

2C:20-35

LEGISLATIVE HISTORY CHECKLIST
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(Food stamps--illegal use)

NJSA: 2C:20-35

LAWS OF: 1993 CHAPTER: 13

BILL NO: A235

SPONSOR(S) Catania

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Senior Citizens

SENATE: Law & Public Safety)

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: May 7, 1992

SENATE: November 30, 1992

DATE OF APPROVAL: January 15, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VE TO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KEG: pp

[SECOND REPRINT]

ASSEMBLY, No. 235

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1992 SESSION

By Assemblyman CATANIA

1 AN ACT concerning the issuance of food stamps and
2 supplementing Title 2C of the New Jersey Statutes.

3

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

6 1. As used in this act:

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

10 "Department" means the Department of Human Services.

11 "Food stamp coupon" means any coupon or stamp used or
12 intended for use in the purchase of food pursuant to the federal
13 food stamp program, 7 U.S.C. §2011 et seq..

14 2. If the face value of food stamp coupons or an ATP card is
15 equal to or¹ greater than \$150, an individual shall be guilty of a
16 crime of the fourth degree if he purposely or knowingly and
17 without authorization:

18 a. Receives or uses the proceeds of food stamp coupons or an
19 ATP card for which he has not applied or has not been approved
20 by the department to use;

21 b. Engages in any transaction to convert food stamp coupons
22 or an ATP card to other property contrary to federal and State
23 government rules and regulations governing the food stamp
24 program; or

25 c. Transfers food stamp coupons or an ATP card to another
26 person who is not lawfully entitled or approved by the department
27 to use the coupons or ATP card.

28 3. If the face value of food stamp coupons or an ATP card is
29 less than \$150, an individual shall be guilty of a disorderly persons
30 offense if he purposely or knowingly and without authorization:

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

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

38 c. Transfers food stamp coupons or an ATP card to another
39 person who is not lawfully entitled or approved, by the
40 department, to use the coupons or ATP card.

41 ²4. Nothing in this act shall be deemed to preclude, if the
42 evidence so warrants, an indictment and conviction for any other
43 offense under State or federal law.²

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:

¹ Assembly ASC committee amendments adopted February 27, 1992.

² Senate floor amendments adopted November 9, 1992.

1 2[4.] 5.² This act shall take effect immediately.

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6 Establishes penalties for the illegal use of food stamps.

ASSEMBLY, No. 235

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1992 SESSION

By Assemblyman CATANIA

1 AN ACT concerning the issuance of food stamps and
2 supplementing Title 2C of the New Jersey Statutes.

3

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

6 1. As used in this act:

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

10 "Department" means the Department of Human Services.

11 "Food stamp coupon" means any coupon or stamp used or
12 intended for use in the purchase of food pursuant to the federal
13 food stamp program, 7 U.S.C. § 2011 et seq..

14 2. If the face value of food stamp coupons or an ATP card is
15 greater than \$150, an individual shall be guilty of a crime of the
16 fourth degree if he purposely or knowingly and without
17 authorization;

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

21 b. Engages in any transaction to convert food stamp coupons
22 or an ATP card to other property contrary to federal and State
23 government rules and regulations governing the food stamp
24 program; or

25 c. Transfers food stamp coupons or an ATP card to another
26 person who is not lawfully entitled or approved, by the
27 department to use the coupons or ATP card.

28 3. If the face value of food stamp coupons or an ATP card is
29 less than \$150, an individual shall be guilty of a disorderly persons
30 offense if he purposely or knowingly and without authorization;

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

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

38 c. Transfers food stamp coupons or an ATP card to another
39 person who is not lawfully entitled or approved, by the
40 department, to use the coupons or ATP card.

41 4. This act shall take effect immediately.

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STATEMENT

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46 This bill establishes penalties for the illegal use of food stamp

1 coupons. An individual would be guilty of a crime of the fourth
2 degree if he purposely or knowingly and without authorization: a)
3 transfers; b) converts to other property; or c) receives and uses
4 proceeds of food stamp coupons or an authorization to participate
5 card (ATP) for which he has not applied, is not lawfully entitled
6 to or has not been approved to use by the Department of Human
7 Services. If the face value of the coupons or the ATP card is less
8 than \$150, the individual would be guilty of a disorderly persons
9 offense.

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14 Establishes penalties for the illegal use of food stamps.

ASSEMBLY SENIOR CITIZENS AND
SOCIAL SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 235

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1992

The Assembly Senior Citizens and Social Services Committee favorably reports Assembly Bill No. 235 with committee amendments.

As amended, this bill establishes penalties for the illegal use of food stamp coupons. An individual would be guilty of a crime of the fourth degree if the face value of the coupons or the ATP card is \$150 or more and the individual purposely or knowingly and without authorization: a) transfers; b) converts to other property; or c) receives and uses proceeds of food stamp coupons or an authorization to participate card (ATP) for which he has not applied, is not lawfully entitled to or has not been approved to use by the Department of Human Services. If the face value of the coupons or the ATP card is less than \$150, the individual would be guilty of a disorderly persons offense.

The amendments are technical in nature and clarify that the offense of a crime of a fourth degree would occur if the face value of the coupons or the ATP card is \$150 or greater

This bill was pre-filed for introduction in the 1992 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 235

STATE OF NEW JERSEY

DATED: SEPTEMBER 14, 1992

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 235 [1R].

This bill establishes penalties for the illegal use of food stamp coupons or authorization to participate cards (ATPs). Under the bill, it is a crime of the fourth degree to transfer food stamp coupons or ATP cards with a face value of \$150 or more to a person not entitled to them, to unlawfully convert such coupons or cards to other property, or to receive and use the proceeds of such coupons or cards when not entitled or approved to do so. If the face value of the coupons or cards is less than \$150, the offense is a disorderly persons offense.