

§§1,2 -
C.52:27D-287.5 &
52:27D-287.6
§12 - Approp.

P.L. 2019, CHAPTER 73, *approved April 30, 2019*
Senate, No. 3585 (*First Reprint*)

1 AN ACT establishing an Office of Homelessness Prevention in the
2 Department of Community Affairs, supplementing Title 52 of the
3 Revised Statutes, amending various parts of the statutory law,
4 and making an appropriation.
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 1. (New section) a. There is hereby established within the
10 Department of Community Affairs an Office of Homelessness
11 Prevention to coordinate among State and local agencies and private
12 organizations that provide services to persons who are homeless or
13 at risk for homelessness, and to implement a Statewide strategy to
14 address homelessness.

15 b. The office shall be under the immediate supervision of a
16 director, who shall be a person qualified by training and experience
17 to direct the work of such office. The Commissioner of Community
18 Affairs shall appoint the director, who shall serve at the pleasure of
19 the commissioner. The director shall administer the work of the
20 office under the direction of the commissioner and shall perform
21 such other functions of the department as the commissioner may
22 prescribe.

23 c. In addition to other functions, powers, and duties vested in
24 the Department of Community Affairs by P.L. , c. (C.)
25 (pending before the Legislature as this bill) or by any other law, the
26 Department of Community Affairs shall, through the Office of
27 Homelessness Prevention:

28 (1) Collect, maintain, and make available information
29 concerning persons who are homeless or at risk for homelessness,
30 including demographics information, current services and resources
31 available, the cost and availability of services and programs, and the
32 met and unmet needs of this population. All entities that receive
33 State, county, or municipal funding shall provide the office access
34 to all data they maintain;

35 (2) Evaluate State and local services and resources and develop,
36 implement, and revise, as necessary, a consolidated plan for

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 AAP committee amendments adopted March 18, 2019.

1 addressing the needs of persons who are homeless or at risk for
2 homelessness;

3 (3) Explore, compile, and disseminate information regarding
4 public and private funding sources for State and local programs
5 serving persons who are homeless;

6 (4) Assess and provide recommendations for coordinating the
7 activities of State programs, including multi-State programs, and
8 local coalitions for persons who are homeless and promote the
9 effectiveness of programs addressing the needs of persons who are
10 homeless;

11 (5) Convene meetings and workshops of State and local
12 agencies, local coalitions and programs, and other stakeholders for
13 developing and reviewing policies, services, activities,
14 coordination, and funding of efforts to meet the needs of persons
15 who are homeless, including training, counseling, and navigation
16 services essential to enable persons who are homeless to make the
17 transition to permanent housing; and

18 (6) Conduct or promote research on the effectiveness of
19 programs addressing the needs of persons who are homeless.

20 d. All State, county, and municipal departments and agencies
21 shall, upon request, make every reasonable effort to assist the
22 Office of Homelessness Prevention in carrying out the office's
23 functions, powers, and duties.

24 e. (1) On the effective date of P.L. , c. (C.) (pending
25 before the Legislature as this bill), the Office of Homelessness
26 Prevention shall have access to all information in the Homeless
27 Management Information System administered in the New Jersey
28 Housing and Mortgage Finance Agency.

29 (2) The Homeless Management Information System,
30 administered in the New Jersey Housing and Mortgage Finance
31 Agency, including any personnel charged with administering and
32 maintaining the Homeless Management Information System, may
33 be transferred to the Office of Homelessness Prevention. If the
34 Homeless Management Information System is transferred pursuant
35 to this paragraph, all appropriations, grants, and other moneys
36 available and to become available to the New Jersey Housing and
37 Mortgage Finance Agency, which the agency uses for the
38 maintenance and administration of the Homeless Management
39 Information System, shall be transferred to the Office of
40 Homelessness Prevention.

41

42 2. (New section) a. The Legislature finds and declares that it is in
43 the public interest for State policymakers, providers of services to
44 people who are homeless, advocacy organizations, and other
45 concerned representatives of the public to engage in an intensive
46 collaborative effort to seek to devise more effective means of
47 coordinating ¹**[and]** among various State and local initiatives that
48 provide assistance to persons who are homeless or at risk of being

1 homeless; to identify public and private sources of¹ funding ¹for¹
2 programs to meet the needs of persons within New Jersey who are
3 homeless or at risk for homelessness ¹; and to develop more permanent
4 housing solutions for this population¹.

5 b. There is established the “New Jersey Homelessness Prevention
6 Task Force.” The purpose of the task force shall be to serve as an
7 advisory body to the Office of Homelessness Prevention in the
8 Department of Community Affairs, to develop recommendations,
9 through an intensive collaborative effort among representatives of
10 State government, providers of services to the homeless, advocacy
11 organizations, and other concerned representatives of the public, and
12 to develop, promote, and support efforts for the most effective means
13 of coordinating ¹**[and]** among various State and local initiatives that
14 provide assistance to persons who are homeless or at risk of being
15 homeless; to identify public and private sources of¹ funding ¹for¹
16 programs to meet the various needs of persons within this State who
17 are homeless or at risk for homelessness ¹; and to develop more
18 permanent housing solutions for this population¹.

19 c. The task force shall consist of 15 members including the
20 Director of the Office of Homelessness Prevention in the Department
21 of Community Affairs, or the director’s designee, ¹the Director of the
22 Division of Family Development in the Department of Human
23 Services, or the director’s designee,¹ and ¹**[fourteen]** 13¹ members,
24 who shall be appointed by the Governor no later than the 60th day
25 after the effective date of P.L. , c. (C.) (pending before the
26 Legislature as this bill), and who may be government officials or
27 members of the public with a demonstrated expertise in issues relating
28 to the work of the task force.

29 d. The Director of the Office of Homelessness Prevention, or the
30 director’s designee, shall serve as chairperson of the task force. The
31 task force shall organize as soon as practicable following the
32 appointment of its members and shall select a vice-chairperson from
33 among the members. The chairperson shall appoint a secretary who
34 need not be a member of the task force.

35 e. The public members shall serve without compensation, but
36 shall be reimbursed for necessary ¹travel¹ expenses incurred in the
37 performance of their duties and within the limits of funds available to
38 the task force.

39 f. The task force shall be entitled to call to its assistance and avail
40 itself of the services of the employees of any State, county or
41 municipal department, board, bureau, commission, or agency as it may
42 require and as may be available to it for its purposes.

43 g. The task force may meet and hold hearings at the places it
44 designates during the sessions or recesses of the Legislature.

45 h. The Department of Community Affairs shall provide staff
46 support to the task force.

1 i. Vacancies in the membership of the task force shall be filled in
2 the same manner provided for the original appointments.

3

4 3. Section 4 of P.L.1999, c.224 (C.9:12A-5) is amended to read
5 as follows:

6 4. The department shall establish and support a comprehensive
7 program for homeless youth in the State by contracting with
8 organizations and agencies, licensed by the department, that provide
9 street outreach or basic center shelter or transitional living services
10 for homeless youth. The department shall establish licensure
11 requirements and shall contract for programs that ensure that
12 services, as specified by this act, are provided to homeless youth in
13 the State in an appropriate and responsible manner. The
14 commissioner may establish such other requirements for the
15 homeless youth programs as he deems necessary. On or before
16 December 31 of each year, the department shall provide to the
17 Office of Homelessness Prevention in the Department of
18 Community Affairs a list of organizations and agencies
19 participating in the program and any available information in the
20 possession of the department concerning persons who are homeless
21 or at risk for homelessness in accordance with any applicable
22 privacy, security, and data quality standards.

23 (cf: P.L.1999, s.224, s.4)

24

25 4. N.J.S.18A:38-1 is amended to read as follows:

26 18A:38-1. Public schools shall be free to the following persons
27 over five and under 20 years of age:

28 a. Any person who is domiciled within the school district;

29 b. (1) Any person who is kept in the home of another person
30 domiciled within the school district and is supported by such other
31 person gratis as if he were such other person's own child, upon
32 filing by such other person with the secretary of the board of
33 education of the district, if so required by the board, a sworn
34 statement that he is domiciled within the district and is supporting
35 the child gratis and will assume all personal obligations for the
36 child relative to school requirements and that he intends so to keep
37 and support the child gratuitously for a longer time than merely
38 through the school term, and a copy of his lease if a tenant, or a
39 sworn statement by his landlord acknowledging his tenancy if
40 residing as a tenant without a written lease, and upon filing by the
41 child's parent or guardian with the secretary of the board of
42 education a sworn statement that he is not capable of supporting or
43 providing care for the child due to a family or economic hardship
44 and that the child is not residing with the resident of the district
45 solely for the purpose of receiving a free public education within
46 the district. The statement shall be accompanied by documentation
47 to support the validity of the sworn statements, information from or
48 about which shall be supplied only to the board and only to the

1 extent that it directly pertains to the support or nonsupport of the
2 child. If in the judgment of the board of education the evidence
3 does not support the validity of the claim by the resident, the board
4 may deny admission to the child. The resident may contest the
5 board's decision to the commissioner within 21 days of the date of
6 the decision and shall be entitled to an expedited hearing before the
7 commissioner on the validity of the claim and shall have the burden
8 of proof by a preponderance of the evidence that the child is eligible
9 for a free education under the criteria listed in this subsection. The
10 board of education shall, at the time of its decision, notify the
11 resident in writing of his right to contest the board's decision to the
12 commissioner within 21 days. No child shall be denied admission
13 during the pendency of the proceedings before the commissioner.
14 In the event the child is currently enrolled in the district, the student
15 shall not be removed from school during the 21-day period in which
16 the resident may contest the board's decision nor during the
17 pendency of the proceedings before the commissioner. If in the
18 judgment of the commissioner the evidence does not support the
19 claim of the resident, he shall assess the resident tuition for the
20 student prorated to the time of the student's ineligible attendance in
21 the school district. Tuition shall be computed on the basis of 1/180
22 of the total annual per pupil cost to the local district multiplied by
23 the number of days of ineligible attendance and shall be collected in
24 the manner in which orders of the commissioner are enforced.
25 Nothing shall preclude a board from collecting tuition from the
26 resident, parent or guardian for a student's period of ineligible
27 attendance in the schools of the district where the issue is not
28 appealed to the commissioner;

29 (2) If the superintendent or administrative principal of a school
30 district finds that the parent or guardian of a child who is attending
31 the schools of the district is not domiciled within the district and the
32 child is not kept in the home of another person domiciled within the
33 school district and supported by him gratis as if the child was the
34 person's own child as provided for in paragraph (1) of this
35 subsection, the superintendent or administrative principal may
36 apply to the board of education for the removal of the child. The
37 parent or guardian shall be entitled to a hearing before the board
38 and if in the judgment of the board the parent or guardian is not
39 domiciled within the district or the child is not kept in the home of
40 another person domiciled within the school district and supported
41 by him gratis as if the child was the person's own child as provided
42 for in paragraph (1) of this subsection, the board may order the
43 transfer or removal of the child from school. The parent or
44 guardian may contest the board's decision before the commissioner
45 within 21 days of the date of the decision and shall be entitled to an
46 expedited hearing before the commissioner and shall have the
47 burden of proof by a preponderance of the evidence that the child is
48 eligible for a free education under the criteria listed in this

1 subsection. The board of education shall, at the time of its decision,
2 notify the parent or guardian in writing of his right to contest the
3 decision within 21 days. No child shall be removed from school
4 during the 21-day period in which the parent may contest the
5 board's decision or during the pendency of the proceedings before
6 the commissioner. If in the judgment of the commissioner the
7 evidence does not support the claim of the parent or guardian, the
8 commissioner shall assess the parent or guardian tuition for the
9 student prorated to the time of the student's ineligible attendance in
10 the schools of the district. Tuition shall be computed on the basis
11 of 1/180 of the total annual per pupil cost to the local district
12 multiplied by the number of days of ineligible attendance and shall
13 be collected in the manner in which orders of the commissioner are
14 enforced. Nothing shall preclude a board from collecting tuition
15 from the parent or guardian for a student's period of ineligible
16 attendance in the schools of the district where the issue is not
17 appealed to the commissioner;

18 The provisions of this section requiring proof of support, custody
19 or tenancy shall not apply to a person keeping a child in his home
20 whose parent or guardian is a member of the New Jersey National
21 Guard or a member of the reserve component of the armed forces of
22 the United States and who has been ordered into active military
23 service in any of the armed forces of the United States in time of
24 war or national emergency. In such a situation, the child shall be
25 eligible to enroll in the district in which he is being kept, and no
26 tuition shall be charged by the district. Following the return of the
27 child's parent or guardian from active military service, the child's
28 eligibility for enrollment without tuition in the district in which he
29 or she is being kept shall cease at the end of the current school year;

30 c. Any person who fraudulently allows a child of another
31 person to use his residence and is not the primary financial
32 supporter of that child and any person who fraudulently claims to
33 have given up custody of his child to a person in another district
34 commits a disorderly persons offense;

35 d. Any person whose parent or guardian, even though not
36 domiciled within the district, is residing temporarily therein, but
37 any person who has had or shall have his all-year-round dwelling
38 place within the district for one year or longer shall be deemed to be
39 domiciled within the district for the purposes of this section;

40 e. Any person for whom the Division of Youth and Family
41 Services in the Department of Children and Families is acting as
42 guardian and who is placed in the district by the division;

43 f. Any person whose parent or guardian moves from one
44 school district to another school district as a result of being
45 homeless and whose district of residence is determined pursuant to
46 section 19 of P.L.1979, c.207 (C.18A:7B-12). On or before
47 December 31 of each year, a public school shall report to the Office
48 of Homelessness Prevention in the Department of Community

1 Affairs an accounting of each instance in which the public school is
2 made aware that a student enrolled in the public school because the
3 student's parent or guardian moved from one school district to
4 another school district as a result of being homeless.

5 (cf: P.L.2006, c.47, s.94)

6
7 5. R.S.26:8-63 is amended to read as follows:

8 26:8-63. The State registrar shall:

9 a. Furnish a certification or certified copy of a birth, marriage,
10 civil union, domestic partnership, fetal death or death certificate
11 without fee in the prosecution of any claim for public pension or for
12 military or naval enlistment purposes; and

13 b. Furnish the United States Public Health Service without
14 expense to the State, microfilm or photocopy images of birth,
15 marriage, civil union, domestic partnership, fetal death and death
16 certificates without payment of the fees prescribed in this article;
17 and

18 c. Furnish a certified transcript of any entry in the records of
19 the New Jersey State census without fee for certification in the
20 prosecution of any claim for public pension, for military or naval
21 enlistment purposes; and

22 d. Furnish without fee upon request for administrative use by
23 any city, State or federal agency a certified transcript of any New
24 Jersey State census entry, or a certification or certified copy of a
25 birth, death, fetal death, marriage, civil union or domestic
26 partnership certificate; and

27 e. Furnish without fee upon request a certified copy of a
28 veteran's death certificate to the veteran's legal representative, the
29 executor or administrator of the veteran's estate, or to a family
30 member authorized to obtain a copy of the death certificate pursuant
31 to subsection a. of R.S.26:8-62. No more than one copy of a
32 veteran's death certificate may be provided without fee pursuant to
33 this subsection; all other copies of the death certificate shall be
34 subject to the statutory fee; and

35 f. Furnish without fee upon request by a person who is
36 homeless [person] a certified copy of the person's birth certificate,
37 provided that the person submits the request through a social
38 worker or the coordinator of the emergency shelter for the homeless
39 where the person is temporarily residing. The request shall be
40 transmitted on the emergency shelter's letterhead and shall include
41 the shelter's employer identification number and an attestation by
42 the coordinator that the person requesting the certificate is currently
43 homeless and residing at the shelter or the request shall be
44 submitted on the social worker's agency or professional practice
45 letterhead and shall include the agency's or the professional
46 practice's employer identification number and an attestation by the
47 social worker that the person requesting the certificate is currently
48 homeless. A certified copy of a birth certificate furnished pursuant

1 to this subsection shall be transmitted to the social worker or
2 coordinator who transmitted the request. No more than one
3 certified copy of a birth certificate furnished to a person who is
4 homeless **【person】** pursuant to this subsection shall be provided
5 without fee; all other copies of the birth certificate shall be subject
6 to the statutory fee. On or before December 31 of each year, the
7 State Registrar shall report to the Office of Homelessness
8 Prevention in the Department of Community Affairs an accounting
9 of each instance in which the State Registrar furnished without fee a
10 certified copy of a person's birth certificate pursuant to this
11 subsection.

12 As used in this section:

13 "Fee" includes, but is not limited to, any search, certification,
14 processing, authentication, standard shipping, or other fees that
15 would ordinarily be assessed to furnish a certified copy of a
16 certificate or transcript; and

17 "Person who is homeless **【person】**" means a person without a
18 domicile who is unable to secure permanent and stable housing as
19 determined by a social worker or the coordinator of an emergency
20 shelter for the homeless established pursuant to P.L.1985, c.48
21 (C.55:13C-1 et seq.).
22 (cf: P.L.2016, c.98, s.1)

23
24 6. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read
25 as follows:

26 6. a. The chief administrator shall charge fees as follows:

27 Identification Card, Original \$18

28 Identification Card, Duplicate \$5

29 Identification Card, Renewal \$18

30 Digitized picture \$6, in addition to the fees required above.

31 b. The chief administrator may waive the fees established
32 under subsection a. of this section for a person who is homeless
33 **【person】** who submits proof of temporary residence through a
34 social worker or the coordinator of an emergency shelter for the
35 homeless where the person is temporarily residing. On or before
36 December 31 of each year, the commission shall report to the Office
37 of Homelessness Prevention in the Department of Community
38 Affairs an accounting of each instance in which the commission
39 provided a fee waiver pursuant to this section. For the purposes of
40 this section, "person who is homeless **【person】**" means a person
41 without a domicile who is unable to secure permanent and stable
42 housing as determined by a social worker or the coordinator of an
43 emergency shelter for the homeless established pursuant to
44 P.L.1985, c.48 (C.55:13C-1 et seq.).
45 (cf: P.L.2016, c.99, s.1)

46
47 7. Section 1 of P.L.1982, c.56 (C.40:5-2.10b) is amended to
48 read as follows:

1 1. The governing body of a county or municipality annually
2 may appropriate funds to a private, nonprofit organization for the
3 purpose of providing services to runaway or homeless youths and
4 their families. The services may include temporary shelter, food,
5 clothing, medical care, transportation, individual and family
6 counseling, and any other service necessary to provide adequate
7 temporary, protective care for runaway or homeless youths, or to
8 aid in reuniting the youths with their parents or guardians. On or
9 before December 31 of each year, the governing body of a
10 municipality shall provide to the Office of Homelessness Prevention
11 in the Department of Community Affairs a list of nonprofit
12 organizations to which the governing body appropriated funds
13 pursuant to this section and any available information in the
14 possession of the governing body concerning persons who are
15 homeless or at risk for homelessness in accordance with any
16 applicable privacy, security, and data quality standards. For the
17 purposes of this section, "runaway or homeless youth" means a
18 person under the age of 18, who is absent from his legal residence
19 without the consent of his parents or legal guardian, or who is
20 without a place of shelter where supervision and care are available.
21 (cf: P.L.1982, c.56, s.1)

22
23 8. Section 3 of P.L.1988, c.29 (C.52:27C-24.1) is amended to
24 read as follows:

25 3. a. The Commissioner of the Department of Community
26 Affairs shall establish within the Division of Housing and
27 **【Development】** Community Resources a fund for the purpose of
28 funding programs to assist persons who are homeless pursuant to
29 subsections f. and h. of section 24 of P.L.1944, c.85 (C.52:27C-24).

30 b. The fund shall consist of moneys appropriated thereto by
31 section 4 of P.L.1988, c.29 and such other moneys as may be
32 appropriated or otherwise made available for that purpose.

33 c. Not more than 5% of moneys paid into the fund during any
34 fiscal year of the State may be used to pay the costs of the fund's
35 administration by the Department of Community Affairs during that
36 fiscal year.

37 d. Upon the effective date of P.L. , c. (C.) (pending
38 before the Legislature as this bill), the fund created pursuant to
39 subsection a. of this section may be transferred from the Division of
40 Housing and Community Resources to the Office of Homelessness
41 Prevention.

42 (cf: P.L.1988, c.29, s.3)

43
44 9. Section 4 of P.L.2009, c.123 (C.52:27D-287d) is amended to
45 read as follows:

46 4. A local government, in consultation with the Office of
47 Homelessness Prevention in the Department of Community Affairs,
48 may adopt a homeless housing plan to address the housing needs of

1 persons who are homeless within its jurisdiction, which shall be in
2 accordance with the provisions of P.L.2009, c.123 (C.52:27D-287a
3 et al.). The plan shall include provisions for establishing a trust fund
4 for the purposes of receiving funds pursuant to P.L.2009, c.123
5 (C.52:27D-287a et al.), and shall evidence a strategic local scheme
6 to identify and address the needs of **【the】** persons who are homeless
7 within the jurisdiction, including strategies to reduce the need for
8 emergency room care, hospital care, law enforcement, foster care,
9 and other social services associated with **【the】** persons who are
10 homeless and homelessness.

11 (cf: P.L.2009, c.123, s.4)

12

13 10. Section 6 of P.L.2009, c.123 (C.52:27D-287f) is amended to
14 read as follows:

15 6. a. Each county shall utilize its County Homelessness Trust
16 Fund with the advice of the County Homelessness Trust Fund Task
17 Force for the operation of a homeless housing grant program. This
18 program is established in order to provide:

19 (1) for the acquisition, construction, or rehabilitation of housing
20 projects or units within housing projects that supply permanent
21 affordable housing for persons who are homeless or families,
22 including those at risk of homelessness;

23 (2) rental assistance vouchers, including tenant and project based
24 subsidies, for affordable housing projects or units within housing
25 projects that provide permanent affordable housing for persons who
26 are homeless or families, including those at risk of homelessness;

27 (3) supportive services as may be required by homeless
28 individuals or families in order to obtain or maintain, or both,
29 permanent affordable housing; and

30 (4) prevention services for at risk homeless individuals or
31 families so that they can obtain and maintain permanent affordable
32 housing.

33 b. Grants awarded by the governing body of the county shall be
34 used to support projects that:

35 (1) measurably reduce homelessness;

36 (2) demonstrate government cost savings over time;

37 (3) employ evidence-based models;

38 (4) can be replicated in other counties;

39 (5) include an outcome measurement component;

40 (6) are consistent with the local homeless housing plan; or

41 (7) fund the acquisition, construction, or rehabilitation projects
42 that will serve homeless individuals or families for a period of at
43 least 30 years or the equal to the longest term of affordability
44 required by other funding sources.

45 c. Each county that has established a County Homelessness
46 Trust Fund shall transmit information concerning the uses of the
47 funds to the **【New Jersey Housing and Mortgage Finance Agency】**
48 Office of Homelessness Prevention in the Department of

1 Community Affairs in accordance with requirements established by
2 that **【agency】** office.

3 d. The governing body of a county may by resolution establish
4 a preference for veterans that gives first priority, in the distribution
5 of grants, for the benefit of homeless veterans, including those at
6 risk of homelessness.

7 (cf: P.L.2017, c.320, s.1)

8

9 11. Section 1 of P.L.2008, c.28 (C.52:27I-8.1) is amended to
10 read as follows:

11 1. In addition to the powers granted the authority pursuant to
12 section 8 of P.L.2006, c.16 (C.52:27I-8), the authority shall have
13 the power to enter into any legally binding agreements with
14 representatives of **【the】** persons who are homeless that are
15 necessary in order to comply with and implement the requirements
16 of 32 CFR 176.30 and 24 CFR 586.30. On or before December 31
17 of each year, the authority shall report each agreement entered into
18 by the authority pursuant to this section to the Office of
19 Homelessness Prevention in the Department of Community Affairs.

20 (cf: P.L.2008, c.28, s.1)

21

22 12. (New section) There is hereby appropriated from the
23 General Fund to the Department of Community Affairs the sum of
24 \$3,000,000 to carry out the purposes of section 1 of
25 P.L. , c. (C.) (pending before the Legislature as this bill).

26

27 13. This act shall take effect immediately.

28

29

30

31

32 Establishes Office of Homelessness Prevention; appropriates \$3
33 million to DCA.