

# ASSEMBLY, No. 4103

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 2, 2022

**Sponsored by:**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**Assemblywoman ANGELICA M. JIMENEZ**

**District 32 (Bergen and Hudson)**

**SYNOPSIS**

Prohibits emergency homeless shelters from conditioning provision of shelter on enrollment in certain programs.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning emergency shelters for the homeless and  
2 amending P.L.2013, c.204.

3

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

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7 1. Section 2 of P.L.2013, c.204 (C.55:13C-2.2) is amended to  
8 read as follows:

9 2. a. Except as provided in subsection b. of this section, an  
10 emergency shelter for the homeless shall not refuse to provide  
11 shelter, or food and shelter, for a minimum of 72 hours, to an  
12 individual or family seeking these services, unless the shelter is at  
13 its licensed capacity or the basis for refusal is otherwise authorized  
14 by law or regulation.

15 b. In the event of an emergency condition, an emergency  
16 shelter for the homeless, which has been authorized by a public  
17 officer of a municipality or the Department of Community Affairs  
18 to provide shelter, or food and shelter, to a specified number of  
19 individuals in excess of its licensed capacity because of emergency  
20 conditions, shall not refuse to provide shelter, or food and shelter,  
21 for a minimum of 24 hours from the commencement of the  
22 emergency condition or for the duration of the emergency  
23 condition, whichever is longer, to an individual or family seeking  
24 these services, unless the shelter is at its licensed capacity plus any  
25 authorized excess capacity or the basis for refusal is otherwise  
26 authorized by law or regulation.

27 c. (1) Except as provided in paragraph (3) of this subsection,  
28 an emergency shelter for the homeless shall not require an  
29 individual seeking shelter to be enrolled in a local, State, federal, or  
30 private assistance program, or to be receiving any other services or  
31 benefits as a condition of receiving shelter for a minimum of 72  
32 hours, in accordance with subsection a. of this section.

33 (2) Following the initial 72 hours, an emergency shelter for the  
34 homeless may require an individual to commence the application  
35 process for programs, assistance, or other services or benefits, as a  
36 condition of continued provision of shelter. An individual in  
37 compliance with this requirement shall be provided with shelter for  
38 a period of no less than 90 days.

39 (3) Nothing in paragraphs (1) and (2) of this subsection shall  
40 require an emergency shelter for the homeless to exceed its licensed  
41 capacity, plus any authorized excess capacity, or prohibit an  
42 emergency shelter for the homeless from refusing to provide shelter  
43 if the refusal is otherwise authorized by law or regulation.

44 (cf: P.L.2013, c.204, s.2)

45

46 2. This act shall take effect immediately.

**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.

STATEMENT

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This bill prohibits emergency shelters for the homeless from conditioning the provision of shelter on a person's enrollment in certain programs.

Under the provision of the bill, an emergency shelter for the homeless is required to provide shelter to a person for a minimum of 72 hours, regardless of whether the person is enrolled in a local, State, federal, or private assistance program, or is receiving any other services or benefits.

The bill provides that following the initial 72 hours, an emergency homeless shelter may require an individual to apply for programs, assistance, or other services or benefits, as a condition of continued provision of shelter. An individual in compliance with this requirement would have to be provided with shelter for a period of no less than 90 days.

The bill further provides that an emergency homeless shelter is not required to exceed its licensed capacity, plus any authorized excess capacity, in order to comply with these requirements. Further, the bill does not prohibit a shelter from refusing to provide shelter if the refusal is otherwise authorized by law or regulation.