

[First Reprint]

ASSEMBLY, No. 4785

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 8, 2020

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

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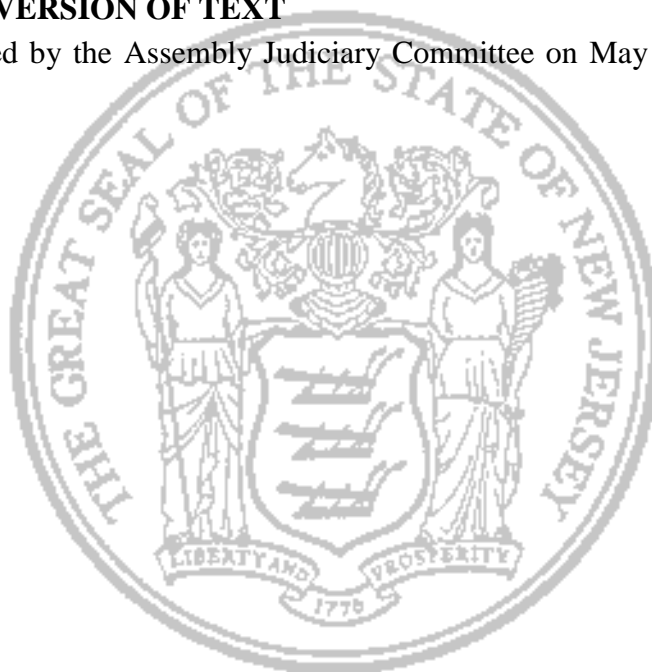
Assemblywomen Reynolds-Jackson, Jasey and Assemblyman Johnson

SYNOPSIS

Expands scope of inmate reentry assistance and benefits.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on May 18, 2021, with amendments.



(Sponsorship Updated As Of: 5/20/2021)

1 AN ACT concerning services for certain inmates and amending and
2 supplementing various parts of the statutory law.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.2009, c.329 (C.30:1B-6.2) is amended to
8 read as follows:

9 2. The Commissioner of Corrections shall provide to each
10 inmate at least 10 days prior to release from a State correctional
11 facility:

12 a. A copy of the inmate's criminal history record and written
13 information on the inmate's right to have his criminal records
14 expunged under chapter 52 of Title 2C of the New Jersey Statutes;

15 b. General written information on the inmate's right to vote
16 under R.S.19:4-1;

17 c. General written information on the availability of programs,
18 including faith-based and secular programs, that would assist in
19 removing barriers to the inmate's employment or participation in
20 vocational or educational rehabilitative programs, including but not
21 limited to, information concerning the "Rehabilitated Convicted
22 Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the
23 certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et
24 seq.);

25 d. A detailed written record of the inmate's participation in
26 educational, training, employment, and medical or other treatment
27 programs while the inmate was incarcerated;

28 e. A written accounting of the fines, assessments, surcharges,
29 restitution, penalties, child support arrearages, and any other
30 obligations due and payable by the inmate upon release;

31 f. (Deleted by amendment, P.L.2020, c.45)

32 g. ¹**[A copy of the inmate's birth certificate if the inmate was**
33 **born in New Jersey;]** (Deleted by amendment, P.L. _____, c. _____)
34 (pending before the Legislature as this bill)¹

35 h. Assistance in obtaining a Social Security card;

36 i. A one-day New Jersey bus or rail pass;

37 j. A **[two-week]** ¹**[three-month]** 30-day¹ supply of
38 prescription medication¹, except if the prescribed medication is
39 suboxone, a 90-day prescription¹ and ,to the extent consistent with
40 clinical guidelines, ¹**[an additional 30 day prescription order and]**¹
41 two additional refills;

42 k. General written information concerning child support,
43 including child support payments owed by the inmate, information
44 on how to seek child support payments and information on where to

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AJU committee amendments adopted May 18, 2021.

1 seek services regarding child support, child custody, and
2 establishing parentage; and

3 1. (1) A medical discharge summary, which shall include
4 instructions on how to obtain from the commissioner a copy of the
5 inmate's full medical record. Upon request from the inmate, the
6 commissioner shall provide a copy of the inmate's full medical
7 record in a safe and secure manner, at no charge to the inmate.

8 (2) Within 90 days of the effective date of this act, the
9 commissioner, in consultation with the State Board of Medical
10 Examiners, shall adopt rules and regulations, pursuant to the
11 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
12 seq.), to ensure that these records are expeditiously and securely
13 provided, in a manner consistent with the provision of medical
14 records by other providers.

15 m. A benefits card approved for the purpose of obtaining
16 benefits under the:

17 (1) Medicaid program, established pursuant to P.L.1968, c.413
18 (C.30:4D-1 et seq.);

19 (2) Supplemental Nutrition Assistance Program, established
20 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
21 525 (7 U.S.C.s.2011 et seq.); and

22 (3) Work First New Jersey program, established pursuant to
23 P.L.1997, c.38 (C.44:10-55 et seq.), which shall include, for
24 inmates who are unable to identify a residence at the time of
25 release, emergency assistance benefits issued to Work First New
26 Jersey recipients pursuant to section 8 of P.L.1997, c.14 (C.44:10-
27 51).

28 (cf: P.L.2020, c.45, s.1)

29

30 ¹2. (New section) The Commissioner of Corrections shall
31 provide to each inmate at least 60 days prior to release from a State
32 correctional facility a copy of the inmate's birth certificate if the
33 inmate was born in New Jersey.¹

34

35 ¹[2.] 3.¹ Section 2 of P.L.2020, c.45 (C.30:1B-6.15) is
36 amended to read as follows:

37 2. a. The Commissioner of Corrections shall provide a non-
38 driver identification card issued by the New Jersey Motor Vehicle
39 Commission to each inmate, free of charge, as soon as practicable,
40 but not less than 10 days prior to the inmate's release from a State
41 correctional facility. The New Jersey Motor Vehicle Commission
42 shall issue the identification card and accept a former inmate's
43 Department of Corrections identification card as two points for the
44 purposes of applying for the identification card.

45 b. An inmate's Department of Corrections identification card
46 shall be accepted by all State, county, and municipal agencies and
47 New Jersey nonprofit organizations for six months following the
48 date of release from incarceration to allow the released inmate to

1 gain access to services for which the inmate is deemed eligible
2 including, but not limited to, establishing the inmate's identity.

3 **【Whenever the】** c. Notwithstanding the provisions of subsection
4 b. of this section, whenever Motor Vehicle Commission agencies
5 are closed during a declared public health emergency, pursuant to
6 the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et
7 seq.), a state of emergency, pursuant to P.L.1942, c.251
8 (C.App.A:9-33 et seq.), or both, the inmate's Department of
9 Corrections identification card shall be accepted by all State,
10 county, and municipal agencies and New Jersey **【nonprofits】**
11 nonprofit organizations in a manner as to allow the **【releasee】**
12 released inmate to gain access to services for which **【they are】** the
13 inmate is deemed eligible for the duration of the public health
14 emergency.

15 (cf: P.L.2020, c.45, s.2)

16
17 ¹**【3】 4¹**. Section 4 of P.L.2020, c.45 (C.30:1B-6.16) is amended
18 to read as follows:

19 4. a. The Commissioner of Corrections shall ensure that an
20 inmate is assisted with completing, obtaining any required
21 signatures or authorizations for, and forwarding for processing to
22 the Department of Human Services as soon as practicable but not
23 less than 30 days prior to an inmate's release from incarceration, an
24 online application for enrollment in the Medicaid program,
25 established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

26 b. In addition to the requirements of subsection a. of this
27 section, the Commissioner of Corrections shall also ensure that the
28 inmate is assisted in completing, obtaining any required signatures
29 or authorizations for, and forwarding for processing to the
30 appropriate county welfare agency or board of social services, as
31 soon as practicable but not less than 30 days prior to an inmate's
32 release from incarceration, online applications for enrollment in the
33 following programs:

34 (1) the Supplemental Nutrition Assistance Program, established
35 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
36 525 (7 U.S.C.s.2011 et seq.); and

37 (2) the Work First New Jersey program, established pursuant to
38 P.L.1997, c.38 (C.44:10-55 et seq.), which shall include , for
39 inmates who are unable to identify a residence at the time of
40 release, the application for emergency assistance benefits issued to
41 Work First New Jersey recipients pursuant to section 8 of P.L.1997,
42 c.14 (C.44:10-51).

43 c. The Department of Human Services shall be required to
44 accept and process the online applications for Medicaid received
45 from the Department of Corrections pursuant to subsection a. of this
46 section.

d. If an inmate is unable to identify a residence at the time of application for benefits pursuant to this section, the Commissioner of Corrections shall ensure that the address of the ¹[appropriate] applicable Department of Community Affairs¹ regional non-profit inmate reentry organization is used for the purposes of establishing proof of residence to meet any applicable eligibility requirements.

e. All State, county, and municipal agencies, for the purposes of establishing applicable eligibility requirements, shall:

(1) accept the address of the ¹[appropriate] applicable Department of Community Affairs¹ regional non-profit inmate reentry organization for an inmate who is unable to identify a residence at the time of application for benefits; and

(2) accept an inmate's Department of Corrections identification card to establish the inmate's identity.

f. An inmate who appears to be eligible for benefits under the Work First New Jersey program based on the inmate's certification of income, resources, and family composition, and based on other information immediately available at the time of application, shall be deemed presumptively eligible for Work First New Jersey assistance and immediate need assistance and shall receive this assistance for a period of not less than 45 days following the inmate's release from incarceration.

(cf: P.L.2020, c.45, s.4)

¹[4] 5¹. Section 5 of P.L.2020, c.45 (C.30:1B-6.17) is amended to read as follows:

5. a. The Commissioner of Corrections shall provide to the appropriate county welfare agency or board of social services, in advance of an inmate's release, the inmate's name, release date, and contact information, which shall include, but not be limited to, a telephone number or an email address.

b. The commissioner shall provide to the applicable ¹Department of Community Affairs¹ regional non-profit inmate reentry organization, in advance of an inmate's release, the information required in subsection a. of this section ¹unless the inmate requests that the information not be forwarded¹.

(cf: P. L.2020, c.45, s.5)

¹[5] 6¹. (New section) a. The chief executive officer, warden, or keeper of each county correctional facility shall provide to each inmate at least 30 days prior to release from a facility:

(1) a copy of the inmate's criminal history record and written information on the inmate's right to have the inmate's criminal records expunged under chapter 52 of Title 2C of the New Jersey Statutes;

(2) general written information on the inmate's right to vote under R.S.19:4-1;

1 (3) general written information on the availability of programs,
2 including faith-based and secular programs, that would assist in
3 removing barriers to the inmate's employment or participation in
4 vocational or educational rehabilitative programs, including but not
5 limited to, information concerning the "Rehabilitated Convicted
6 Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the
7 certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et
8 seq.);

9 (4) a detailed written record of the inmate's participation in
10 educational, training, employment, and medical or other treatment
11 programs while the inmate was incarcerated;

12 (5) a written accounting of the fines, assessments, surcharges,
13 restitution, penalties, child support arrearages, and any other
14 obligations due and payable by the inmate upon release;

15 (6) a copy of the inmate's birth certificate if the inmate was born
16 in New Jersey;

17 (7) assistance in obtaining a Social Security card;

18 (8) a one-day New Jersey bus or rail pass;

19 (9) a **two-week** ¹**three-month** 30-day¹ supply of
20 prescription medication¹, except if the prescribed medication is
21 suboxone, a 90-day prescription¹ and to the extent consistent with
22 clinical guidelines, ¹[an additional 30 day prescription order and]¹
23 two additional refills;

24 (10) general written information concerning child support,
25 including child support payments owed by the inmate, information
26 on how to seek child support payments and information on where to
27 seek services regarding child support, child custody, and
28 establishing parentage;

29 (11) a medical discharge summary, which shall include
30 instructions on how to obtain from the superintendent a copy of the
31 inmate's full medical record; upon request from the inmate, the
32 superintendent shall provide a copy of the inmate's full medical
33 record in a safe and secure manner, at no charge to the inmate; the
34 superintendent shall comply with rules and regulations, adopted
35 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
36 (C.52:14B-1 et seq.), that ensure that these records are
37 expeditiously and securely provided in a manner consistent with the
38 provision of medical records by other providers; and

39 (12) a benefits card approved for the purpose of obtaining
40 benefits under the:

41 (a) Medicaid program, established pursuant to P.L.1968, c.413
42 (C.30:4D-1 et seq.);

43 (b) Supplemental Nutrition Assistance Program, established
44 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
45 525 (7 U.S.C.s.2011 et seq.); and

46 (c) Work First New Jersey program, established pursuant to
47 P.L.1997, c.38 (C.44:10-55 et seq.), which shall include, for
48 inmates who are unable to identify a residence at the time of

1 release, emergency assistance benefits issued to Work First New
2 Jersey recipients pursuant to section 8 of P.L.1997, c.14 (C.44:10-
3 51).

4 b. If an inmate is at any time scheduled for release from a
5 county correctional facility in less than 30 days, the
6 ¹['superintendent'] chief executive officer, warden, or keeper of
7 each county correctional facility¹ shall comply with the provisions
8 of subsection a. of this section at least 48 hours prior to the inmate's
9 release.

10
11 ¹7. (New section) a. The chief executive officer, warden, or
12 keeper of each county correctional facility shall provide to the
13 appropriate county welfare agency or board of social services, in
14 advance of an inmate's release, the inmate's name, release date, and
15 contact information, which shall include, but not be limited to, a
16 telephone number or an email address.

17 b. The chief executive officer, warden, or keeper of each
18 county correctional facility shall provide to the applicable
19 Department of Community Affairs regional non-profit inmate
20 reentry organization, in advance of an inmate's release, the
21 information required in subsection a. of this section unless the
22 inmate requests that the information not be forwarded.¹

23
24 ¹[6.] 8.¹ (New section) a. The chief executive officer,
25 warden, or keeper of each county correctional facility shall provide
26 a non-driver identification card issued by the New Jersey Motor
27 Vehicle Commission to each county inmate, free of charge, as soon
28 as practicable, but not less than 10 days prior to the inmate's release
29 from the county correctional facility. The New Jersey Motor
30 Vehicle Commission shall issue the identification card and accept a
31 former inmate's county correctional facility identification card as
32 two points for the purposes of applying for the identification card.

33 b. An inmate's county correctional facility identification card
34 shall be accepted by all State, county, and municipal agencies and
35 New Jersey nonprofit organizations for six months following the
36 date of release from incarceration to allow the released inmate to
37 gain access to services for which the inmate is deemed eligible
38 including, but not limited to, establishing the inmate's identity.

39 c. Notwithstanding the provisions of subsection b. of this
40 section, whenever the Motor Vehicle Commission agencies are
41 closed during a declared public health emergency, pursuant to the
42 "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et
43 seq.), a state of emergency, pursuant to P.L.1942, c.251
44 (C.App.A:9-33 et seq.), or both, the inmate's Department of
45 Corrections identification card shall be accepted by all State,
46 county, and municipal agencies and New Jersey nonprofit
47 organizations in a manner as to allow the released inmate to gain

1 access to services for which they are deemed eligible for the
2 duration of the public health emergency.

3
4 ¹**[7.] 9.**¹ (New section) a. As soon as practicable but not less
5 than 30 days prior to an inmate's release from incarceration, the
6 chief executive officer, warden, or keeper of each county
7 correctional facility shall ensure that an inmate is assisted with
8 completing, obtaining any required signatures or authorizations for,
9 and forwarding for processing to the Department of Human
10 Services an online application for enrollment in the Medicaid
11 program, established pursuant to P.L.1968, c.413 (C.30:4D-1 et
12 seq.).

13 b. In addition to the requirements of subsection a. of this
14 section, the chief executive officer, warden, or keeper also shall
15 ensure that the inmate is assisted in completing, obtaining any
16 required signatures or authorizations for, and forwarding for
17 processing to the appropriate county welfare agency or board of
18 social services, as soon as practicable but not less than 30 days prior
19 to an inmate's release from incarceration, online applications for
20 enrollment in the following programs:

21 (1) the Supplemental Nutrition Assistance Program, established
22 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
23 525 (7 U.S.C.s.2011 et seq.); and

24 (2) the Work First New Jersey program, established pursuant to
25 P.L.1997, c.38 (C.44:10-55 et seq.), which shall include , for
26 inmates who are unable to identify a residence at the time of
27 release, the application for emergency assistance benefits issued to
28 Work First New Jersey recipients pursuant to section 8 of P.L.1997,
29 c.14 (C.44:10-51).

30 c. The Department of Human Services shall be required to
31 accept and process the online applications for Medicaid received
32 from the Department of Corrections pursuant to subsection a. of this
33 section.

34 d. If an inmate is unable to identify a residence at the time of
35 application for benefits pursuant to this section, the chief executive
36 officer, warden, or keeper of each county correctional facility shall
37 ensure that the address of the appropriate regional non-profit inmate
38 reentry organization is used for the purposes of establishing proof
39 of residence to meet any applicable eligibility requirements.

40 e. All State, county, and municipal agencies, for the purposes
41 of establishing applicable eligibility requirements, shall:

42 (1) accept the address of the appropriate regional non-profit
43 inmate reentry organization for an inmate who is unable to identify
44 a residence at the time of application for benefits; and

45 (2) accept an inmate's county correctional facility identification
46 card to establish the inmate's identity.

47 f. An inmate who appears to be eligible for benefits under the
48 Work First New Jersey program based on the inmate's certification

1 of income, resources, and family composition, and based on other
2 information immediately available at the time of application, shall
3 be deemed presumptively eligible for Work First New Jersey
4 assistance and immediate need assistance and shall receive this
5 assistance for a period of not less than 45 days following the
6 inmate's release from incarceration.

7
8 ¹10. (New section) a. The governing body of each county in
9 this State may, by duly adopted ordinance or resolution, appoint a
10 county reentry coordinator who shall be responsible for evaluating
11 the needs of, and navigating the appropriate treatment and services
12 for, each inmate in a county correctional facility in this State.

13 b. The county reentry coordinator shall evaluate each inmate in
14 a county correctional facility who has been sentenced to a term of
15 incarceration or ordered detained pending trial following a pretrial
16 detention hearing. The purpose of the evaluation shall be to:

17 (1) identify which social services and reentry and rehabilitative
18 programs would benefit the inmate including, but not limited to, the
19 WorkFirst NJ Substance Abuse Initiative;

20 (2) determine whether the inmate is eligible to apply for federal,
21 State, and county public assistance program benefits including, but
22 not limited to, State and federal Supplemental Nutrition Assistance
23 Program benefits, Medicaid, and housing assistance program
24 benefits;

25 (3) determine whether the inmate would benefit from substance
26 use disorder treatment including, but not limited to, medication-
27 assisted treatment; and

28 (4) identify other appropriate treatment, services, and programs
29 which would benefit the inmate.

30 c. The evaluation required pursuant to subsection b. of this
31 section shall be conducted in conjunction with the clinical screening
32 of inmates as part of the initial classification process.

33 d. The county reentry coordinator shall offer assistance to the
34 inmate in accessing any services deemed appropriate for the inmate,
35 based on the evaluation conducted pursuant to subsection b. of this
36 section, by:

37 (1) assisting the inmate with scheduling and otherwise accessing
38 appropriate treatment, services, and programming upon the inmate's
39 release from the facility;

40 (2) providing information concerning, and assistance in
41 completing, applications for appropriate State and county public
42 assistance program benefits which shall include, but not be limited
43 to, State and federal Supplemental Nutrition Assistance Program
44 benefits, Medicaid, and housing assistance program benefits. The
45 county reentry coordinator shall make every effort to ensure that the
46 inmate is actively enrolled in appropriate programming upon or as
47 soon as practicable following the inmate's release from the facility;

1 (3) providing information concerning available substance use
2 disorder treatment and services including, but not limited to,
3 medication-assisted treatment. The county reentry coordinator shall
4 assist the inmate with scheduling and otherwise accessing
5 appropriate treatment and services upon the inmate's release from
6 the facility;

7 (4) providing information concerning relevant social services
8 and reentry and rehabilitative programs including, but not limited
9 to, the WorkFirst NJ Substance Abuse Initiative. The county
10 reentry coordinator shall assist the inmate with completing
11 applications for and otherwise accessing appropriate services and
12 programming upon the inmate's release from the facility;

13 (5) providing information concerning services provided by the
14 State's One-Stop Career Centers. The county reentry coordinator
15 shall schedule appointments for the inmate to meet with
16 representatives from the career center and shall register the inmate
17 for participation in any mandatory programming upon the inmate's
18 release from the facility;

19 (6) providing information concerning insurance eligibility and
20 assistance in completing applications for insurance coverage; the
21 county reentry coordinator shall make every effort to ensure that
22 coverage for the inmate is active upon or as soon as practicable
23 following the inmate's release from the facility; and

24 (7) providing information concerning any other treatment,
25 services, and programming deemed appropriate based on the
26 evaluation required pursuant to this section.

27 e. The county reentry coordinator also shall:

28 (1) provide assistance to each inmate, upon release from a
29 county correctional facility, with obtaining a non-driver
30 identification card;

31 (2) ensure, to the best of the coordinator's ability, and
32 conditioned on discharge information provided by the
33 Administrative Office of the Courts, that each inmate is released
34 from custody during regular business hours so that the inmate may
35 access appropriate treatment and services immediately upon release;
36 and

37 (3) ensure each inmate at the time of discharge is provided with
38 the prescription medication required pursuant to paragraph (9) of
39 subsection a. of section 6 of P.L. c. (pending before the
40 Legislature as this bill).¹

41
42 ¹11. (New section) a. The county reentry coordinator shall
43 record data regarding: the number of inmates who are offered
44 services pursuant to section 10 of P.L. , c. (C.) (pending
45 before the Legislature as this bill); the number of inmates who
46 accept the services offered; the types of services provided to each
47 inmate who accepts the services offered; the race, gender, ethnicity,
48 and age of each inmate; a record of any crimes committed by

1 inmates who are released from the facility and the types of crimes
2 committed for a period of three years following the inmate's
3 release; and the number of inmates who were not released, and the
4 reasons why they were not released, from a county correctional
5 facility during regular business hours.

6 b. The data shall be analyzed to determine whether the rates
7 and nature of rearrests and convictions differ according to whether
8 an inmate received services in accordance with section 10 of
9 P.L. , c. (C.) (pending before the Legislature as this bill).
10 The county reentry coordinator shall annually prepare and transmit
11 the findings to the chief executive officer, warden, or keeper of
12 each county correctional facility, as appropriate; the superintendent,
13 director, or other chief administrative officer of the County Board
14 of Social Services or welfare agency, as appropriate; the governing
15 body of the county in which the correctional facility is located; and
16 the Commissioner of Corrections.¹

17
18 ¹12. (New section) The county reentry coordinator shall, in
19 collaboration with the chief executive officer, warden, or keeper of
20 a county correctional facility, develop peer counseling programs in
21 the county correctional facility that support the treatment of county
22 inmates with substance use disorders. The warden, director, or
23 administrator may additionally develop initiatives to provide
24 inmates in the custody of the county correctional facility with
25 access to professional substance use disorder counseling.¹

26
27 ¹13. (New section) a. The county reentry coordinator shall
28 meet regularly with community stakeholders who may offer
29 guidance for evaluating the needs of and providing services to
30 inmates in county correctional facilities including, but not limited
31 to:

32 (1) the Commissioner of Corrections, or a designee;

33 (2) the Commissioner of Human Services, or a designee;

34 (3) the chief executive officer, warden, or keeper of the county
35 correctional facility;

36 (4) the superintendent, director, or other chief administrative
37 officer of the County Board of Social Services or welfare agency, as
38 appropriate;

39 (5) the county human services director, or a designee;

40 (6) the county mental health administrator, or a designee;

41 (7) the president of a county community college, or a designee;

42 (8) reentry services providers in the county;

43 (9) substance use disorder treatment providers in the county;

44 and

45 (10) a person who previously has received substance use disorder
46 services in the county.

1 b. Based on the guidance received during the meetings
2 conducted pursuant to subsection a. of this section, the county
3 reentry coordinator shall:

4 (1) establish best practices for preparing county inmates for
5 release;

6 (2) identify services available in the county that may be needed
7 by inmates upon release from a county correctional facility
8 including, but not limited to, housing, food, medical care, clothing,
9 substance use disorder treatment; mental health services,
10 employment assistance, and education assistance;

11 (3) make appropriate recommendations to the county
12 correctional facility and County Board of Social Services or welfare
13 agency with respect to preparing county inmates for successful
14 reentry into the community and reducing recidivism.¹

15
16 ¹14. There shall be annually appropriated through the annual
17 appropriations act such amounts as shall be deemed necessary to
18 implement the provisions of sections 10 through 13 of P.L. ____.
19 c. (C. ____ through C. ____) (pending before the Legislature as this
20 bill) concerning the county reentry coordinator.¹

21
22 ¹**[8.] 15.**¹ (New section) An inmate released from a State or
23 county correctional facility shall be authorized to use the address of
24 a nonprofit inmate reentry organization approved by the Department
25 of Community Affairs as a mailing address in an application for
26 benefits under the:

27 a. Medicaid program, established pursuant to P.L.1968, c.413
28 (C.30:4D-1 et seq.);

29 b. Supplemental Nutrition Assistance Program, established
30 pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-
31 525 (7 U.S.C.s.2011 et seq.); and

32 c. Work First New Jersey program, established pursuant to
33 P.L.1997, c.38 (C.44:10-55 et seq.).

34
35 ¹**[9.] 16.**¹ Section 5 of P.L.1997, c.14 (C.44:10-48) is amended
36 to read as follows:

37 5. a. Only those persons who are United States citizens or
38 eligible aliens shall be eligible for benefits under the Work First
39 New Jersey program. Single adults or couples without dependent
40 children who are legal aliens who meet federal requirements and
41 have applied for citizenship, shall not receive benefits for more than
42 six months unless (1) they attain citizenship, or (2) they have passed
43 the English language and civics components for citizenship, and are
44 awaiting final determination of citizenship by the federal
45 Immigration and Naturalization Service.

46 b. The following persons shall not be eligible for assistance and
47 shall not be considered to be members of an assistance unit:

1 (1) non-needy caretakers, except that the eligibility of a
2 dependent child shall not be affected by the income or resources of
3 a non-needy caretaker;

4 (2) Supplemental Security Income recipients, except for the
5 purposes of receiving emergency assistance benefits pursuant to
6 section 8 of P.L.1997, c.14 (C.44:10-51);

7 (3) illegal aliens;

8 (4) other aliens who are not eligible aliens;

9 (5) a person absent from the home who is incarcerated in a
10 federal, State, county or local corrective facility or under the
11 custody of correctional authorities, except as provided by regulation
12 of the commissioner;

13 (6) a person who: is fleeing to avoid prosecution, custody or
14 confinement after conviction, under the laws of the jurisdiction
15 from which the person has fled, for a crime or an attempt to commit
16 a crime which is a felony or a high misdemeanor under the laws of
17 the jurisdiction from which the person has fled; or is violating a
18 condition of probation or parole imposed under federal or state law;

19 (7) [a person convicted on or after August 22, 1996 under
20 federal or state law of any offense which is classified as a felony or
21 crime, as appropriate, under the laws of the jurisdiction involved
22 and which has as an element the possession, use, or distribution of a
23 controlled substance as defined in section 102(6) of the federal
24 "Controlled Substances Act" (21 U.S.C. s.802 (6)), who would
25 otherwise be eligible for general public assistance pursuant to
26 P.L.1947, c.156 (C.44:8-107 et seq.); except that such a person who
27 is convicted of any such offense which has as an element the
28 possession or use only of such a controlled substance may be
29 eligible for Work First New Jersey general public assistance
30 benefits if the person enrolls in or has completed a licensed
31 residential or outpatient drug treatment program. An otherwise
32 eligible individual who has a past drug conviction shall be eligible
33 for general public assistance without enrolling in or completing a
34 drug treatment program if either: (1) an appropriate treatment
35 program is not available; or (2) the person is excused from enrolling
36 in a treatment program for good cause pursuant to regulation.

37 Eligibility for benefits for a person entering a licensed drug
38 treatment program which does not operate in a State correctional
39 facility or county jail shall commence upon the person's enrollment
40 in the drug treatment program, and shall continue during the
41 person's active participation in, and upon completion of, the drug
42 treatment program, except that during the person's active
43 participation in a drug treatment program and the first 60 days after
44 completion of a drug treatment program, the commissioner shall
45 provide for testing of the person to determine if the person is free of
46 any controlled substance. If the person is determined to not be free
47 of any controlled substance during the 60-day period, the person's
48 eligibility for benefits pursuant to this paragraph shall be

1 terminated; except that this provision shall not apply to the use of
2 prescription drugs by a person who is actively participating in a
3 drug treatment program, as prescribed by the drug treatment
4 program. The commissioner shall adopt regulations to carry out the
5 provisions of this paragraph, which shall include the criteria for
6 determining active participation in and completion of a drug
7 treatment program.

8 Eligibility for benefits for a person who completes a licensed
9 residential drug treatment program which operates in a State
10 correctional facility or county jail, in accordance with section 1 of
11 P.L.2014, c.1 (C.26:2B-40), shall commence upon release from
12 incarceration.

13 Cash benefits, less a personal needs allowance, for a person
14 receiving general public assistance benefits under the Work First
15 New Jersey program who is enrolled in and actively participating in
16 a licensed drug treatment program shall be issued directly to the
17 drug treatment provider to offset the cost of treatment. Upon
18 completion of the drug treatment program, the cash benefits shall be
19 then issued to the person. In the case of a delay in issuing cash
20 benefits to a person receiving Work First New Jersey general public
21 assistance benefits who has completed the drug treatment program,
22 the drug treatment provider shall transmit to the person those funds
23 received on behalf of that person after completion of the drug
24 treatment program; ~~](Deleted by amendment, (P.L. , c.)~~
25 (pending before the Legislature as this bill

26 (8) a person found to have fraudulently misrepresented his
27 residence in order to obtain means-tested, public benefits in two or
28 more states or jurisdictions, who shall be ineligible for benefits for
29 a period of 10 years from the date of conviction in a federal or state
30 court; or

31 (9) a person who intentionally makes a false or misleading
32 statement or misrepresents, conceals or withholds facts for the
33 purpose of receiving benefits, who shall be ineligible for benefits
34 for a period of six months for the first violation, 12 months for the
35 second violation, and permanently for the third violation.

36 c. A person who makes a false statement with the intent to
37 qualify for benefits and by reason thereof receives benefits for
38 which the person is not eligible is guilty of a crime of the fourth
39 degree.

40 d. Pursuant to the authorization provided to the states under 21
41 U.S.C. s.862a(d)(1), this State elects to exempt from the application
42 of 21 U.S.C. s.862a(a):

43 (1) needy persons and their dependent children domiciled in
44 New Jersey for the purposes of receiving benefits under the Work
45 First New Jersey program and food assistance under the federal
46 "Food and Nutrition Act of 2008," Pub.L.110-234 (7 U.S.C. s.2011
47 et seq.); and

1 (2) single persons and married couples without dependent
2 children domiciled in New Jersey for the purposes of receiving food
3 assistance under Pub.L.110-234.
4 (cf: P.L.2016, c.69, s.1)

5
6 ¹17. (New section) The Governor shall appoint an independent
7 investigator to evaluate the Commissioner of Correction's
8 compliance with the provisions of P.L.2019, c.282; P.L.2019,
9 c.288; P.L.2019, c.364; P.L.2020, c.45; and P.L. c. (pending
10 before the Legislature as this bill). Within six months of the
11 effective date of this act, the independent investigator shall report
12 findings and conclusions to the Governor and the Legislature,
13 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).¹

14
15 ¹**[10.] 18.**¹ This act shall take effect immediately.