

SENATE, No. 2332

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 21, 2022

Sponsored by:
Senator NILSA I. CRUZ-PEREZ
District 5 (Camden and Gloucester)

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:*

6
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 shelter,
11 or food and shelter, for a minimum of 72 hours, to an individual or
12 family seeking these services, unless the shelter is at its licensed
13 capacity or the basis for refusal is otherwise authorized by law or
14 regulation.

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

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

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

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

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

44
45 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

1
2
3 This bill prohibits emergency shelters for the homeless from
4 conditioning the provision of shelter on a person's enrollment in
5 certain programs.

6 Under the provision of the bill, an emergency shelter for the
7 homeless is required to provide shelter to a person for a minimum of
8 72 hours, regardless of whether the person is enrolled in a local, State,
9 federal, or private assistance program, or is receiving any other
10 services or benefits.

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

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