

ASSEMBLY, No. 3508

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman ERIK PETERSON

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Provides reimbursement to volunteer emergency service organizations for expenses incurred in response to certain false alarms; makes appropriations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning costs associated with certain false alarms,
2 supplementing Title 30 of the Revised Statutes, and making an
3 appropriation.

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

7
8 1. a. For the purposes of this section:

9 "Emergency equipment" means firefighting, ambulance, and
10 rescue equipment used for firefighting or emergency purposes,
11 including communications and protective equipment.

12 "Emergency vehicle" means a truck, ambulance, or other rescue
13 vehicle used for firefighting and emergency purposes.

14 "False alarm" means an alarm signal or other communication
15 which elicits a response by a volunteer emergency service
16 organization in which a situation requiring an emergency response
17 does not in fact exist. A false alarm shall not include an alarm
18 signal or communication caused by violent conditions of nature or
19 other extraordinary circumstances not reasonably subject to control
20 by the individual or facility that signals or communicates.

21 "Volunteer emergency service organization" means any non-
22 profit corporation, association, or organization located in this State
23 which is regularly engaged in providing emergency medical care,
24 rescue services, the transport of patients, or fire protection services,
25 including part-paid fire departments and fire districts.

26 "Volunteer emergency responder" means an active member in
27 good standing of a volunteer fire company, a volunteer member of a
28 duly incorporated first aid, rescue, or ambulance squad, or a
29 member of any county or municipal volunteer Office of Emergency
30 Management, provided the member's official duties include
31 responding to a fire or emergency call.

32 b. In addition to any monies collected, including monies
33 collected pursuant to section 3 of P.L.1999, c.195 (C.2C:33-3.2), a
34 volunteer emergency service organization shall be reimbursed by
35 the Department of Health for expenses associated with the use of or
36 damage to emergency equipment and emergency vehicles used in
37 response to a false alarm at a State psychiatric hospital or a State
38 developmental center listed in R.S.30:1-7. Any reimbursement
39 provided pursuant to this section shall not affect the volunteer status
40 of a volunteer emergency responder.

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42 2. a. There shall be annually appropriated to the Department of
43 Health from the General Fund such funds as are necessary to
44 effectuate the purposes of section 1 of P.L. c. (C.) (pending
45 before the Legislature as this bill).

46 b. The Commissioner of the Department of Health shall,
47 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 C.52:14B-1 et seq.), promulgate rules and regulations to effectuate
2 the purposes of this act.

3

4 3. a. For the purposes of this section:

5 "Emergency equipment" means firefighting, ambulance, and
6 rescue equipment used for firefighting or emergency purposes,
7 including communications and protective equipment.

8 "Emergency vehicle" means a truck, ambulance, or other rescue
9 vehicle used for firefighting and emergency purposes.

10 "False alarm" means an alarm signal or other communication
11 which elicits a response by a volunteer emergency service
12 organization in which a situation requiring an emergency response
13 does not in fact exist. A false alarm does not include an alarm
14 signal or communication caused by violent conditions of nature or
15 other extraordinary circumstances not reasonably subject to control
16 by the individual or facility that signals or communication.

17 "Volunteer emergency service organization" means any non-
18 profit corporation, association, or organization located in this State
19 which is regularly engaged in providing emergency medical care,
20 rescue services, the transport of patients, or fire protection services,
21 including part-paid fire departments and fire districts.

22 "Volunteer emergency responder" means an active member in
23 good standing of a volunteer fire company, a volunteer member of a
24 duly incorporated first aid, rescue or ambulance squad, or a member
25 of any county or municipal volunteer Office of Emergency
26 Management, provided the member's official duties include
27 responding to a fire or emergency call.

28 b. In addition to any monies collected, including monies
29 collected pursuant to section 3 of P.L.1999, c.195 (C.2C:33-3.2), a
30 volunteer emergency service organization shall be reimbursed by
31 the Department of Corrections for expenses associated with the use
32 of or damage to emergency equipment and emergency vehicles used
33 in response to a false alarm at a State correctional facility. Any
34 reimbursement provided pursuant to this section shall not affect the
35 volunteer status of a volunteer emergency responder.

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37 4. a. There shall be annually appropriated to the Department of
38 Corrections from the General Fund such funds as are necessary to
39 effectuate the purposes of section 3 of P.L. c. (C.) (pending
40 before the Legislature as this bill).

41 b. The Commissioner of the Department of Corrections shall,
42 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
43 (C.52:14B-1 et seq.), promulgate rules and regulations to effectuate
44 the purposes of this act.

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46 5. This act shall take effect immediately.

STATEMENT

This bill provides reimbursement to volunteer emergency service organizations for expenses incurred when responding to a false alarm at certain State facilities and makes appropriations. Under the bill, a volunteer emergency service organization refers to any non-profit corporation, association, or organization located in this State which is regularly engaged in providing emergency medical care, rescue services, the transport of patients, or fire protection services, including part-paid fire departments and fire districts.

Certain State psychiatric hospitals, developmental centers, and correctional facilities have initiated multiple false alarms, causing certain volunteer emergency service organizations to incur substantial expenses in response to these false alarms. This bill provides for reimbursement to these volunteer organizations for expenses associated with the use of or damage to equipment and vehicles used in response to the false alarms. The bill clarifies that this reimbursement is in addition to any compensation, including any civil penalty that may be awarded pursuant to section 3 of P.L.1999, c.195 (C.2C:33-3.2), in accordance with the crime of initiating or circulating a false public alarm.

Under the bill, a volunteer emergency service organization is to be reimbursed by the Department of Health for expenses associated with the use of or damage to emergency equipment and emergency vehicles in response to a false alarm at a State psychiatric hospital or a State developmental center. The bill further requires the Department of Corrections to reimburse these organizations for expenses incurred in response to a false alarm at a State correctional facility. The bill clarifies that reimbursement provided under the bill does not affect a volunteer emergency responder's status as a volunteer. In addition, the bill makes appropriations from the General Fund to the Department of Health and the Department of Corrections necessary to provide for these reimbursements.

The bill defines "false alarm" as an alarm signal or other communication which elicits a response by a volunteer emergency service organization in which a situation requiring an emergency response does not in fact exist. The term does not refer to an alarm signal or communication caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the source of the signal or communication.