

# ASSEMBLY, No. 2596

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblywoman Speight and Assemblyman Benson**

**SYNOPSIS**

Requires retirement subdivision and retirement community to install electrical generator to provide electricity to common use area to be used as shelter in case of emergency.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/16/2020)**

1   **AN ACT** concerning the provision of electricity to common use  
2       areas of retirement subdivisions and retirement communities to  
3       be used as shelters in cases of emergency and supplementing  
4       P.L.1975, c.119 (C.52:27D-119 et seq.).

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

8  
9       1.   a.   An existing or newly-constructed retirement subdivision  
10      or community as defined under the "Retirement Community Full  
11      Disclosure Act," P.L.1969, c. 215 (C.45:22A-1 et seq.) shall be  
12      equipped with a standby emergency power generator to provide  
13      electricity to a common use area, such as a community room or  
14      clubhouse, which shall be used as a shelter in case of emergency.

15      b.   (1)   Any standby emergency power generator installed  
16      pursuant to this section shall have a minimum run capacity of 14  
17      consecutive days, a load capacity capable of sustaining a heating  
18      unit and basic electrical necessities, and be operated in compliance  
19      with requirements for such generators in accordance with  
20      regulations adopted by the Department of Environmental  
21      Protection.

22      (2)   A standby emergency power generator installed pursuant to  
23      this section shall be checked weekly, tested under load monthly,  
24      and serviced in accordance with generally accepted engineering  
25      practices by the manager or operator of the multiple dwelling units.

26      (3)   A standby emergency power generator installed pursuant to  
27      this section shall be operated only when necessary to provide power  
28      to a common use area when used as a shelter in case of an  
29      emergency in order to protect the general health and welfare of the  
30      subdivision or community residents which would be under  
31      substantial risk in a continued power outage.

32      c.   The Board of Public Utilities shall develop and administer a  
33      program to provide grants and low-interest loans for the purpose of  
34      ensuring that existing retirement subdivisions and communities can  
35      comply with the provision of subsection a. of this section.

36  
37      2.   The Department of Community Affairs, in consultation with  
38      the Department of Environmental Protection and the Board of  
39      Public Utilities, shall promulgate rules and regulations pursuant to  
40      the "Administrative Procedure Act," P.L.1968, c.410 (C. 52:14B-1  
41      et seq.) in order to effectuate the purposes of this act.

42  
43      3.   This act shall take effect immediately.

## STATEMENT

This bill creates a standard under the State Uniform Construction Code for an existing retirement subdivision or community as defined under the “Retirement Community Full Disclosure Act,” P.L.1969, c.215 (C.45:22A-1 et seq.) to be retro-fitted with a standby emergency power generator to provide electricity to a common use area, such as a community room or clubhouse, to be used as a shelter in case of emergency. Any standby emergency power generator installed pursuant to the provisions of this bill must have a minimum run capacity of 14 consecutive days, a load capacity capable of sustaining a heating unit and basic electrical necessities, and be operated in compliance with requirements for such generators in accordance with regulations adopted by the Department of Community Affairs. This bill also requires that newly-constructed retirement subdivisions and communities be equipped with standby emergency power generators for the same purpose.

The bill directs that the standby emergency power generator comport with the regulations of the Department of Environmental Protection concerning air pollution, be tested regularly, and operated only when necessary to provide power to a common use area when used as a shelter in case of an emergency in order to protect the general health and welfare of the subdivision or community residents which would otherwise be under substantial risk in a continued power outage.

The sponsor of this bill envisions potential sources of funding for purposes of retro-fitting existing retirement subdivisions and communities to come from, among other sources, the Federal Emergency Management Agency (“FEMA”) and the Board of Public Utilities.