# ASSEMBLY, No. 5404 STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by: Assemblyman JAMEL C. HOLLEY District 20 (Union) Assemblywoman JOANN DOWNEY District 11 (Monmouth)

### SYNOPSIS

"Establishes Children, Youth, and Families Bill of Rights" to recognize and protect certain rights for children, youth, families.

# **CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/8/2021)

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1 AN ACT concerning the rights of children, youth, and families and 2 supplementing Title 9 of the Revised Statutes. 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 The Legislature finds and declares that: 1. 8 Families, in their many shapes and forms, remain the bedrock a. 9 of our society. Today, families, and the communities in which they 10 live, face challenges that are multi-faceted and often overwhelming. b. A changing economy and limited public resources have 11 12 contributed to symptoms of family and community distress, including 13 institutional racism, increased high school drop-out and incarceration 14 rates, higher incidences of child abuse and neglect, substance use and 15 homelessness, and high unemployment and underemployment. 16 The fewer resources families have in their communities and c. 17 the greater obstacles they face, the greater chance that families 18 experience poor health outcomes, become dependent on government assistance, and become involved with the child welfare system. 19 20 d. Studies show that aspects of a child's environment, including 21 living in a distressed community and growing up in a household with 22 substance use, mental health problems, parental separation, or 23 household members being in jail or prison, can undermine the child's 24 sense of safety, stability, and bonding and can lead to trauma that 25 impacts the child's life well into adulthood. 26 Childhood trauma can have lasting, negative effects on a e. 27 child's health, well-being, and opportunity and can increase the risks 28 of suicide, childhood injury, sexually transmitted infections, teen 29 pregnancy, involvement in sex trafficking, and a wide range of 30 chronic diseases and leading causes of death such as cancer, diabetes, 31 and heart disease. 32 f. Creating and sustaining safe, stable, nurturing relationships 33 and communities for all children and their families can prevent 34 childhood trauma, promote family success, and help children and 35 families reach their full potential. 36 g. The obligation of the State is to recognize and protect the 37 rights of all children, youth and families through its articulation of a 38 clear and specific bill of rights, and through an affirmation by the 39 State of its commitment to enforce these rights in order to protect and 40 promote the welfare of all its citizens. 41 42 2. All children, youth, and families in the State of New Jersey 43 shall have the following rights; 44 To clean and safe land, air, and water; a. 45 To safety at home, at school, in the workplace, and in their b. 46 communities: 47 с. To strong, permanent, loving, and nurturing households;

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1 d. To earn a living that allows for a decent standard of living to 2 afford adequate, safe, and appropriate food, clothing, and housing; 3 To full and equal participation in making decisions that e. 4 impact their lives; 5 f. To respect, dignity, equal opportunity, and absolute freedom 6 from any forms of prejudice, bigotry, or discrimination; 7 To adequate, affordable, and age and developmentally g. 8 appropriate medical and mental and behavioral health care; 9 h. To life-long, quality, and age and developmentally 10 appropriate learning and educational opportunities; meaningful spiritual, cultural, 11 i. То and recreational 12 experiences; 13 To practice the religion of their choice; j. To learn about and celebrate the rich diversity of all racial, 14 k. 15 cultural, ethnic, spiritual, and linguistic traditions; and To services, public policies, practices, and the allocation of 16 1. 17 public resources that promote child, youth, and family well-being. 18 19 3. a. The Department of Children and Families shall publish a 20 notice of the bill of rights enumerated in section 1 of this act, and 21 shall make the notice available to the public on its Internet website. 22 b. Each health care facility, county welfare agency or county board of social services, Division of Child Protection and 23 Permanency local office, emergency shelter for the homeless, 24 25 domestic violence shelter, library, school, community-based and 26 non-profit agencies and organizations providing services to children 27 and families in the State shall post a copy of this notice in a conspicuous location that is available to the public. 28 29 30 Pursuant to the "Administrative Procedure Act," P.L.1968, 4. 31 c.410 (C.52:14B-1 et seq.), the Department of Children and Families 32 shall adopt rules and regulations to effectuate the purposes of this act. 33 34 5. This act shall take effect immediately. 35 36 37 **STATEMENT** 38 39 This bill establishes a "Children, Youth, and Families Bill of 40 Rights" that would recognize and protect the following rights of all 41 children, youth and families: to clean and safe land, air, and water; 42 to safety at home and at school, in the workplace, and in their 43 communities; to strong, permanent, loving, and nurturing household; 44 to earn a living that allows for a decent standard of living to afford 45 adequate, safe, and appropriate food, clothing, and housing; to full 46 and equal participation in making decisions that impact their lives; to respect, dignity, equal opportunity, and absolute freedom from any 47 forms of prejudice, bigotry, or discrimination; to adequate, 48

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1 affordable, and age and developmentally appropriate medical and 2 mental and behavioral health care; to life-long, quality, and age and 3 developmentally appropriate learning and educational opportunities; 4 to meaningful spiritual, cultural, and recreational experiences; to 5 practice the religion of their choice; to learn about and celebrate the rich diversity of all racial, cultural, ethnic, spiritual, and linguistic 6 7 traditions; and o services, public policies, practices, and the 8 allocation of public resources that promote child, youth, and family 9 well-being. 10 The Department of Children and Families would be required to

11 publish a notice of the bill of rights enumerated in the bill and make 12 the notice available to the public on its Internet website.

The bill further stipulates that each health care facility, county 13 14 welfare agency or county board of social services, Division of Child 15 Protection and Permanency local office, emergency shelter for the 16 homeless, domestic violence shelter, library, school, community-17 based and non-profit agencies and organizations providing services 18 to children and families in the State would post a copy of this notice 19 in a conspicuous location that is available to the public.