

[First Reprint]  
**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 reported by the Senate Economic Growth Committee on March 11, 2021, with amendments.



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 operating  
10 food banks in the State that provide food to food insecure households  
11 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 in  
18 the State served by individual food banks, and the organization that  
19 operates each food bank, if any.

20 c. <sup>1</sup>**Based on the number of food insecure households served by**  
21 **each food bank or each organization through a food bank in the State**  
22 **as a percentage of the total number of food insecure households in the**  
23 **State, the secretary shall determine the amount of funding to allocate**  
24 **as grants to each food bank or organization, as appropriate,】** The  
25 secretary, in consultation with the food banks and organizations  
26 operating food banks, shall determine a fair, equitable, and appropriate  
27 funding formula by which to determine the amount of funding to  
28 allocate grants to each food bank or organization<sup>1</sup> from the “Food  
29 Insecurity Fund,” established pursuant to section 2 of this act, and  
30 subject to the approval of the Director of the Division of Budget and  
31 Accounting.

32 d. When allocating grant funding pursuant to subsection c. of this  
33 section, the secretary shall allocate the amount of grant funding  
34 <sup>1</sup>**proportionally to the percentage of food insecure households served,**  
35 **with the largest amount of grant funding being allocated to the food**  
36 **banks or organizations serving the highest percentages of food**  
37 **insecure households in the State. The secretary may determine the**  
38 **number of food banks or organizations to receive grant funding based**  
39 **on the amount of available funding.】** based on the formula determined  
40 by the secretary in consultation with the food banks and organizations,  
41 but shall not exceed the amount of available funding in the “Food  
42 Insecurity Fund.”<sup>1</sup>

43 e. Any food bank or organization receiving grant funding  
44 pursuant to this section shall use the moneys only for providing food to  
45 food insecure households. A food bank or organization may not use

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:

<sup>1</sup>Senate SEG committee amendments adopted March 11, 2021.

1 any grant moneys for administrative costs but an individual food bank  
2 or organization may use <sup>1</sup>[], as determined by the Department of  
3 Agriculture,<sup>1</sup> a reasonable percentage of the moneys it receives  
4 pursuant to this section, for the costs of distributing food to food  
5 insecure households.

6 f. The department shall annually request funding for the food  
7 bank funding program as part of its annual budget request. The  
8 department shall provide grants pursuant to this section in an amount  
9 up to the balance of the funds in the Food Insecurity Fund in each  
10 State fiscal year.

11 g. <sup>1</sup>["The department may solicit and collect donations for the  
12 support of the food bank funding program. The department shall  
13 deposit in the "Food Insecurity Fund," established pursuant to section  
14 2 of this act, any monetary donations received for the food bank  
15 funding program.

16 h. <sup>1</sup>["The department, in consultation with the State Treasurer and  
17 the Commissioner of Health, and pursuant to the "Administrative  
18 Procedure Act," P.L.1968, c.610 (C.52:14B-1 et seq.), shall adopt any  
19 rules and regulations necessary to implement this act.

20

21 2. a. There is established in the Department of Agriculture a  
22 special non<sup>1</sup>-<sup>1</sup>lapsing fund to be known as the "Food Insecurity Fund."  
23 The fund shall be administered by the Secretary of Agriculture and  
24 shall be credited with moneys appropriated by the Legislature for the  
25 purposes of this act <sup>1</sup>["and any monetary donations received for  
26 support of the food bank funding program"]<sup>1</sup>.

27 b. Moneys in the fund shall be used by the Department of  
28 Agriculture solely for funding grants to food banks or organizations  
29 providing food to food insecure households in the State pursuant to  
30 section 1 of this act. The Department of Agriculture shall not use any  
31 moneys in the fund for administrative costs of the department.

32 <sup>1</sup>c. All food banks and organizations operating food banks in the  
33 State shall be eligible for grant support from the fund.<sup>1</sup>

34

35 3. This act shall take effect immediately.