

P.L. 2021, CHAPTER 29, *approved March 1, 2021*
Assembly, No. 1226

1 **AN ACT** concerning certain power restoration practices of electric
2 public utilities and supplementing Title 48 of the Revised
3 Statutes.

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

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8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Assisted living facility” means an assisted living residence or
11 comprehensive personal care home licensed pursuant to P.L.1971,
12 c.136 (C.26:2H-1 et seq.).

13 “Board” means the Board of Public Utilities or any successor
14 agency.

15 "DNA" means deoxyribonucleic acid.

16 "Electric public utility" means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 “Extended power outage” means an electric power outage lasting
20 more than 24 hours.

21 “Facility” means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 “Hospital” means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 “Major event” means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the utility, including,
29 but not limited to, a terrorist attack, thunderstorm, tornado,
30 hurricane, flood, heat wave, snow storm, ice storm, or earthquake,
31 which results in:

32 a. a sustained interruption of electric public utility service to at
33 least 10 percent of the customers in an operating area or 10 percent
34 of a utility’s customers within a municipality or county located in
35 an operating area; or

36 b. the declaration of a state of emergency or disaster by the
37 State or by the federal government.

38 “Nursing home” means a nursing home licensed pursuant to
39 P.L.1971 c.136 (C.26:2H-1 et seq.).

1 2. a. The board shall adopt, pursuant to the "Administrative
2 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
3 regulations requiring an electric public utility to give priority to a
4 facility for electric public utility power restoration after an extended
5 power outage following a major event, except that power restoration
6 efforts to a facility shall not divert efforts to restore power where
7 needed to otherwise maintain overall public safety.

8 b. The rules and regulations adopted by the board pursuant to
9 subsection a. of this section shall allow an electric public utility to
10 exercise its discretion to prioritize power restoration to a facility
11 after an extended power outage in accordance with the facility's
12 needs and with the characteristics of the geographic area in which
13 power shall be restored.

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15 3. This act shall take effect 60 days following the date of
16 enactment.

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21 Requires electric public utilities to provide priority power
22 restoration to certain medical facilities, assisted living facilities, and
23 nursing homes.