

2A:42-143
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2017 **CHAPTER:** 5

NJSA: 2A:42-143 (Provides for notification of emergency contact in event of death of senior citizen in certain housing facilities)

BILL NO: S1131 (Substituted for A3489)

SPONSOR(S) Rice and others

DATE INTRODUCED: 2-8-2016

COMMITTEE: **ASSEMBLY:** ---

SENATE: Health, Human Services & Senior Citizens

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 11-21-2016

SENATE: 12-19-2016

DATE OF APPROVAL: 2-6-2017

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted) Yes

S1131

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A3489

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie signs next of kin notification law to prevent family heartache," nj.com, February 7, 2017

"Next of kin must be notified in senior-housing deaths," The Star-Ledger, February 8, 2017

"Sisters are at peace after Christie signs next of kin notification law," nj.com, February 10, 2017

RWA/JA

Title 2A.
Subtitle 6.
Chapter 42.
Article 10. (New)
Senior Citizen
Occupants
§1 - C.2A:42-143
§2 - Note

P.L.2017, CHAPTER 5, *approved February 6, 2017*
Senate, No. 1131 (*Second Reprint*)

1 AN ACT concerning ²**[senior citizen]** seniors in certain² housing
2 facilities ²**[,]** and² supplementing ²**[Title 26 of the Revised**
3 **Statutes, and amending various parts of the statutory law]**
4 chapter 42 of Title 2A of the New Jersey Statutes².

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

8
9 1. ²**[(New section) a.** For the purposes of this section:
10 “Manager or administrator” means the person or entity
11 responsible for the daily administration of a senior housing facility.

12 “Senior citizen” means a person 55 years of age or older.

13 “Senior housing facility” means an apartment building, ¹rooming
14 house, boarding house,¹ mobile home park, ¹**[or a]**¹ townhouse
15 community ¹,¹ or one or more multiple dwellings organized and
16 operated as a condominium, cooperative housing entity, or mutual
17 housing corporation, which is:

18 (1) subject to the "Retirement Community Full Disclosure Act,"
19 P.L.1969, c.215 (C.45:22A-1 et seq.), "The Planned Real Estate
20 Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21
21 et seq.), or constructed under a governmental program restricting
22 occupancy of at least 80 percent of the dwelling units to senior
23 citizens; and

24 (2) specifically marketed to senior citizens as senior housing or
25 a retirement community.

26 b. A manager or administrator of a senior housing facility shall
27 establish guidelines, consistent with regulations promulgated by the
28 Public Health Council, for the notification of next-of-kin in the
29 event of the death of a senior citizen occupant.

30 c. (1) A senior citizen who is an applicant for residency in a
31 senior housing facility under this section, either as a unit owner,
32 cooperative share owner, or tenant, shall provide, and update as
33 necessary, emergency contact information to enable the manager or

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 May 2, 2016.

²Assembly floor amendments adopted November 21, 2016.

1 administrator to notify next-of-kin, pursuant to guidelines
2 established pursuant to subsection b. of this section, in the event of
3 the death of the senior citizen.

4 (2) A senior citizen who is an occupant of a senior housing
5 facility shall comply, in a timely manner, with the manager or
6 administrator's request to provide next-of-kin contact information.]

7 a. An administrator shall establish and implement procedures
8 for the collection of emergency contact information for senior
9 citizen occupants, which information shall be used to provide notice
10 in the event of the death of a senior citizen occupant.

11 b. The procedures required by subsection a. of this section shall
12 include the provision of notice to, and opportunity for, each current
13 and prospective senior citizen occupant to provide, and update as
14 necessary, emergency contact information to enable the
15 administrator to notify the emergency contact in the event of the
16 death of the senior citizen occupant.

17 c. Upon learning of the death of a senior citizen occupant, an
18 administrator shall notify the emergency contact for that senior
19 citizen occupant as soon as is practicable, but no later than 24 hours
20 thereafter. An administrator who fails to provide notice as required
21 pursuant to this subsection shall be liable to a civil penalty of \$500,
22 which may be collected and enforced by the Commissioner of
23 Community Affairs, the Attorney General, or any other person
24 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
25 c.274 (C.2A:58-10 et seq.). The municipal court and the Superior
26 Court shall have jurisdiction of proceedings for the enforcement of
27 the penalties provided by this subsection.

28 d. The Commissioner of Community Affairs, in consultation
29 with the Commissioners of Health and Human Services, may adopt
30 regulations, pursuant to the "Administrative Procedure Act,"
31 P.L.1968, c.410 (C.52:14B-1 et seq.), regulating the collection of
32 emergency contact information and the notification of an
33 emergency contact as required pursuant to this section.

34 e. As used in this section:

35 "Administrator" means the person responsible for the daily
36 administration and operation of a qualified housing facility.

37 "Qualified housing facility" means any of the following: a
38 rooming or boarding house licensed pursuant to the "Rooming and
39 Boarding House Act of 1979," P.L.1979, c.496 (C.55:13B-1 et al.);
40 a residential health care facility, an assisted living facility, or a
41 nursing home licensed pursuant to the "Health Care Facilities
42 Planning Act," P.L.1971 c.136 (C.26:2H-1 et seq.); a continuing
43 care retirement community operating under a certificate of authority
44 issued pursuant to the "Continuing Care Retirement Community
45 Regulation and Financial Disclosure Act," P.L.1986,
46 c.103 (C.52:27D-330 et seq.); and public housing designated for
47 seniors that is owned by a housing authority created or continued

1 pursuant to the "Local Redevelopment and Housing Law,"
2 P.L.1992, c.79 (C.40A:12A-1 et seq.).

3 "Senior citizen occupant" means a person 62 years of age or
4 older who resides in a qualified housing facility.²

5
6 ²[2. Section 7 of P.L.1947, c.177 (C.26:1A-7) is amended to
7 read as follows:

8 7. The Public Health Council shall have power, by the
9 affirmative vote of a majority of all its members, to establish, and
10 from time to time amend and repeal, such reasonable sanitary
11 regulations not inconsistent with the provisions of this act or the
12 provisions of any other law of this State as may be necessary
13 properly to preserve and improve the public health in this
14 State. The regulations so established shall be called the State
15 Sanitary Code.

16 The State Sanitary Code may cover any subject affecting public
17 health, or the preservation and improvement of public health and
18 the prevention of disease in the State of New Jersey, including the
19 immunization against disease of all school children in the State of
20 New Jersey. In addition thereto, and not in limitation thereof, said
21 State Sanitary Code may contain sanitary regulations: (a)
22 prohibiting nuisances hazardous to human health; (b) (deleted by
23 amendment) (c) regulating the use of privies and cesspools; (d)
24 regulating the disposition of excremental matter; (e) regulating the
25 control of fly and mosquito breeding places; (f) regulating the
26 detection, reporting, prevention and control of communicable and
27 preventable diseases; (g) regulating the conduct of public funerals;
28 (h) regulating the conduct of boarding homes for children; (i)
29 regulating the conduct of maternity homes and the care of maternity
30 and infant patients therein; (j) regulating the conduct of camps; (k)
31 (Deleted by amendment, P.L.1987, c.302) (l) regulating the
32 preparation, handling, transportation, burial or other disposal,
33 disinterment and reburial of dead human bodies; (m) prescribing
34 standards of cleanliness for public eating rooms and restaurants; (n)
35 regulating the conduct of tattoo parlors; (o) regulating the conduct
36 of body piercing; **[and]** (p) regulating the conduct of cosmetic
37 tattooing; and (q) regulating the notification of next-of-kin in the
38 event of the death of an occupant of a senior housing facility as
39 required pursuant to section 1 of P.L. , c. (C.) (pending
40 before the Legislature as this bill).

41 Prior to the final adoption by the council of any sanitary
42 regulation or amendment thereto or repealer thereof the council
43 shall hold a public hearing thereon. The council shall cause to be
44 published, at least once, not less than 15 days prior to such hearing,
45 in each of the counties of the State in a newspaper published in each
46 of said counties, or if no newspaper be published in any such
47 county, then in a newspaper circulated in such county, a notice of
48 such hearing, specifying the time when and the place where such

1 hearing will be held, together with a brief summary of the proposed
2 regulation, amendment or repealer and a statement that copies of the
3 text thereof may be obtained from the [State] Commissioner of
4 Health [and Senior Services] or from the board of health of any
5 municipality in the State. The [State] Department of Health [and
6 Senior Services] shall prepare and make available on request
7 therefor, copies of the text of such proposed regulations and
8 changes therein in the manner described in such public notice.
9 (cf: P.L.1997, c.326, s.1)]²

10
11 ²[3. Section 20 of P.L.1992, c.79 (C.40A:12A-20) is amended to
12 read as follows:

13 20. a. The municipality, county or housing authority shall
14 establish rules and regulations concerning admissions to any
15 housing project which shall provide priority categories for persons
16 displaced or caused to be displaced by public action or by
17 redevelopment projects, highway programs or other public works;
18 persons living in housing found to be "substandard" within the
19 meaning of P.L.1966, c.168 (C.2A:42-74 et seq.) or P.L.1971, c.224
20 (C.2A:42-85 et seq.), or otherwise violative of minimum health and
21 safety standards; persons and families who, by reason of family
22 income, family size or disabilities have special needs; and elderly
23 persons.

24 b. The rules and regulations shall include guidelines for the
25 collection of next-of-kin contact information and for the notification
26 of next-of-kin in the event of the death of a senior citizen occupant,
27 as required pursuant to section 1 of P.L. , c. (C.) (pending
28 before the Legislature as this bill).

29 (cf: P.L.1992, c.79, s.20)]²

30
31 ²[4. Section 14 of P.L.1967, c.257 (C.46:8B-14) is amended to
32 read as follows:

33 14. The association, acting through its officers or governing
34 board, shall be responsible for the performance of the following
35 duties, the costs of which shall be common expenses:

36 (a) The maintenance, repair, replacement, cleaning and
37 sanitation of the common elements.

38 (b) The assessment and collection of funds for common
39 expenses and the payment thereof.

40 (c) The adoption, distribution, amendment and enforcement of
41 rules governing the use and operation of the condominium and the
42 condominium property and the use of the common elements,
43 including but not limited to the imposition of reasonable fines,
44 assessments and late fees upon unit owners, if authorized by the
45 master deed or bylaws, subject to the right of a majority of unit
46 owners to change any such rules.

47 (d) The maintenance of insurance against loss by fire or other
48 casualties normally covered under broad-form fire and extended

1 coverage insurance policies as written in this State, covering all
2 common elements and all structural portions of the condominium
3 property and the application of the proceeds of any such insurance
4 to restoration of such common elements and structural portions if
5 such restoration shall otherwise be required under the provisions of
6 this act or the master deed or bylaws.

7 (e) The maintenance of insurance against liability for personal
8 injury and death for accidents occurring within the common
9 elements whether limited or general and the defense of any actions
10 brought by reason of injury or death to person, or damage to
11 property occurring within such common elements and not arising by
12 reason of any act or negligence of any individual unit owner.

13 (f) The master deed or bylaws may require the association to
14 protect blanket mortgages, or unit owners and their mortgagees, as
15 their respective interest may appear, under the policies of insurance
16 provided under clauses (d) and (e) of this section, or against such
17 risks with respect to any or all units, and may permit the assessment
18 and collection from a unit owner of specific charges for insurance
19 coverage applicable to his unit.

20 (g) The maintenance of accounting records, in accordance with
21 generally accepted accounting principles, open to inspection at
22 reasonable times by unit owners. Such records shall include:

23 (i) A record of all receipts and expenditures.

24 (ii) An account for each unit setting forth any shares of common
25 expenses or other charges due, the due dates thereof, the present
26 balance due, and any interest in common surplus.

27 (h) Nothing herein shall preclude any unit owner or other person
28 having an insurable interest from obtaining insurance at his own
29 expense and for his own benefit against any risk whether or not
30 covered by insurance maintained by the association.

31 (i) Such other duties as may be set forth in the master deed or
32 bylaws.

33 (j) An association shall exercise its powers and discharge its
34 functions in a manner that protects and furthers or is not
35 inconsistent with the health, safety and general welfare of the
36 residents of the community.

37 (k) An association shall provide a fair and efficient procedure
38 for the resolution of housing-related disputes between individual
39 unit owners and the association, and between unit owners, which
40 shall be readily available as an alternative to litigation. A person
41 other than an officer of the association, a member of the governing
42 board or a unit owner involved in the dispute shall be made
43 available to resolve the dispute. A unit owner may notify the
44 Commissioner of Community Affairs if an association does not
45 comply with this subsection. The commissioner shall have the
46 power to order the association to provide a fair and efficient
47 procedure for the resolution of disputes.

1 (l) An association that is a senior housing facility, as defined in
2 section 1 of P.L. , c. (C.) (pending before the Legislature
3 as this bill), shall comply with the provisions of subsection b. of
4 that section, regarding the establishment of guidelines for the
5 notification of next-of-kin in the event of the death of a senior
6 citizen occupant.
7 (cf: P.L.1996, c.79, s.2)]²

8
9 ²[5. Section 7 of P.L.1987, c.381 (C.46:8D-7) is amended to read
10 as follows:

- 11 7. The master register shall contain the following elements:
12 a. Separate identification of each unit by distinctive letter,
13 name or number or combination thereof.
14 b. The percent of common ownership representing each
15 owner's proportionate undivided interest in the common elements;
16 the interests shall be stated as percentages aggregating **[100%]** 100
17 percent.
18 c. The name and present address of each present owner and
19 occupant of each identified unit. When the cooperative is a senior
20 housing facility, as defined in section 1 of P.L. , c. (C.)
21 (pending before the Legislature as this bill), this element shall
22 include information sufficient to notify the next-of-kin in the event
23 of the death of a senior citizen occupant.
24 (cf: P.L.1987, c.381, s.7)]²

25
26 ²[**6.]** 2.² This act shall effect on the first day of the seventh
27 month next following the date of enactment, ²[**but the Public Health**
28 **Council]** except the Commissioner of Community Affairs² may
29 take ²[**such]** any anticipatory² administrative action in advance as
30 shall be necessary for the implementation of this act.

31
32
33
34
35 Provides for notification of emergency contact in event of death
36 of senior citizen in certain housing facilities.

SENATE, No. 1131

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

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

SYNOPSIS

Provides for notification of next-of-kin in event of death of senior citizen in senior housing facility.

CURRENT VERSION OF TEXT

As introduced.



S1131 RICE

2

1 AN ACT concerning senior citizen housing facilities, supplementing
2 Title 26 of the Revised Statutes, and amending various parts of
3 the statutory law.

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

7
8 1. (New section) a. For the purposes of this section:

9 "Manager or administrator" means the person or entity
10 responsible for the daily administration of a senior housing facility.

11 "Senior citizen" means a person 55 years of age or older.

12 "Senior housing facility" means an apartment building, mobile
13 home park, or a townhouse community or one or more multiple
14 dwellings organized and operated as a condominium, cooperative
15 housing entity, or mutual housing corporation, which is:

16 (1) subject to the "Retirement Community Full Disclosure Act,"
17 P.L.1969, c.215 (C.45:22A-1 et seq.), "The Planned Real Estate
18 Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21
19 et seq.), or constructed under a governmental program restricting
20 occupancy of at least 80 percent of the dwelling units to senior
21 citizens; and

22 (2) specifically marketed to senior citizens as senior housing or
23 a retirement community.

24 b. A manager or administrator of a senior housing facility shall
25 establish guidelines, consistent with regulations promulgated by the
26 Public Health Council, for the notification of next-of-kin in the
27 event of the death of a senior citizen occupant.

28 c. (1) A senior citizen who is an applicant for residency in a
29 senior housing facility under this section, either as a unit owner,
30 cooperative share owner, or tenant, shall provide, and update as
31 necessary, emergency contact information to enable the manager or
32 administrator to notify next-of-kin, pursuant to guidelines
33 established pursuant to subsection b. of this section, in the event of
34 the death of the senior citizen.

35 (2) A senior citizen who is an occupant of a senior housing
36 facility shall comply, in a timely manner, with the manager or
37 administrator's request to provide next-of-kin contact information.

38
39 2. Section 7 of P.L.1947, c.177 (C.26:1A-7) is amended to read
40 as follows:

41 7. The Public Health Council shall have power, by the
42 affirmative vote of a majority of all its members, to establish, and
43 from time to time amend and repeal, such reasonable sanitary
44 regulations not inconsistent with the provisions of this act or the
45 provisions of any other law of this State as may be necessary

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.

S1131 RICE

1 properly to preserve and improve the public health in this
2 State. The regulations so established shall be called the State
3 Sanitary Code.

4 The State Sanitary Code may cover any subject affecting public
5 health, or the preservation and improvement of public health and
6 the prevention of disease in the State of New Jersey, including the
7 immunization against disease of all school children in the State of
8 New Jersey. In addition thereto, and not in limitation thereof, said
9 State Sanitary Code may contain sanitary regulations: (a)
10 prohibiting nuisances hazardous to human health; (b) (deleted by
11 amendment) (c) regulating the use of privies and cesspools; (d)
12 regulating the disposition of excremental matter; (e) regulating the
13 control of fly and mosquito breeding places; (f) regulating the
14 detection, reporting, prevention and control of communicable and
15 preventable diseases; (g) regulating the conduct of public funerals;
16 (h) regulating the conduct of boarding homes for children; (i)
17 regulating the conduct of maternity homes and the care of maternity
18 and infant patients therein; (j) regulating the conduct of camps; (k)
19 (Deleted by amendment, P.L.1987, c.302) (l) regulating the
20 preparation, handling, transportation, burial or other disposal,
21 disinterment and reburial of dead human bodies; (m) prescribing
22 standards of cleanliness for public eating rooms and restaurants; (n)
23 regulating the conduct of tattoo parlors; (o) regulating the conduct
24 of body piercing; **and** (p) regulating the conduct of cosmetic
25 tattooing; and (q) regulating the notification of next-of-kin in the
26 event of the death of an occupant of a senior housing facility as
27 required pursuant to section 1 of P.L. , c. (C.) (pending
28 before the Legislature as this bill).

29 Prior to the final adoption by the council of any sanitary
30 regulation or amendment thereto or repealer thereof the council
31 shall hold a public hearing thereon. The council shall cause to be
32 published, at least once, not less than 15 days prior to such hearing,
33 in each of the counties of the State in a newspaper published in each
34 of said counties, or if no newspaper be published in any such
35 county, then in a newspaper circulated in such county, a notice of
36 such hearing, specifying the time when and the place where such
37 hearing will be held, together with a brief summary of the proposed
38 regulation, amendment or repealer and a statement that copies of the
39 text thereof may be obtained from the **[State]** Commissioner of
40 Health **[and Senior Services]** or from the board of health of any
41 municipality in the State. The **[State]** Department of Health **[and**
42 **Senior Services]** shall prepare and make available on request
43 therefor, copies of the text of such proposed regulations and
44 changes therein in the manner described in such public notice.
45 (cf: P.L.1997, c.326, s.1)

46
47 3. Section 20 of P.L.1992, c.79 (C.40A:12A-20) is amended to
48 read as follows:

S1131 RICE

1 20. a. The municipality, county or housing authority shall
2 establish rules and regulations concerning admissions to any
3 housing project which shall provide priority categories for persons
4 displaced or caused to be displaced by public action or by
5 redevelopment projects, highway programs or other public works;
6 persons living in housing found to be "substandard" within the
7 meaning of P.L.1966, c.168 (C.2A:42-74 et seq.) or P.L.1971, c.224
8 (C.2A:42-85 et seq.), or otherwise violative of minimum health and
9 safety standards; persons and families who, by reason of family
10 income, family size or disabilities have special needs; and elderly
11 persons.

12 b. The rules and regulations shall include guidelines for the
13 collection of next-of-kin contact information and for the notification
14 of next-of-kin in the event of the death of a senior citizen occupant,
15 as required pursuant to section 1 of P.L. , c. (C.) (pending
16 before the Legislature as this bill).

17 (cf: P.L.1992, c.79, s.20)

18

19 4. Section 14 of P.L.1967, c.257 (C.46:8B-14) is amended to
20 read as follows:

21 14. The association, acting through its officers or governing
22 board, shall be responsible for the performance of the following
23 duties, the costs of which shall be common expenses:

24 (a) The maintenance, repair, replacement, cleaning and
25 sanitation of the common elements.

26 (b) The assessment and collection of funds for common
27 expenses and the payment thereof.

28 (c) The adoption, distribution, amendment and enforcement of
29 rules governing the use and operation of the condominium and the
30 condominium property and the use of the common elements,
31 including but not limited to the imposition of reasonable fines,
32 assessments and late fees upon unit owners, if authorized by the
33 master deed or bylaws, subject to the right of a majority of unit
34 owners to change any such rules.

35 (d) The maintenance of insurance against loss by fire or other
36 casualties normally covered under broad-form fire and extended
37 coverage insurance policies as written in this State, covering all
38 common elements and all structural portions of the condominium
39 property and the application of the proceeds of any such insurance
40 to restoration of such common elements and structural portions if
41 such restoration shall otherwise be required under the provisions of
42 this act or the master deed or bylaws.

43 (e) The maintenance of insurance against liability for personal
44 injury and death for accidents occurring within the common
45 elements whether limited or general and the defense of any actions
46 brought by reason of injury or death to person, or damage to
47 property occurring within such common elements and not arising by
48 reason of any act or negligence of any individual unit owner.

S1131 RICE

1 (f) The master deed or bylaws may require the association to
2 protect blanket mortgages, or unit owners and their mortgagees, as
3 their respective interest may appear, under the policies of insurance
4 provided under clauses (d) and (e) of this section, or against such
5 risks with respect to any or all units, and may permit the assessment
6 and collection from a unit owner of specific charges for insurance
7 coverage applicable to his unit.

8 (g) The maintenance of accounting records, in accordance with
9 generally accepted accounting principles, open to inspection at
10 reasonable times by unit owners. Such records shall include:

11 (i) A record of all receipts and expenditures.

12 (ii) An account for each unit setting forth any shares of common
13 expenses or other charges due, the due dates thereof, the present
14 balance due, and any interest in common surplus.

15 (h) Nothing herein shall preclude any unit owner or other person
16 having an insurable interest from obtaining insurance at his own
17 expense and for his own benefit against any risk whether or not
18 covered by insurance maintained by the association.

19 (i) Such other duties as may be set forth in the master deed or
20 bylaws.

21 (j) An association shall exercise its powers and discharge its
22 functions in a manner that protects and furthers or is not
23 inconsistent with the health, safety and general welfare of the
24 residents of the community.

25 (k) An association shall provide a fair and efficient procedure
26 for the resolution of housing-related disputes between individual
27 unit owners and the association, and between unit owners, which
28 shall be readily available as an alternative to litigation. A person
29 other than an officer of the association, a member of the governing
30 board or a unit owner involved in the dispute shall be made
31 available to resolve the dispute. A unit owner may notify the
32 Commissioner of Community Affairs if an association does not
33 comply with this subsection. The commissioner shall have the
34 power to order the association to provide a fair and efficient
35 procedure for the resolution of disputes.

36 (l) An association that is a senior housing facility, as defined in
37 section 1 of P.L. , c. (C.) (pending before the Legislature
38 as this bill), shall comply with the provisions of subsection b. of
39 that section, regarding the establishment of guidelines for the
40 notification of next-of-kin in the event of the death of a senior
41 citizen occupant.

42 (cf: P.L.1996, c.79, s.2)

43

44 5. Section 7 of P.L.1987, c.381 (C.46:8D-7) is amended to read
45 as follows:

46 7. The master register shall contain the following elements:

47 a. Separate identification of each unit by distinctive letter,
48 name or number or combination thereof.

S1131 RICE

6

1 b. The percent of common ownership representing each
2 owner's proportionate undivided interest in the common elements;
3 the interests shall be stated as percentages aggregating ~~【100%】~~ 100
4 percent.

5 c. The name and present address of each present owner and
6 occupant of each identified unit. When the cooperative is a senior
7 housing facility, as defined in section 1 of P.L. _____, c. _____
8 (pending before the Legislature as this bill), this element shall
9 include information sufficient to notify the next-of-kin in the event
10 of the death of a senior citizen occupant.

11 (cf: P.L.1987, c.381, s.7)

12

13 6. This act shall effect on the first day of the seventh month
14 next following the date of enactment, but the Public Health Council
15 may take such administrative action in advance as shall be
16 necessary for the implementation of this act.

17

18

19

STATEMENT

20

21 This bill provides for notification of next-of-kin in the event of
22 the death of a senior citizen residing in a senior housing facility,
23 and requires the manager or administrator of the facility to establish
24 guidelines for such notification, consistent with regulations to be
25 adopted by the Public Health Council in the Department of Health.

26 Under the bill, a senior citizen who is an applicant for residency
27 in a senior housing facility, either as a unit owner, cooperative share
28 owner, or tenant, is required to provide, and update as necessary,
29 emergency contact information to enable the manager or
30 administrator of the facility to notify next-of-kin in the event of the
31 senior citizen's death. For a senior citizen who is a current occupant
32 of a senior housing facility, the senior citizen is to comply, in a
33 timely manner, with the manager or administrator's request to
34 provide next-of-kin contact information.

35 The bill defines "senior housing facility" as an apartment
36 building, mobile home park, or a townhouse community or one or
37 more multiple dwellings organized and operated as a condominium,
38 cooperative housing entity, mutual housing corporation, which is:
39 subject to the "Retirement Community Full Disclosure Act,"
40 P.L.1969, c.215 (C.45:22A-1 et seq.), "The Planned Real Estate
41 Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21
42 et seq.), or constructed under a governmental program restricting
43 occupancy of at least 80 percent of the dwelling units to senior
44 citizens; and specifically marketed to senior citizens as senior
45 housing or a retirement community. "Senior citizen" is defined as a
46 person 55 years of age or older.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 1131

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 2, 2016

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1131.

As amended by the committee, this bill provides for notification of next-of-kin in the event of the death of a senior citizen residing in a senior housing facility, and requires the manager or administrator of the facility to establish guidelines for such notification, consistent with regulations to be adopted by the Public Health Council in the Department of Health.

Under the bill, a senior citizen who is an applicant for residency in a senior housing facility, either as a unit owner, cooperative share owner, or tenant, is required to provide, and update as necessary, emergency contact information to enable the manager or administrator of the facility to notify next-of-kin in the event of the senior citizen's death. For a senior citizen who is a current occupant of a senior housing facility, the senior citizen is to comply, in a timely manner, with the manager or administrator's request to provide next-of-kin contact information.

The bill defines "senior housing facility" as an apartment building, rooming house, boarding house, mobile home park, townhouse community, or one or more multiple dwellings organized and operated as a condominium, cooperative housing entity, mutual housing corporation, which is: subject to the "Retirement Community Full Disclosure Act," P.L.1969, c.215 (C.45:22A-1 et seq.), "The Planned Real Estate Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21 et seq.), or constructed under a governmental program restricting occupancy of at least 80 percent of the dwelling units to senior citizens; and specifically marketed to senior citizens as senior housing or a retirement community. "Senior citizen" is defined as a person 55 years of age or older.

The committee amended the bill to incorporate rooming houses and boarding houses into the definition of "senior housing facility."

STATEMENT TO
[First Reprint]
SENATE, No. 1131

with Assembly Floor Amendments
(Proposed by Assemblywoman TUCKER)

ADOPTED: NOVEMBER 21, 2016

These amendments revise the bill to require administrators of "qualified housing facilities" to establish and implement procedures for collection of emergency contact information of a person to be notified in the event of the death of a senior citizen residing in the housing facility. Qualified housing facility is defined as any rooming house, boarding house, residential health care facility, assisted living facility, nursing home, continuing care retirement community, and public housing designated for seniors. "Senior citizen occupant" is defined as a person 62 years of age or older who resides in a qualified housing facility.

The procedures established in the amendments provide for notification to, and an opportunity for, a prospective or current senior citizen occupant of a qualified housing facility to provide and update emergency contact information. Upon learning of the death of a senior citizen occupant, an administrator would have to notify the emergency contact as soon as possible but no later than 24 hours thereafter, or else be liable to a \$500 civil penalty. The Commissioner of Community Affairs is to adopt regulations that govern the notification procedures.

The original bill provided for the notification to be made to next-of-kin and required the managers of facilities to establish guidelines for notification consistent with regulations to be adopted by the Public Health Council in the Department of Health.

ASSEMBLY, No. 3489

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 4, 2016

Sponsored by:

Assemblywoman L. GRACE SPENCER

District 29 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

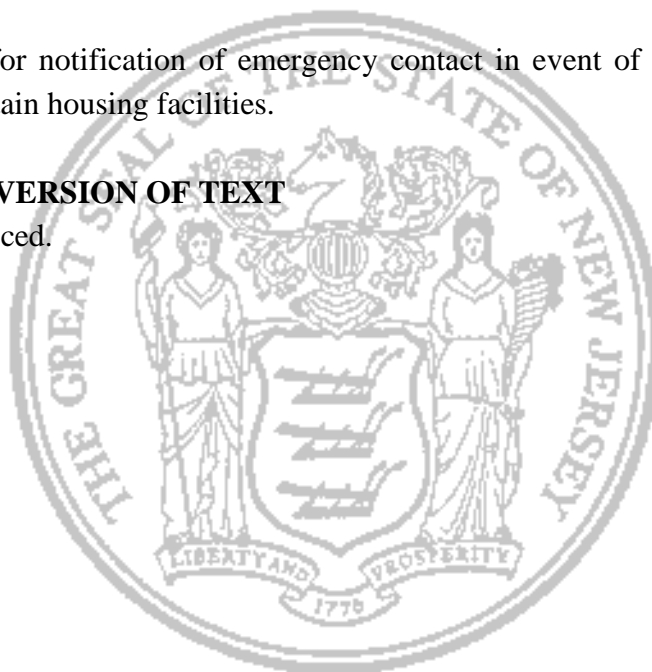
**Assemblywoman Jones, Assemblyman Caputo, Assemblywoman Jimenez,
Assemblyman Coughlin and Assemblywoman Downey**

SYNOPSIS

Provides for notification of emergency contact in event of death of senior citizen in certain housing facilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/22/2016)

1 AN ACT concerning seniors in certain housing facilities and
2 supplementing chapter 42 of Title 2A of the New Jersey Statutes.

3

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

6

7 1. a. An administrator shall establish and implement procedures
8 for the collection of emergency contact information for senior
9 citizen occupants, which information shall be used to provide notice
10 in the event of the death of a senior citizen occupant.

11 b. The procedures required by subsection a. of this section shall
12 include the provision of notice to, and opportunity for, each current
13 and prospective senior citizen occupant to provide, and update as
14 necessary, emergency contact information to enable the
15 administrator to notify the emergency contact in the event of the
16 death of the senior citizen occupant.

17 c. Upon learning of the death of a senior citizen occupant, an
18 administrator shall notify the emergency contact for that senior
19 citizen occupant as soon as is practicable, but no later than 24 hours
20 thereafter. An administrator who fails to provide notice as required
21 pursuant to this subsection shall be liable to a civil penalty of \$500,
22 which may be collected and enforced by the Commissioner of
23 Community Affairs, the Attorney General, or any other person
24 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
25 c.274 (C.2A:58-10 et seq.). The municipal court and the Superior
26 Court shall have jurisdiction of proceedings for the enforcement of
27 the penalties provided by this subsection.

28 d. The Commissioner of Community Affairs, in consultation
29 with the Commissioners of Health and Human Services, may adopt
30 regulations, pursuant to the "Administrative Procedure Act,"
31 P.L.1968, c.410 (C.52:14B-1 et seq.), regulating the collection of
32 emergency contact information and the notification of an
33 emergency contact as required pursuant to this section.

34 e. As used in this section:

35 "Administrator" means the person responsible for the daily
36 administration and operation of a qualified housing facility.

37 "Qualified housing facility" means any of the following: a
38 rooming or boarding house licensed pursuant to the "Rooming and
39 Boarding House Act of 1979," P.L.1979, c.496 (C.55:13B-1 et al.);
40 a residential health care facility, an assisted living facility, or a
41 nursing home licensed pursuant to the "Health Care Facilities
42 Planning Act," P.L.1971 c.136 (C.26:2H-1 et seq.); a continuing
43 care retirement community operating under a certificate of authority
44 issued pursuant to the "Continuing Care Retirement Community
45 Regulation and Financial Disclosure Act," P.L.1986,
46 c.103 (C.52:27D-330 et seq.); and public housing designated for
47 seniors that is owned by a housing authority created or continued

1 pursuant to the "Local Redevelopment and Housing Law,"
2 P.L.1992, c.79 (C.40A:12A-1 et seq.).

3 "Senior citizen occupant" means a person 62 years of age or
4 older who resides in a qualified housing facility.

5
6 2. This act shall take effect on the first day of the seventh
7 month next following the date of enactment, except the
8 Commissioner of Community Affairs may take any anticipatory
9 administrative action in advance as shall be necessary for the
10 implementation of this act.

11

12

13

STATEMENT

14

15 This bill would require administrators of qualified housing
16 facilities to establish and implement procedures for the collection of
17 emergency contact information of a person to be notified in the
18 event of the death of a senior citizen residing in the housing facility.
19 These procedures would have to include the provision of notice to,
20 and opportunity for, a senior citizen who is a prospective or current
21 occupant of a qualified housing facility to provide, and update as
22 necessary, emergency contact information, so that the administrator
23 can notify the emergency contact, if one is designated, in the event
24 of the death of the senior citizen occupant. Upon learning of the
25 death of a senior citizen occupant, an administrator would have to
26 notify the appropriate emergency contact as soon as is practicable,
27 but no later than 24 hours thereafter, or else be liable to a \$500 civil
28 penalty. The bill authorizes the Commissioner of Community
29 Affairs to adopt regulations that would govern the procedures for
30 emergency contact notification under the bill.

31 The bill defines "qualified housing facility" as any rooming
32 house, boarding house, residential health care facility, assisted
33 living facility, nursing home, continuing care retirement
34 community, and public housing designated for seniors. "Senior
35 citizen occupant" is defined as a person 62 years of age or older
36 who resides in a qualified housing facility.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3489

STATE OF NEW JERSEY

DATED: MAY 19, 2016

The Assembly Human Services Committee reports favorably on Assembly Bill No. 3489.

This bill would require administrators of qualified housing facilities to establish and implement procedures for the collection of emergency contact information of a person to be notified in the event of the death of a senior citizen residing in the housing facility. These procedures would have to include the provision of notice to, and opportunity for, a senior citizen who is a prospective or current occupant of a qualified housing facility to provide, and update as necessary, emergency contact information, so that the administrator can notify the emergency contact, if one is designated, in the event of the death of the senior citizen occupant. Upon learning of the death of a senior citizen occupant, an administrator would have to notify the appropriate emergency contact as soon as is practicable, but no later than 24 hours thereafter, or else be liable to a \$500 civil penalty. The bill authorizes the Commissioner of Community Affairs to adopt regulations that would govern the procedures for emergency contact notification under the bill.

The bill defines "qualified housing facility" as any rooming house, boarding house, residential health care facility, assisted living facility, nursing home, continuing care retirement community, and public housing designated for seniors. "Senior citizen occupant" is defined as a person 62 years of age or older who resides in a qualified housing facility.

Governor Chris Christie Takes Action On Pending Legislation

Monday, February 6, 2017 Tags: [Bill Action](#)



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...

Trenton, NJ – Governor Chris Christie today signed legislation, S-2156/A-3424, requiring medical professionals to educate children and teenagers about addiction risks before issuing prescription drugs.

“This critical prevention legislation will stem the growing tide of drug addiction in New Jersey that has been largely caused by the misuse of prescription drugs or prescription drugs getting into the wrong hands,” Governor Christie said. “Coupled with dozens of other new reforms underway, including a comprehensive in-school curriculum for kindergarteners through 12th graders, we can stop this fatal disease from decimating another generation. Piece by piece, I am proud that my administration, with bipartisan cooperation from the legislature, is creating a holistic model for America to curb this epidemic impacting all residents, families, communities and businesses.”

Governor Christie also took action on the following legislation:

BILL SIGNINGS:

S-602/A-1138 (Cunningham, T. Kean/Holley, Chiaravalloti) - “New Jersey International Arbitration, Mediation, and Conciliation Act”

SCS for S-727/A-3955 (Cruz-Perez, Van Drew/Barclay, Wimberly, Holley) - “New Jersey Open Data Initiative” to require certain information be provided on Internet to public and State agencies

S-879/A-4237 (Greenstein, Bateman/Sumter, Benson) - Prohibits termination of law enforcement officer or firefighter based upon determination that officer or firefighter is physically unable to perform duties under certain circumstances

S-1066/A-3649 (Singer, Beck/S. Kean, Ribble, Mukherji, Pinkin, Vainieri Huttler, Schaer) - Allows filing of birth certificate to be delayed for religious reasons, for up to 15 days after birth, in order to allow for naming of child

S-1131/A-3489 (Rice/Tucker, Houghtaling, Mukherji, Wimberly) - Provides for notification of emergency contact in event of death of senior citizen in certain housing facilities

S-1474/A-2786 (Ruiz/Benson, Sumter, Caride, McKnight, Vainieri Huttler, Pintor Marin, Wimberly) - Requires teacher preparation program for instructional certificate to include certain amount of instruction or clinical experience in special education and for students with disabilities endorsement to include credit hours in autism spectrum disorder

S-1830/A-3411 (Rice, Vitale, Turner/Muoio, Benson, Singleton, Greenwald, Pinkin, Downey, Sumter, Wimberly) - Requires DOH regulations regarding elevated blood lead levels in children, and appropriate responses thereto, to be consistent with latest Centers for Disease Control and Prevention recommendations

S-2156/A-3424 (Weinberg, Vitale/Lagana, Pinkin, Vainieri Huttler, Caride, Caputo, Wimberly, Moriarty) - Requires prescribers to discuss addiction risk associated with certain drugs prior to issuing prescription to minor patient

S-2321/A-3774 (Oroho, Beach/Burzichelli, Wisniewski, Mosquera, Houghtaling, Wimberly) - Concerns excessive price increases during state of emergency

S-2364/A-3946 (Oroho, Stack/Burzichelli, Dancer, Mukherji, Holley, A.M. Bucco) - Establishes pilot program appointing third party vendors to administer commercial driver license testing

S-2370/A-3904 (Whelan/Burzichelli) – Authorizes operation of lottery courier services

S-2477/A-4083 (Sarlo, Oroho/Schaer, Space, Mukherji, Singleton) - Concerns certain unused portions of tax credits issued to insurance premiums taxpayers under the Business Employment Incentive Program; exempts certain purchasers of business development incentives from certain State tax notification requirements

S-2731/A-4326 (Greenstein, Bateman/Muoio, Burzichelli, Mazzeo, Mukherji) - Authorizes New Jersey Environmental Infrastructure Trust to expend additional sums to make loans for environmental infrastructure projects for FY2017

S-2732/A-4327 (Codey, Gill/Zwicker, Conaway, Danielsen, Muoio, Mukherji, Gusciora) - Amends list of environmental infrastructure projects approved for long-term funding for FY2017 to include new projects and revise allowable loan amounts for already approved projects

BILLS VETOED:

S-600/A-3625 (Cunningham, Stack/McKnight, Chiaravalloti, Mukherji) – CONDITIONAL - Requires DOH to authorize Jersey City to issue certified copies of birth certificates by September 1, 2017

S-1585/A-3335 (Rice, Ruiz/Sumter, Pintor Marin, Wimberly, Mukherji, Gusciora) – – CONDITIONAL - Establishes program allowing certain applicants to perform community service in lieu of paying motor vehicle surcharges

S-2267/A-2771 (Diegnan, Greenstein/Webber, O'Scanlon, A.M. Bucco) - CONDITIONAL - Establishes asset forfeiture reporting requirements

S-2347/A-3723 (Rice, Ruiz/Pintor Marin, Giblin) – CONDITIONAL - Permits certain municipalities to impose and collect payroll tax of up to 1% of employer's payroll

S-2575/A-4187 (Sweeney, Whelan/Burzichelli) – ABSOLUTE - Disqualifies casino license applicant for five-year period if person substantially closed casino property in State; revokes license; reinstates license eligibility under certain circumstances

###

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Christie signs next of kin notification law to prevent family heartache

February 07, 2017 at 4:44 PM, updated February 07, 2017 at 6:45 PM

Susan K. Livio

TRENTON -- A new law signed by Gov. Chris Christie puts all directors of senior citizen housing developments on notice: if one of their tenants die, they better notify the next of kin.

Violators will pay a \$500 fine if the call is not made within 24 hours, according to the law that took effect Monday.

A Star-Ledger report about the death of Sheila Tolor, 65, of Washington Manor in Orange in 2014 inspired the legislation. She died at home and her body was taken to the morgue, where it remained for six days.

Her daughter, Lawanna Burks, [only learned of her mother's death](#) when she dropped by for a visit. The Orange senior citizen housing authority never called the family, and told the newspaper that it expected the police would notify the next of kin.

[NJ senior citizen dies in apartment and officials don't notify family](#)

The daughters of Sheila Tolor, 65, are upset that no one from the senior citizen building where their mother was living in Orange contacted them when she passed away in her apartment.

"When a resident of a senior facility passes on, there should be procedures in place to ensure that the individual's loved ones are notified in a timely manner," said Sen. Ronald Rice (D-Essex), one of the bill's sponsors. "This is a heart-breaking situation for a family. This law is aimed at making sure those kinds of tragic lapses in process do not occur and that the emergency contact designated by the individual is notified."

The legislation ([S1131](#)) applies to the administrator of any senior housing complex -- whether it is a rooming house, boarding house, residential health care facility, assisted living facility, nursing home, continuing care retirement community, or public housing complex. The administrator must collect emergency contact information for every tenant, and call the family within 24 hours in the event of the tenant's death.

Burks could not be reached for comment.

http://www.nj.com/politics/index.ssf/2017/02/christie_signs_next-of-kin_notification_law_to_pre.html

NEXT OF KIN MUST BE NOTIFIED IN SENIOR-HOUSING DEATHS

Star-Ledger, The (Newark, NJ) - February 8, 2017

- Author/Byline: Susan K. Livio, NJ Advance Media for NJ.com
- Edition: The Star-Ledger
- Section: New Jersey
- Page: 3

A new law signed by Gov. Chris Christie puts all directors of senior citizen housing developments on notice: If one of their tenants dies, they had better notify the next of kin.

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A Star-Ledger report about the death of Sheila Tolor, 65, of Washington Manor in Orange, in 2014 inspired the legislation.

She died at home and her body was taken to the morgue, where it remained for six days. Her daughter, Lawanna Burks, learned of her mother's death only when she dropped by for a visit.

The Orange Housing Authority never called the family, and told the newspaper that it expected the police would notify family.

The legislation (S1131) applies to the administrator of any senior housing complex - whether it is a rooming house, boarding house, residential health care facility, assisted-living facility, nursing home, continuing care retirement community or public housing complex.

The administrator must collect emergency contact information for every tenant, and call the family within 24 hours in the event of the tenant's death.

Burks could not be reached for comment.

- Record: NSL0061715901
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Sisters are at peace after Christie signs next of kin notification law

February 10, 2017 at 7:00 AM, updated February 10, 2017 at 7:04 AM

Barry Carter

Cherelle Tolor hadn't heard the news.

Neither had her sister, Lawanna Burks.

"My mouth is about to hit the floor," Tolor said on Tuesday.

Gov. Chris Christie signed a law on Monday that requires administrators of senior housing facilities to notify next of kin, or an emergency contact, if one of their residents dies.

Failure to do so within 24 hours will result in a \$500 fine.

"It's a blessing that we've been waiting for so long," said Burks, of Piscataway.

The law is a result of a column I wrote in April 2014 about [Sheila Tolor](#), who died in her apartment at a senior citizen building in Orange, and no one notified her daughters - Burks and Tolor.

MORE: [Recent Barry Carter columns](#)

The police department, the [Orange Housing Authority](#) and the Essex County Medical Examiner's Office cast the blame on each other instead of taking responsibility themselves. Each agency had its own set of protocols, but none involved calling the family.

Housing authority officials said they always give personal contact information to the police department or the medical technicians who show up. The police department, however, said it only notifies next of kin if the death is a homicide or suspicious. State attorney general guidelines sided with the police department, but its spokesman suggested that the police department should notify next of kin if an officer is at a scene where someone has died.

The sisters still fault the Orange Housing Authority. Why not? Management had the Tolor family's contact information. Housing officials have apologized, and have said they don't think they did anything wrong because they followed protocol.

"They made no efforts whatsoever and they just passed the buck, and no family should go through that," said Tolor, an Irvington resident. "I avoid driving by that building because I get so angry."

In the aftermath of this tragedy, Tolor and Burks met with former Assemblywoman L. Grace Spencer, who discovered that there weren't any state laws requiring notification of next of kin following a death, even though senior buildings have emergency contact information on file.

Now, no one has an excuse.

The law applies to a rooming house, boarding house, residential health care facility, assisted living facility, nursing home, continuing care retirement community and public housing designated for seniors.

It's just sad that Sheila Tolor, an independent and busy woman, had to die in order for such a common sense action to be enforced.

Burks learned of her mother's death in the worse way. She went to check on her at Washington Manor, a senior housing complex on Thomas Boulevard. When her mother didn't answer the door, Burks came across another resident, who delivered the unbelievable news.

"They didn't tell you?" she recalls the man asking her. "She died last week."

Burks' mother had been lying dead six days in the morgue at the medical examiner's office.

CONTINUED

The sisters wanted to do something to make sure this doesn't happen to anybody else. Tolor, an attorney, and Burks, a Plainfield police officer, followed their mother's example for solving problems.

She taught them how to deal with government. Write a letter. Or pick up the phone and call your representative, even if it is to get a tree cut down or to get a pothole paved.

"I'm glad she instilled it in us to have the perseverance to push through with something that we believe in," Burks said.

MORE CARTER: [Residents remember Newark's Baxter Terrace and Queen of Angels Parish](#)

They talked with Spencer, now a Superior Court judge, who read my story about the sisters' pain. And she sponsored the notification legislation, working on it with Assemblywoman Cleopatra Tucker (D-Essex) and other legislators.

"You already think there is a process, but to find out it wasn't being followed properly," Tucker said. "We wanted to make it a law to make sure the rules are followed. We wanted to make sure it never happens again because we don't know how many times it happened in the past."

Now that the law is a reality, Tolor and Burks can exhale.

Burks said she visited the cemetery this week to tell her mom the good news.

"It felt like a calm over me," she said. "I feel more at peace now than ever."

Tolor says that wherever she is at the time she always talks to her mom.

Both sisters have cried over this, but now it's over. They did it.

This accomplishment is substantial, an achievement that will last beyond them.

"Nothing can touch this," Burks said.

"I feel like our mom is at peace," Tolor said. "She was the catalyst."

But you and your sister were the synergy.

Mom would be proud.

http://www.nj.com/essex/index.ssf/2017/02/sisters_are_at_peace_after_governor_signs_notifica.html