

SENATE, No. 3729

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator BRIAN P. STACK

District 33 (Hudson)

Co-Sponsored by:

Senator O'Scanlon

SYNOPSIS

Requires Homelessness Prevention Program agencies to remain open during public health emergency and mandates funding of additional agencies in certain counties.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/6/2021)

1 **AN ACT** concerning Homelessness Prevention Program agencies
2 and supplementing Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Agency” means a non-profit organization in this State that is
10 responsible for administering the program in a county.

11 “Commissioner” means the Commissioner of Community
12 Affairs.

13 “Department” means the Department of Community Affairs.

14 “Populous county” means any county with a population of
15 400,000 or more, according to the most recent federal decennial
16 census.

17 “Program” means the “Homelessness Prevention Program”
18 established under chapter 41 of Title 5 of the New Jersey
19 Administrative Code by the department in order to implement
20 pursuant to the provisions of P.L.1984, c.180 (C.52:27D-280 et al.).

21 “Public health emergency” means an occurrence or imminent
22 threat of an occurrence that:

23 a. is caused or is reasonably believed to be caused by any of
24 the following: (1) bioterrorism or an accidental release of one or
25 more biological agents; (2) the appearance of a novel or previously
26 controlled or eradicated biological agent; (3) a natural disaster; (4) a
27 chemical attack or accidental release of toxic chemicals; or (5) a
28 nuclear attack or nuclear accident;

29 b. poses a high probability of any of the following harms: (1) a
30 large number of deaths, illness, or injury in the affected population;
31 (2) a large number of serious or long-term impairments in the
32 affected population; or (3) exposure to a biological agent or
33 chemical that poses a significant risk of substantial future harm to a
34 large number of people in the affected population, and

35 c. has been declared a public health emergency by the Governor
36 pursuant to the “Emergency Health Powers Act,” P.L.2005, c.222
37 (C.26:13-1 et seq.)

38
39 2. a. The department shall, at all times, provide funding to
40 support operations of at least two agencies in each populous county
41 to help manage and implement the program within such a populous
42 county.

43 b. (1) The commissioner shall require that an agency remain
44 open and available in order to serve New Jersey residents
45 throughout the duration of a public health emergency.

46 (2) To the extent permitted by federal law, the funding provided
47 to initially establish an additional agency within a populous county
48 pursuant to subsection a. of this section, shall be paid by the

1 department from the monies received by the State under the federal
2 “Coronavirus Aid, Relief, and Economic Security Act,” Pub.L.116-
3 136, or any other financial assistance provided by the federal
4 government to address the impact of the COVID-19 pandemic. If
5 federal funding is not available to satisfy the full amount of
6 establishing a second additional agency within a populous county,
7 then the commissioner may notify the State Treasurer and the Joint
8 Budget Oversight Committee of the Legislature of the deficiency
9 and may request that the Legislature appropriate a portion of the
10 remainder from the General Fund, or other available State funding
11 sources, for the purposes of the program.

12
13 3. The commissioner shall promulgate rules and regulations in
14 accordance with the “Administrative Procedures Act,” P.L.1968,
15 c.410 (C.52:14B-1 et seq.) to effectuate the provisions of P.L. , c.
16 (C.) (pending before the Legislature as this bill).

17
18 4. This act shall take effect immediately.
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21 STATEMENT

22
23 This bill requires that at least two Homelessness Prevention
24 Program (HPP) agencies operate in certain populous counties and
25 that all HPP agencies remain open during public health
26 emergencies. Under the bill, “populous county” means any county
27 with a population of 400,000 or more, according to the most recent
28 federal decennial census.

29 The bill specifically requires the Department of Community
30 Affairs to provide funding to ensure that at least two agencies are
31 established in populous counties to help manage and implement the
32 HPP within that populous county.

33 Under the bill, to the extent permitted by federal law, the funding
34 provided to an additional agency within a populous county are to be
35 paid from the monies received by the State under the federal
36 “Coronavirus Aid, Relief, and Economic Security Act,” Pub.L.116-
37 136, or any other financial assistance provided by the federal
38 government to address the impact of the COVID-19 pandemic. If
39 federal funding is not available to satisfy the full amount of
40 establishing a second agency within a populous county, then the
41 Commissioner of Community Affairs is permitted notify the State
42 Treasurer and the Joint Budget Oversight Committee of the
43 Legislature of the deficiency and to request that the Legislature
44 appropriate a portion of the remainder from the General Fund, or
45 other available State funding sources.