

**LEGISLATIVE FISCAL ESTIMATE**  
[First Reprint]  
**ASSEMBLY COMMITTEE SUBSTITUTE FOR**  
**ASSEMBLY, No. 3540**  
**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

DATED: DECEMBER 27, 2023

**SUMMARY**

**Synopsis:** Creates Code Red alert pilot program to shelter at-risk individuals during hot weather.

**Type of Impact:** Three-year local government expenditure increase; one-time local government revenue increase; one-time State expenditure increase.

**Agencies Affected:** Office of Emergency Management, local governments.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>
<b>State Cost Increase</b>				Up to \$6 million
<b>Local Cost Increase</b>	Up to \$2 million	Up to \$2 million	Up to \$2 million	
<b>Local Revenue Increase</b>				Up to \$6 million

- The Office of Legislative Services (OLS) concludes that this bill would increase local government expenditures by up to \$2 million annually, or \$6 million in total, for the three-year Code Red alert pilot program.
- This estimate is based on the annual costs incurred by local governments under the Code Blue alert program, which serves as the model for this pilot program and operates in a similar manner. These costs were \$1.9 million in FY 2022 and \$1.7 million in FY 2023.
- Following the end of the three-year pilot program, the State will incur a one-time expenditure increase of up to \$6 million to reimburse local governments for their expenses under the Code Red alert pilot program. These reimbursements would represent one-time revenue increases for all counties in the State.

## **BILL DESCRIPTION**

This bill establishes a three-year pilot program under which counties are to formulate plans for issuing a Code Red alert on extreme heat days to municipal governments, social service agencies, and non-profit organizations that provide services to certain at-risk individuals. Each county office of emergency management is required to coordinate with municipal emergency management coordinators in municipalities with a documented homeless population of at least 10 people in developing consistent Code Red alert plans throughout the county that provide for communication and outreach, cooling centers, and transportation during implementation of a Code Red alert plan. This plan may be carried out by designated volunteer organizations, which are to receive cooperation and logistical support from the municipal coordinator but are to operate autonomously.

A county emergency management coordinator should declare the Code Red alert when the National Weather Service declares a heat advisory for that county's region.

Following the conclusion of the pilot program, the bill permits counties to submit their certified costs incurred under the program to the State Office of Emergency Management for reimbursement.

The bill also requires the office to submit a report to the Governor and Legislature on the pilot program and to recommend whether or not to make the program permanent.

The bill provides "Good Samaritan" protection from civil liability to the State and local governments and their employees, as well as to volunteer organizations and their members who, during implementation of a Code Red alert plan, provide emergency cooling centers to at-risk individuals.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concludes that this bill would increase local government expenditures by up to \$2 million annually, or up to \$6 million in total, for the three-year Code Red alert pilot program. This estimate is based on the annual costs incurred by local governments under the Code Blue alert program, which serves as the model for this pilot program and operates in a similar manner. These costs were \$1.9 million in FY 2022 and \$1.7 million in FY 2023. Following the end of the three-year pilot program, the State will incur a one-time expenditure increase of up to \$6 million to reimburse local governments for their expenses under the Code Red alert pilot program. These reimbursements would represent one-time revenue increases for all counties in the State. The OLS notes that some communities in the State already have established programs similar to the one contemplated in the bill. These local governments would likely have fewer costs and revenues arising from the bill compared to ones without comparable programs in place.

Some additional costs for staff time may accrue to the State Office of Emergency Management and local governments following the conclusion of the pilot program to prepare a report on the Code Red alert pilot program for the Governor and the Legislature.

*Section: Law and Public Safety*

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).