

SENATE, No. 3604

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 18, 2019

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Directs certain unclaimed water utility deposits in Unclaimed Utility Deposits Trust Fund be paid to Statewide nonprofit utility assistance organizations meeting certain eligibility criteria.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the establishment and funding of a utility
2 assistance program and amending the title and body of P.L.2000,
3 c.132 and amending R.S.46:30B-74.

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

7
8 1. The title of P.L.2000, c.132 (C.48:2-29.38 et seq.) is
9 amended to read as follows:

10 AN ACT concerning the establishment and funding of **[an energy]** a
11 utility assistance program, supplementing Title 48 of the Revised
12 Statutes, and amending R.S.46:30B-74 and R.S.46:30B-75.
13 (cf: P.L.2000, c.132, title)

14
15 2. Section 1 of P.L.2000, c.132 (C.48:2-29.38) is amended to
16 read as follows:

17 1. The Legislature finds and declares that certain citizens of the
18 State may find it difficult to pay for **[energy]** utility services
19 because of a temporary financial reversal, medical crisis or other
20 family problem; and that nonprofit **[energy]** utility assistance
21 organizations such as New Jersey Statewide Heating Assistance and
22 Referral for Energy Services (SHARES), have been formed, joining
23 together various nonprofit human service agencies and the major
24 energy and water public utilities in the State to raise money through
25 contributions of the members and others to provide temporary
26 financial assistance to needy customers that may have exhausted all
27 other available resources.

28 The Legislature therefore determines that it serves a public
29 purpose to provide supplemental funding to such Statewide
30 nonprofit **[energy]** utility assistance organizations from the
31 unclaimed property held by the electric **[and]**, gas, and water public
32 public utilities in the State.

33 (cf: P.L.2000, c.132, s.1)

34
35 3. Section 2 of P.L.2000, c.132 (C.48:2-29.39) is amended to
36 read as follows:

37 2. The Board of Public Utilities shall designate an established
38 Statewide nonprofit **[energy]** utility assistance organization
39 representing the State's major electric **[and]**, gas, and water public
40 utilities and human service nonprofit groups to receive
41 supplemental funding from unclaimed property held by the State's
42 electric **[and]**, gas, and water public utilities that is transferred to
43 the State in accordance with the requirements of R.S.46:30B-74.

44 (cf: P.L.2000, c.132, s.2)

45
46 4. Section 3 of P.L.2000, c.132 (C.48:2-29.40) is amended to
47 read as follows:

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.

1 3. The Statewide nonprofit **【energy】** utility assistance
2 organization receiving such funding from the State shall utilize the
3 funds to provide temporary financial assistance to residential
4 customers having short-term difficulties paying their **【energy】**
5 electric, gas, or water public utility bills after such customers have
6 exhausted all other available **【energy】** utility assistance resources.
7 The organization shall develop and file with the Board of Public
8 Utilities the eligibility criteria for customers to receive **【energy】**
9 utility assistance grants. The organization shall also file annually
10 with the Board of Public Utilities and the Legislature a detailed
11 report on the use of the funds received from the State and the
12 number of recipients and amount of **【energy】** utility assistance
13 grants.

14 (cf: P.L.2000, c.132, s.3)

15
16 5. Section 4 of P.L.2000, c.132 (C.48:2-29.41) is amended to
17 read as follows:

18 4. The Board of Public Utilities is authorized to promulgate,
19 pursuant to law, such rules and regulations as may be necessary to
20 effectuate the purpose of **【this act】** P.L.2000, c.132 (C.48:2-
21 29.38 et seq.).

22 (cf: P.L.2000, c.132, s.4)

23
24 6. R.S.46:30B-74 is amended to read as follows:

25 46:30B-74. The administrator shall establish and manage four
26 separate trust funds to be known as the Unclaimed County Deposits
27 Trust Fund, the Unclaimed Child Support Trust Fund, the
28 Unclaimed Utility Deposits Trust Fund, and the Unclaimed Personal
29 Property Trust Fund.

30 a. All moneys received as unclaimed county deposits and the
31 accretions thereon shall be deposited into the Unclaimed County
32 Deposits Trust Fund. Each year, unless the administrator deems it
33 prudent and advisable to do otherwise, the administrator shall pay
34 to each county, within 45 days of the receipt of such funds, 75% of
35 the unclaimed county deposits received from that county by the
36 administrator. The remaining portion shall be retained in the trust
37 fund, administered and invested by the State Treasurer, and used to
38 pay claims duly presented and allowed and all expenses and costs
39 incurred by the State of New Jersey. If the Unclaimed County
40 Deposits Trust Fund is insufficient to pay specific claims against a
41 county, the administrator shall report the fact to the county
42 governing body and the unpaid claim shall become an affirmative
43 obligation of that county.

44 Upon the effective date of **【this act】** P.L.1992, c.173, any county
45 deposits paid to the administrator between April 18, 1989 and the
46 effective date of **【this act】** P.L.1992, c.173 shall be transferred from

1 the Unclaimed Personal Property Trust Fund to the Unclaimed
2 County Deposits Trust Fund.

3 b. All moneys received in unclaimed property deposits from
4 electric **[and]**, gas, and water public utilities shall be deposited into
5 the Unclaimed Utility Deposits Trust Fund. Each year, unless the
6 administrator deems it prudent and advisable to do otherwise, the
7 administrator shall pay to **[the New Jersey Statewide Heating**
8 **Assistance and Referral for Energy Services (SHARES) nonprofit**
9 **corporation, or to another]** a Statewide nonprofit **[energy]** utility
10 assistance organization designated by the Board of Public Utilities
11 within 45 days of the receipt of such funds, 75% of the unclaimed
12 **[utility]** property deposits **[received]** from **[each of the]** electric
13 **[and]**, gas, and water public utilities received by the administrator.
14 Such payments received from the administrator shall be used
15 exclusively for the payment of expenses associated with the
16 restoration of electric **[or]**, gas, and water public utility service, or
17 to prevent the termination of electric **[or]**, gas, and water public
18 utility service provided to electric, gas, or water public utility
19 ratepayers seeking assistance from **[New Jersey SHARES, or an**
20 **equivalent]** a Statewide nonprofit **[energy]** utility assistance
21 organization **[designated by the Board of Public Utilities]**. The
22 remaining portion shall be retained in the trust fund, administered
23 and invested by the State Treasurer, and used to pay claims duly
24 presented and allowed and all expenses and costs incurred by the
25 State of New Jersey.

26 Upon the effective date of P.L.2000, c.132 (C.48:2-29.38 et al.),
27 any unclaimed property deposits **[held by]** from electric and gas
28 public utilities paid to the administrator between July 1, 1998 and
29 the effective date of **[this act]** P.L.2000, c.132 (C.48:2-29.38 et al.)
30 shall be transferred from the Unclaimed Personal Property Trust
31 Fund to the Unclaimed Utility Deposits Trust Fund.

32 c. All other moneys received as unclaimed property presumed
33 abandoned, the accretions thereon, and the proceeds of sale of
34 unclaimed property shall be deposited into the Unclaimed Personal
35 Property Trust Fund. Unless the administrator deems it prudent and
36 advisable to do otherwise, 75% of all funds received shall be
37 transferred to the General State Fund. The remaining portion shall
38 be retained in the trust fund, administered and invested by the State
39 Treasurer, and used to pay claims duly presented and allowed and
40 all expenses and costs incurred by the State of New Jersey.

41 Upon the effective date of **[this act]** the “Uniform Unclaimed
42 Property Act,” R.S.46:30B-1 et seq., all funds and assets of the trust
43 funds established pursuant to N.J.S.2A:37-41, section 8 of
44 P.L.1945, c.199 (C.17:9-25), and N.J.S.17B:31-7, shall be
45 transferred to and become part of the Unclaimed Personal Property
46 Trust Fund established by **[this act]** R.S.46:30B-1 et seq., which

1 shall be responsible for payment of any allowed claims for
2 restitution of unclaimed property paid into those three funds.

3 d. All moneys received as abandoned child support and the
4 accretions thereon shall be deposited in the Unclaimed Child
5 Support Trust Fund. Each year, the administrator shall pay to the
6 judiciary, within 45 days of the receipt of such funds, the federal
7 government's Title IV-D share of the abandoned child support
8 received from the Probation Division of the Superior Court. The
9 remaining portions shall be retained in the trust fund, administered
10 and invested by the State Treasurer, and used to pay claims duly
11 presented and allowed and all expenses and costs incurred by the
12 State of New Jersey. If the Unclaimed Child Support Trust Fund is
13 insufficient to pay specific claims against a county, the
14 administrator shall report the fact to the judiciary and the unpaid
15 claim shall become an affirmative obligation of the judiciary.

16 Upon the effective date of P.L.1995, c.115, any abandoned child
17 support paid to the administrator between April 18, 1989 and that
18 effective date shall be transferred from the Unclaimed Personal
19 Property Trust Fund to the Unclaimed Child Support Trust Fund.

20 e. As used in this section:

21 (1) "County deposits" means the proceeds of a judgment
22 received in favor of a minor and placed under the control of a
23 county surrogate or any devise or distribution from an estate paid
24 into the county surrogate's court prior to April 14, 1989; any
25 unclaimed bail and any interest thereon deposited prior to January
26 1, 1995 and 50% of any unclaimed bail and any interest thereon
27 deposited after January 1, 1995;

28 (2) "Abandoned child support" means any payments for the
29 support of a child or a child and the custodial parent paid to the
30 Probation Division of the Superior Court pursuant to a court order
31 that could not be distributed to the payee or returned to the payor
32 within one year of its receipt;

33 (3) "Title IV-D" means Part D, "Child Support and
34 Establishment of Paternity," of subchapter IV of the Social Security
35 Act (42 U.S.C. 651 et seq.) under which states receive partial
36 federal reimbursement of their administrative expenses for
37 establishing paternity and collecting child support;

38 (4) "Unclaimed property deposits from electric ~~and~~, gas, ~~and~~
39 water public utilities" means any unclaimed deposits held by
40 electric ~~and~~, gas, ~~and~~ water public utilities in accordance with the
41 requirements of R.S.46:30B-29 ~~and~~, any unclaimed stock and
42 dividends of electric ~~and~~, gas, ~~and~~ water public utilities in
43 accordance with the requirements of R.S.46:30B-31 ~~and~~, any
44 unclaimed wages of electric ~~and~~, gas, ~~and~~ water public utilities in
45 accordance with the requirements of R.S.46:30B-44, and any other
46 unclaimed property of electric ~~and~~, gas, ~~and~~ water public utilities
47 in accordance with the requirements of R.S.46:30B-7;

