ASSEMBLY, No. 2713

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)
Assemblywoman SHANIQUE SPEIGHT
District 29 (Essex)

SYNOPSIS

Prohibits emergency homeless shelters from conditioning provision of shelter on enrollment in certain programs.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/13/2020)

AN ACT concerning emergency shelters for the homeless and amending P.L.2013, c.204.

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

1. Section 2 of P.L.2013, c.204 (C.55:13C-2.2) is amended to read as follows:

2. a. Except as provided in subsection b. of this section, an emergency shelter for the homeless shall not refuse to provide shelter, or food and shelter, for a minimum of 72 hours, to an individual or family seeking these services, unless the shelter is at its licensed capacity or the basis for refusal is otherwise authorized by law or regulation.

b. In the event of an emergency condition, an emergency shelter for the homeless, which has been authorized by a public officer of a municipality or the Department of Community Affairs to provide shelter, or food and shelter, to a specified number of individuals in excess of its licensed capacity because of emergency conditions, shall not refuse to provide shelter, or food and shelter, for a minimum of 24 hours from the commencement of the emergency condition or for the duration of the emergency condition, whichever is longer, to an individual or family seeking these services, unless the shelter is at its licensed capacity plus any authorized excess capacity or the basis for refusal is otherwise authorized by law or regulation.

c. (1) Except as provided in paragraph (3) of this subsection, an emergency shelter for the homeless shall not require an individual seeking shelter to be enrolled in a local, State, federal, or private assistance program, or to be receiving any other services or benefits as a condition of receiving shelter for a minimum of 72 hours, in accordance with subsection a. of this section.

(2) Following the initial 72 hours, an emergency shelter for the homeless may require an individual to commence the application process for programs, assistance, or other services or benefits, as a condition of continued provision of shelter. An individual in compliance with this requirement shall be provided with shelter for a period of no less than 90 days.

(3) Nothing in paragraphs (1) and (2) of this subsection shall require an emergency shelter for the homeless to exceed its licensed capacity, plus any authorized excess capacity, or prohibit an emergency shelter for the homeless from refusing to provide shelter if the refusal is otherwise authorized by law or regulation.

(cf: P.L.2013, c.204, s.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.

2. This act shall take effect immediately.

STATEMENT

This bill prohibits emergency shelters for the homeless from conditioning the provision of shelter on a person's enrollment in certain programs.

Under the provision of the bill, an emergency shelter for the homeless is required to provide shelter to a person for a minimum of 72 hours, regardless of whether the person is enrolled in a local, State, federal, or private assistance program, or is receiving any other services or benefits.

The bill provides that following the initial 72 hours, an emergency homeless shelter may require an individual to apply for programs, assistance, or other services or benefits, as a condition of continued provision of shelter. An individual in compliance with this requirement would have to be provided with shelter for a period of no less than 90 days.

The bill further provides that an emergency homeless shelter is not required to exceed its licensed capacity, plus any authorized excess capacity, in order to comply with these requirements. Further, the bill does not prohibit a shelter from refusing to provide shelter if the refusal is otherwise authorized by law or regulation.