

SENATE, No. 1620

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Requires DCA to track natural disaster-related spending by State and local government.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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1 AN ACT requiring the Department of Community Affairs to track
2 natural disaster-related spending, amending P.L.2007, c.53 and
3 P.L.2007, c.63, and supplementing Title 52 of the Revised
4 Statutes.

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

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9 1. (New section) The Commissioner of Community Affairs, in
10 consultation with other State agencies and authorities as necessary,
11 shall track natural disaster-related spending by counties,
12 municipalities, local authorities, fire districts, school districts, and
13 by the State. The commissioner shall provide a plain-language
14 summary of the natural disaster-related spending on the State's
15 Internet website, and shall update the summary on an annual basis
16 at minimum.

17 a. The plain-language summary of natural disaster-related
18 spending shall provide the public with information in summary
19 form about the natural disaster-related spending of the State, and of
20 the various units of local government. Within the summary, the
21 commissioner shall organize natural disaster-related spending into
22 the following categories, and may expand or refine each category as
23 the commissioner deems appropriate:

24 (1) preparedness spending, consisting of measures intended to
25 enhance the ability to mitigate against, respond to, and recover from
26 a disaster, including pre-event contracting, public awareness or
27 outreach campaigns, training, warning system installation, response
28 and recovery planning, vital food and medical supply maintenance,
29 emergency operation center management, and emergency personnel
30 mobilization;

31 (2) mitigation spending, consisting of measures to reduce or
32 eliminate the potential harmful consequences of disasters, including
33 retrofitting buildings and infrastructure, buying out vulnerable
34 property, establishing hazard-mitigation plans, building tornado
35 safe rooms, implementing building safety codes, and any measure
36 consistent with eligibility for funding consideration from the federal
37 Hazard Mitigation Grant Program or any successor program;

38 (3) response spending following the declaration of a state of
39 emergency by the Governor or the proclamation of a state of local
40 disaster emergency within a municipality by a municipal emergency
41 management coordinator pursuant to section 22 of P.L.1953, c.438.
42 (C.App.A:9-40.5), consisting of actions that address the immediate,
43 direct results of a natural disaster, including the provision of search
44 and rescue operations, emergency shelter and food provision,

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.

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1 medical care, management of damaged utilities, the patrolling of
2 looting-prone areas, and damage assessment; and

3 (4) recovery spending, consisting of short- and long-term
4 activities designed to restore communities to normal or better
5 conditions, including returning utility systems to operational
6 standards; managing debris; reconstructing public infrastructure;
7 providing redevelopment grants, loans, and legal assistance; and
8 rebuilding communities.

9 b. Within each category of spending, the plain-language
10 summary of natural disaster-related spending shall report where the
11 funding originated for the various expenditures, and whether a
12 reimbursement is anticipated. If spending originated with a
13 different unit of government, such as the State or federal
14 government, then the plain-language summary shall indicate which
15 unit was the source.

16 c. The commissioner shall require local units, pursuant to
17 section 39 of P.L.2007, c.63 (C.40A:5-48), and school districts,
18 pursuant to section 2 of P.L.2007, c.53 (C.18A:22-8a), to
19 summarize their natural disaster-related spending as a part of their
20 user-friendly budget reporting. In accordance with the
21 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
22 seq.), the commissioner shall adopt rules and regulations to
23 facilitate local unit and school district compliance with the user-
24 friendly budget requirements established by this subsection.

25 d. If the provisions of P.L. , c. (C.) (pending before
26 the Legislature as this bill) are not completed within one year of the
27 date of enactment of P.L. , c. (C.) (pending before the
28 Legislature as this bill), the Commissioner of Community Affairs
29 shall appear before the Senate Community and Urban Affairs
30 Committee, the Assembly Homeland Security and State
31 Preparedness Committee, or other reference committee, at the
32 direction of the President of the Senate and Speaker of the General
33 Assembly, to explain why the provisions of P.L. , c. (C.)
34 (pending before the Legislature as this bill) have not been
35 implemented and the steps the department is taking to ensure
36 implementation.

37

38 2. Section 2 of P.L.2007, c.53 (C.18A:22-8a) is amended to
39 read as follows:

40 2. a. The Commissioner of Education shall promulgate "user-
41 friendly," plain language budget summary forms for the use of
42 school districts. The commissioner shall also promulgate a
43 procedure for the submission by each school district of the required
44 budget summary form to the Department of Education following the
45 approval of the budget.

46 b. (1) The plain language budget summary shall provide the
47 public with information in summary form about the budget of the
48 school district and shall include, in addition to an abbreviated

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1 version of the formal budget adopted by the school district, such
2 statistical information as the commissioner determines to be useful
3 for the public's understanding of the school district's fiscal matters
4 and condition, and shall also include, but not be limited to, the
5 following information for both the district's budget year and the
6 prebudget year: all line items of appropriation aggregated by item
7 type; the school tax rate; the equalized school tax rate; revenues by
8 major category; the amount of available surplus; a description of
9 unusual revenues or appropriations, with a description of the
10 circumstances of the revenues or appropriations; and a list of shared
11 service agreements in which the district is participating.

12 (2) Natural disaster-related appropriations and revenues shall be
13 summarized in accordance with the rules and regulations adopted
14 pursuant to section 1 of P.L. , c. (C.) (pending before the
15 Legislature as this bill).

16 c. The plain language budget summary shall be submitted to
17 the Department of Education in such form as determined by the
18 commissioner, and, upon its receipt of the summary, the department
19 shall make the summary available to the public through an Internet
20 website maintained by the department in an easily accessible
21 location. The information on the web site shall be presented as data
22 that can be downloaded by the public for comparative purposes
23 using commonly-used software.

24 (cf: P.L.2007, c.53, s.2)

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26 3. Section 39 of P.L.2007, c.63 (C.40A:5-48) is amended to
27 read as follows:

28 39. a. The Local Finance Board shall promulgate "user-
29 friendly," plain language budget summary forms for the use of
30 counties, municipalities, local authorities, and fire districts. The
31 board shall also promulgate a procedure for the submission by each
32 of these local government units of the required budget summary
33 form to the Division of Local Government Services in the
34 Department of Community Affairs following the adoption of the
35 annual budget.

36 b. (1) The plain language budget summary shall provide the
37 public with information in summary form about the budget of the
38 local unit and shall include, in addition to an abbreviated version of
39 the formal budget adopted by the local unit, such statistical
40 information as the board determines to be useful for the public's
41 understanding of the local unit's fiscal matters and condition, and
42 shall also include, but shall not be limited to the following
43 information, for both the local unit's current budget year and the
44 previous budget year, as the Local Finance Board determines
45 appropriate to the local unit: all line items of appropriation
46 aggregated by service type; the property tax rate; the property tax
47 collection rate; the assessed value and taxable value of all real
48 property located in the local unit; the amount of bonded

1 indebtedness of the local unit; revenues by major category;
2 description of unusual revenues or appropriations, with a
3 description of the circumstances of the revenues or appropriations;
4 a list of shared service agreements in which the local unit is
5 participating; and the number and amount of outstanding long-term
6 tax exemptions and abatements, and the amount of revenue derived
7 therefrom.

8 (2) Natural disaster-related appropriations and revenues shall be
9 summarized in accordance with the rules and regulations adopted
10 pursuant to section 1 of P.L. , c. (C.) (pending before the
11 Legislature as this bill).

12 c. The plain language budget summary shall be submitted to
13 the division in such form as determined by the Local Finance
14 Board, and, upon its receipt of the summary, the division shall make
15 the summary available to the public through an Internet website
16 maintained by the division. The information on the website shall be
17 presented as data that can be downloaded by the public for
18 comparative purposes using commonly-used software.
19 (cf: P.L.2007, c.63, s.39)

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21 4. This act shall take effect immediately.

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STATEMENT

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26 This bill requires the Department of Community Affairs (DCA),
27 in consultation with other State agencies and authorities as
28 necessary, to track natural disaster-related spending by counties,
29 municipalities, local authorities, fire districts, school districts, and
30 by the State. The bill requires DCA to provide a plain-language
31 summary of the natural disaster-related spending on the State's
32 Internet website, and update the summary on an annual basis.

33 The bill requires the natural disaster spending summary to
34 provide the public with information on the natural disaster-related
35 spending of the State, and of its various units of local government.
36 The bill directs DCA to organize natural disaster-related spending
37 into the following categories, and expand or refine each category as
38 deemed appropriate:

39 (1) Preparedness spending, consisting of measures intended to
40 enhance the ability to mitigate against, respond to, and
41 recover from a disaster, including pre-event contracting,
42 public awareness or outreach campaigns, training, warning
43 system installation, response and recovery planning, vital
44 food and medical supply maintenance, emergency operation
45 center management, and emergency personnel on
46 mobilization;

47 (2) Mitigation spending, consisting of measures to reduce or
48 eliminate the potential harmful consequences of disasters,

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- 1 including retrofitting buildings and infrastructure, buying out
2 vulnerable property, establishing hazard-mitigation plans,
3 building tornado safe rooms, implementing building safety
4 codes, and any measure consistent with eligibility for funding
5 consideration from the federal Hazard Mitigation Grant
6 Program;
- 7 (3) Response spending, following the declaration of a state of
8 emergency by the Governor or the proclamation of a state of
9 local disaster emergency within a municipality by a municipal
10 emergency management coordinator, consisting of actions that
11 address the immediate, direct results of a natural disaster,
12 including the provision of search and rescue operations,
13 emergency shelter and food provision, medical care,
14 management of damaged utilities, the patrolling of looting-
15 prone areas, and damage assessment; and
- 16 (4) Recovery spending, consisting of short- and long-term
17 activities designed to restore communities to normal or better
18 conditions, including returning utility systems to operational
19 standards; managing debris; reconstructing public
20 infrastructure; providing redevelopment grants, loans, and
21 legal assistance; and rebuilding communities.

22 Within each category of spending, the bill directs the natural
23 disaster spending summary to report where the funding originated
24 for the various expenditures, and whether a reimbursement is
25 anticipated. If spending originated with a different unit of
26 government, such as the State or federal government, then the plain-
27 language summary is required to indicate which unit was the
28 source.

29 Finally, in order to facilitate the reporting of expenditures from
30 the various entities of local government, the bill directs DCA to
31 require local government units, including school districts, to
32 summarize their natural disaster-related spending as a part of user-
33 friendly budget reporting, which is already provided annually.