

# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

## ASSEMBLY, No. 5758

### STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 29, 2021

#### SUMMARY

- Synopsis:** Provides funding for experiential housing advocacy programs to provide legal services for low- and moderate-income tenants in need of housing assistance; appropriates \$2 million.
- Type of Impact:** State expenditure increase; revenue increase to the Rutgers Law School - Camden location and the Rutgers Law School - Newark location.
- Agencies Affected:** Rutgers Law School, Camden location and Rutgers Law School, Newark location.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>FY 2022</u></b>	<b><u>FY 2023 and Each Year Thereafter</u></b>
<b>State Cost Increase</b>	\$2 million	Indeterminate
<b>Revenue Increase to Rutgers Law Schools</b>	\$1,150,000	Indeterminate

- The Office of Legislative Services (OLS) concludes that this bill will result in increased State expenditures to provide funding to the Seton Hall Law School, the Rutgers Law School, Camden location, and the Rutgers Law School, Newark location, for the establishment of experiential housing advocacy programs that provide free legal services to low- and moderate-income tenants who are in need of housing assistance. The increased State expenditures will coincide with a revenue increase to the three law schools enumerated in the bill.
- The bill provides a supplemental appropriation of \$2 million to be allocated in the following manner: \$575,000 to each the Seton Hall Law School, the Rutgers Law School, Camden location, and the Rutgers Law School, Newark location to support an experiential housing advocacy program; and \$275,000 to the Seton Hall Law School to support the preparation of training materials and the training of law students and graduates selected to participate in the program. The OLS assumes that this funding would first be made available beginning in FY 2022.

## **BILL DESCRIPTION**

This bill provides funding for the establishment of experiential housing advocacy programs that provide free legal services to low- and moderate-income tenants who are in need of housing assistance. Under the bill, the Legislature is directed to annually appropriate monies for the Seton Hall Law School, the Rutgers Law School, Camden location, and the Rutgers Law School, Newark location, to establish the experiential housing advocacy programs.

Specifically, the experiential housing advocacy program would provide the following services, free of charge, to low- and moderate-income tenants: (1) legal counsel and representation in landlord-tenant-related litigation, including, but not limited to, eviction proceedings and actions for unpaid rent; (2) assistance applying for benefits under any State or federally funded rental assistance program, homeownership assistance program, or any other program providing financial assistance to tenants impacted by the COVID-19 pandemic; (3) legal counsel and assistance related to pre- and post-litigation negotiations with landlords; and (4) any other services that the law school may deem appropriate to assist low- and moderate-income tenants.

If a law school elects to implement the experiential housing advocacy program, the school would be required to designate a licensed attorney in good standing, with experience in landlord-tenant law and civil litigation matters, to supervise the program. Thereafter, the bill permits the law school to hire such additional staff as may be needed to support the program, including one or more licensed attorneys with experience in landlord-tenant law and civil litigation matters, and one or more recent law school graduates.

Additionally, the bill allows the schools to designate one or more legal services organizations through which the programs may be implemented. If a law school elects to implement the program through a designated legal services organization, then subject to the availability of funds, the school would be required to provide subgrants to the organization to defray the costs of the program. However, when implementing the program, the legal services organization would be required to allow all students selected by the law school to participate in the program.

The bill also appropriates a total of \$2 million from the State General Fund to support the operations of the clinical program. The Seton Hall Law School, the Rutgers Law School, Camden location, and the Rutgers Law School, Newark location, will each receive \$575,000. The remaining \$275,000 is appropriated to the Seton Hall Law School to support the preparation of training materials and the training of law students and graduates selected to participate in the program. If a law school does not establish the program, then the monies appropriated for that school would be transferred to the other participating schools in equal amounts.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

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assistance. The increased State expenditures will coincide with a revenue increase to the three law schools enumerated in the bill.

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The level of appropriations in the years following FY 2022 for the programs to be established under the bill is indeterminate. The OLS notes that the appropriations acts in recent years have provided funding for Clinical Legal Programs for the Poor, which appear to be similar in nature to the programs to be established under this bill. In FY 2021, the Rutgers Law School, Camden location, and the Rutgers Law School, Newark location, each received \$200,000 for Clinical Legal Programs for the Poor. Meanwhile, the Seton Hall Law School received \$195,000 for this purpose.

*Section: Education*

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).