

SENATE, No. 56

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator O'CONNOR

1 AN ACT authorizing criminal history record background check of
2 public housing applicant and supplementing P.L.1992, c.79
3 (C.40A:12A-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. The municipality, county, redevelopment agency or housing
9 authority shall be an authorized agency to request a criminal history
10 record background check of an individual applying for public or
11 publicly assisted housing, and shall be authorized to receive criminal
12 history record information from the Federal Bureau of Investigation,
13 the Division of State Police and local law enforcement agencies.

14 b. The criminal history record background check shall be
15 performed only upon receipt of the applicant's written consent to
16 conduct the background check. The requesting municipality, county,
17 redevelopment agency or housing authority shall coordinate the
18 criminal history record background check with the Division of State
19 Police or the appropriate local law enforcement agency.

20 c. The requesting agency shall pay the standard fee for conducting
21 the criminal history record background checks.
22

23 2. This act shall take effect on the 30th day after enactment.
24
25

26 STATEMENT
27

28 This bill authorizes municipalities, counties, redevelopment agencies
29 and housing authorities to receive criminal history record background
30 information for individuals applying for tenancy in public or publicly
31 assisted housing. The housing agencies would have access to federal,
32 State and local criminal records. Selection criteria for public housing
33 applicants at the federal level is established to determine whether
34 tenants would be likely to interfere with the enjoyment of the premises
35 by other tenants by adversely affecting their health, safety or welfare,

1 or whether they would adversely affect the physical environment or the
2 financial stability of the premises. Included in the selection criteria is
3 a history of criminal activity involving crimes of physical violence and
4 other criminal activity which would adversely affect the health, safety
5 or welfare of other tenants. This bill would allow access to such
6 information by local housing agencies. Access to criminal history
7 information is currently allowed for other noncriminal purposes such
8 as licensing and employment.

9 The current fee required for a State Police record check is \$25, and
10 for a federal check, \$24. The bill requires the requesting housing
11 authority to pay the fees for the criminal history record background
12 checks they request.

13

14

15

16

17 _____
Authorizes criminal background check of public housing applicant.