

SENATE, No. 4160

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 15, 2021

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Revises SNAP eligibility requirements for certain students attending institutions of higher education.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning eligibility requirements for the New Jersey
2 Supplemental Nutrition Assistance Program and supplementing
3 Title 44 of the Revised Statutes.

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

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8 1. a. To be eligible to participate in the New Jersey
9 Supplemental Nutrition Assistance Program (SNAP), established
10 pursuant to the federal “Food and Nutrition Act of 2008,”
11 Pub.L.110-246 (7 U.S.C. s.2011 et seq.), a student in an institution
12 of higher education, as defined by paragraph (a) of N.J.A.C.10:87-
13 3.14, shall meet all eligibility criteria of the SNAP, such as
14 residency and income limitations, and meet one of the criteria
15 established under paragraph (d) of N.J.A.C.10:87-3.14, or one of
16 the following additional criteria:

17 (1) Be employed for a minimum of 10 hours per week and paid
18 for such employment or, if self-employed, be employed for a
19 minimum of 10 hours per week and receive weekly earnings at least
20 equal to the federal minimum wage multiplied by 10 hours; or

21 (2) Be a recipient of unemployment compensation benefits.

22 b. (1) The provisions of subsections a. of this section shall
23 remain inoperative until such time as the federal Food and Nutrition
24 Service approves the change in, and authorizes a waiver of, existing
25 federal SNAP requirements for the students, as outlined in
26 subsection a. of this section.

27 (2) Within 90 days after the effective date of this section, the
28 Commissioner of Human Services shall: (a) apply to the federal
29 Food and Nutrition Service to secure any appropriate federal
30 approvals or waivers that may be necessary to implement and
31 enforce the provisions of this section; and (b) take any additional
32 actions as may be necessary to ensure that the State’s
33 implementation of this section is done in compliance with all
34 applicable provisions of federal and State law and regulation.

35 c. Following the receipt of necessary federal approvals and
36 waivers, as provided by subsection c. of this section, the
37 Department of Human Services shall implement and enforce the
38 provisions of this section. In so doing, the department shall institute
39 a public awareness campaign that is designed to inform high school
40 seniors and students of higher education about the new SNAP
41 eligibility criteria provided for under this section.

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43 2. The Commissioner of Human Services shall adopt such rules
44 and regulations, pursuant to the “Administrative Procedure Act,”
45 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
46 implement the provisions of this act.

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48 3. This act shall take effect immediately.

STATEMENT

This bill revises certain eligibility requirements under the Supplemental Nutrition Assistance Program, or SNAP, for certain students attending institutions of higher education. SNAP, formerly known as the Food Stamp Program, is a nutrition assistance program that serves as a safety net for low-income households which is regulated by the federal government and administered by the State. According to data from the College and University Food Bank Alliance, 30 percent of college students are food insecure. It is the sponsor's belief that expanding the SNAP eligibility for students, as provided for under the bill, will help combat this growing concern.

Currently, students who are between the ages of 18 to 49 who attend higher education at least half time must meet special criteria, in addition to income limits and other eligibility requirements, to be eligible for SNAP. Pursuant to paragraph (d) of N.J.A.C.10:87-3.14, these criteria include: 1) being employed at least 20 hours per week and paid for such work; 2) participating in a federal work study program during the school year; 3) participating in an on-the-job training program; 4) being responsible for the care of a member of the student's household who is a dependent under the age of six years; 5) being a single parent enrolled full-time and responsible for a dependent under the age 12 years; or 6) receiving Work First New Jersey cash assistance benefits. These criteria reflect federal regulations found at paragraph (b) of 7 CFR s.273.5.

Under the bill, students working 10 hours per week - half of the existing work requirement for students - or receiving unemployment compensation would also be allowed to participate in the SNAP. Some states, such as Oregon and New York, have expanded eligibility criteria that may allow students who receive unemployment compensation to apply for food assistance benefits.

Finally, the bill directs the Commissioner of Human Services, within 90 days after the effective date of this bill, to apply to the federal Food and Nutrition Service to secure any appropriate federal approvals or waivers that may be necessary to implement and enforce the provisions of this section; and to take any additional actions as may be necessary to ensure that the State's implementation of this section is done in compliance with all applicable provisions of federal and State law and regulation. The provisions of the bill are to remain inoperative until the federal Food and Nutrition Service approves the change in, and authorizes a waiver of, existing federal SNAP requirements for the students, as outlined in the bill.

Following the receipt of necessary federal approvals and waivers, the Department of Human Services is to implement and enforce the provisions of the bill, and institute a public awareness campaign that is designed to inform high school seniors and

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- 1 students of higher education about the new SNAP eligibility criteria
- 2 established under the bill.