

CHAPTER 242

AN ACT establishing the Office of Food Insecurity Advocate and supplementing Title 52 of the Revised Statutes.

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

C.52:27J-1 Findings, declarations relative to food insecurity.

1. The Legislature finds and declares that:

(a) Over one million people are estimated to be food insecure in New Jersey and more than one-third of them are children;

(b) The coronavirus disease 2019 pandemic is projected to cause a disproportionate increase in the rate of food insecurity in this State compared to the national rate and neighboring states;

(c) Several departments are responsible for administering different food insecurity programs in the State: the Department of Human Services administers the New Jersey Supplemental Nutrition Assistance Program; the Department of Health administers the New Jersey Supplemental Nutrition Program for Women Infants and Children; and the Department of Agriculture administers the United States Department of Agriculture's school nutrition program in New Jersey;

(d) The State's food insecurity programs are currently operating in silos and, in some cases, they may all cover the same families, yet not all eligible families are enrolled into each program; and

(e) Establishing an Office of the Food Insecurity Advocate by statute will help coordinate the administration of the State's food insecurity programs, advocate for the food insecure, and develop new policy initiatives to combat hunger and facilitate greater access to food relief programs.

C.52:27J-2 Definition of "food insecurity program".

2. As used in this act:

"Food insecurity program" means a nutrition program in this State that provides nutrition assistance to individuals without reliable access to a sufficient quantity of affordable, nutritious food and includes, but is not limited to, the New Jersey Supplemental Nutrition Assistance Program, the New Jersey Supplemental Nutrition Program for Women Infants and Children, the Commodity Supplemental Food program, the Senior Farmers Market Nutrition Program, the Child and Adult Care Program, and the United States Department of Agriculture's school nutrition program.

C.52:27J-3 Office of the Food Insecurity Advocate created.

3. There is created in the Executive Branch of the State Government the Office of the Food Insecurity Advocate. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the Office of Food Insecurity Advocate is allocated to the Economic Development Authority in the Department of the Treasury, but notwithstanding this allocation, the office shall be independent of any supervision or control by the Economic Development Authority or by the department, or by any board or officer thereof, in the performance of its duties. The office shall have the duty to collaborate with the appropriate State agency to:

- (a) coordinate outreach for food insecurity programs, including developing new initiatives and outreach campaigns and identifying best practices to increase enrollment in the State's food insecurity programs;
- (b) establish a 24-hour toll-free hunger hotline to assist in making information about the State's food insecurity programs as widely available as possible;
- (c) support grant application processes related to food insecurity for in-state providers and State departments by monitoring available grants, recommending grant applications, and assisting with the grant application process;
- (d) coordinate communication with and between food banks;
- (e) establish best practices for food banks to reduce food waste and to distribute more fresh produce and proteins to food insecurity programs and food banks;
- (f) cooperate with research organizations and universities to monitor ongoing gap analysis that identifies areas that are undeserved by current food insecurity programs;
- (g) work with State and community partners to develop a strategic plan to address identified gaps in areas that are undeserved by current food insecurity programs;
- (h) oversee the development and implementation of public-private partnerships to address food insecurity;
- (i) provide support in coordinating assistance to address food insecurity during federal or State declared states of emergency;
- (j) coordinate food insecurity programming and initiatives for institutions of higher education with the Office of the Secretary of Higher Education;
- (k) develop new initiatives, establish an outreach campaign, and identify best practices to reach senior citizens, persons with disabilities, and other vulnerable population; and
- (l) coordinate outreach efforts for the newly unemployed who might be eligible for food insecurity programs.

C.52:27J-4 Appointment of food insecurity advocate.

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

C.52:27J-5 Duties of food insecurity advocate.

5. The food insecurity advocate, as administrator and chief executive officer of the office, shall:
- a. administer and organize the work of the office and establish therein such administrative subdivisions as the food insecurity advocate may deem necessary, proper and

expedient. The food insecurity advocate may formulate and adopt rules and regulations and prescribe duties for the efficient conduct of the business, work and general administration of the office. The food insecurity advocate may delegate to subordinate officers or employees in the office such power as the food insecurity advocate may deem desirable to be exercised under the food insecurity advocate's supervision and control;

b. appoint and remove stenographic, clerical, and other secretarial assistants as may be required for the proper conduct of the office, subject to the provisions of Title 11A of the New Jersey Statutes, and other applicable statutes, and within the limits of funds appropriated or otherwise made available therefor. In addition, and within funding limits, the food insecurity advocate may appoint, retain, or employ, without regard to the provisions of Title 11A of the New Jersey Statutes or any other statutes, any officers, financial managers, social workers, or other professionally qualified personnel on a contract basis or otherwise as the food insecurity advocate deems necessary;

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

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

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

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

C.52:27J-6 Rules, regulations.

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

7. This act shall take effect immediately.

Approved September 30, 2021.