

FLOOR AMENDMENT STATEMENT: No
LEGISLATIVE FISCAL ESTIMATE: Yes 7/5/2022

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Susan K. Livio and Brent Johnson - For The Star-Ledger, 'Package of anti-hunger bills advance; some signed Big school meal expansion is on the way as more than 760K residents lack food.', Star-Ledger, The (online), 1 Jul 2022005

end

§1
C.44:10-111
§3
Approp.
§4
Note

P.L. 2022, CHAPTER 32, *approved June 30, 2022*
Assembly, No. 2366 (*First Reprint*)

1 AN ACT concerning ¹**【supplemental】** minimum monthly¹ benefits
2 under the Supplemental Nutrition Assistance Program,
3 supplementing Title 44 of the Revised Statutes, and making an
4 appropriation.
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 ¹**【**1. a. The Division of Family Development in the Department
10 of Human Services shall issue a monthly supplemental benefit of
11 \$15 to each eligible enrollee of SNAP, provided that the enrollee is
12 a senior citizen or an individual with a disability. The division shall
13 distribute the monthly supplemental benefit via the enrollee’s
14 existing SNAP electronic benefits card, on the same issuance date
15 as the enrollee’s standard SNAP benefits. An enrollee shall use the
16 monthly supplemental benefit issued pursuant to this section in the
17 same manner as, and in compliance with, all State and federal laws
18 and regulations that apply to the use of the enrollee’s standard
19 SNAP benefits.

20 b. The Commissioner of Human Services shall apply to the
21 Food and Nutrition Service within the United States Department of
22 Agriculture for any necessary waivers or approvals to implement
23 the provisions of this act.

24 c. As used in this act:

25 “Individual with a disability” means an individual who meets one
26 of the following requirements by the last day of the month in which
27 the SNAP supplemental benefit is being issued: (1) receives federal
28 disability or blindness payments under the federal “Social Security
29 Act,” 42 U.S.C. s.301 et seq.; (2) receives State disability or blindness
30 payments under the Supplemental Security Income program, P.L.1973,
31 c.256 (C.44:7-85 et seq.); (3) receives a disability retirement benefit
32 from a governmental agency because of a permanent disability; (4)
33 receives an annuity under the federal "Railroad Retirement Act of
34 1974," 45 U.S.C. s.231 et seq. and is eligible for Medicare or is
35 considered disabled under the Supplemental Security Income program;

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:

¹Senate SHH committee amendments adopted June 23, 2022.

1 (5) is a veteran who is totally disabled, permanently homebound, or in
2 need of regular aid and attendance; or (6) is the surviving spouse or
3 child of a veteran who is receiving federal veterans' benefits and is
4 considered permanently disabled.

5 "Senior citizen" means an individual who is 60 years of age or
6 older by the last day of the month in which the SNAP supplemental
7 benefit is being issued.

8 "SNAP" means the New Jersey Supplemental Nutrition
9 Assistance Program, established pursuant to the federal "Food and
10 Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).¹

11
12 ¹1. a. There is established in the Division of Family
13 Development in the Department of Human Services the State SNAP
14 Minimum Benefit Program. Under the program, the division shall
15 distribute to each eligible household a monthly State SNAP benefit
16 equal to the difference between the household's federal SNAP
17 monthly benefit and \$50. The State SNAP benefit shall be provided
18 to an eligible household in addition to the federal SNAP benefit.

19 b. The program shall be subject to the same State rules and
20 procedures for implementing the federal SNAP to the greatest extent
21 possible, including, but not limited to, distributing the State SNAP
22 benefit using the program's Electronic Benefit Transfer system and
23 requiring that benefits be used solely for the purchase of food as
24 defined in 7 U.S.C. s.2012.

25 c. The Commissioner of Human Services shall apply to the
26 Food and Nutrition Service within the United States Department of
27 Agriculture for any necessary waivers or approvals to implement
28 the provisions of this section.

29 d. As used in this section:

30 "Eligible household" means a household that is certified to
31 receive a federal SNAP benefit of at least one dollar per month, but
32 less than \$50 per month.

33 "SNAP" means the New Jersey Supplemental Nutrition
34 Assistance Program, established pursuant to the federal "Food and
35 Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).¹

36
37 2. The Commissioner of Human Services shall adopt rules and
38 regulations, pursuant to the "Administrative Procedure Act,"
39 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
40 implement the provisions of this act.

41
42 3. There is appropriated from the General Fund to the Division
43 of Family Development in the Department of Human Services
44 ¹[\$20,500,000] \$18,000,000¹ to effectuate the provisions of this
45 act.

1 4. This act shall take effect on the first day of the **1[fourth]**
2 sixth¹ month next following the date of enactment, but the
3 Commissioner of Human Services may take such anticipatory
4 administrative action in advance thereof as may be necessary for the
5 implementation of this act.

6

7

8

9

10 Establishes State SNAP Minimum Benefit Program; appropriates
11 \$18 million to DHS.

ASSEMBLY, No. 2366

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 7, 2022

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblywoman Quijano, Assemblyman Benson, Assemblywoman Reynolds-Jackson, Assemblymen Wimberly, Freiman, Assemblywomen Lampitt, Jasey, Lopez and Jimenez

SYNOPSIS

Requires DHS to issue monthly supplemental SNAP benefit of \$15 to senior citizens and disabled enrollees; appropriates \$20.5 million to DHS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/26/2022)

A2366 MCKNIGHT, CARTER

2

1 AN ACT concerning supplemental benefits under the Supplemental
2 Nutrition Assistance Program, supplementing Title 44 of the
3 Revised Statutes, and making an appropriation.

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

7
8 1. a. The Division of Family Development in the Department
9 of Human Services shall issue a monthly supplemental benefit of
10 \$15 to each eligible enrollee of SNAP, provided that the enrollee is
11 a senior citizen or an individual with a disability. The division shall
12 distribute the monthly supplemental benefit via the enrollee's
13 existing SNAP electronic benefits card, on the same issuance date
14 as the enrollee's standard SNAP benefits. An enrollee shall use the
15 monthly supplemental benefit issued pursuant to this section in the
16 same manner as, and in compliance with, all State and federal laws
17 and regulations that apply to the use of the enrollee's standard
18 SNAP benefits.

19 b. The Commissioner of Human Services shall apply to the
20 Food and Nutrition Service within the United States Department of
21 Agriculture for any necessary waivers or approvals to implement
22 the provisions of this act.

23 c. As used in this act:

24 "Individual with a disability" means an individual who meets one
25 of the following requirements by the last day of the month in which
26 the SNAP supplemental benefit is being issued: (1) receives federal
27 disability or blindness payments under the federal "Social Security
28 Act," 42 U.S.C. s.301 et seq.; (2) receives State disability or blindness
29 payments under the Supplemental Security Income program, P.L.1973,
30 c.256 (C.44:7-85 et seq.); (3) receives a disability retirement benefit
31 from a governmental agency because of a permanent disability; (4)
32 receives an annuity under the federal "Railroad Retirement Act of
33 1974," 45 U.S.C. s.231 et seq. and is eligible for Medicare or is
34 considered disabled under the Supplemental Security Income program;
35 (5) is a veteran who is totally disabled, permanently homebound, or in
36 need of regular aid and attendance; or (6) is the surviving spouse or
37 child of a veteran who is receiving federal veterans' benefits and is
38 considered permanently disabled.

39 "Senior citizen" means an individual who is 60 years of age or
40 older by the last day of the month in which the SNAP supplemental
41 benefit is being issued.

42 "SNAP" means the New Jersey Supplemental Nutrition
43 Assistance Program, established pursuant to the federal "Food and
44 Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

45
46 2. The Commissioner of Human Services shall adopt rules and
47 regulations, pursuant to the "Administrative Procedure Act,"

1 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
2 implement the provisions of this act.

3

4 3. There is appropriated from the General Fund to the Division
5 of Family Development in the Department of Human Services
6 \$20,500,000 to effectuate the provisions of this act.

7

8 4. This act shall take effect on the first day of the fourth month
9 next following the date of enactment, but the Commissioner of
10 Human Services may take such anticipatory administrative action in
11 advance thereof as may be necessary for the implementation of this
12 act.

13

14

15

STATEMENT

16

17 This bill directs the Division of Family Development (DFD) in
18 the Department of Human Services (DHS) to issue a monthly
19 supplemental benefit of \$15 to each eligible enrollee of the
20 Supplemental Nutrition Assistance Program (SNAP), provided that
21 the enrollee is a senior citizen or an individual with a disability.
22 SNAP, formerly known as the Food Stamp Program, is a nutrition
23 assistance program that serves as a safety net for low-income
24 households.

25 The federal government provides 100 percent of the funds for the
26 standard SNAP benefit for all enrollees. According to existing
27 eligibility standards, the monthly benefit for senior citizens and
28 individuals with disabilities can be as low as \$16. Research has
29 indicated that disabling or chronic health conditions may be made
30 worse by insufficient food or a low-quality diet. A monthly
31 supplemental SNAP benefit for senior citizens and individuals with
32 disabilities would help meet the nutritional needs, and contribute to
33 the overall health and stability, of these vulnerable populations.

34 Specifically, under the bill, senior citizens and individuals with
35 disabilities, who are SNAP enrollees, would receive a \$15 monthly
36 supplemental SNAP benefit, provided with 100 percent State funds.
37 To accomplish this provision, the bill also appropriates \$20.5
38 million from the General Fund to the DHS. The bill defines senior
39 citizen and individual with a disability to conform with the
40 definition of these terms in federal regulations regarding SNAP.
41 For example, under the bill, "senior citizen" means an individual
42 who is 60 years of age or older by the last day of the month in
43 which the SNAP supplemental benefit is being issued. "Individual
44 with a disability" means an individual who receives, by the last day
45 of the month in which the SNAP supplemental benefit is being
46 issued, disability assistance under the federal "Social Security Act,"
47 42 U.S.C. s.301 et seq.; the Supplemental Security Income program,
48 P.L.1973, c.256 (C.44:7-85 et seq.); a governmental agency because of

A2366 MCKNIGHT, CARTER

4

1 a permanent disability; or the federal "Railroad Retirement Act of
2 1974," 45 U.S.C. s.231 et seq., under certain circumstances. The
3 following are also included under this definition: a veteran who is
4 totally disabled, permanently homebound, or in need of regular aid and
5 attendance; or the surviving spouse or child of a veteran who is
6 receiving federal veterans' benefits and is considered permanently
7 disabled.

8 The bill directs the DFD to distribute the monthly supplemental
9 benefit via the enrollee's existing SNAP electronic benefits card, on
10 the same issuance date as the enrollee's standard SNAP benefits.
11 Furthermore, an enrollee is required to use the monthly
12 supplemental benefit in the same manner as, and in compliance
13 with, all State and federal laws and regulations that apply to the use
14 of the enrollee's standard SNAP benefits.

15 The bill directs the Commissioner of Human Services to apply to
16 the Food and Nutrition Service within the United States Department
17 of Agriculture for any necessary waivers or approvals to implement
18 the provisions of the bill. The bill is to take effect on the first day
19 of the fourth month next following the date of enactment, but the
20 commissioner may take such advance anticipatory administrative
21 action as may be necessary for the implementation of the bill.

ASSEMBLY AGRICULTURE AND FOOD SECURITY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2366

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 2022

The Assembly Agriculture and Food Security Committee reports favorably Assembly Bill No. 2366.

This bill directs the Division of Family Development (DFD) in the Department of Human Services (DHS) to issue a monthly supplemental benefit of \$15 to each eligible enrollee of the Supplemental Nutrition Assistance Program (SNAP), provided that the enrollee is a senior citizen or an individual with a disability. SNAP, formerly known as the Food Stamp Program, is a nutrition assistance program that serves as a safety net for low-income households.

The federal government provides 100 percent of the funds for the standard SNAP benefit for all enrollees. According to existing eligibility standards, the monthly benefit for senior citizens and individuals with disabilities can be as low as \$16.

Specifically, under the bill, senior citizens and individuals with disabilities, who are SNAP enrollees, would receive a \$15 monthly supplemental SNAP benefit, provided with 100 percent State funds. To accomplish this provision, the bill also appropriates \$20.5 million from the General Fund to the DHS. The bill defines senior citizen and individual with a disability to conform with the definition of these terms in federal regulations regarding SNAP. For example, under the bill, "senior citizen" means an individual who is 60 years of age or older by the last day of the month in which the SNAP supplemental benefit is being issued. "Individual with a disability" means an individual who receives, by the last day of the month in which the SNAP supplemental benefit is being issued, disability assistance under the federal "Social Security Act," 42 U.S.C. s.301 et seq.; the Supplemental Security Income program, P.L.1973, c.256 (C.44:7-85 et seq.); a governmental agency because of a permanent disability; or the federal "Railroad Retirement Act of 1974," 45 U.S.C. s.231 et seq., under certain circumstances. The following are also included under this definition: a veteran who is totally disabled, permanently homebound, or in need of regular aid and attendance; or the surviving spouse or child of a veteran who is receiving federal veterans' benefits and is considered permanently disabled.

The bill directs the DFD to distribute the monthly supplemental benefit via the enrollee's existing SNAP electronic benefits card, on

the same issuance date as the enrollee's standard SNAP benefits. Furthermore, an enrollee is required to use the monthly supplemental benefit in the same manner as, and in compliance with, all State and federal laws and regulations that apply to the use of the enrollee's standard SNAP benefits.

The bill directs the Commissioner of Human Services to apply to the Food and Nutrition Service within the United States Department of Agriculture for any necessary waivers or approvals to implement the provisions of the bill. The bill is to take effect on the first day of the fourth month next following the date of enactment, but the commissioner may take such advance anticipatory administrative action as may be necessary for the implementation of the bill.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2366
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: MARCH 7, 2022

SUMMARY

- Synopsis:** Requires DHS to issue monthly supplemental SNAP benefit of \$15 to senior citizens and disabled enrollees; appropriates \$20.5 million to DHS.
- Type of Impact:** Annual State expenditure increase from the General Fund; potential annual State revenue increase.
- Agencies Affected:** Department of Human Services.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2023</u>	<u>FY 2024</u>	<u>Year 2025</u>
State Cost Increase	\$63.8 million	\$63.8 million	\$63.8 million
Potential State Revenue Increase	Indeterminate	Indeterminate	Indeterminate

- The Office of Legislative Services (OLS) determines that annual State costs under the bill would increase by approximately \$63.8 million in order to provide a State-funded, additional Supplemental Nutrition Assistance Program (SNAP) benefit of \$15 per month for enrollees who are aged 60 and older or who have a disability.
- To the extent that State administrative expenditures for SNAP increase under the bill, State revenues will also increase by an indeterminate amount, since the federal government provides a 50 percent match for State administrative costs for SNAP. Additional administrative costs may be limited because the bill provides that the supplemental benefits are to be distributed via the enrollee’s existing benefits card on the same date regular benefits are issued.

BILL DESCRIPTION

This bill directs the Department of Human Services to issue a monthly supplemental benefit of \$15 to each eligible enrollee of the SNAP, provided that the enrollee is a senior citizen aged 60 years or older or an individual with a disability. This supplemental benefit will be provided with 100 percent State funds, since the federal government sets the average monthly SNAP benefit



amount based on a number of factors, such as household size, and household annual income and resources. The bill appropriates \$20.5 million from the General Fund to the department for this supplemental benefit for eligible SNAP enrollees.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS determines that annual State costs under the bill would increase by approximately \$63.8 million in order to provide a State-funded, additional SNAP benefit of \$15 per month for enrollees who are aged 60 and older or who have a disability. Although the federal government funds 100 percent of the standard SNAP benefit, the State is required to provide funding for any supplemental benefits it chooses to provide above the standard benefit. Based on monthly New Jersey SNAP enrollment data in the December 2021 *Current Program Statistics* report issued by the Department of Human Services, there were 354,180 monthly average SNAP enrollees in 2021 who would qualify for the supplemental benefit provided for under this bill. The OLS notes that SNAP enrollment increased as a result of the COVID-19 pandemic (2021 enrollment was 9 percent higher among those 60 and older or disabled compared to 2019 enrollment levels) and may decline somewhat as the economy improves. However, based on the 2021 enrollment data, the State will spend about \$63.8 million annually to provide the supplemental monthly SNAP benefit. The \$20.5 million appropriated under the bill would fund approximately 47 percent of total costs to the State under the bill. It is important to note that SNAP is an open-ended entitlement program, meaning that any individual who qualifies for SNAP is entitled to receive SNAP benefits. Therefore, the State is obligated to appropriate amounts as are necessary for the supplemental benefit for any individual who qualifies based on age or disability status.

The OLS notes that the federal government funds 50 percent of State administrative costs for the SNAP. As such, any increase in State costs to provide the supplemental benefit via enrollees' existing SNAP electronic benefits card would result in a corresponding increase in State revenues. However, any additional administrative costs and associated revenues are likely to be marginal because the bill provides that the supplemental benefits are to be distributed via the enrollee's existing benefits card on the same date regular benefits are issued.

Section: Human Services
Analyst: Anne Cappabianca
Associate Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2366

STATE OF NEW JERSEY

DATED: MAY 19, 2022

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2366.

This bill directs the Division of Family Development (DFD) in the Department of Human Services (DHS) to issue a monthly supplemental benefit of \$15 to each eligible enrollee of the Supplemental Nutrition Assistance Program (SNAP), provided that the enrollee is a senior citizen or an individual with a disability. SNAP, formerly known as the Food Stamp Program, is a nutrition assistance program that serves as a safety net for low-income households.

The federal government provides 100 percent of the funds for the standard SNAP benefit for all enrollees. According to existing eligibility standards, the monthly benefit for senior citizens and individuals with disabilities can be as low as \$16.

Specifically, under the bill, senior citizens and individuals with disabilities, who are SNAP enrollees, would receive a \$15 monthly supplemental SNAP benefit, provided with 100 percent State funds. To accomplish this provision, the bill also appropriates \$20.5 million from the General Fund to the DHS. The bill defines senior citizen and individual with a disability to conform with the definition of these terms in federal regulations regarding SNAP. For example, under the bill, "senior citizen" means an individual who is 60 years of age or older by the last day of the month in which the SNAP supplemental benefit is being issued. "Individual with a disability" means an individual who receives, by the last day of the month in which the SNAP supplemental benefit is being issued, disability assistance under the federal "Social Security Act," 42 U.S.C. s.301 et seq.; the Supplemental Security Income program, P.L.1973, c.256 (C.44:7-85 et seq.); a governmental agency because of a permanent disability; or the federal "Railroad Retirement Act of 1974," 45 U.S.C. s.231 et seq., under certain circumstances. The following are also included under this definition: a veteran who is totally disabled, permanently homebound, or in need of regular aid and attendance; or the surviving spouse or child of a veteran who is receiving federal veterans' benefits and is considered permanently disabled.

The bill directs the DFD to distribute the monthly supplemental benefit via the enrollee's existing SNAP electronic benefits card, on the same issuance date as the enrollee's standard SNAP benefits. Furthermore, an enrollee is required to use the monthly supplemental

benefit in the same manner as, and in compliance with, all State and federal laws and regulations that apply to the use of the enrollee's standard SNAP benefits.

The bill directs the Commissioner of Human Services to apply to the Food and Nutrition Service within the United States Department of Agriculture for any necessary waivers or approvals to implement the provisions of the bill. The bill is to take effect on the first day of the fourth month next following the date of enactment, but the commissioner may take such advance anticipatory administrative action as may be necessary for the implementation of the bill.

FISCAL IMPACT:

The Office of Legislative Services (OLS) determines that annual State costs under the bill would increase by approximately \$63.8 million in order to provide a State-funded, additional SNAP benefit of \$15 per month for enrollees who are aged 60 and older or who have a disability.

To the extent that State administrative expenditures for SNAP increase under the bill, State revenues will also increase by an indeterminate amount, since the federal government provides a 50 percent match for State administrative costs for SNAP. Additional administrative costs may be limited because the bill provides that the supplemental benefits are to be distributed via the enrollee's existing benefits care on the same date regular benefits are issued.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2366

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 2366.

The committee substitute establishes the State SNAP Minimum Benefit Program in the Division of Family Development in the Department of Human Services (DHS) to ensure that all SNAP households receive a minimum monthly benefit of \$50, and appropriates \$18 million from the General Fund to the DHS to accomplish the goals of the program. SNAP, or the New Jersey Supplemental Nutrition Assistance Program, is a nutrition assistance program that serves as a safety net for low-income households.

Under the program, the division is directed to distribute to each eligible household a monthly State SNAP benefit equal to the difference between the household's federal SNAP monthly benefit and \$50. The State SNAP benefit is to be provided to an eligible household in addition to the federal SNAP benefit. The bill defines eligible household to mean means a household that is certified to receive a federal SNAP benefit of at least one dollar per month, but less than \$50 per month.

The program is subject to the same State rules and procedures for implementing the federal SNAP to the greatest extent possible, including, but not limited to, distributing the State benefit using the program's Electronic Benefit Transfer system and requiring that benefits be used solely for the purchase of food as defined under federal law.

As amended, the bill appropriates \$18 million from the General Fund to the DHS to implement the provisions of the bill.

As reported by the committee with amendments, Assembly Bill No. 2366 is identical to a Senate committee substitute for Senate Bill No. 2156, which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments remove a section from the bill that would have established a supplemental SNAP benefit of \$15 for senior

citizens and eligible individuals with a disability, and replaced it with a section requiring the DHS to establish the State SNAP minimum benefit program, under which each eligible household will be provided a monthly State SNAP benefit equal to the difference between the household's federal monthly SNAP benefit and \$50.

The committee amendments revise the amount of the appropriation under the bill from \$20.5 million to \$18 million.

The committee amendments revise the effective date of the bill from the first day of the fourth month next following enactment to the first day of the sixth month next following enactment.

The committee amendments revise the title and synopsis of the bill to reflect these changes.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2366

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: JULY 5, 2022

SUMMARY

- Synopsis:** Establishes State SNAP Minimum Benefit Program; appropriates \$18 million to DHS.
- Type of Impact:** Annual State expenditure increase from the General Fund; potential annual State revenue increase.
- Agencies Affected:** Department of Human Services.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
Potential State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) determines that annual State costs would increase by an indeterminate amount to provide a State minimum monthly Supplemental Nutrition Assistance Program (SNAP benefit), equal to the difference between a household's federal SNAP benefit and \$50, for eligible households. The OLS is unable to quantify the cost increase because data on the distribution, by dollar amount, of federal SNAP benefits among the State's SNAP households are not publicly available.
- State administrative expenditures will potentially increase by a substantive amount under the bill for the Division of Family Development in the Department of Human Services (DHS) to determine, on a monthly basis, each SNAP household's eligibility for a supplemental State SNAP benefit and, if eligible, the amount of the household's supplemental benefit. To the extent that State administrative expenditures for SNAP increase under the bill, State revenues will also increase, since the federal government provides a 50 percent match for State administrative costs for SNAP.

BILL DESCRIPTION

This bill establishes the State SNAP Minimum Benefit Program in the Division of Family Development in the DHS to ensure that all SNAP households receive a minimum monthly benefit

of \$50. Under the program, the division would distribute to each eligible household a monthly State SNAP benefit equal to the difference between the household's federal SNAP monthly benefit and \$50. This State SNAP benefit would supplement an eligible household's federal SNAP benefit. This supplemental benefit will be provided with 100 percent State funds, since the federal government sets the average monthly SNAP benefit amount based on a number of factors, such as household size, and household annual income and resources. The bill appropriates \$18 million from the General Fund to the division for the State SNAP Minimum Benefit Program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that State costs would increase by an indeterminate amount annually to provide a State minimum monthly supplemental SNAP benefit, in an amount equal to the difference between an eligible household's federal SNAP benefit and \$50. Because data on the distribution, by dollar amount, of federal SNAP benefits among the State's SNAP households are not publicly available, the OLS cannot determine the magnitude of the annual cost increase. It is important to note that SNAP is a federal entitlement program, meaning that any individual who qualifies for SNAP is entitled to receive SNAP benefits. Since SNAP is an open-ended benefit, the State cannot limit annual costs for households that qualify for the State SNAP Minimum Benefit Program, provided under the bill, through the State appropriations process. Rather, the State would have to bear the full cost each month of providing the difference, if any, between a qualifying household's federal SNAP benefit and \$50.

According to monthly NJ SNAP enrollment data, reported in the April 2022 *Current Program Statistics* report issued by the DHS, 450,365 households received SNAP benefits in that month. In federal fiscal year 2022, the minimum federal SNAP benefit for a household comprised of two persons is \$20 per month; the maximum federal allotment for a household of two persons is \$459 per month, which increases to \$835 per month for a household with four members. For context, data published by the federal government shows that in FY 2020, the average monthly benefit per SNAP-enrolled household in New Jersey was \$314.85. If ten percent of households receiving SNAP benefits in the State receive the minimum federal SNAP benefit of \$20 per month, the bill would increase annual State expenditures by roughly \$16 million to bring these households' monthly SNAP benefits up to the \$50 prescribed in the bill.

The OLS notes that the federal government funds 50 percent of State administrative costs for the SNAP. As such, any increase in State costs to administer the State SNAP Minimum Benefit Program would result in a corresponding increase in State revenues. The bill provides that the State is to distribute this supplemental benefits to eligible households via enrollees' existing benefits card.

Section: Human Services

Analyst: Anne Cappabianca
Associate Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2156

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Requires DHS to issue monthly supplemental SNAP benefit of \$15 to senior citizens and disabled enrollees; appropriates \$20.5 million to DHS.

CURRENT VERSION OF TEXT

As introduced.



S2156 LAGANA

2

1 AN ACT concerning supplemental benefits under the Supplemental
2 Nutrition Assistance Program, supplementing Title 44 of the
3 Revised Statutes, and making an appropriation.

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

7
8 1. a. The Division of Family Development in the Department
9 of Human Services shall issue a monthly supplemental benefit of
10 \$15 to each eligible enrollee of SNAP, provided that the enrollee is
11 a senior citizen or an individual with a disability. The division shall
12 distribute the monthly supplemental benefit via the enrollee's
13 existing SNAP electronic benefits card, on the same issuance date
14 as the enrollee's standard SNAP benefits. An enrollee shall use the
15 monthly supplemental benefit issued pursuant to this section in the
16 same manner as, and in compliance with, all State and federal laws
17 and regulations that apply to the use of the enrollee's standard
18 SNAP benefits.

19 b. The Commissioner of Human Services shall apply to the
20 Food and Nutrition Service within the United States Department of
21 Agriculture for any necessary waivers or approvals to implement
22 the provisions of this act.

23 c. As used in this act:

24 "Individual with a disability" means an individual who meets one
25 of the following requirements by the last day of the month in which
26 the SNAP supplemental benefit is being issued: (1) receives federal
27 disability or blindness payments under the federal "Social Security
28 Act," 42 U.S.C. s.301 et seq.; (2) receives State disability or blindness
29 payments under the Supplemental Security Income program, P.L.1973,
30 c.256 (C.44:7-85 et seq.); (3) receives a disability retirement benefit
31 from a governmental agency because of a permanent disability; (4)
32 receives an annuity under the federal "Railroad Retirement Act of
33 1974," 45 U.S.C. s.231 et seq. and is eligible for Medicare or is
34 considered disabled under the Supplemental Security Income program;
35 (5) is a veteran who is totally disabled, permanently homebound, or in
36 need of regular aid and attendance; or (6) is the surviving spouse or
37 child of a veteran who is receiving federal veterans' benefits and is
38 considered permanently disabled.

39 "Senior citizen" means an individual who is 60 years of age or
40 older by the last day of the month in which the SNAP supplemental
41 benefit is being issued.

42 "SNAP" means the New Jersey Supplemental Nutrition
43 Assistance Program, established pursuant to the federal "Food and
44 Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.).

45
46 2. The Commissioner of Human Services shall adopt rules and
47 regulations, pursuant to the "Administrative Procedure Act,"

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1 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
2 implement the provisions of this act.

3

4 3. There is appropriated from the General Fund to the Division
5 of Family Development in the Department of Human Services
6 \$20,500,000 to effectuate the provisions of this act.

7

8 4. This act shall take effect on the first day of the fourth month
9 next following the date of enactment, but the Commissioner of
10 Human Services may take such anticipatory administrative action in
11 advance thereof as may be necessary for the implementation of this
12 act.

13

14

15

STATEMENT

16

17 This bill directs the Division of Family Development (DFD) in
18 the Department of Human Services (DHS) to issue a monthly
19 supplemental benefit of \$15 to each eligible enrollee of the
20 Supplemental Nutrition Assistance Program (SNAP), provided that
21 the enrollee is a senior citizen or an individual with a disability.
22 SNAP, formerly known as the Food Stamp Program, is a nutrition
23 assistance program that serves as a safety net for low-income
24 households.

25 The federal government provides 100 percent of the funds for the
26 standard SNAP benefit for all enrollees. According to existing
27 eligibility standards, the monthly benefit for senior citizens and
28 individuals with disabilities can be as low as \$16. Research has
29 indicated that disabling or chronic health conditions may be made
30 worse by insufficient food or a low-quality diet. A monthly
31 supplemental SNAP benefit for senior citizens and individuals with
32 disabilities would help meet the nutritional needs, and contribute to
33 the overall health and stability, of these vulnerable populations.

34 Specifically, under the bill, senior citizens and individuals with
35 disabilities, who are SNAP enrollees, would receive a \$15 monthly
36 supplemental SNAP benefit, provided with 100 percent State funds.
37 To accomplish this provision, the bill also appropriates \$20.5
38 million from the General Fund to the DHS. The bill defines senior
39 citizen and individual with a disability to conform with the
40 definition of these terms in federal regulations regarding SNAP.
41 For example, under the bill, "senior citizen" means an individual
42 who is 60 years of age or older by the last day of the month in
43 which the SNAP supplemental benefit is being issued. "Individual
44 with a disability" means an individual who receives, by the last day
45 of the month in which the SNAP supplemental benefit is being
46 issued, disability assistance under the federal "Social Security Act,"
47 42 U.S.C. s.301 et seq.; the Supplemental Security Income program,
48 P.L.1973, c.256 (C.44:7-85 et seq.); a governmental agency because of

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1 a permanent disability; or the federal "Railroad Retirement Act of
2 1974," 45 U.S.C. s.231 et seq., under certain circumstances. The
3 following are also included under this definition: a veteran who is
4 totally disabled, permanently homebound, or in need of regular aid and
5 attendance; or the surviving spouse or child of a veteran who is
6 receiving federal veterans' benefits and is considered permanently
7 disabled.

8 The bill directs the DFD to distribute the monthly supplemental
9 benefit via the enrollee's existing SNAP electronic benefits card, on
10 the same issuance date as the enrollee's standard SNAP benefits.
11 Furthermore, an enrollee is required to use the monthly
12 supplemental benefit in the same manner as, and in compliance
13 with, all State and federal laws and regulations that apply to the use
14 of the enrollee's standard SNAP benefits.

15 The bill directs the Commissioner of Human Services to apply to
16 the Food and Nutrition Service within the United States Department
17 of Agriculture for any necessary waivers or approvals to implement
18 the provisions of the bill. The bill is to take effect on the first day
19 of the fourth month next following the date of enactment, but the
20 commissioner may take such advance anticipatory administrative
21 action as may be necessary for the implementation of the bill.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2156

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate committee substitute for Senate Bill No. 2156.

The committee substitute establishes the State SNAP Minimum Benefit Program in the Division of Family Development in the Department of Human Services (DHS) to ensure that all SNAP households receive a minimum monthly benefit of \$50, and appropriates \$18 million from the General Fund to the DHS to accomplish the goals of the program. SNAP, or the New Jersey Supplemental Nutrition Assistance Program, is a nutrition assistance program that serves as a safety net for low-income households.

Under the program, the division is directed to distribute to each eligible household a monthly State SNAP benefit equal to the difference between the household's federal SNAP monthly benefit and \$50. The State SNAP benefit is to be provided to an eligible household in addition to the federal SNAP benefit. The bill defines eligible household to mean means a household that is certified to receive a federal SNAP benefit of at least one dollar per month, but less than \$50 per month.

The program is subject to the same State rules and procedures for implementing the federal SNAP to the greatest extent possible, including, but not limited to, distributing the State benefit using the program's Electronic Benefit Transfer system and requiring that benefits be used solely for the purchase of food as defined under federal law.

The substitute bill appropriates \$18 million from the General Fund to the DHS to implement the provisions of the bill. As reported by the committee, the Senate committee substitute for Senate Bill No. 2156 is identical to Assembly Bill No. 2366, which was also reported by the committee on this date, with amendments.

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2156
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JULY 5, 2022

SUMMARY

Synopsis: Establishes State SNAP Minimum Benefit Program; appropriates \$18 million to DHS.

Type of Impact: Annual State expenditure increase from the General Fund; potential annual State revenue increase.

Agencies Affected: Department of Human Services.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
Potential State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) determines that annual State costs would increase by an indeterminate amount to provide a State minimum monthly Supplemental Nutrition Assistance Program (SNAP benefit), equal to the difference between a household's federal SNAP benefit and \$50, for eligible households. The OLS is unable to quantify the cost increase because data on the distribution, by dollar amount, of federal SNAP benefits among the State's SNAP households are not publicly available.
- State administrative expenditures will potentially increase by a substantive amount under the bill for the Division of Family Development in the Department of Human Services (DHS) to determine, on a monthly basis, each SNAP household's eligibility for a supplemental State SNAP benefit and, if eligible, the amount of the household's supplemental benefit. To the extent that State administrative expenditures for SNAP increase under the bill, State revenues will also increase, since the federal government provides a 50 percent match for State administrative costs for SNAP.

BILL DESCRIPTION

This bill establishes the State SNAP Minimum Benefit Program in the Division of Family Development in the DHS to ensure that all SNAP households receive a minimum monthly benefit

of \$50. Under the program, the division would distribute to each eligible household a monthly State SNAP benefit equal to the difference between the household's federal SNAP monthly benefit and \$50. This State SNAP benefit would supplement an eligible household's federal SNAP benefit. This supplemental benefit will be provided with 100 percent State funds, since the federal government sets the average monthly SNAP benefit amount based on a number of factors, such as household size, and household annual income and resources. The bill appropriates \$18 million from the General Fund to the division for the State SNAP Minimum Benefit Program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that State costs would increase by an indeterminate amount annually to provide a State minimum monthly supplemental SNAP benefit, in an amount equal to the difference between an eligible household's federal SNAP benefit and \$50. Because data on the distribution, by dollar amount, of federal SNAP benefits among the State's SNAP households are not publicly available, the OLS cannot determine the magnitude of the annual cost increase. It is important to note that SNAP is a federal entitlement program, meaning that any individual who qualifies for SNAP is entitled to receive SNAP benefits. Since SNAP is an open-ended benefit, the State cannot limit annual costs for households that qualify for the State SNAP Minimum Benefit Program, provided under the bill, through the State appropriations process. Rather, the State would have to bear the full cost each month of providing the difference, if any, between a qualifying household's federal SNAP benefit and \$50.

According to monthly NJ SNAP enrollment data, reported in the April 2022 *Current Program Statistics* report issued by the DHS, 450,365 households received SNAP benefits in that month. In federal fiscal year 2022, the minimum federal SNAP benefit for a household comprised of two persons is \$20 per month; the maximum federal allotment for a household of two persons is \$459 per month, which increases to \$835 per month for a household with four members. For context, data published by the federal government shows that in FY 2020, the average monthly benefit per SNAP-enrolled household in New Jersey was \$314.85. If ten percent of households receiving SNAP benefits in the State receive the minimum federal SNAP benefit of \$20 per month, the bill would increase annual State expenditures by roughly \$16 million to bring these households' monthly SNAP benefits up to the \$50 prescribed in the bill.

The OLS notes that the federal government funds 50 percent of State administrative costs for the SNAP. As such, any increase in State costs to administer the State SNAP Minimum Benefit Program would result in a corresponding increase in State revenues. The bill provides that the State is to distribute this supplemental benefits to eligible households via enrollees' existing benefits card.

Section: Human Services

Analyst: Anne Cappabianca
Associate Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

06/30/2022

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

2944/A-4162 (Sarlo, Ruiz/Freiman, Mosquera, Jaffer, Moriarty, Tully, Swain) - Credits \$5.2 billion to “New Jersey Debt Defeasance and Prevention Fund”; appropriates \$2.9 billion to NJ Schools Development Authority, NJ DOT, and NJT; and establishes process for authorizing future appropriations for debt defeasance and capital projects

S-1929/A-3668 (Gopal, Pennacchio/McKeon, Tully, Conaway) - Makes FY 2022 supplemental appropriation to provide State military impact aid to certain school districts

A-4403/S-2915 (Pintor Marin, Wimberly/Sarlo, Cunningham) - Makes FY 2022 supplemental appropriations of \$71,786,000

ACS for A-1522/S-2914 (Moriarty, Mosquera, Jaffer, Freiman, Lampitt, Greenwald/Madden, Gopal) - Establishes annual sales tax holiday for certain retail sales of computers, school computer supplies, school supplies, school art supplies, school instructional materials and sport or recreational equipment.

A-4401/S-2860 (Jaffer, Moriarty, Tully/Gopal, Pou) - Provides one-year waiver of certain MVC fees imposed for driver’s licenses and non-driver identification cards.

S-2861/A-4400 (Madden, Pou/Mosquera, Swain, Wimberly) - Waives fees for marriage and civil union licenses in Fiscal Year 2023; appropriates \$2 million

S-2523/ACS for A-3852 (Ruiz, Cunningham/Reynolds-Jackson, Freiman, Jaffer, Moriarty, Mosquera, Wimberly) - Provides child tax credit under gross income tax

S-2476wGR/A-4179 (Ruiz, Vitale/Coughlin, Jasey, Sumter, Quijano) - Establishes Thriving By Three Act to award competitive grants for infant and toddler child care programs; appropriates \$28 million

A-2359/S-2034 (Tucker, Moen, Haider/Cruz-Perez, Pou) - Provides for streamlining of SNAP application process and establishes SNAP application call center; appropriates \$750,000

A-2360/S-2035 (Reynolds-Jackson, Mukherji, Speight/Cunningham, Ruiz) - Eliminates requirement that participation in NJ SNAP Employment and Training Program is mandatory for certain recipients

A-2361/S-2016 (Jimenez, Sumter, Timberlake/Zwicker, Ruiz) - Requires DHS to maintain SNAP outreach plan and to conduct additional outreach programs

A-2362/S-2036 (Freiman, Mosquera, Quijano/Johnson, Ruiz) - Requires DHS to submit federal waiver request regarding time limits for certain SNAP recipients under certain circumstances

A-2363/S-2033 (Stanley, Mejia, Lopez/Pou, Ruiz) - Concerns SNAP services provided at county boards of social services and county welfare agencies; appropriates \$250,000

A-2364/S-2017 (Spearman, Pintor Marin, Atkins/Greenstein, Ruiz) - Appropriates \$813,000 to DHS to implement use of electronic benefit transfer cards in Senior Farmers’ Market Nutrition Program

A-2366/SCS for S-2156 (McKnight, Carter, Verrelli/Lagana, Pou) - Establishes State SNAP Minimum Benefit Program; appropriates \$18 million to DHS

A-2008/S-352 (Conaway, Verrelli, Benson/Gopal, Madden) - Requires health insurance carriers to provide coverage for treatment of mental health conditions and substance use disorders through collaborative care

S-2872/A-4399 (Scutari, Ruiz/Carter, Reynolds-Jackson, Murphy, Wimberly) - Establishes Behavioral Healthcare Provider Loan Redemption Program within Higher Education Student Assistance Authority; appropriates \$5 million

SCS for S-311/ACS for A-2036 (Vitale, Gopal/Benson, Verrelli, Conaway) - Establishes Statewide behavioral health crisis system of care

SCS for S-722 and 785/ACS for A-998 (Codey, Singleton/Reynolds-Jackson, Stanley, Jaffer) - Codifies and expands ARRIVE Together Pilot Program to make certain mental health services available to police responding to certain emergencies; appropriates \$2 million

S-2909/ACS for A-4374 (Diegnan/Benson, Pintor Marin, McKnight) - Authorizes DOT to compensate contractors and subcontractors affected by supply chain shortages; appropriates \$10 million

A-4405/S-2943 (Benson, Wimberly, Moen/Diegnan) - Concerns New Jersey Transportation Trust Fund Authority; increases Transportation Trust Fund spending limit by \$600 million

A-674/S-1646 (Verrelli, McKnight, McKeon/Ruiz, Pou) - Establishes New Jersey Easy Enrollment Health Insurance Program

A-3733/S-488 (Haider, Stanley, Benson/Scutari, Beach) - Authorizes student attending institution of higher education to earn credit towards graduation for serving as poll worker

ACS for A-3990/SCS for S-2593 (Stanley, Tully, Karabinchak/Diegnan, Corrado) - Provides temporary one-year extension of service life of school buses for 2022-2023 school year; authorizes chief administrator to allow one-year extension in subsequent two school years

A-4208/S-2791 (Pintor Marin, Quijano, Speight/Ruiz, Cruz-Perez) - Provides sales and use tax exemption for certain purchases made by all supermarkets and grocery stores located within urban enterprise zones

A2426/S513 (Wimberly, Reynolds-Jackson, Schaer/Cryan, Turner) - Establishes rebuttable presumption of pretrial detention for defendants who commit certain firearm offenses under Graves Act

A-4385/S-2933 (Conaway/Cryan) - Makes various revisions to law pertaining to electronic medical records and recording patients' demographic information

S-2807/A-246 (Stack, Sacco, Cunningham/McKnight, Sampson, Chaparro) - Establishes Liberty State Park Design Task Force

S-2917/A-4395 (Cruz-Perez, Stack/Pintor Marin, Freiman, Reynolds-Jackson) - Expands allowance for developers to carry forward unused tax credits under New Jersey Aspire Program

S-2921/A-4365 (Zwicker, Pou/Coughlin, Verrelli, Spearman) - Revises various provisions of Food Desert Relief Program

S-2945/ACS for A-4392 (Scutari/Pintor Marin, Sumter, Quijano, McKnight) - Concerns economic incentives for certain cannabis businesses

S-2023/A-4402 (Sarlo, Cunningham/Pintor Marin, Wimberly) - LINE ITEM - Appropriates \$50,638,729,000 in State funds and \$24,082,639,850 in federal funds for the State budget for fiscal year 2022-2023

[Copy of Statement](#)

Governor Murphy signed the following bills today, which were sent to his desk yesterday, conditionally vetoed, and then passed in concurrence with the Governor's recommendations:

S-2476/A-4179 (Ruiz, Vitale/Coughlin, Jasey, Sumter, Quijano) – CONDITIONAL - Establishes Thriving By Three Act to award competitive grants for infant and toddler child care programs; appropriates \$28 million

[Copy of Statement](#)

A-4403/S-2915 (Pintor Marin, Wimberly/Sarlo, Cunningham) – CONDITIONAL - Makes FY 2022 supplemental appropriations of \$71,786,000

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