

[First Reprint]

ASSEMBLY, No. 5851

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 3, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Armato, Assemblywomen Vainieri Huttler, Lopez, McKnight, Assemblyman Mazzeo, Assemblywoman Speight, Assemblyman Johnson, Assemblywoman Murphy, Senators Connors, Cruz-Perez and Ruiz

SYNOPSIS

Allows veteran's guardian to remove veteran from DMVA veterans' memorial home under certain emergency circumstances.

CURRENT VERSION OF TEXT

As reported by the Assembly Military and Veterans' Affairs Committee on June 14, 2021, with amendments.

(Sponsorship Updated As Of: 6/30/2021)

A5851 [1R] SWAIN, TULLY

2

1 AN ACT concerning the ability of guardians to remove veterans
2 residing in Department of Military and Veterans' Affairs
3 memorial homes under certain emergencies and supplementing
4 P.L.1993, c.281 (C.38A:3-2b2 et seq.).

5

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

8

9 1. Whenever a ¹**[state of emergency or]**¹ public health
10 emergency is declared by the Governor pursuant to ¹**[P.L.1942,**
11 **c.251 (C.App.A:9-33 et seq.) or]**¹ the "Emergency Health Powers
12 Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian
13 appointed pursuant to section 1 of P.L.1993, c.281 (C.38A:3-2b2 et
14 seq.), or each person otherwise having the veteran's power of
15 attorney, shall be allowed to remove the veteran from the veterans'
16 memorial home pursuant to procedures established under
17 Department of Military and Veterans' Affairs rules and regulations,
18 except the department shall allow for an initial extension of up to 30
19 days and one additional extension of up to 30 days. The resident
20 veteran shall be required to continue to pay the care and
21 maintenance fee while on temporary furlough to hold a bed.
22 Regular operating procedures shall resume at the conclusion of the
23 ¹**[state of emergency or]**¹ public health emergency.

24

25 2. This act shall take effect immediately.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AMV committee amendments adopted June 14, 2021.