

[First Reprint]

SENATE, No. 3585

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MARCH 7, 2019

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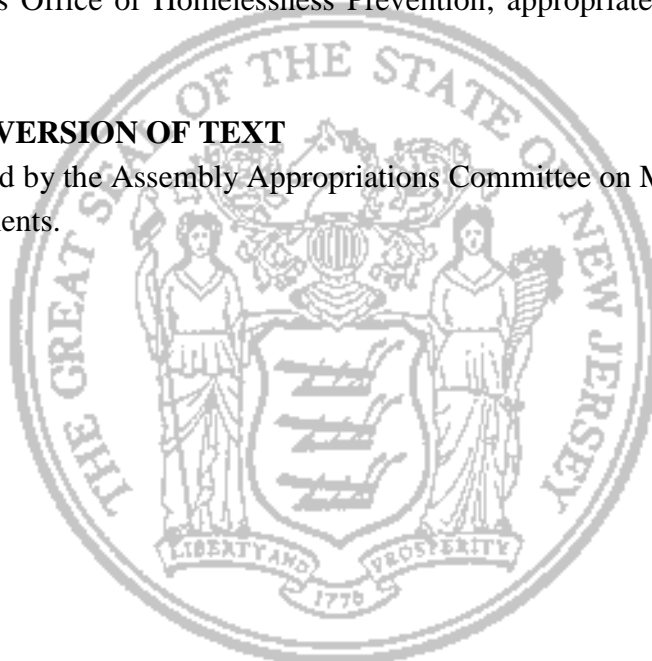
Senator Greenstein

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on March 18, 2019, with amendments.



(Sponsorship Updated As Of: 3/26/2019)

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
37 addressing the needs of persons who are homeless or at risk for
38 homelessness;

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

42 (4) Assess and provide recommendations for coordinating the
43 activities of State programs, including multi-State programs, and
44 local coalitions for persons who are homeless and promote the

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 effectiveness of programs addressing the needs of persons who are
2 homeless;

3 (5) Convene meetings and workshops of State and local
4 agencies, local coalitions and programs, and other stakeholders for
5 developing and reviewing policies, services, activities,
6 coordination, and funding of efforts to meet the needs of persons
7 who are homeless, including training, counseling, and navigation
8 services essential to enable persons who are homeless to make the
9 transition to permanent housing; and

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

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

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

21 (2) The Homeless Management Information System,
22 administered in the New Jersey Housing and Mortgage Finance
23 Agency, including any personnel charged with administering and
24 maintaining the Homeless Management Information System, may
25 be transferred to the Office of Homelessness Prevention. If the
26 Homeless Management Information System is transferred pursuant
27 to this paragraph, all appropriations, grants, and other moneys
28 available and to become available to the New Jersey Housing and
29 Mortgage Finance Agency, which the agency uses for the
30 maintenance and administration of the Homeless Management
31 Information System, shall be transferred to the Office of
32 Homelessness Prevention.

33

34 2. (New section) a. The Legislature finds and declares that it is in
35 the public interest for State policymakers, providers of services to
36 people who are homeless, advocacy organizations, and other
37 concerned representatives of the public to engage in an intensive
38 collaborative effort to seek to devise more effective means of
39 coordinating ¹**[and]** among various State and local initiatives that
40 provide assistance to persons who are homeless or at risk of being
41 homeless; to identify public and private sources of¹ funding ¹for¹
42 programs to meet the needs of persons within New Jersey who are
43 homeless or at risk for homelessness¹; and to develop more permanent
44 housing solutions for this population¹.

45 b. There is established the "New Jersey Homelessness Prevention
46 Task Force." The purpose of the task force shall be to serve as an
47 advisory body to the Office of Homelessness Prevention in the
48 Department of Community Affairs, to develop recommendations,

1 through an intensive collaborative effort among representatives of
2 State government, providers of services to the homeless, advocacy
3 organizations, and other concerned representatives of the public, and
4 to develop, promote, and support efforts for the most effective means
5 of coordinating ¹~~and~~ among various State and local initiatives that
6 provide assistance to persons who are homeless or at risk of being
7 homeless; to identify public and private sources of¹ funding ¹for¹
8 programs to meet the various needs of persons within this State who
9 are homeless or at risk for homelessness ¹; and to develop more
10 permanent housing solutions for this population¹.

11 c. The task force shall consist of 15 members including the
12 Director of the Office of Homelessness Prevention in the Department
13 of Community Affairs, or the director's designee, ¹the Director of the
14 Division of Family Development in the Department of Human
15 Services, or the director's designee,¹ and ¹~~fourteen~~ ¹13¹ members,
16 who shall be appointed by the Governor no later than the 60th day
17 after the effective date of P.L. , c. (C.) (pending before the
18 Legislature as this bill), and who may be government officials or
19 members of the public with a demonstrated expertise in issues relating
20 to the work of the task force.

21 d. The Director of the Office of Homelessness Prevention, or the
22 director's designee, shall serve as chairperson of the task force. The
23 task force shall organize as soon as practicable following the
24 appointment of its members and shall select a vice-chairperson from
25 among the members. The chairperson shall appoint a secretary who
26 need not be a member of the task force.

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

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

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

37 h. The Department of Community Affairs shall provide staff
38 support to the task force.

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

41

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

44 4. The department shall establish and support a comprehensive
45 program for homeless youth in the State by contracting with
46 organizations and agencies, licensed by the department, that provide
47 street outreach or basic center shelter or transitional living services

1 for homeless youth. The department shall establish licensure
2 requirements and shall contract for programs that ensure that
3 services, as specified by this act, are provided to homeless youth in
4 the State in an appropriate and responsible manner. The
5 commissioner may establish such other requirements for the
6 homeless youth programs as he deems necessary. On or before
7 December 31 of each year, the department shall provide to the
8 Office of Homelessness Prevention in the Department of
9 Community Affairs a list of organizations and agencies
10 participating in the program and any available information in the
11 possession of the department concerning persons who are homeless
12 or at risk for homelessness in accordance with any applicable
13 privacy, security, and data quality standards.

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

15

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

17 18A:38-1. Public schools shall be free to the following persons
18 over five and under 20 years of age:

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

20 b. (1) Any person who is kept in the home of another person
21 domiciled within the school district and is supported by such other
22 person gratis as if he were such other person's own child, upon
23 filing by such other person with the secretary of the board of
24 education of the district, if so required by the board, a sworn
25 statement that he is domiciled within the district and is supporting
26 the child gratis and will assume all personal obligations for the
27 child relative to school requirements and that he intends so to keep
28 and support the child gratuitously for a longer time than merely
29 through the school term, and a copy of his lease if a tenant, or a
30 sworn statement by his landlord acknowledging his tenancy if
31 residing as a tenant without a written lease, and upon filing by the
32 child's parent or guardian with the secretary of the board of
33 education a sworn statement that he is not capable of supporting or
34 providing care for the child due to a family or economic hardship
35 and that the child is not residing with the resident of the district
36 solely for the purpose of receiving a free public education within
37 the district. The statement shall be accompanied by documentation
38 to support the validity of the sworn statements, information from or
39 about which shall be supplied only to the board and only to the
40 extent that it directly pertains to the support or nonsupport of the
41 child. If in the judgment of the board of education the evidence
42 does not support the validity of the claim by the resident, the board
43 may deny admission to the child. The resident may contest the
44 board's decision to the commissioner within 21 days of the date of
45 the decision and shall be entitled to an expedited hearing before the
46 commissioner on the validity of the claim and shall have the burden
47 of proof by a preponderance of the evidence that the child is eligible
48 for a free education under the criteria listed in this subsection. The

1 board of education shall, at the time of its decision, notify the
2 resident in writing of his right to contest the board's decision to the
3 commissioner within 21 days. No child shall be denied admission
4 during the pendency of the proceedings before the commissioner.
5 In the event the child is currently enrolled in the district, the student
6 shall not be removed from school during the 21-day period in which
7 the resident may contest the board's decision nor during the
8 pendency of the proceedings before the commissioner. If in the
9 judgment of the commissioner the evidence does not support the
10 claim of the resident, he shall assess the resident tuition for the
11 student prorated to the time of the student's ineligible attendance in
12 the school district. Tuition shall be computed on the basis of 1/180
13 of the total annual per pupil cost to the local district multiplied by
14 the number of days of ineligible attendance and shall be collected in
15 the manner in which orders of the commissioner are enforced.
16 Nothing shall preclude a board from collecting tuition from the
17 resident, parent or guardian for a student's period of ineligible
18 attendance in the schools of the district where the issue is not
19 appealed to the commissioner;

20 (2) If the superintendent or administrative principal of a school
21 district finds that the parent or guardian of a child who is attending
22 the schools of the district is not domiciled within the district and the
23 child is not kept in the home of another person domiciled within the
24 school district and supported by him gratis as if the child was the
25 person's own child as provided for in paragraph (1) of this
26 subsection, the superintendent or administrative principal may
27 apply to the board of education for the removal of the child. The
28 parent or guardian shall be entitled to a hearing before the board
29 and if in the judgment of the board the parent or guardian is not
30 domiciled within the district or the child is not kept in the home of
31 another person domiciled within the school district and supported
32 by him gratis as if the child was the person's own child as provided
33 for in paragraph (1) of this subsection, the board may order the
34 transfer or removal of the child from school. The parent or
35 guardian may contest the board's decision before the commissioner
36 within 21 days of the date of the decision and shall be entitled to an
37 expedited hearing before the commissioner and shall have the
38 burden of proof by a preponderance of the evidence that the child is
39 eligible for a free education under the criteria listed in this
40 subsection. The board of education shall, at the time of its decision,
41 notify the parent or guardian in writing of his right to contest the
42 decision within 21 days. No child shall be removed from school
43 during the 21-day period in which the parent may contest the
44 board's decision or during the pendency of the proceedings before
45 the commissioner. If in the judgment of the commissioner the
46 evidence does not support the claim of the parent or guardian, the
47 commissioner shall assess the parent or guardian tuition for the
48 student prorated to the time of the student's ineligible attendance in

1 the schools of the district. Tuition shall be computed on the basis
2 of 1/180 of the total annual per pupil cost to the local district
3 multiplied by the number of days of ineligible attendance and shall
4 be collected in the manner in which orders of the commissioner are
5 enforced. Nothing shall preclude a board from collecting tuition
6 from the parent or guardian for a student's period of ineligible
7 attendance in the schools of the district where the issue is not
8 appealed to the commissioner;

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

21 c. Any person who fraudulently allows a child of another
22 person to use his residence and is not the primary financial
23 supporter of that child and any person who fraudulently claims to
24 have given up custody of his child to a person in another district
25 commits a disorderly persons offense;

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

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

34 f. Any person whose parent or guardian moves from one
35 school district to another school district as a result of being
36 homeless and whose district of residence is determined pursuant to
37 section 19 of P.L.1979, c.207 (C.18A:7B-12). On or before
38 December 31 of each year, a public school shall report to the Office
39 of Homelessness Prevention in the Department of Community
40 Affairs an accounting of each instance in which the public school is
41 made aware that a student enrolled in the public school because the
42 student's parent or guardian moved from one school district to
43 another school district as a result of being homeless.

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

45

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

47 26:8-63. The State registrar shall:

- 1 a. Furnish a certification or certified copy of a birth, marriage,
2 civil union, domestic partnership, fetal death or death certificate
3 without fee in the prosecution of any claim for public pension or for
4 military or naval enlistment purposes; and
- 5 b. Furnish the United States Public Health Service without
6 expense to the State, microfilm or photocopy images of birth,
7 marriage, civil union, domestic partnership, fetal death and death
8 certificates without payment of the fees prescribed in this article;
9 and
- 10 c. Furnish a certified transcript of any entry in the records of
11 the New Jersey State census without fee for certification in the
12 prosecution of any claim for public pension, for military or naval
13 enlistment purposes; and
- 14 d. Furnish without fee upon request for administrative use by
15 any city, State or federal agency a certified transcript of any New
16 Jersey State census entry, or a certification or certified copy of a
17 birth, death, fetal death, marriage, civil union or domestic
18 partnership certificate; and
- 19 e. Furnish without fee upon request a certified copy of a
20 veteran's death certificate to the veteran's legal representative, the
21 executor or administrator of the veteran's estate, or to a family
22 member authorized to obtain a copy of the death certificate pursuant
23 to subsection a. of R.S.26:8-62. No more than one copy of a
24 veteran's death certificate may be provided without fee pursuant to
25 this subsection; all other copies of the death certificate shall be
26 subject to the statutory fee; and
- 27 f. Furnish without fee upon request by a person who is
28 homeless **【person】** a certified copy of the person's birth certificate,
29 provided that the person submits the request through a social
30 worker or the coordinator of the emergency shelter for the homeless
31 where the person is temporarily residing. The request shall be
32 transmitted on the emergency shelter's letterhead and shall include
33 the shelter's employer identification number and an attestation by
34 the coordinator that the person requesting the certificate is currently
35 homeless and residing at the shelter or the request shall be
36 submitted on the social worker's agency or professional practice
37 letterhead and shall include the agency's or the professional
38 practice's employer identification number and an attestation by the
39 social worker that the person requesting the certificate is currently
40 homeless. A certified copy of a birth certificate furnished pursuant
41 to this subsection shall be transmitted to the social worker or
42 coordinator who transmitted the request. No more than one
43 certified copy of a birth certificate furnished to a person who is
44 homeless **【person】** pursuant to this subsection shall be provided
45 without fee; all other copies of the birth certificate shall be subject
46 to the statutory fee. On or before December 31 of each year, the
47 State Registrar shall report to the Office of Homelessness
48 Prevention in the Department of Community Affairs an accounting

1 of each instance in which the State Registrar furnished without fee a
2 certified copy of a person's birth certificate pursuant to this
3 subsection.

4 As used in this section:

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

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

15

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

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

19 Identification Card, Original \$18

20 Identification Card, Duplicate \$5

21 Identification Card, Renewal \$18

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

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

38

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

41 1. The governing body of a county or municipality annually
42 may appropriate funds to a private, nonprofit organization for the
43 purpose of providing services to runaway or homeless youths and
44 their families. The services may include temporary shelter, food,
45 clothing, medical care, transportation, individual and family
46 counseling, and any other service necessary to provide adequate
47 temporary, protective care for runaway or homeless youths, or to
48 aid in reuniting the youths with their parents or guardians. On or

1 before December 31 of each year, the governing body of a
2 municipality shall provide to the Office of Homelessness Prevention
3 in the Department of Community Affairs a list of nonprofit
4 organizations to which the governing body appropriated funds
5 pursuant to this section and any available information in the
6 possession of the governing body concerning persons who are
7 homeless or at risk for homelessness in accordance with any
8 applicable privacy, security, and data quality standards. For the
9 purposes of this section, "runaway or homeless youth" means a
10 person under the age of 18, who is absent from his legal residence
11 without the consent of his parents or legal guardian, or who is
12 without a place of shelter where supervision and care are available.
13 (cf: P.L.1982, c.56, s.1)

14

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

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

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

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

29 d. Upon the effective date of P.L. , c. (C.) (pending
30 before the Legislature as this bill), the fund created pursuant to
31 subsection a. of this section may be transferred from the Division of
32 Housing and Community Resources to the Office of Homelessness
33 Prevention.

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

35

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

38 4. A local government, in consultation with the Office of
39 Homelessness Prevention in the Department of Community Affairs,
40 may adopt a homeless housing plan to address the housing needs of
41 persons who are homeless within its jurisdiction, which shall be in
42 accordance with the provisions of P.L.2009, c.123 (C.52:27D-287a
43 et al.). The plan shall include provisions for establishing a trust fund
44 for the purposes of receiving funds pursuant to P.L.2009, c.123
45 (C.52:27D-287a et al.), and shall evidence a strategic local scheme
46 to identify and address the needs of **【the】** persons who are homeless
47 within the jurisdiction, including strategies to reduce the need for
48 emergency room care, hospital care, law enforcement, foster care,

1 and other social services associated with **the** persons who are
2 homeless and homelessness.

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

4

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

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

11 (1) for the acquisition, construction, or rehabilitation of housing
12 projects or units within housing projects that supply permanent
13 affordable housing for persons who are homeless or families,
14 including those at risk of homelessness;

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

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

22 (4) prevention services for at risk homeless individuals or
23 families so that they can obtain and maintain permanent affordable
24 housing.

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

27 (1) measurably reduce homelessness;

28 (2) demonstrate government cost savings over time;

29 (3) employ evidence-based models;

30 (4) can be replicated in other counties;

31 (5) include an outcome measurement component;

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

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

37 c. Each county that has established a County Homelessness
38 Trust Fund shall transmit information concerning the uses of the
39 funds to the **New Jersey Housing and Mortgage Finance Agency**
40 Office of Homelessness Prevention in the Department of
41 Community Affairs in accordance with requirements established by
42 that **agency** office.

43 d. The governing body of a county may by resolution establish
44 a preference for veterans that gives first priority, in the distribution
45 of grants, for the benefit of homeless veterans, including those at
46 risk of homelessness.

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

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

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

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

13

14 12. (New section) There is hereby appropriated from the
15 General Fund to the Department of Community Affairs the sum of
16 \$3,000,000 to carry out the purposes of section 1 of
17 P.L. , c. (C.) (pending before the Legislature as this bill).

18

19 13. This act shall take effect immediately.