

P.L. 2025, CHAPTER 297, *approved January 20, 2026*
Senate, No. 2346 (*Third Reprint*)

1 AN ACT concerning Code Red alert plans to shelter at-risk
2 individuals during certain pilot period ¹**[and]** ¹ ³**[amending**
3 P.L.1942, c.251 ¹ ³**and making an appropriation**¹.
4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7
8 1. ³**[(New section)]**³ As used in P.L. , c. (pending before
9 the Legislature as this bill):
10 "At-risk individual" means an individual living outdoors, on the
11 streets, in the parks, or in poorly insulated settings, and who is at
12 risk for weather-related exposure and possible death.
13 "Coordinator" means the county emergency management
14 coordinator appointed pursuant to section 12 of P.L.1953, c.438
15 (C.App.A:9-42.1).
16 "County governing body" means the board of county
17 commissioners, or in the case of those counties organized pursuant
18 to the provisions of the "Optional County Charter Law," P.L.1972,
19 c.154 (C.40:41A-1 et seq.), the board of county commissioners and
20 the county executive, the county supervisor, or the county manager,
21 as appropriate.
22 ³**"Department"** means the Department of Community Affairs.³
23 "Pilot program" means the three-year pilot program established
24 pursuant to section 2 of P.L. , c. (pending before the Legislature
25 as this bill).
26
27 2. ³**[(New section)]**³ a. ³**[¹The State Office of Emergency**
28 **Management in the Division of State Police in the Department of**
29 **Law and Public Safety]** There³ shall ³**[establish]** be established³ a
30 **three-year pilot program** ³**[in order to establish a three-year plan]**³
31 **for issuing Code Red alerts** ³**[to municipalities, social service**
32 **agencies, and non-profit organizations that provide services to at-**

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:
¹Senate SHH committee amendments adopted June 20, 2024.
²Senate SBA committee amendments adopted June 26, 2025.
³Assembly AAP committee amendments adopted January 8, 2026.

1 risk individuals located within the borders of ~~]~~ by³ counties
2 participating in the pilot program.

3 b.¹ A county governing body, through its office of emergency
4 management or other appropriate office, agency, or department,
5 ¹[shall establish a pilot program in the form of a three-year plan for
6 issuing a Code Red alert to municipalities, social service agencies,
7 and non-profit organizations that provide services to at-risk
8 individuals and are located within the county's borders. The
9 county] may ³[apply to]³ participate in the pilot program ³by
10 establishing and implementing a plan consistent with the provisions
11 of this act for issuing a Code Red alert to municipalities, social
12 service agencies, and non-profit organizations that provide services
13 to at-risk individuals and are located within the county's borders.

14 c. A county may apply to the Department of Community
15 Affairs³ in a form and manner determined by the ³[State Office of
16 Emergency Management] department for eligible funds pursuant to
17 subsection d. of this section³.

18 ³[c. The State Office of Emergency Management shall select 10
19 counties in the State to participate in the pilot program based on
20 selection criteria established by the office. ²With respect to the
21 selection criteria established by the office for participation in the
22 pilot program, priority shall be given to counties with the highest
23 documented homeless population as noted in the most recent
24 Annual Point in Time Count.² The governing body of each county
25 selected to participate in the pilot program shall receive a \$500,000
26 grant.

27 d.] d. The five counties in the State with the highest
28 documented homeless population as noted in the most recent
29 Annual Point in Time Count, shall be eligible to participate in the
30 pilot program. If one or more eligible counties decline participation
31 in the pilot program, then one or more other counties shall be
32 eligible to participate, with priority going to each county with the
33 next-highest documented homeless population. The governing
34 body of any county eligible to participate in the pilot program, and
35 that does not decline participation, shall establish and implement a
36 plan consistent with this section as a condition of receipt of a
37 \$500,000 grant. The department may, in its discretion, distribute
38 such funds prior to the submission and implementation of a plan.

39 e.³ Each participating county's¹ office of emergency
40 management, or appropriate office, agency, or department, ²in
41 consultation with the ³[Office of Homeless Prevention in the]³
42 Department of Community ³[Affairs,² Affairs,³ shall coordinate
43 with municipal emergency management coordinators in
44 municipalities with a documented homeless population of at least
45 10 ²sheltered or unsheltered² people, as noted in the most recent
46 Annual Point In Time Count, in developing consistent Code Red

1 alert plans throughout the county that provide for communication
 2 and outreach, emergency cooling centers, and transportation during
 3 implementation of a Code Red alert plan. This plan may be carried
 4 out by designated volunteer organizations. Volunteer-organized
 5 Code Red efforts shall receive cooperation and logistical support
 6 from the coordinator, but shall operate autonomously, provided that
 7 the volunteer organizations operate in response to an alert and
 8 pursuant to the Code Red alert plan. ¹The Code Red alert plan, as
 9 overseen by the governing body of the county, shall include: (1)
 10 the operation of cooling centers; (2) the necessary response to an
 11 alert by a municipality, social service agency, or non-profit
 12 organization; (3) a plan to coordinate with local groups within the
 13 county to implement the Code Red alert plan; (4) an outreach plan
 14 to vulnerable populations; (5) the availability of other heat and air
 15 quality related mitigation strategies; (6) an implementation plan;
 16 ³and³ (7) a plan to coordinate any necessary transportation to
 17 cooling centers³]; and (8) other specifics, as determined by the
 18 State Office of Emergency Management]³ . Each municipality,
 19 social service agency, and non-profit organization shall report the
 20 location of cooling centers to the Department of Environmental
 21 Protection for inclusion in the Heat Hub NJ public resource.¹

22 ²Each county and municipality shall be responsible for, but not
 23 limited to³]: (1) notifying the State Office of Emergency
 24 Management of the county's lead agency for the pilot program and
 25 providing updated contact information, as necessary; and (2)]³
 26 making information on the Code Red alert plan available to the
 27 public on each county and municipality Internet website³[or as
 28 otherwise directed by the State Office Emergency Management]³ .²

29 ¹[b.]³[e.¹ On or before the first day of the 30th month next
 30 following the effective date of P.L. , c. (pending before the
 31 Legislature as this bill), the State Office of Emergency Management
 32 shall submit a report to the Governor and, pursuant to section 2 of
 33 P.L.1991, c.164 (C.52:14-19.1), to the Legislature. The report shall
 34 provide information on the success of the pilot program, challenges
 35 faced by the program, and recommendations on whether or not to
 36 make the pilot program permanent. The State Office of Emergency
 37 Management may request information needed for development and
 38 compilation of this report from each appropriate county office.]] f.
 39 The provisions of section 20 of P.L.1942, c.251 (C.App.A:9-52)
 40 shall be applicable but not be limited to establishing or developing a
 41 Code Red alert plan pursuant to P.L. , c. (pending before the
 42 Legislature as this bill), or implementing, carrying out, or providing
 43 services under a Code Red alert plan pursuant to the provisions of
 44 P.L. , c. (pending before the Legislature as this bill).³

45 ¹[Following the conclusion of the pilot program, a county
 46 governing body may certify and submit a request for a
 47 reimbursement for the administrative costs of the pilot program to

1 the State Office of Emergency Management, and the State Office of
2 Emergency Management shall reimburse the county for those
3 certified costs.]¹

4
5 3. ³[(New section)]³ ¹a.¹ A coordinator ¹of a county
6 participating in the pilot program¹ shall declare a Code Red alert
7 during the time of the three-year pilot program ¹[, if, after
8 evaluating weather forecasts and advisories produced by the
9 National Weather Service:

10 (1) the heat index is forecast to reach a daily high temperature of
11 95 degrees Fahrenheit to 99 degrees Fahrenheit for at least two
12 consecutive days; or

13 (2) the daily high temperature is forecast to reach a high of at
14 least 100 degrees Fahrenheit for any length of time] when the
15 National Weather Service office for that county's region declares a
16 heat advisory for the area or reports an Air Quality Index of 151 or
17 higher. This section shall not be understood to prohibit a county,
18 municipality, social service agency, or non-profit organization from
19 operating a cooling center or other heat related mitigation strategy
20 when a Code Red alert is not required by this section.

21 b. ²Prior to declaring a Code Red alert pursuant to subsection a.
22 of this section, the county coordinator of a participating county, or
23 the coordinator's designee shall monitor the municipality in the
24 participating county with the highest documented homeless
25 population and shall use the weather forecast and advisory produced
26 by the National Weather Service for that municipality as an
27 indicator for the declaration of a Code Red alert in the county.

28 c.² When a Code Red alert is declared pursuant to subsection a.
29 of this section, the county coordinator of a participating county, or
30 the coordinator's designee, may coordinate with NJ 211, which may
31 include identifying cooling center locations and transportation
32 options in the county.¹

33
34 ¹[4. (New section) The coordinator, or the coordinator's
35 designee, shall review weather forecasts from the National Weather
36 Service on a regular and consistent basis during the time of the
37 three-year pilot program to determine when a Code Red alert is
38 warranted.]¹

39
40 ¹[5. Section 20 of P.L.1942, c.251 (C.App.A:9-52) is amended
41 to read as follows:

42 20. Neither the State nor any political subdivision of the State
43 under any circumstances, nor the agents, officers, employees,
44 servants or representatives of the State or any political subdivision
45 thereof, including all volunteers, in good faith carrying out,
46 complying with, or attempting to comply with, any order, rule or
47 regulation promulgated pursuant to the provisions of [this act]

1 P.L.1942, c.251 (C.App. A:9-33 et seq.) or performing any
 2 authorized service in connection therewith, shall be liable for any
 3 injury or death to persons or damage to property as the result of
 4 **【any such】** the activity. No person owning, possessing or
 5 managing any real property which has been designated, pursuant to
 6 the provisions of **【this act】** P.L.1942, c.251 (C.App. A:9-33 et seq.)
 7 or of any order, rule or regulation promulgated thereunder, as a
 8 shelter from destructive operations or attacks by enemies of the
 9 United States, shall be liable in any civil action for death or injury
 10 to any person who, because **【such】** the real property has been
 11 designated a shelter **【as aforesaid】**, enters upon it solely for the
 12 purpose of seeking refuge therein during such destructive
 13 operations or attacks or during civil defense tests ordered by lawful
 14 authority, except where **【such】** the death or injury is caused by the
 15 willful act of **【such】** the owner, possessor or manager, or his agents
 16 or employees. The foregoing shall not affect the right of any person
 17 to receive benefits or compensation which may be specifically
 18 provided by the provisions of this or any other State or Federal
 19 Statute, nor shall it affect the right of any person to recover under
 20 the terms of any policy of insurance. The provisions of this section
 21 shall apply but shall not be limited to establishing or developing a
 22 Code Blue alert plan, or a Code Red alert plan pursuant to P.L. ,
 23 c. (pending before the Legislature as this bill), or implementing,
 24 carrying out, or providing services under a Code Blue **【or Code**
 25 **Red】** alert plan, pursuant to the provisions of P.L.2017, c.68
 26 (C.App.A:9-43.18 et al.), or a Code Red alert plan pursuant to the
 27 provisions of P.L. , c. (pending before the Legislature as this
 28 bill).

29 (cf: P.L.2017, c.68, s.4)**】**¹
 30

31 ³**【**¹⁴. Section 20 of P.L.1942, c.251 (C.App.A:9-52) is amended
 32 to read as follows:

33 20. Neither the State nor any political subdivision of the State
 34 under any circumstances, nor the agents, officers, employees,
 35 servants or representatives of the State or any political subdivision
 36 thereof, including all volunteers, in good faith carrying out,
 37 complying with, or attempting to comply with, any order, rule or
 38 regulation promulgated pursuant to the provisions of **【this act】**
 39 P.L.1942, c.251 (C.App. A:9-33 et seq.) or performing any
 40 authorized service in connection therewith, shall be liable for any
 41 injury or death to persons or damage to property as the result of
 42 **【any such】** the activity. No person owning, possessing or
 43 managing any real property which has been designated, pursuant to
 44 the provisions of **【this act】** P.L.1942, c.251 (C.App. A:9-33 et seq.)
 45 or of any order, rule or regulation promulgated thereunder, as a
 46 shelter from destructive operations or attacks by enemies of the
 47 United States, shall be liable in any civil action for death or injury

1 to any person who, because [such] the real property has been
 2 designated a shelter [as aforesaid], enters upon it solely for the
 3 purpose of seeking refuge therein during such destructive
 4 operations or attacks or during civil defense tests ordered by lawful
 5 authority, except where [such] the death or injury is caused by the
 6 willful act of [such] the owner, possessor or manager, or his agents
 7 or employees. The foregoing shall not affect the right of any person
 8 to receive benefits or compensation which may be specifically
 9 provided by the provisions of this or any other State or Federal
 10 Statute, nor shall it affect the right of any person to recover under
 11 the terms of any policy of insurance. The provisions of this section
 12 shall apply but shall not be limited to establishing or developing a
 13 Code Blue alert plan, or a Code Red alert plan pursuant to P.L. __,
 14 c. (pending before the Legislature as this bill), or implementing,
 15 carrying out, or providing services under a Code Blue alert plan,
 16 pursuant to the provisions of P.L.2017, c.68 (C.App.A:9-43.18 et
 17 al.), or a Code Red alert plan pursuant to the provisions of P.L. __,
 18 c. (pending before the Legislature as this bill).¹
 19 (cf: P.L.2017, c.68, s.4)]³

20
 21 ³[¹5.] ⁴.³ ³[(New section)]³ There is appropriated from the
 22 General Fund to the ³[State Office of Emergency Management in
 23 the Division of State Police in the]³ Department of ³[Law and
 24 Public Safety]³ Community Affairs³ the sum of ³[\$5,000,000]
 25 \$2,500,000³ to implement the provisions of ³[this act]³ subsection
 26 d. of section 2 of P.L. __, c. (pending before the Legislature as this
 27 bill)³. ³[The State Office of Emergency Management shall issue a
 28 grant in the amount of \$500,000 to the governing body of each
 29 county selected to participate in the pilot program to effectuate the
 30 provisions of this act.]¹³

31
 32 ³[⁶.] ⁵.³ This act shall take effect immediately, and shall expire
 33 three years thereafter.

34
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 36
 37
 38 Creates Code Red alert pilot program to shelter at-risk
 39 individuals during certain hot weather and air quality events;
 40 appropriates \$2.5 million.