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LAW/RWH

P.L.2011, CHAPTER 214, *approved January 17, 2012*
Assembly, No. 2405 (*Second Reprint*)

1 AN ACT concerning the disaster preparedness of institutions of
2 higher education and supplementing chapter 3B of Title 18A of
3 the New Jersey Statutes.

4

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

7

8 1. a. The governing board of each institution of higher
9 education shall develop and coordinate an emergency operations
10 plan to ensure the continuity of essential institution functions under
11 all circumstances. The plan shall:

12 (1) identify a baseline of preparedness for all potential
13 emergencies, including pandemics, to establish a viable capability
14 to perform essential functions during any emergency that disrupts
15 normal operations; and

16 (2) be coordinated with State and local authorities including, but
17 not limited to, the State Office of Emergency Management, local
18 law enforcement officers, ¹county and local health officers,¹ county
19 offices of emergency management, and other emergency
20 responders.

21 b. The plan shall include, but not be limited to, the following
22 components: identification of essential functions, programs, and
23 personnel; procedures to implement the plan; delegation of
24 authority and lines of succession; identification of alternative
25 facilities and related infrastructure, including those for
26 communications; identification and protection of vital records and
27 databases; and schedules and procedures for periodic tests, training,
28 and exercises. The plan shall be consistent with the local emergency
29 operations plan of the municipality in which the institution is
30 located.

31 c. The governing board of the institution shall adopt and
32 submit for ²**[approval]** review² an emergency operations plan to the
33 Commission on Higher Education, the State Office of Emergency
34 Management, ¹the Department of Health and Senior Services,¹ and
35 the Office of Homeland Security and Preparedness within six
36 months of the effective date of this act. The governing board shall
37 review, update, and resubmit the plan to the offices every five
38 years. If an emergency incident occurs at an institution during the
39 five-year period, the plan shall be reviewed 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHI committee amendments adopted May 6, 2010.

²Assembly floor amendments adopted May 20, 2010.

1 d. The Office of Homeland Security and Preparedness, the
2 State Office of Emergency Management, 'the Department of Health
3 and Senior Services,' and the Commission on Higher Education
4 shall review ²[and approve]² the emergency operations plan
5 submitted by an institution of higher education pursuant to
6 subsection c. of this section and, when necessary, shall in
7 coordination with other State agencies make recommendations to
8 the institution for improving the plan that are deemed necessary.

9 ²e. Any plan prepared pursuant to this section shall not be
10 considered a government record as defined in section 1 of P.L.1995,
11 c.23 (C.47:1A-1.1) and shall not be available for public inspection,
12 copying, or the purchase of copies.²

13

14 2. This act shall take effect immediately.

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19 Directs each institution of higher education to develop and
20 coordinate a comprehensive disaster preparedness plan.

ASSEMBLY, No. 2405

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 4, 2010

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblyman PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

SYNOPSIS

Directs each institution of higher education to develop and coordinate a comprehensive disaster preparedness plan.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/7/2010)

1 AN ACT concerning the disaster preparedness of institutions of
2 higher education and supplementing chapter 3B of Title 18A of
3 the New Jersey Statutes.

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

7
8 1. a. The governing board of each institution of higher
9 education shall develop and coordinate an emergency operations
10 plan to ensure the continuity of essential institution functions under
11 all circumstances. The plan shall:

12 (1) identify a baseline of preparedness for all potential
13 emergencies, including pandemics, to establish a viable capability
14 to perform essential functions during any emergency that disrupts
15 normal operations; and

16 (2) be coordinated with State and local authorities including, but
17 not limited to, the State Office of Emergency Management, local
18 law enforcement officers, county offices of emergency
19 management, and other emergency responders.

20 b. The plan shall include, but not be limited to, the following
21 components: identification of essential functions, programs, and
22 personnel; procedures to implement the plan; delegation of
23 authority and lines of succession; identification of alternative
24 facilities and related infrastructure, including those for
25 communications; identification and protection of vital records and
26 databases; and schedules and procedures for periodic tests, training,
27 and exercises. The plan shall be consistent with the local emergency
28 operations plan of the municipality in which the institution is
29 located.

30 c. The governing board of the institution shall adopt and
31 submit for approval an emergency operations plan to the
32 Commission on Higher Education, the State Office of Emergency
33 Management, and the Office of Homeland Security and
34 Preparedness within six months of the effective date of this act.
35 The governing board shall review, update, and resubmit the plan to
36 the offices every five years. If an emergency incident occurs at an
37 institution during the five-year period, the plan shall be reviewed
38 immediately.

39 d. The Office of Homeland Security and Preparedness, the
40 State Office of Emergency Management, and the Commission on
41 Higher Education shall review and approve the emergency
42 operations plan submitted by an institution of higher education
43 pursuant to subsection c. of this section and, when necessary, shall
44 in coordination with other State agencies make recommendations to
45 the institution for improving the plan that are deemed necessary.

46
47 2. This act shall take effect immediately.

STATEMENT

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This bill directs the governing board of each institution of higher education to develop and coordinate an emergency operations plan that will ensure the continuity of essential institution functions under all circumstances. Under the bill, the plan must:

(1) identify a baseline of preparedness for all potential emergencies, including pandemics, to establish a viable capability to perform essential functions during any emergency that disrupts normal operations; and

(2) be coordinated with State and local authorities including the State Office of Emergency Management, local law enforcement officers, county offices of emergency management, and other emergency responders.

The plan must include the following components: identification of essential functions, programs, and personnel; procedures to implement the plan; delegation of authority and lines of succession; identification of alternative facilities and related infrastructure, including those for communications; identification and protection of vital records and databases; and schedules and procedures for periodic tests, training, and exercises. Under the bill, the governing board of each institution of higher education must adopt and submit for approval an emergency operations plan to the Commission on Higher Education, the State Office of Emergency Management, and the Office of Homeland Security and Preparedness within six months of the bill's effective date. The governing board must review, update, and resubmit the plan to the offices every five years. Under the bill, if an emergency incident occurs at an institution during the five-year period, the plan must be reviewed immediately.

The bill also requires the Office of Homeland Security and Preparedness, the State Office of Emergency Management, and the Commission on Higher Education to review and approve the emergency operations plans that will be submitted to them by institutions of higher education and to make recommendations to the institutions for improving the plans that may be deemed necessary.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2405

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 6, 2010

The Assembly Higher Education Committee reports favorably Assembly Bill No. 2405 with committee amendments.

As amended, this bill directs the governing board of each institution of higher education to develop and coordinate an emergency operations plan that will ensure the continuity of essential institution functions under all circumstances. Under the bill, the plan must:

(1) identify a baseline of preparedness for all potential emergencies, including pandemics, to establish a viable capability to perform essential functions during any emergency that disrupts normal operations; and

(2) be coordinated with State and local authorities including the State Office of Emergency Management, local law enforcement officers, county and local health officers, county offices of emergency management, and other emergency responders.

The plan must include the following components: identification of essential functions, programs, and personnel; procedures to implement the plan; delegation of authority and lines of succession; identification of alternative facilities and related infrastructure, including those for communications; identification and protection of vital records and databases; and schedules and procedures for periodic tests, training, and exercises. Under the bill, the governing board of each institution of higher education must adopt and submit for approval an emergency operations plan to the Commission on Higher Education, the State Office of Emergency Management, the Department of Health and Senior Services, and the Office of Homeland Security and Preparedness within six months of the bill's effective date. The governing board must review, update, and resubmit the plan to the offices every five years. Under the bill, if an emergency incident occurs at an institution during the five-year period, the plan must be reviewed immediately.

The bill also requires the Office of Homeland Security and Preparedness, the State Office of Emergency Management, the Department of Health and Senior Services, and the Commission on

Higher Education to review and approve the emergency operations plans that will be submitted to them by institutions of higher education and to make recommendations to the institutions for improving the plans that may be deemed necessary.

The committee amended the bill to: (1) include county and local health officers in the group of State and local authorities with which the emergency operations plans are to be coordinated; and (2) include the Department of Health and Senior Services in the group of State entities to which the emergency operations plans must be submitted for review and approval.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2405

with Assembly Floor Amendments
(Proposed by Assemblywoman LAMPITT)

ADOPTED: MAY 20, 2010

These Assembly floor amendments eliminate the requirement that the emergency operations plan proposed by an institution of higher education be approved by the Office of Homeland Security and Preparedness, the State Office of Emergency Management, the Department of Health and Senior Services, and the Commission on Higher Education. Under the bill as amended, the plan would continue to be reviewed by those offices which may submit recommendations. The amendments also clarify that an emergency operations plan is not subject to the provisions of the open public records act.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 2405

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2011

The Senate Education Committee favorably reports Assembly Bill No. 2405 (2R).

This bill directs the governing board of each institution of higher education to develop and coordinate an emergency operations plan that will ensure the continuity of essential institution functions under all circumstances. Under the bill, the plan must:

(1) identify a baseline of preparedness for all potential emergencies, including pandemics, to establish a viable capability to perform essential functions during any emergency that disrupts normal operations; and

(2) be coordinated with State and local authorities including the State Office of Emergency Management, local law enforcement officers, county and local health officers, county offices of emergency management, and other emergency responders.

The plan must include the following components: identification of essential functions, programs, and personnel; procedures to implement the plan; delegation of authority and lines of succession; identification of alternative facilities and related infrastructure, including those for communications; identification and protection of vital records and databases; and schedules and procedures for periodic tests, training, and exercises. Under the bill, the governing board of each institution of higher education must adopt and submit for review an emergency operations plan to the Commission on Higher Education, the State Office of Emergency Management, the Department of Health and Senior Services, and the Office of Homeland Security and Preparedness within six months of the bill's effective date. The governing board must review, update, and resubmit the plan to the offices every five years. Under the bill, if an emergency incident occurs at an institution during the five-year period, the plan must be reviewed immediately.

The bill also requires the Office of Homeland Security and Preparedness, the State Office of Emergency Management, the Department of Health and Senior Services, and the Commission on Higher Education to review the emergency operations plans that will be submitted to them by institutions of higher education and to make

recommendations to the institutions for improving the plans that may be deemed necessary.

The bill also provides that an emergency operations plan is not subject to the provisions of the open public records act.

As reported by the committee, this bill is identical to Senate Bill No. 2092, which also was reported by the committee on this same date.

SENATE, No. 2092

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JUNE 24, 2010

Sponsored by:

Senator JAMES BEACH

District 6 (Camden)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Directs each institution of higher education to develop and coordinate a comprehensive disaster preparedness plan.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2012)

S2092 BEACH, GREENSTEIN

2

1 AN ACT concerning the disaster preparedness of institutions of
2 higher education and supplementing chapter 3B of Title 18A of
3 the New Jersey Statutes.

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28 and exercises. The plan shall be consistent with the local emergency
29 operations plan of the municipality in which the institution is
30 located.

31 c. The governing board of the institution shall adopt and
32 submit for review an emergency operations plan to the Commission
33 on Higher Education, the State Office of Emergency Management,
34 the Department of Health and Senior Services, and the Office of
35 Homeland Security and Preparedness within six months of the
36 effective date of this act. The governing board shall review, update,
37 and resubmit the plan to the offices every five years. If an
38 emergency incident occurs at an institution during the five-year
39 period, the plan shall be reviewed immediately.

40 d. The Office of Homeland Security and Preparedness, the
41 State Office of Emergency Management, the Department of Health
42 and Senior Services, and the Commission on Higher Education shall
43 review the emergency operations plan submitted by an institution of
44 higher education pursuant to subsection c. of this section and, when
45 necessary, shall in coordination with other State agencies make
46 recommendations to the institution for improving the plan that are
47 deemed necessary.

1 e. Any plan prepared pursuant to this section shall not be
2 considered a government record as defined in section 1 of P.L.1995,
3 c.23 (C.47:1A-1.1) and shall not be available for public inspection,
4 copying, or the purchase of copies.

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9 STATEMENT
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43 will be submitted to them by institutions of higher education and to
44 make recommendations to the institutions for improving the plans
45 that may be deemed necessary.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2092

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2011

The Senate Education Committee favorably reports Senate Bill No. 2092.

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