services; and

20 f. perform such other functions as may be prescribed in this act
21 or by any other law.

22
23 6. Pursuant to the "Administrative Procedure Act," P.L.1968,
24 c.410 (C.52:14B-1 et seq.), the food insecurity advocate and the
25 Commissioners of Agriculture, Education, Health, and Human
26 Services may adopt any rules and regulations necessary to
27 effectuate the purposes of this act.

28
29 7. This act shall take effect immediately.
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33
34 Establishes Office of Food Insecurity Advocate.