

FISCAL NOTE TO
[First Reprint]
ASSEMBLY, No. 251

STATE OF NEW JERSEY

DATED: June 7, 1996

Assembly Bill No. 251(1R) of 1996 would suspend cash general public assistance benefits (GA) to a person who is convicted of, or pleads guilty to a charge of a drug offense under the "Comprehensive Drug Reform Act of 1987" (N.J.S.A.2C:35-1 et seq.), involving the use, possession, manufacture, dispensing or distribution of various controlled dangerous substances for a specified period of time. Such persons may be eligible to receive non-cash GA benefits.

In the event of a second conviction or guilty plea, all GA benefits would be forfeited unless the person demonstrates that he is receiving or seeking treatment for the substance abuse problem.

Before suspending benefits, the municipal welfare director shall determine whether the person has a drug addiction and promptly refer the person to a substance abuse treatment program, if available. Any convicted person who is participating or willing to participate in a substance abuse program shall continue to receive GA during the period of probation.

Finally, the appropriate county probation department in which a term of probation under N.J.S.A.2C:35-1 et seq. is given shall determine whether a person is a recipient of GA and notify the appropriate municipal welfare agency with all relevant information.

The Department of Human Services and the Office of Management and Budget have not provided any fiscal information on the legislation. The Administrative Office of the Courts (AOC) has indicated that one probation officer for each county would have to be employed to match GA information with probation information at a cost of approximately \$800,000.

As data are not available on GA recipients who have been convicted of, or plead guilty to, a charge of a drug offense under N.J.S.A.2C:35-1 et seq., the Office of Legislative Services is not able to assess the fiscal impact of this bill.

Municipal welfare directors are not required to obtain information as to whether an applicant has been convicted of or plead guilty to a drug offense and, therefore, the number of persons applying for GA who may be affected by this legislation is not known. To implement the legislation's provisions, additional time would have to be spent by municipal welfare departments to complete and verify the GA application. The additional administrative costs municipal welfare departments may incur to comply with the legislation's requirement

cannot be determined. Similarly, as county probation departments are not required to determine whether a person on probation is a recipient of GA, it is not known how many of the 10,000 persons on probation are GA recipients or are subject to the legislation's provisions. While the AOC has indicated that one probation officer for each county would have to be employed to match GA information with probation information at a cost of approximately \$800,000, how the AOC developed the estimate that one employee would be needed in each county is not known and must be questioned. For example, during August 1995, fewer than 100 GA applications were approved in each of the following counties: Cape May, Gloucester, Hunterdon, Morris, Salem, Somerset, Sussex and Warren. It is highly questionable that one employee for each county would have to be hired to conduct these reviews.

While additional administrative costs associated with this legislation cannot be determined, for every 100 GA recipients that are affected by the legislation's provisions and are terminated from GA, approximately \$14,000 in GA benefits monthly are affected, excluding any non-maintenance benefits the recipient may receive. Whether such GA savings exceed the added administrative costs associated with this legislation cannot be determined.

This fiscal note has been prepared pursuant to P.L.1980, c.67.