

# SENATE, No. 3007

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 6, 2017

**Sponsored by:**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**SYNOPSIS**

Establishes program to reimburse local governments for federal grant funds lost due to “sanctuary jurisdiction” status.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/14/2017)

1 AN ACT concerning a grant program for certain local government  
2 entities 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:

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7 1. The Legislature finds and declares:

8 a. The United States is an historic place of refuge for  
9 immigrants from across the globe.

10 b. New Jersey is home to Ellis Island, the “Gateway to  
11 America,” and the State has played a pivotal role in welcoming  
12 immigrants to this nation.

13 c. New Jersey is one of the most diverse states in the nation,  
14 and its communities and history have unquestionably been enriched  
15 and strengthened by welcoming and encouraging this diversity.

16 d. Regardless of citizenship status or nation of origin, nurturing  
17 an environment of inclusiveness, which protects the values of  
18 democracy and freedom and respects the human dignity of all  
19 residents, is of vital concern to New Jersey.

20 e. Immigration law and its enforcement are under the authority  
21 of federal law, and the Tenth Amendment of the United States  
22 Constitution prevents the federal government from requiring state  
23 or local agencies to implement federal law or regulations.

24

25 2. a. The Commissioner of Community Affairs shall establish  
26 a program to provide grant funding to a county or municipality that  
27 has had its federal grant funding denied or reduced based upon its  
28 status as a sanctuary jurisdiction. Under the program, a sanctuary  
29 jurisdiction shall be permitted to apply to the commissioner for  
30 moneys to supplement the deficit created by the loss of federal  
31 grant funding. If the commissioner determines that the county or  
32 municipality has been denied federal grant funding solely because  
33 of its status as a sanctuary jurisdiction, the commissioner shall  
34 approve payment to the county or municipality in a manner  
35 consistent with the rules and regulations adopted pursuant to this  
36 section. Any payments made by the State pursuant to the program  
37 shall be appropriated from the General Fund.

38 b. The commissioner shall promulgate regulations necessary to  
39 effectuate the purposes of P.L. , c. (C. ) (pending before the  
40 Legislature as this bill) in accordance with the “Administrative  
41 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).

42 c. For the purposes of this section, “sanctuary jurisdiction”  
43 means a municipality or county that has been so designated by the  
44 United States Secretary of Homeland Security.

45

46 3. This act shall take effect on the first day of the fourth month  
47 next following the date of enactment, except the Commissioner of

1 Community Affairs may take an anticipatory action in advance as  
2 shall be necessary for the implementation of this act.

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STATEMENT

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7 This bill requires the Commissioner of Community Affairs to  
8 establish a program to provide grant funding to a county or  
9 municipality that has had its federal grant funding denied or  
10 reduced based upon its status as a sanctuary jurisdiction.

11 Sanctuary jurisdictions are generally understood to be those State  
12 and local jurisdictions that do not use local resources to enforce  
13 federal immigration laws. The bill defines a “sanctuary jurisdiction”  
14 as one which has been so designated by the United States Secretary  
15 of Homeland Security.

16 Under the program established by the bill, a sanctuary  
17 jurisdiction shall be permitted to apply to the commissioner for  
18 State appropriated moneys to match the deficit created by the loss  
19 of federal grant funding. The bill provides that any payments made  
20 by the State pursuant to the program shall be appropriated from the  
21 General Fund.

22 It is critical for the State to support its local government entities  
23 in this manner. New Jersey is home to Ellis Island, the “Gateway to  
24 America,” and has played a pivotal role in welcoming immigrants  
25 to this nation. The State is one of the most diverse in the nation, and  
26 its communities and history have unquestionably been enriched and  
27 strengthened by welcoming and encouraging this diversity.  
28 Regardless of citizenship status or nation of origin, nurturing an  
29 environment of inclusiveness, which protects the values of  
30 democracy and freedom and respects the human dignity of all  
31 residents of the State, is of vital concern to New Jersey.