

SENATE, No. 265

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senator Corrado

SYNOPSIS

Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/29/2020)

1 **AN ACT** concerning certain power restoration practices of electric
2 public utilities and supplementing Title 48 of the Revised
3 Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Assisted living facility” means an assisted living residence or
11 comprehensive personal care home licensed pursuant to P.L.1971,
12 c.136 (C.26:2H-1 et seq.).

13 “Board” means the Board of Public Utilities or any successor
14 agency.

15 "DNA" means deoxyribonucleic acid.

16 "Electric public utility" means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 “Extended power outage” means an electric power outage lasting
20 more than 24 hours.

21 “Facility” means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 “Hospital” means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 “Major event” means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the electric public
29 utility, including, but not limited to, a terrorist attack, thunderstorm,
30 tornado, hurricane, flood, heat wave, snow storm, ice storm, or
31 earthquake, which results in:

32 a. a sustained interruption of electric public utility service to at
33 least 10 percent of the customers in an operating area or 10 percent
34 of an electric public utility’s customers within a municipality or
35 county located in an operating area; or

36 b. the declaration of a state of emergency or disaster by the
37 State or by the federal government.

38 “Nursing home” means a nursing home licensed pursuant to
39 P.L.1971, c.136 (C.26:2H-1 et seq.).

40
41 2. a. The board shall adopt, pursuant to the "Administrative
42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
43 regulations requiring an electric public utility to give priority to a
44 facility for electric public utility power restoration after an extended
45 power outage following a major event, except that power restoration
46 efforts to a facility shall not divert efforts to restore power where
47 needed to otherwise maintain overall public safety.

1 b. The rules and regulations adopted by the board pursuant to
2 subsection a. of this section shall allow an electric public utility to
3 exercise its discretion to prioritize power restoration to a facility
4 after an extended power outage in accordance with the facility's
5 needs and with the characteristics of the geographic area in which
6 power shall be restored.

7
8 3. This act shall take effect 60 days following the date of
9 enactment.

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12 STATEMENT

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14 This bill requires the Board of Public Utilities (BPU) to adopt
15 rules and regulations requiring an electric public utility to provide
16 priority power restoration following an extended power outage to:
17 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4)
18 chronic or acute renal dialysis facilities; and 5) clinical or research
19 laboratories or institutes that store human blood, other human
20 tissue, or human DNA. Any priority power restoration efforts to the
21 specified facilities are not to divert efforts to restore power where
22 needed to otherwise maintain overall public safety.

23 The bill requires BPU to allow an electric public utility to
24 exercise its discretion to prioritize power restoration to any of the
25 specified facilities after an extended power outage in accordance
26 with the facilities' needs and the characteristics of the geographic
27 area in which power is to be restored.