

ASSEMBLY, No. 2272

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

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District 2 (Atlantic)

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SYNOPSIS

Directs certain unclaimed electric and gas utility deposits in Unclaimed Utility Deposits Trust Fund be paid to Statewide nonprofit energy assistance organizations meeting certain eligibility criteria.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain payments from the Unclaimed Utility
2 Deposits Trust Fund and amending P.L.2000, c.132 and
3 R.S.46:30B-74.

4

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

7

8 1. Section 1 of P.L.2000, c.132 (C.48:2-29.38) is amended to
9 read as follows:

10 1. The Legislature finds and declares: that certain citizens of
11 the State may find it difficult to pay for energy services because of
12 a temporary financial reversal, medical crisis, or other family
13 problem; and that Statewide nonprofit energy assistance
14 organizations such as New Jersey **Statewide Heating Assistance**
15 **and Referral for Energy Services (SHARES)** SHARES, Inc., have
16 been formed, joining together various nonprofit human service
17 agencies and the major energy public utilities in the State to raise
18 money through contributions of the members and others to provide
19 temporary financial assistance to needy customers that may have
20 exhausted all other available resources.

21 The Legislature therefore determines that it serves a public
22 purpose to provide supplemental funding to such Statewide
23 nonprofit energy assistance organizations from **the** unclaimed
24 property deposits held by the electric and gas public utilities in the
25 State.

26 (cf: P.L.2000, c.132, s.1)

27

28 2. Section 2 of P.L.2000, c.132 (C.48:2-29.39) is amended to
29 read as follows:

30 2. The Board of Public Utilities shall designate an established
31 Statewide nonprofit energy assistance organization representing the
32 State's major electric and gas public utilities and human service
33 nonprofit groups to receive supplemental funding from unclaimed
34 property deposits held by the State's electric and gas public utilities
35 that is transferred to the State in accordance with the requirements
36 of subsection b. of R.S.46:30B-74.

37 (cf: P.L.2000, c.132, s.2)

38

39 3. Section 3 of P.L.2000, c.132 (C.48:2-29.40) is amended to
40 read as follows:

41 3. The Statewide nonprofit energy assistance organization
42 receiving such funding from the State shall utilize the funds to
43 provide temporary financial assistance to residential customers
44 having short-term difficulties paying their energy public utility bills
45 after such customers have exhausted all other available energy
46 assistance resources. The organization shall develop, in

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.

1 consultation with the Board of Public Utilities, and file with the
2 Board of Public Utilities the eligibility criteria for customers to
3 receive energy assistance grants. The organization shall also file
4 annually with the Board of Public Utilities and, pursuant to section
5 2 of P.L.1991, c.164 (C.52:14-19.1), with the Legislature, a detailed
6 report on the use of the funds received from the State, pursuant to
7 the provisions of R.S.46:30B-74, and the number of recipients and
8 amount of energy assistance grants.

9 (cf: P.L.2000, c.132, s.3)

10
11 4. Section 4 of P.L.2000, c.132 (C.48:2-29.41) is amended to
12 read as follows:

13 4. The Board of Public Utilities is authorized to promulgate,
14 pursuant to **【law, such】** the “Administrative Procedure Act,”
15 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may
16 be necessary to effectuate the **【purpose】** purposes of **【this act】**
17 P.L.2000, c.132 (C.48:2-29.38 et al.).

18 (cf: P.L.2000, c.132, s.4)

19
20 5. R.S.46:30B-74 is amended to read as follows:

21 46:30B-74. The administrator shall establish and manage four
22 separate trust funds to be known as the Unclaimed County Deposits
23 Trust Fund, the Unclaimed Child Support Trust Fund, the
24 Unclaimed Utility Deposits Trust Fund, and the Unclaimed Personal
25 Property Trust Fund.

26 a. All moneys received as unclaimed county deposits and the
27 accretions thereon shall be deposited into the Unclaimed County
28 Deposits Trust Fund. Each year, unless the administrator deems it
29 prudent and advisable to do otherwise, the administrator shall pay
30 to each county, within 45 days of the receipt of such funds, 75 **【%】**
31 percent of the unclaimed county deposits received from that county
32 by the administrator. The remaining portion shall be retained in the
33 trust fund, administered and invested by the State Treasurer, and
34 used to pay claims duly presented and allowed and all expenses and
35 costs incurred by the State of New Jersey. If the Unclaimed County
36 Deposits Trust Fund is insufficient to pay specific claims against a
37 county, the administrator shall report the fact to the county
38 governing body and the unpaid claim shall become an affirmative
39 obligation of that county.

40 Upon the effective date of **【this act】** P.L.1992, c.173, any county
41 deposits paid to the administrator between April 18, 1989 and the
42 effective date of **【this act】** P.L.1992, c.173 shall be transferred from
43 the Unclaimed Personal Property Trust Fund to the Unclaimed
44 County Deposits Trust Fund.

45 b. All moneys received in unclaimed property deposits from
46 electric and gas public utilities shall be deposited into the
47 Unclaimed Utility Deposits Trust Fund. Each year, unless the

1 administrator deems it prudent and advisable to do otherwise, the
2 administrator shall pay to **the New Jersey Statewide Heating**
3 **Assistance and Referral for Energy Services (SHARES) nonprofit**
4 **corporation, or to another** a Statewide nonprofit energy assistance
5 organization designated by the Board of Public Utilities within 45
6 days of the receipt of such funds, 75 **[%]** percent of the unclaimed
7 **utility** property deposits **received** from **each of the** electric
8 and gas public utilities received by the administrator. Such
9 payments received from the administrator shall be used exclusively
10 for the payment of expenses associated with the restoration of
11 electric or gas public utility service, or to prevent the termination of
12 electric or gas public utility service provided to electric or gas
13 public utility ratepayers seeking assistance from **New Jersey**
14 **SHARES, or an equivalent** a Statewide nonprofit energy assistance
15 organization designated by the Board of Public Utilities. The
16 remaining portion shall be retained in the trust fund, administered
17 and invested by the State Treasurer, and used to pay claims duly
18 presented and allowed and all expenses and costs incurred by the
19 State of New Jersey.

20 Upon the effective date of P.L.2000, c.132 (C.48:2-29.38 et al.),
21 any unclaimed property deposits **held by** from electric and gas
22 public utilities paid to the administrator between July 1, 1998 and
23 the effective date of **this act** P.L.2000, c.132 (C.48:2-29.38 et al.)
24 shall be transferred from the Unclaimed Personal Property Trust
25 Fund to the Unclaimed Utility Deposits Trust Fund.

26 c. All other moneys received as unclaimed property presumed
27 abandoned, the accretions thereon, and the proceeds of sale of
28 unclaimed property shall be deposited into the Unclaimed Personal
29 Property Trust Fund. Unless the administrator deems it prudent and
30 advisable to do otherwise, 75 **[%]** percent of all funds received
31 shall be transferred to the General State Fund. The remaining
32 portion shall be retained in the trust fund, administered and invested
33 by the State Treasurer, and used to pay claims duly presented and
34 allowed and all expenses and costs incurred by the State of New
35 Jersey.

36 Upon the effective date of **this act** the “Uniform Unclaimed
37 Property Act (1981),” P.L.1989, c.58 (R.S.46:30B-1 et seq.), all
38 funds and assets of the trust funds established pursuant to
39 N.J.S.2A:37-41, section 8 of P.L.1945, c.199 (C.17:9-25), and
40 N.J.S.17B:31-7, shall be transferred to and become part of the
41 Unclaimed Personal Property Trust Fund established by **this act**
42 R.S.46:30B-1 et seq., which shall be responsible for payment of any
43 allowed claims for restitution of unclaimed property paid into those
44 three funds.

45 d. All moneys received as abandoned child support and the
46 accretions thereon shall be deposited in the Unclaimed Child
47 Support Trust Fund. Each year, the administrator shall pay to the

1 judiciary, within 45 days of the receipt of such funds, the federal
2 government's Title IV-D share of the abandoned child support
3 received from the Probation Division of the Superior Court. The
4 remaining portions shall be retained in the trust fund, administered
5 and invested by the State Treasurer, and used to pay claims duly
6 presented and allowed and all expenses and costs incurred by the
7 State of New Jersey. If the Unclaimed Child Support Trust Fund is
8 insufficient to pay specific claims against a county, the
9 administrator shall report the fact to the judiciary and the unpaid
10 claim shall become an affirmative obligation of the judiciary.

11 Upon the effective date of P.L.1995, c.115, any abandoned child
12 support paid to the administrator between April 18, 1989 and that
13 effective date shall be transferred from the Unclaimed Personal
14 Property Trust Fund to the Unclaimed Child Support Trust Fund.

15 e. As used in this section:

16 (1) "County deposits" means the proceeds of a judgment
17 received in favor of a minor and placed under the control of a
18 county surrogate or any devise or distribution from an estate paid
19 into the county surrogate's court prior to April 14, 1989; any
20 unclaimed bail and any interest thereon deposited prior to January
21 1, 1995 and 50% of any unclaimed bail and any interest thereon
22 deposited after January 1, 1995;

23 (2) "Abandoned child support" means any payments for the
24 support of a child or a child and the custodial parent paid to the
25 Probation Division of the Superior Court pursuant to a court order
26 that could not be distributed to the payee or returned to the payor
27 within one year of its receipt;

28 (3) "Title IV-D" means Part D, "Child Support and
29 Establishment of Paternity," of subchapter IV of the Social Security
30 Act (42 U.S.C. 651 et seq.) under which states receive partial
31 federal reimbursement of their administrative expenses for
32 establishing paternity and collecting child support;

33 (4) "Unclaimed property deposits from electric and gas public
34 utilities" means any unclaimed deposits held by electric and gas
35 public utilities in accordance with the requirements of R.S.46:30B-
36 29 **[and]**, any unclaimed stock and dividends of electric and gas
37 public utilities in accordance with the requirements of R.S.46:30B-
38 31 **[and]**, any unclaimed wages of electric and gas public utilities
39 in accordance with the requirements of R.S.46:30B-44, and any
40 other unclaimed property of electric and gas public utilities in
41 accordance with the requirements of R.S.46:30B-7; and

42 (5) "Statewide nonprofit energy assistance organization" means
43 a nonprofit energy assistance organization having:

44 (a) a network of no less than 200 partner organizations that
45 collectively have a physical presence in every county in this State,
46 providing secure, online, or in-person grant application access;

47 (b) a board of directors comprised of not less than five electric
48 or gas public utility representatives; and

1 (c) an on-site customer service call center providing access to
2 assistance offered in a minimum of 150 languages.

3 (cf: P.L.2000, c.132, s.5)

4
5 6. This act shall take effect immediately, but shall not be
6 construed to impair any vested right or obligation under any
7 contract entered into prior to the date of enactment.

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10 STATEMENT

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12 This bill requires that unclaimed property deposits from electric
13 and gas public utilities in the Unclaimed Utility Deposits Trust
14 Fund be paid to a Statewide nonprofit energy assistance
15 organization meeting certain criteria. Under the bill, in order to be
16 eligible to receive trust fund monies, a Statewide nonprofit energy
17 assistance organization designated by the Board of Public Utilities
18 is required to: 1) have a network of no less than 200 partner
19 organizations that collectively have a physical presence in every
20 county in this State; 2) provide secure, online or in-person grant
21 application access; 3) have a board of directors comprised of not
22 less than five electric or gas public utility representatives; and 3)
23 have an on-site customer service call center providing access to
24 assistance offered in a minimum of 150 languages.