



**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Domestic violence victims to get housing, workplace support in new laws," The Press of Atlantic City, January 8, 2018

RH/CL

P.L. 2017, CHAPTER 273, *approved January 8, 2018*  
Assembly, No. 4406 (*First Reprint*)

1 AN ACT concerning eligibility for emergency assistance and  
2 amending P.L.1997, c.14.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 8 of P.L.1997, c.14 (C.44:10-51) is amended to read  
8 as follows:

9 8. a. Emergency assistance shall be provided only to recipients  
10 of Work First New Jersey and persons receiving Supplemental  
11 Security Income pursuant to P.L.1973, c.256 (C.44:7-85 et seq.) in  
12 emergent situations **[**, as determined by the commissioner,**]** . The  
13 standards for eligibility shall be established by the commissioner by  
14 regulation, except that emergency assistance shall be granted to an  
15 individual or family in which the individual or family <sup>1</sup>[has left its  
16 customary residence and]<sup>1</sup> is in a state of homelessness or  
17 imminent homelessness <sup>1</sup>[due to] that, according to a signed  
18 attestation by the applicant, is the result of<sup>1</sup> imminent or  
19 demonstrated domestic violence that <sup>1</sup>[imperils] may imperil<sup>1</sup> the  
20 health and safety of the individual or family. Emergency assistance  
21 shall be provided for up to 12 cumulative months; except that:

22 (1) the commissioner may provide for an extension of  
23 emergency assistance for up to six additional months to **[**an  
24 assistance unit**]** a family with dependent children, if the  
25 commissioner determines that a case of extreme hardship exists.  
26 The commissioner shall review each such case on a monthly basis  
27 during the six-month period and shall continue the emergency  
28 assistance only if the commissioner determines, based upon the  
29 monthly review, that the extreme hardship continues to exist. If the  
30 extreme hardship continues to exist at the end of the six-month  
31 period, the commissioner may provide an additional six months of  
32 emergency assistance to no more than 10% of those **[**assistance  
33 units**]** families with dependent children which are receiving  
34 temporary rental assistance under the emergency assistance  
35 component of the program, based upon the most current data  
36 available; and

37 (2) the commissioner may provide for an extension of  
38 emergency assistance for up to six additional months to no more  
39 than 10% of single adults and couples without dependent children  
40 who are receiving temporary rental assistance under the emergency

**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:

<sup>1</sup>Assembly AHU committee amendments adopted May 18, 2017.

1 assistance component of the program, if the commissioner  
2 determines that a case of extreme hardship exists. The  
3 commissioner shall review each such case on a monthly basis  
4 during the six-month period and shall continue the emergency  
5 assistance only if the commissioner determines, based upon the  
6 monthly review, that the extreme hardship continues to exist.

7 Any form of emergency assistance provided pursuant to this  
8 section shall count toward the maximum period of emergency  
9 assistance allowed.

10 b. A person receiving emergency assistance shall contribute  
11 from the person's income toward the payment of all emergency  
12 shelter arrangements, including temporary housing and temporary  
13 rental assistance, in accordance with regulations adopted by the  
14 commissioner. As a condition of receipt of emergency assistance, a  
15 person shall be required to take all reasonable steps to end the  
16 person's dependency on emergency assistance and take all other  
17 actions required by the commissioner.

18 c. The commissioner shall adopt regulations to establish  
19 classifications for hotel or motel per diem rates in accordance with  
20 the level of enhanced services provided at a participating hotel or  
21 motel.

22 d. The provisions of this section shall apply to a person who  
23 receives general public assistance pursuant to P.L.1947, c.156  
24 (C.44:8-107 et seq.) after the effective date of this act and is  
25 subsequently transferred directly into the Work First New Jersey  
26 program.

27 (cf: P.L.1997, c.14, s.8)

28

29 2. This act shall take effect immediately.

30

31

32

33

34 \_\_\_\_\_  
35 Provides for emergency assistance to individuals or families that  
36 are homeless or in temporary living arrangement due to domestic  
violence.

# ASSEMBLY, No. 4406

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED DECEMBER 15, 2016

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblywoman ELIZABETH MAHER MUOIO**

**District 15 (Hunterdon and Mercer)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblywoman BETTYLOU DECROCE**

**District 26 (Essex, Morris and Passaic)**

**Assemblyman NICHOLAS CHIARAVALLOTI**

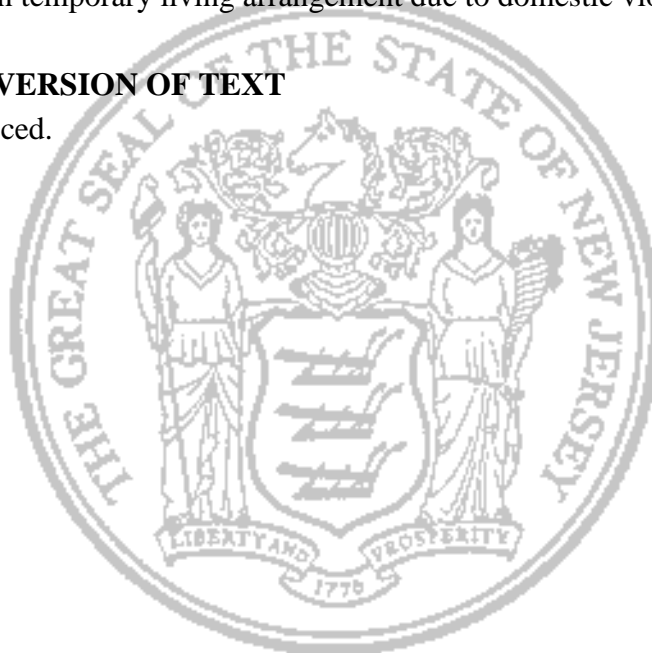
**District 31 (Hudson)**

**SYNOPSIS**

Provides for emergency assistance to individuals or families that are homeless or in temporary living arrangement due to domestic violence.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 5/19/2017)

1 AN ACT concerning eligibility for emergency assistance and  
2 amending P.L.1997, c.14.

3

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

6

7 1. Section 8 of P.L.1997, c.14 (C.44:10-51) is amended to read  
8 as follows:

9 8. a. Emergency assistance shall be provided only to recipients  
10 of Work First New Jersey and persons receiving Supplemental  
11 Security Income pursuant to P.L.1973, c.256 (C.44:7-85 et seq.) in  
12 emergent situations **[**, as determined by the commissioner,**]** . The  
13 standards for eligibility shall be established by the commissioner by  
14 regulation, except that emergency assistance shall be granted to an  
15 individual or family in which the individual or family has left its  
16 customary residence and is in a state of homelessness or imminent  
17 homelessness due to imminent or demonstrated domestic violence  
18 that imperils the health and safety of the individual or family.  
19 Emergency assistance shall be provided for up to 12 cumulative  
20 months; except that:

21 (1) the commissioner may provide for an extension of  
22 emergency assistance for up to six additional months to **[**an  
23 assistance unit**]** a family with dependent children, if the  
24 commissioner determines that a case of extreme hardship exists.  
25 The commissioner shall review each such case on a monthly basis  
26 during the six-month period and shall continue the emergency  
27 assistance only if the commissioner determines, based upon the  
28 monthly review, that the extreme hardship continues to exist. If the  
29 extreme hardship continues to exist at the end of the six-month  
30 period, the commissioner may provide an additional six months of  
31 emergency assistance to no more than 10% of those **[**assistance  
32 units**]** families with dependent children which are receiving  
33 temporary rental assistance under the emergency assistance  
34 component of the program, based upon the most current data  
35 available; and

36 (2) the commissioner may provide for an extension of  
37 emergency assistance for up to six additional months to no more  
38 than 10% of single adults and couples without dependent children  
39 who are receiving temporary rental assistance under the emergency  
40 assistance component of the program, if the commissioner  
41 determines that a case of extreme hardship exists. The  
42 commissioner shall review each such case on a monthly basis  
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44 assistance only if the commissioner determines, based upon the  
45 monthly review, that the extreme hardship continues to exist.

**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.

1 Any form of emergency assistance provided pursuant to this  
2 section shall count toward the maximum period of emergency  
3 assistance allowed.

4 b. A person receiving emergency assistance shall contribute  
5 from the person's income toward the payment of all emergency  
6 shelter arrangements, including temporary housing and temporary  
7 rental assistance, in accordance with regulations adopted by the  
8 commissioner. As a condition of receipt of emergency assistance, a  
9 person shall be required to take all reasonable steps to end the  
10 person's dependency on emergency assistance and take all other  
11 actions required by the commissioner.

12 c. The commissioner shall adopt regulations to establish  
13 classifications for hotel or motel per diem rates in accordance with  
14 the level of enhanced services provided at a participating hotel or  
15 motel.

16 d. The provisions of this section shall apply to a person who  
17 receives general public assistance pursuant to P.L.1947, c.156  
18 (C.44:8-107 et seq.) after the effective date of this act and is  
19 subsequently transferred directly into the Work First New Jersey  
20 program.

21 (cf: P.L.1997, c.14, s.8)

22

23 2. This act shall take effect immediately.

24

25

26

#### STATEMENT

27

28 This bill provides for emergency assistance to individuals or  
29 families that are homeless or in a temporary living arrangement due  
30 to domestic violence.

31 Current regulations at N.J.A.C.10:90-6.1 provide that emergency  
32 assistance is available in situations where there is an indication that  
33 an individual, or a parent and his or her children, have left their  
34 customary residence and the individual or family is in a state of  
35 homelessness due to imminent or demonstrated domestic violence  
36 that imperils the health and safety of the individual or family. The  
37 regulations further provide that temporary living arrangements  
38 during the period between the occurrence of the incidence of  
39 domestic violence and the application for emergency assistance do  
40 not negate the existence of a state of homelessness. However, the  
41 regulations do not assert the supremacy of these protections for  
42 victims of domestic violence over other provisions that restrict  
43 emergency assistance from individuals and families that have  
44 "caused their own homelessness." Advocates have testified to the  
45 Legislature that some victims of domestic violence have been  
46 denied emergency assistance on the grounds that they voluntarily  
47 left a job where their abuser could find them, failed to plan for  
48 substitute housing, or otherwise caused their own homelessness.

**A4406 BENSON, VAINIERI HUTTLE**

4

1 This legislation is intended to ensure that victims of domestic  
2 violence can be assured of support from the emergency assistance  
3 program, even if they must depart their home abruptly and without  
4 adequate time to ensure compliance with other program  
5 requirements.



# ASSEMBLY HUMAN SERVICES COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4406**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 18, 2017

The Assembly Human Services Committee reports favorably and with committee amendments Assembly Bill No. 4406.

This bill provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that restrict emergency assistance from individuals and families that have “caused their own homelessness.” Advocates have testified to the Legislature that some victims of domestic violence have been denied emergency assistance on the grounds that they voluntarily left a job where their abuser could find them, failed to plan for substitute housing, or otherwise caused their own homelessness. This legislation is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program, even if they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

#### COMMITTEE AMENDMENTS:

The amendments provide that the domestic violence exception is not restricted to individuals or families who have left their customary residence, so that assistance would be available in the case of a family remaining in a home but unable to afford rent payment due to the removal of a domestic violence offender. In addition, the amendments clarify that emergency assistance is to be available based on an applicant’s signed attestation that their state of homelessness or

imminent homelessness is the result of imminent or demonstrated domestic violence, so that applicants are not required to provide documentary evidence of domestic violence, which many victims may not have.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 4406**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 20, 2017

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4406 (1R).

This bill provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that restrict emergency assistance from individuals and families that have “caused their own homelessness.”

Advocates have testified to the Legislature that some victims of domestic violence have been denied emergency assistance on the grounds that they voluntarily left a job where their abuser could find them, failed to plan for substitute housing, or otherwise caused their own homelessness. The bill provides that the domestic violence “exception” for emergency assistance is not restricted to individuals or families who have left their customary residence, so that emergency assistance would be available in the case of a family remaining in a home but unable to afford rent payment due to the removal of a domestic violence offender. Under this bill emergency assistance is to be available based on an applicant’s signed attestation that their state of homelessness or imminent homelessness is the result of imminent or demonstrated domestic violence, so that applicants will not be required to provide documentary evidence of domestic violence, which many victims may not be able to provide.

This bill is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program, even if

they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

As reported, this bill is identical to Senate Bill No. 2845 (1R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will increase State costs to provide emergency assistance, but the magnitude of the effect cannot be determined with available data.

County welfare agencies, which are responsible for intake and processing of emergency assistance applications, could see a change in their processes for evaluating emergency assistance applications when the applicant makes a claim of domestic violence. It is not clear whether the fiscal impact of such a change would be positive or negative, but it is likely that the total effect would be quite small.

An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs. In particular, homeless shelters and domestic violence shelters that are operated by local governments may see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

**ASSEMBLY, No. 4406**

**STATE OF NEW JERSEY  
217th LEGISLATURE**

DATED: NOVEMBER 27, 2017

## SUMMARY

- Synopsis:** Provides for emergency assistance to individuals or families that are homeless or in temporary living arrangement due to domestic violence.
- Type of Impact:** State expenditure increase, uncertain local expenditure impact.
- Agencies Affected:** Department of Human Services.

### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Cost</b>	Indeterminate increase – See comments below.
<b>Local Cost/Revenue</b>	Indeterminate impact – See comments below.

- The Office of Legislative Services (OLS) finds that the legislation will increase State costs to provide emergency assistance, but the magnitude of the impact cannot be determined with available data.
- The bill may cause county welfare agencies to change their processes for evaluating emergency assistance applications. It is not clear whether the fiscal impact of such a change would be positive or negative, but it is likely that the overall impact would be small.
- An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs. In particular, homeless shelters and domestic violence shelters that are operated by local governments would see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

## BILL DESCRIPTION

Assembly Bill No. 4406 (1R) of 2016 provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that deny emergency assistance to individuals and families that have “caused their own homelessness.” This legislation is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program, even if they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the legislation will increase State costs to provide emergency assistance to individuals and families whose claims to emergency assistance would be denied under current policy but would be granted under the provisions of the bill. The magnitude of the effect is indeterminate, as the OLS lacks detailed data on emergency assistance applications that were declined despite the applicant’s claim that their emergency was caused by domestic violence.

County welfare agencies, which are responsible for intake and processing of emergency assistance applications, could see a change in their processes for evaluating emergency assistance applications when the applicant makes a claim of domestic violence. It is not clear whether the overall impact of such a change would increase or decrease the time spent on each application, but it is likely that the overall impact would be small.

An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs, if the emergency assistance provided is effective in preventing homelessness. In particular, homeless shelters and domestic violence shelters that are operated by local governments would see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

*Section: Human Services*

*Analyst: David Drescher  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**SENATE, No. 2845**

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**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

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INTRODUCED DECEMBER 5, 2016

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator ROBERT M. GORDON**

**District 38 (Bergen and Passaic)**

**SYNOPSIS**

Provides for emergency assistance to individuals or families that are homeless or in temporary living arrangement due to domestic violence.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning eligibility for emergency assistance and  
2 amending P.L.1997, c.14.

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24 commissioner determines that a case of extreme hardship exists.  
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29 extreme hardship continues to exist at the end of the six-month  
30 period, the commissioner may provide an additional six months of  
31 emergency assistance to no more than 10% of those **[**assistance  
32 units**]** families with dependent children which are receiving  
33 temporary rental assistance under the emergency assistance  
34 component of the program, based upon the most current data  
35 available; and

36 (2) the commissioner may provide for an extension of  
37 emergency assistance for up to six additional months to no more  
38 than 10% of single adults and couples without dependent children  
39 who are receiving temporary rental assistance under the emergency  
40 assistance component of the program, if the commissioner  
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42 commissioner shall review each such case on a monthly basis  
43 during the six-month period and shall continue the emergency  
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**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.



1 Any form of emergency assistance provided pursuant to this  
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3 assistance allowed.

4 b. A person receiving emergency assistance shall contribute  
5 from the person's income toward the payment of all emergency  
6 shelter arrangements, including temporary housing and temporary  
7 rental assistance, in accordance with regulations adopted by the  
8 commissioner. As a condition of receipt of emergency assistance, a  
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12 c. The commissioner shall adopt regulations to establish  
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14 the level of enhanced services provided at a participating hotel or  
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16 d. The provisions of this section shall apply to a person who  
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18 (C.44:8-107 et seq.) after the effective date of this act and is  
19 subsequently transferred directly into the Work First New Jersey  
20 program.

21 (cf: P.L.1997, c.14, s.8)

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23 2. This act shall take effect immediately.

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#### STATEMENT

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28 This bill provides for emergency assistance to individuals or  
29 families that are homeless or in a temporary living arrangement due  
30 to domestic violence.

31 Current regulations at N.J.A.C.10:90-6.1 provide that emergency  
32 assistance is available in situations where there is an indication that  
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34 customary residence and the individual or family is in a state of  
35 homelessness due to imminent or demonstrated domestic violence  
36 that imperils the health and safety of the individual or family. The  
37 regulations further provide that temporary living arrangements  
38 during the period between the occurrence of the incidence of  
39 domestic violence and the application for emergency assistance do  
40 not negate the existence of a state of homelessness. However, the  
41 regulations do not assert the supremacy of these protections for  
42 victims of domestic violence over other provisions that restrict  
43 emergency assistance from individuals and families that have  
44 "caused their own homelessness." Advocates have testified to the  
45 Legislature that some victims of domestic violence have been  
46 denied emergency assistance on the grounds that they voluntarily  
47 left a job where their abuser could find them, failed to plan for  
48 substitute housing, or otherwise caused their own homelessness.

**S2845 WEINBERG, GORDON**

4

1 This legislation is intended to ensure that victims of domestic  
2 violence can be assured of support from the emergency assistance  
3 program, even if they must depart their home abruptly and without  
4 adequate time to ensure compliance with other program  
5 requirements.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO  
**SENATE, No. 2845**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JANUARY 9, 2017

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 2845.

This bill provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that restrict emergency assistance from individuals and families that have “caused their own homelessness.” Advocates have testified to the Legislature that some victims of domestic violence have been denied emergency assistance on the grounds that they voluntarily left a job where their abuser could find them, failed to plan for substitute housing, or otherwise caused their own homelessness. This legislation is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program, even if they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

The committee amended the bill to provide that the domestic violence exception is not restricted to individuals or families who have left their customary residence – so that assistance would be available in the case of a family remaining in a home but unable to afford rent payment due to the removal of a domestic violence offender. In addition, the amendments clarify that emergency assistance is to be

available based on an applicant's signed attestation that their state of homelessness or imminent homelessness is the result of imminent or demonstrated domestic violence – so that applicants are not required to provide documentary evidence of domestic violence, which many victims may not have.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 2845**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 20, 2017

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2845 (1R).

This bill provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that restrict emergency assistance from individuals and families that have “caused their own homelessness.”

Advocates have testified to the Legislature that some victims of domestic violence have been denied emergency assistance on the grounds that they voluntarily left a job where their abuser could find them, failed to plan for substitute housing, or otherwise caused their own homelessness. The bill provides that the domestic violence “exception” for emergency assistance is not restricted to individuals or families who have left their customary residence, so that emergency assistance would be available in the case of a family remaining in a home but unable to afford rent payment due to the removal of a domestic violence offender. Under this bill emergency assistance is to be available based on an applicant’s signed attestation that their state of homelessness or imminent homelessness is the result of imminent or demonstrated domestic violence, so that applicants will not be required to provide documentary evidence of domestic violence, which many victims may not be able to provide.

This bill is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program,

even if they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

As reported, this bill is identical to Assembly Bill No. 4406 (1R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will increase State costs to provide emergency assistance, but the magnitude of the effect cannot be determined with available data.

County welfare agencies, which are responsible for intake and processing of emergency assistance applications, could see a change in their processes for evaluating emergency assistance applications when the applicant makes a claim of domestic violence. It is not clear whether the fiscal impact of such a change would be positive or negative, but it is likely that the total effect would be quite small.

An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs. In particular, homeless shelters and domestic violence shelters that are operated by local governments may see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

**SENATE, No. 2845**

## **STATE OF NEW JERSEY 217th LEGISLATURE**

DATED: NOVEMBER 27, 2017

### **SUMMARY**

- Synopsis:** Provides for emergency assistance to individuals or families that are homeless or in temporary living arrangement due to domestic violence.
- Type of Impact:** State expenditure increase, uncertain local expenditure impact.
- Agencies Affected:** Department of Human Services.

#### **Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Cost</b>	Indeterminate increase – See comments below.
<b>Local Cost/Revenue</b>	Indeterminate impact – See comments below.

- The Office of Legislative Services (OLS) finds that the legislation will increase State costs to provide emergency assistance, but the magnitude of the impact cannot be determined with available data.
- The bill may cause county welfare agencies to change their processes for evaluating emergency assistance applications. It is not clear whether the fiscal impact of such a change would be positive or negative, but it is likely that the overall impact would be small.
- An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs. In particular, homeless shelters and domestic violence shelters that are operated by local governments would see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

### **BILL DESCRIPTION**

Senate Bill No. 2845 (1R) of 2016 provides for emergency assistance to individuals or families that are homeless or in a temporary living arrangement due to domestic violence.

Current regulations at N.J.A.C.10:90-6.1 provide that emergency assistance is available in situations where there is an indication that an individual, or a parent and his or her children, have left their customary residence and the individual or family is in a state of homelessness due to imminent or demonstrated domestic violence that imperils the health and safety of the individual or family. The regulations further provide that temporary living arrangements during the period between the occurrence of the incidence of domestic violence and the application for emergency assistance do not negate the existence of a state of homelessness. However, the regulations do not assert the supremacy of these protections for victims of domestic violence over other provisions that deny emergency assistance to individuals and families that have “caused their own homelessness.” This legislation is intended to ensure that victims of domestic violence can be assured of support from the emergency assistance program, even if they must depart their home abruptly and without adequate time to ensure compliance with other program requirements.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the legislation will increase State costs to provide emergency assistance to individuals and families whose claims to emergency assistance would be denied under current policy but would be granted under the provisions of the bill. The magnitude of the effect is indeterminate, as the OLS lacks detailed data on emergency assistance applications that were declined despite the applicant’s claim that their emergency was caused by domestic violence.

County welfare agencies, which are responsible for intake and processing of emergency assistance applications, could see a change in their processes for evaluating emergency assistance applications when the applicant makes a claim of domestic violence. It is not clear whether the overall impact of such a change would increase or decrease the time spent on each application, but it is likely that the overall impact would be small.

An increase in emergency assistance granted as a result of the bill could help to offset or prevent some State and local costs in housing subsidy, homeless shelter, and homelessness prevention programs, if the emergency assistance provided is effective in preventing homelessness. In particular, homeless shelters and domestic violence shelters that are operated by local governments would see an increase in revenue from the State emergency assistance program if some of their residents become eligible for emergency assistance.

*Section: Human Services*

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).