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P.L. 2003, CHAPTER 305, *approved January 14, 2004*
Assembly, No. 3781 (*Third Reprint*)

1 AN ACT concerning congregate ¹[care]housing¹ facilities and
2 supplementing P.L.1981, c.553 (C.52:27D-182 et seq.) ¹[and
3 P.L.1983, c.183 (C.52:27D-119 et seq.)]¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Within 120 days of the effective date of P.L. , c. (C.)
9 (now before the Legislature as this bill), ¹[it shall be a requirement of
10 the barrier free subcode that]¹ every entrance to a building located
11 within a "congregate housing facility," as defined in section 3 of
12 P.L.1981, c.553 (C.52:27D-184), shall be equipped with a power-
13 assisted door opener, if the door of the entrance requires greater than
14 10 pounds of pull in order to be opened manually.
15

16 2. Upon the request of a project resident of a "congregate housing
17 facility," as defined in section 3 of P.L.1981, c.553 (C.52:27D-184),
18 the qualified housing agency operating the facility shall provide for a
19 system which permits the unlocking of a door to a building, other than
20 a door to an individual unit, by a remote device or by staff. ²[The
21 Commissioner of Community Affairs shall have the authority to
22 enforce the provisions of this section pursuant to regulations adopted
23 in accordance with the "Administrative Procedure Act," P.L.1968,
24 c.410 (C.52:14B-1 et seq.).]²
25

26 ²3. The Commissioner of ³[Community Affairs] Health and Senior
27 Services³ shall have the authority to enforce the provisions of this act
28 and shall adopt regulations in accordance with the "Administrative
29 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).²
30

31 ²[3.] 4.² This act shall take effect immediately.
32
33
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35

36 Provides certain physical facility requirements for congregate housing.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASI committee amendments adopted June 19, 2003.

² Senate SHH committee amendments adopted November 24, 2003.

³ Senate floor amendments adopted December 15, 2003.

ASSEMBLY, No. 3781

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED JUNE 12, 2003

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

SYNOPSIS

Provides certain physical facility requirements for congregate housing.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning congregate care facilities and supplementing
2 P.L.1981, c.553 (C.52:27D-182 et seq.) and P.L.1983, c.183
3 (C.52:27D-119 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Within 120 days of the effective date of P.L. , c. (C.)
9 (now before the Legislature as this bill), it shall be a requirement of the
10 barrier free subcode that every entrance to a building located within a
11 "congregate housing facility," as defined in section 3 of P.L.1981, c.
12 553 (C.52:27D-184), shall be equipped with a power-assisted door
13 opener, if the door of the entrance requires greater than 10 pounds of
14 pull in order to be opened manually.
15

16 2. Upon the request of a project resident of a "congregate housing
17 facility," as defined in section 3 of P.L.1981, c.553 (C.52:27D-184),
18 the qualified housing agency operating the facility shall provide for a
19 system which permits the unlocking of a door to a building, other than
20 a door to an individual unit, by a remote device or by staff. The
21 Commissioner of Community Affairs shall have the authority to
22 enforce the provisions of this section pursuant to regulations adopted
23 in accordance with the "Administrative Procedure Act," P.L.1968,
24 c.410 (C.52:14B-1 et seq.).
25

26 3. This act shall take effect immediately.
27
28

29 STATEMENT
30

31 This bill concerns "congregate housing facilities" and adds two
32 requirements to assist residents living in these projects to supplement
33 the "Congregate Housing Services Act," P.L.1981, c.553
34 (C.52:27D-182 et seq.).

35 The bill requires, under the barrier free subcode of the State
36 Uniform Construction Code, that every entrance to a building located
37 within a "congregate housing facility," as defined in section 3 of
38 P.L.1981, c.553 (C.52:27D-184), shall be equipped with a power-
39 assisted door opener, if the door of the entrance requires greater than
40 10 pounds of pull in order to be opened manually. The bill also
41 provides that, upon the request of a resident living in a congregate
42 care facility, the operator of the facility will provide a system
43 permitting the remote unlocking of the outer doors of the facility.

44 Congregate housing was recognized by the Legislature in 1981 as
45 a public purpose in providing a level of housing and services for frail
46 elderly persons. To be eligible to live in congregate housing, the

A3781 CHIVUKULA, STANLEY

3

1 residents must be either disabled or over age 62. These types of
2 facilities pre-date the creation of assisted living facilities in the State,
3 which have specific construction codes applicable to them. The
4 purpose of the bill is to remove some barriers from congregate housing
5 that are proving to be hardships on the residents, such as outside
6 entrance doors which are too heavy to open, or the need for residents
7 not located on the ground floor to navigate stairs to open the outside
8 door to allow invitees into the facility.

ASSEMBLY SENIOR ISSUES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3781

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2003

The Assembly Senior Issues Committee reports favorably and with committee amendments Assembly Bill No. 3781.

This bill concerns congregate housing facilities and adds two requirements to assist residents living in these facilities.

As amended by the committee, the bill requires that, within 120 days of its effective date, every entrance to a building located within a congregate housing facility, as defined in N.J.S.A. 52:27D-184, must be equipped with a power-assisted door opener, if the door of the entrance requires greater than 10 pounds of pull in order to be opened manually. The bill also provides that, upon the request of a resident living in a congregate housing facility, the operator of the facility must provide a system permitting the remote unlocking of the outer doors of the facility.

To be eligible to live in congregate housing, a resident must be either disabled or over age 62. These types of facilities pre-date the creation of assisted living facilities in the State, which have specific construction codes applicable to them. The purpose of the bill is to remove some barriers from congregate housing that are proving to be hardships on the residents, such as outside entrance doors that are too heavy to open, or the need for residents not located on the ground floor to navigate stairs to open the outside door to allow guests into the facility.

COMMITTEE AMENDMENTS

The committee amendments delete the provision that the equipping of a congregate housing facility with a power-assisted door must be a requirement of the barrier free subcode, since the subcode applies only to new construction. In addition, the amendments make technical changes to the bill's title.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3781

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 24, 2003

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 3781 (1R).

As amended by the committee, this bill requires that, within 120 days of its effective date, every entrance to a building located within a congregate housing facility, as defined in N.J.S.A.52:27D-184, must be equipped with a power-assisted door opener, if the door of the entrance requires greater than 10 pounds of pull in order to be opened manually. The bill also provides that, upon the request of a resident living in a congregate housing facility, the operator of the facility must provide a system permitting the remote unlocking of the outer doors of the facility.

To be eligible to live in congregate housing, a resident must be either disabled or over age 62. These types of facilities pre-date the creation of assisted living facilities in the State, which have specific construction codes applicable to them. The purpose of the bill is to remove some barriers from congregate housing that are proving to be hardships on the residents, such as outside entrance doors that are too heavy to open, or the need for residents not located on the ground floor to navigate stairs to open the outside door to allow guests into the facility.

The committee made a technical amendment to the bill to provide that the Commissioner of Community Affairs shall have the authority to enforce the provisions of the bill and adopt regulations.

This bill is identical to Senate Bill No. 2733 SCA (Rice), which also was reported favorably by the committee on this date.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 3781

with Senate Floor Amendments
(Proposed By Senator RICE)

ADOPTED: DECEMBER 15, 2003

These amendments are technical in nature and provide that the Department of Health and Senior Services, which has regulatory authority over congregate housing facilities, shall enforce the provisions of the bill. The bill originally directed the Department of Community Affairs to enforce the provisions of the bill.

SENATE, No. 2733

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED NOVEMBER 24, 2003

Sponsored by:
Senator RONALD L. RICE
District 28 (Essex)

SYNOPSIS

Provides certain physical facility requirements for congregate housing.

CURRENT VERSION OF TEXT

As introduced.



S2733 RICE

2

1 AN ACT concerning congregate housing facilities and supplementing
2 P.L.1981, c.553 (C.52:27D-182 et seq.).

3

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

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7 1. Within 120 days of the effective date of P.L. , c. (C.)
8 (now before the Legislature as this bill), every entrance to a building
9 located within a "congregate housing facility," as defined in section 3
10 of P.L.1981, c.553 (C.52:27D-184), shall be equipped with a power-
11 assisted door opener, if the door of the entrance requires greater than
12 10 pounds of pull in order to be opened manually.

13

14 2. Upon the request of a project resident of a "congregate housing
15 facility," as defined in section 3 of P.L.1981, c.553 (C.52:27D-184),
16 the qualified housing agency operating the facility shall provide for a
17 system which permits the unlocking of a door to a building, other than
18 a door to an individual unit, by a remote device or by staff. The
19 Commissioner of Community Affairs shall have the authority to
20 enforce the provisions of this section pursuant to regulations adopted
21 in accordance with the "Administrative Procedure Act," P.L.1968,
22 c.410 (C.52:14B-1 et seq.).

23

24 3. This act shall take effect immediately.

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STATEMENT

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29 This bill concerns congregate housing facilities and adds two
30 requirements to assist residents living in these facilities. The bill
31 requires that, within 120 days of its effective date, every entrance to
32 a building located within a congregate housing facility, as defined in
33 N.J.S.A. 52:27D-184, must be equipped with a power-assisted door
34 opener, if the door of the entrance requires greater than 10 pounds of
35 pull in order to be opened manually. The bill also provides that, upon
36 the request of a resident living in a congregate housing facility, the
37 operator of the facility must provide a system permitting the remote
38 unlocking of the outer doors of the facility.

39

40 To be eligible to live in congregate housing, a resident must be
41 either disabled or over age 62. These types of facilities pre-date the
42 creation of assisted living facilities in the State, which have specific
43 construction codes applicable to them. The purpose of the bill is to
44 remove some barriers from congregate housing that are proving to be
45 hardships on the residents, such as outside entrance doors that are too
46 heavy to open, or the need for residents not located on the ground
47 floor to navigate stairs to open the outside door to allow guests into
the facility.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2733

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 24, 2003

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2733.

As amended by the committee, this bill requires that, within 120 days of its effective date, every entrance to a building located within a congregate housing facility, as defined in N.J.S.A.52:27D-184, must be equipped with a power-assisted door opener, if the door of the entrance requires greater than 10 pounds of pull in order to be opened manually. The bill also provides that, upon the request of a resident living in a congregate housing facility, the operator of the facility must provide a system permitting the remote unlocking of the outer doors of the facility.

To be eligible to live in congregate housing, a resident must be either disabled or over age 62. These types of facilities pre-date the creation of assisted living facilities in the State, which have specific construction codes applicable to them. The purpose of the bill is to remove some barriers from congregate housing that are proving to be hardships on the residents, such as outside entrance doors that are too heavy to open, or the need for residents not located on the ground floor to navigate stairs to open the outside door to allow guests into the facility.

The committee made a technical amendment to the bill to provide that the Commissioner of Community Affairs shall have the authority to enforce the provisions of the bill and adopt regulations.

This bill is identical to Assembly Bill No. 3781(1R)SCA (Chivukula/Stanley), which the committee also reported favorably on this date.