

LEGISLATIVE HISTORY CHECKLIST
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(Food Stamps--electronic distribution--
 misuse as crime)

NJSA: 2C:20-35

LAWS OF: 1995 **CHAPTER:** 215

BILL NO: S1256

SPONSOR(S): Connors

DATE INTRODUCED: June 20, 1994

COMMITTEE: **ASSEMBLY** Senior Citizens
SENATE: Human Services

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 29, 1995
SENATE: October 20, 1995

DATE OF APPROVAL: August 14, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1995, CHAPTER 215, approved August 14, 1995

1994 Senate No. 1256

1 AN ACT concerning food stamp benefits and amending P.L.1993,
2 c.13.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Section 1 of P.L.1993, c.13 (C.2C:20-35) is amended to read
7 as follows:

8 1. As used in this act:

9 "ATP card" means a document issued by a State or federal
10 agency, to a certified household, to show the food stamp
11 allotment a household is authorized to receive on presentation.

12 "Benefit card" means a card used or intended for use to access
13 food stamp benefits under the electronic benefit distribution
14 system established pursuant to the "Public Assistance Electronic
15 Benefit Distribution System Act," P.L.1985, c.501 (C.44:10-5.1 et
16 seq.).

17 "Department" means the Department of Human Services.

18 "Food stamp coupon" means any coupon or stamp used or
19 intended for use in the purchase of food pursuant to the federal
20 food stamp program, 7 U.S.C. §2011 et seq.[]

21 (cf: P.L.1993, c.13, s.1)

22 2. Section 2 of P.L.1993, c.13 (C.2C:20-36) is amended to read
23 as follows:

24 2. If the face value of food stamp coupons or an ATP card or
25 benefit card is equal to or greater than \$150, an individual shall
26 be guilty of a crime of the fourth degree if he purposely or
27 knowingly and without authorization:

28 a. Receives or uses the proceeds of food stamp coupons or an
29 ATP card or benefit card for which he has not applied or has not
30 been approved by the department to use;

31 b. Engages in any transaction to convert food stamp coupons
32 or an ATP card or benefit card to other property contrary to
33 federal and State government rules and regulations governing the
34 food stamp program; or

35 c. Transfers food stamp coupons or an ATP card or benefit
36 card to another person who is not lawfully ~~employed~~ or approved by
37 the department to use the coupons or ATP card or benefit card.

38 (cf: P.L.1993, c.13, s.2)

39 3. Section 3 of P.L.1993, c.13 (C.2C:20-37) is amended to read
40 as follows:

41 3. If the face value of food stamp coupons or an ATP card or
42 benefit card is less than \$150, an individual shall be guilty of a

EXPLANATION—Matters 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.

1 disorderly persons offense if he purposely or knowingly and
2 without authorization:

3 a. Receives or uses the proceeds of food stamp coupons or an
4 ATP card or benefit card for which he has not applied or has not
5 been approved, by the department, to use;

6 b. Engages in any transaction to convert food stamp coupons
7 or an ATP card or benefit card to other property contrary to
8 federal and State government rules and regulations governing the
9 food stamp program; or

10 c. Transfers food stamp coupons or an ATP card or benefit
11 card to another person who is not lawfully entitled or approved,
12 by the department, to use the coupons or ATP card or benefit
13 card.

14 (cf: P.L.1993, c.13, s.3)

15 4. This act shall take effect immediately.

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18 STATEMENT

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20 This bill expands the provisions of P.L.1993, c.13 (C.2C:20-35
21 et seq.), which established penalties for the illegal use of food
22 stamps, to include the illegal use of the plastic card which food
23 stamp recipients will use to access their benefits at point-of-sale
24 terminals in supermarkets and grocery stores under the electronic
25 benefit distribution system established pursuant to the "Public
26 Assistance Electronic Benefit Distribution System Act,"
27 P.L.1985, c.501 (C.44:10-5.1 et seq.).

28 The State has begun implementing the electronic benefit
29 distribution system in Camden County, where the use of this card
30 is replacing food stamps and welfare checks for thousands of
31 public assistance recipients, and will be expanding the system to
32 Essex and Hudson counties by 1996 and eventually to all 21
33 counties Statewide.

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38 Establishes penalties for illegal use of card to access
39 electronically distributed food stamp benefits.

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- 6 b. Engages in any transaction to convert food stamp coupons
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11 card to another person who is not lawfully entitled or approved,
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ASSEMBLY SENIOR CITIZENS AND
SOCIAL SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1256

STATE OF NEW JERSEY

DATED: JANUARY 19, 1995

The Assembly Senior Citizens and Social Services Committee favorably reports Senate Bill No. 1256.

This bill expands the provisions of P.L.1993, c.13 (C.2C:20-35 et seq.), which established penalties for the illegal use of food stamps, to include the illegal use of the plastic card which food stamp recipients will use to access their benefits at point-of-sale terminals in supermarkets and grocery stores under the electronic benefit distribution system established pursuant to the "Public Assistance Electronic Benefit Distribution System Act," P.L.1985, c.501 (C.44:10-5.1 et seq.).

The State has begun implementing the electronic benefit distribution system in Camden County, where the use of this card is replacing food stamps and welfare checks for thousands of public assistance recipients, and will be expanding the system to Essex and Hudson counties by 1996 and eventually to all 21 counties Statewide.

This bill is identical to Assembly Bill No. 2147 (Moran/C.Connors) which was released by this committee on this date.

SENATE HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1256

STATE OF NEW JERSEY

DATED: SEPTEMBER 12, 1994

The Senate Human Services Committee favorably reports Senate Bill No. 1256.

This bill expands the provisions of P.L.1993, c.13 (C.2C:20-35 et seq.), which established penalties for the illegal use of food stamps, to include the illegal use of the plastic card which food stamp recipients will use to access their benefits at point-of-sale terminals in supermarkets and grocery stores under the electronic benefit distribution system established pursuant to the "Public Assistance Electronic Benefit Distribution System Act," P.L.1985, c.501 (C.44:10-5.1 et seq.).

The State has begun implementing the electronic benefit distribution system in Camden County, where the use of this card is replacing food stamps and welfare checks for thousands of public assistance recipients, and will be expanding the system to Essex and Hudson counties by 1996 and eventually to all 21 counties Statewide.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: BECKY TAYLOR and
JAYNE REBOVICH (609) 777-2600

TRENTON, N.J. 08625

Release: TUESDAY
AUGUST 15, 1995

Gov. Christie Whitman has signed legislation to expand the existing bias crimes law to provide enhanced penalties for crimes committed with the purpose of intimidating because of gender or handicap. Current law provides enhanced penalties for the offenses of assault and harassment when those offenses are committed with the purpose to intimidate a person or group of people because of race, color, religion, sexual orientation or ethnicity.

The bill will also now permit a prosecutor to seek extended terms of imprisonment for defendants convicted of a crime committed with the purpose to intimidate because of gender or handicap, for placing signs or displays that imply threats of violence and for desecrating religious or sectarian premises.

The sponsors of S-402/A-942 are Senators Jack Sinagra (R-Middlesex) and Joseph Kyrillos (R-Middlesex) and Byron Baer (D-Bergen) and Assemblymen Jeff Warsh (R-Middlesex) and Neil Cohen (D-Union).

Gov. Whitman also signed legislation establishing penalties for the illegal use of cards to access electronically distributed food stamp benefits. Plastic benefit cards have been recently introduced as a means to access food stamp benefits and reduce food stamp fraud under a newly-established electronic benefit distribution system. The Department of Human Services has already implemented the system in Camden County and will expand the system to Essex and Hudson Counties by 1996. Ultimately, the system will be implemented statewide.

Consistent with the fraud reduction purposes of the benefit cards, the bill makes it illegal for an individual to purposely or knowingly receive or use the proceeds of a card that the individual is not authorized to use, engage in any transaction to convert the benefit card to another form of property contrary to state or federal rules and regulations, or transfer a benefit card to another person who is not authorized to use it.

If the value of the benefit card is equal to or greater than \$150, the crime is a fourth degree offense and carries a penalty of up to 18 months in prison and a fine of up to \$7,500. If the value is under \$150, the crime is a disorderly persons offense, punishable by up to 6 months in prison or a fine of up to \$1,000.

The sponsors of S-1256/A-2147 are Senator Leonard Connors (R-Atlantic) and Assemblymen Jeffrey Moran (R-Ocean) and Christopher Connors (R-Ocean).