

# SENATE, No. 3403

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 4, 2021

**Sponsored by:**  
**Senator VIN GOPAL**  
**District 11 (Monmouth)**

### **SYNOPSIS**

Directs Department of Agriculture to request annual funding for food banks or organizations operating them and requires distribution of grants based upon percentage of food insecure households served; establishes fund therefor.

### **CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning food banks and supplementing Title 4 of the  
2 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 Secretary of Agriculture shall develop, establish, and  
8 implement a food bank funding program to provide consistent,  
9 ongoing funding of grants to food banks and organizations  
10 operating food banks in the State that provide food to food insecure  
11 households in the State.

12 b. The secretary, in consultation with the Commissioner of  
13 Health, shall:

14 (1) establish a definition of the term “food insecure household;”  
15 and

16 (2) determine annually the total number of food insecure  
17 households in the State, the percentage of food insecure households  
18 in the State served by individual food banks, and the organization  
19 that operates each food bank, if any.

20 c. Based on the number of food insecure households served by  
21 each food bank or each organization through a food bank in the  
22 State as a percentage of the total number of food insecure  
23 households in the State, the secretary shall determine the amount of  
24 funding to allocate as grants to each food bank or organization, as  
25 appropriate, from the “Food Insecurity Fund,” established pursuant  
26 to section 2 of this act, and subject to the approval of the Director of  
27 the Division of Budget and Accounting.

28 d. When allocating grant funding pursuant to subsection c. of  
29 this section, the secretary shall allocate the amount of grant funding  
30 proportionally to the percentage of food insecure households  
31 served, with the largest amount of grant funding being allocated to  
32 the food banks or organizations serving the highest percentages of  
33 food insecure households in the State. The secretary may determine  
34 the number of food banks or organizations to receive grant funding  
35 based on the amount of available funding.

36 e. Any food bank or organization receiving grant funding  
37 pursuant to this section shall use the moneys only for providing  
38 food to food insecure households. A food bank or organization may  
39 not use any grant moneys for administrative costs but an individual  
40 food bank or organization may use, as determined by the  
41 Department of Agriculture, a reasonable percentage of the moneys  
42 it receives pursuant to this section, for the costs of distributing food  
43 to food insecure households.

44 f. The department shall annually request funding for the food  
45 bank funding program as part of its annual budget request. The  
46 department shall provide grants pursuant to this section in an  
47 amount up to the balance of the funds in the Food Insecurity Fund  
48 in each State fiscal year.

1 g. The department may solicit and collect donations for the  
2 support of the food bank funding program. The department shall  
3 deposit in the "Food Insecurity Fund," established pursuant to  
4 section 2 of this act, any monetary donations received for the food  
5 bank funding program.

6 h. The department, in consultation with the State Treasurer and  
7 the Commissioner of Health, and pursuant to the "Administrative  
8 Procedure Act," P.L.1968, c.610 (C.52:14B-1 et seq.), shall adopt  
9 any rules and regulations necessary to implement this act.

10  
11 2. a. There is established in the Department of Agriculture a  
12 special nonlapsing fund to be known as the "Food Insecurity Fund."  
13 The fund shall be administered by the Secretary of Agriculture and  
14 shall be credited with moneys appropriated by the Legislature for  
15 the purposes of this act and any monetary donations received for  
16 support of the food bank funding program.

17 b. Moneys in the fund shall be used by the Department of  
18 Agriculture solely for funding grants to food banks or organizations  
19 providing food to food insecure households in the State pursuant to  
20 section 1 of this act. The Department of Agriculture shall not use  
21 any moneys in the fund for administrative costs of the department.

22  
23 3. This act shall take effect immediately.

## 24 25 26 STATEMENT

27  
28 This bill directs the Secretary of Agriculture to develop,  
29 establish, and implement a food bank funding program to provide  
30 consistent, ongoing funding of grants to food banks and  
31 organizations operating food banks in the State that provide food to  
32 food insecure households in the State. The bill also directs the  
33 Secretary of Agriculture, in consultation with the Commissioner of  
34 Health, to establish a definition of "food insecure household,"  
35 determine annually the food banks or organizations in the State that  
36 serve the highest percentage of food insecure households in the  
37 State, and allocate funding accordingly. The bill requires the  
38 largest amount of funding to be allocated for grants to the food  
39 banks or organizations serving the highest percentages of food  
40 insecure households. It restricts the use of the grants to food banks  
41 and organizations to pay only the costs of the food and food  
42 distribution to food insecure households.

43 The bill establishes in the Department of Agriculture a special  
44 nonlapsing fund to be known as the "Food Insecurity Fund," to be  
45 administered by the Secretary of Agriculture, and to be credited  
46 with moneys appropriated by the Legislature for the food bank  
47 funding program and any monetary donations made to support the  
48 program. The bill authorizes the Department of Agriculture to

1 solicit and collect donations to support the program and requires  
2 any monetary donations to be deposited in the fund. The bill  
3 requires the Department of Agriculture to annually request funding  
4 for the food bank funding program as part of its annual budget  
5 request, and to provide grants up to the balance of the funds in the  
6 “Food Insecurity Fund” in each State fiscal year.  
7 Finally, the bill directs the Department of Agriculture, in  
8 consultation with the State Treasurer and the Commissioner of  
9 Health, to adopt rules and regulations necessary to implement the  
10 bill’s requirements.