

ASSEMBLY, No. 2273

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

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SYNOPSIS

"Disaster Victims Protection Act"; requires Governor to allocate federal and State disaster aid to municipalities in proportion to amount of catastrophic physical damage sustained within each municipality.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/3/2020)

1 **AN ACT** concerning the allocation of federal and State disaster
2 funds and supplementing chapter 9 of Appendix A.

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

6
7 1. This act shall be known and may be cited as the "Disaster
8 Victims Protection Act."

9
10 2. The Legislature finds and declares that:

11 a. Beginning on October 28, 2012, and continuing through
12 October 30, 2012, Hurricane Sandy produced unprecedented severe
13 weather conditions and devastated the State of New Jersey and its
14 residents with high winds and torrential rains, enormous storm
15 surges and floods.

16 b. As a result of the catastrophic damage to the State caused by
17 Hurricane Sandy, New Jersey received billions of dollars from
18 Congress in the form of Community Development Block Grant-
19 Disaster Recovery (CDBG-DR) funds to support the State's
20 recovery and rebuilding efforts. The United States Department of
21 Housing and Urban Development (HUD) designated the nine most-
22 impacted counties, which include Atlantic, Bergen, Cape May,
23 Essex, Hudson, Middlesex, Monmouth, Ocean, and Union counties,
24 to which the CDBG-DR funds were to be allocated.

25 c. Although the entire State suffered as a result of this natural
26 disaster, some municipalities within the nine most-impacted
27 counties were much more severely damaged than other
28 municipalities within the nine designated counties.

29 d. While worthwhile housing and development projects within
30 the nine most-impacted counties have been funded with CDBG-DR
31 funds, some of the municipalities that were the hardest hit and most
32 financially strained within those nine counties remain in need of
33 substantial aid and development due to funds not being allocated in
34 proportion to the amount of damage suffered by the municipality,
35 but by the designation of the county itself. This has caused some
36 municipalities to receive disaster relief aid substantially
37 disproportionate to the amount of damage suffered, particularly
38 when compared to municipalities that suffered more damage within
39 other designated counties.

40 e. In order utilize limited federal and State disaster relief funds
41 in the most appropriate manner, and to provide assistance to those
42 most vulnerable and most in need in our State without delay, when
43 developing a State action plan for the allocation and disbursement
44 of federal CDBG-DR funds and State resources, it is only fair and
45 just that municipal funding priority consideration be given to
46 municipalities for its rebuilding and development efforts in direct
47 proportion to the amount of physical damage sustained within each
48 municipality.

3. Whenever the Governor is given discretion by the federal government to allocate federal Community Development Block Grant-Disaster Recovery funds through the creation of an action plan or other administrative process, or when he has discretion in the allocation of State disaster relief funds, priority consideration in the allocation of funds to and within municipalities, as far as practicable under federal funding requirements, shall be given in proportion to the relative amount of physical damaged sustained within each municipality.

4. This act shall take effect immediately.

STATEMENT

Under this bill, the Governor would allocate federal and State disaster relief aid to municipalities, including residents and businesses therein, in proportion to the relative amount of catastrophic physical damage suffered within each affected municipality. This aid allocation methodology is intended to ensure that residential victims and business owners in the most heavily damaged areas following a disaster are provided assistance prior to the expenditure of aid monies for other economic development and redevelopment projects.

In response to the unprecedented damage to this State caused by Hurricane Sandy in 2012, New Jersey received billions of federal dollars from Congress in the form of Community Development Block Grant-Disaster Recovery (CDBG-DR) funds to support the State's rebuilding and reconstruction efforts. With approval from the United States Department of Housing and Urban Development (HUD), the Governor allocated millions of dollars to housing development projects within the nine most-impacted counties, as designated by HUD, which include Atlantic, Bergen, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union counties.

Some municipalities within these designated counties were completely devastated, while other municipalities within these counties suffered far less, if any, major damage. Some of the least-damaged municipalities, however, received disproportionately greater CGBG-DR funding from the State for development projects, leaving some of the residents and businesses in more damaged municipalities at a fiscal disadvantage for reconstruction. This bill is intended to ensure that residents and businesses most impacted by a disaster will receive a level of disaster relief aid commensurate with the amount of damage sustained within the municipality. Fundamental principles of fairness and equity require that the residents and businesses in those municipalities that are the hardest hit and suffer the most physical damage from a natural or other disaster should receive the most relief.