

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:

No

P.L. 2003, CHAPTER 254, *approved January 14, 2004*

Senate, No. 1705 (*First Reprint*)

1 **AN ACT** requiring local housing authorities and the Commissioner of
2 Community Affairs to report certain information to the Legislature,
3 supplementing chapter 27D of Title 52 of the New Jersey Statutes
4 and amending P.L.1992, c.79.

5

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

8

9 1. (New section) a. Not later than ¹[July] September¹ 1st of each
10 year, the executive director of a housing authority created pursuant to
11 the "Local Housing Authorities Law," P.L.1938, c.19 (C.55:14A-1 et
12 seq.) or the "Local Redevelopment and Housing Law," P.L.1992, c.79
13 (C.40A:12A-1 et seq.) ¹and the owner of a property consisting of 10
14 or more rental units receiving project-based federal section 8 rental
15 assistance, hereinafter "project-based housing,"¹ shall report to the
16 Commissioner of Community Affairs, on a form prepared and provided
17 by the commissioner for this purpose, the number and type of violent
18 crimes ¹, as those crimes are delineated in the most recently issued
19 Uniform Crime Report, published by the Department of Law and
20 Public Safety,¹ and drug offenses ¹, as those offenses are enumerated
21 in the "Comprehensive Drug Reform Act of 1987," N.J.S.2C:35-1 et
22 al., involving the use, possession, manufacture, dispensing or
23 distribution of a controlled dangerous substance, controlled dangerous
24 substance analog or drug paraphernalia,¹ committed on property
25 owned by the housing authority ¹[and property for which the housing
26 authority provided rental assistance] or committed on project-based
27 housing, respectively,¹ at any time during the ¹[twelve months
28 immediately preceding the report] preceding State fiscal year¹. The
29 report shall also include the amount expended by the housing authority
30 ¹or the project-based housing entity¹ for drug elimination and crime
31 prevention and control.

32 b. Not later than January 1st of each year, the commissioner shall
33 prepare and distribute to each member of the Legislature a report
34 displaying all of the information reported by each housing authority
35 ¹and project-based housing entity required to report under this act¹ .
36 The report shall also assimilate and analyze the information reported
37 by each housing authority ¹and project-based housing entity required
38 to report under this act¹ .

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:

¹ Senate amendments adopted in accordance with Governor's recommendations January 8, 2004.

1 c. The commissioner shall promulgate rules and regulations
2 necessary to effectuate the provisions of this act pursuant to the
3 provisions of the "Administrative Procedure Act," P.L.1968, c.410
4 (C.52:14B-1 et seq.), not later than the 90th day following the
5 effective date of P.L. , c. (C.) (pending before the Legislature
6 as this bill).

7
8 2. Section 45 of P.L.1992, c.79 (C.40A:12A-45) is amended to
9 read as follows:

10 45. The Commissioner of Community Affairs shall prescribe and
11 enforce standards for the curriculum and administration of a course of
12 study as he deems appropriate, the object of which shall be to assist
13 members and executive directors of local housing authorities and
14 municipal redevelopment agencies to acquire the knowledge and skills
15 necessary to oversee and administer the operations of such authorities
16 or agencies in accordance with current law and in the best interests of
17 the citizens served by such authorities. The commissioner shall adopt
18 the standards by administrative rule, pursuant to the provisions of the
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
20 seq.).

21 The course shall consist of instruction in the principles of housing
22 and redevelopment, which may include, but not be limited to,
23 construction management and code compliance, financial management
24 and public administration, and such other topics as the commissioner
25 may deem appropriate. The commissioner shall, to the greatest extent
26 possible, cooperate with organizations of housing authority
27 representatives and redevelopment agency representatives, and shall
28 consult with Rutgers, The State University, and other educational
29 institutions in establishing the standards for the curriculum and
30 administration of the course of study, as provided above. The course
31 shall also include information concerning strategies for drug
32 elimination and crime prevention and control and the use of drug
33 elimination funds.

34 (cf: P.L.1992, c.79, s.45)

35
36 3. This act shall take effect 180 days following enactment;
37 however, subsection c. of section 1 shall take effect immediately.

38
39
40 _____
41
42 Concerns local housing authority crime reporting.

SENATE, No. 1705

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JUNE 27, 2002

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Assemblyman JERRY GREEN

District 22 (Middlesex, Somerset and Union)

Assemblyman MICHAEL J. DOHERTY

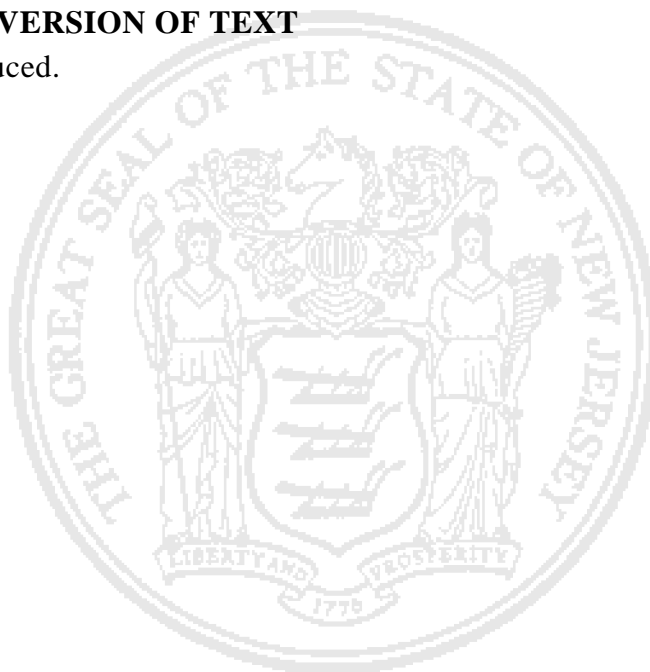
District 23 (Warren and Hunterdon)

SYNOPSIS

Concerns local housing authority crime reporting.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2003)

S1705 RICE, TURNER

2

1 AN ACT requiring local housing authorities and the Commissioner of
2 Community Affairs to report certain information to the Legislature,
3 supplementing chapter 27D of Title 52 of the New Jersey Statutes
4 and amending P.L.1992, c.79.

5

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

8

9 1. (New section) a. Not later than July 1st of each year, the
10 executive director of a housing authority created pursuant to the
11 "Local Housing Authorities Law," P.L.1938, c.19 (C.55:14A-1 et
12 seq.) or the "Local Redevelopment and Housing Law," P.L.1992, c.79
13 (C.40A:12A-1 et seq.) shall report to the Commissioner of Community
14 Affairs, on a form prepared and provided by the commissioner for this
15 purpose, the number and type of violent crimes and drug offenses
16 committed on property owned by the housing authority and property
17 for which the housing authority provided rental assistance at any time
18 during the twelve months immediately preceding the report. The
19 report shall also include the amount expended by the housing authority
20 for drug elimination and crime prevention and control.

21 b. Not later than January 1st of each year, the commissioner shall
22 prepare and distribute to each member of the Legislature a report
23 displaying all of the information reported by each housing authority.
24 The report shall also assimilate and analyze the information reported
25 by each housing authority.

26 c. The commissioner shall promulgate rules and regulations
27 necessary to effectuate the provisions of this act pursuant to the
28 provisions of the "Administrative Procedure Act," P.L.1968, c.410
29 (C.52:14B-1 et seq.), not later than the 90th day following the
30 effective date of P.L. , c. (C.) (pending before the Legislature
31 as this bill).

32

33 2. Section 45 of P.L.1992, c.79 (C.40A:12A-45) is amended to
34 read as follows:

35 45. The Commissioner of Community Affairs shall prescribe and
36 enforce standards for the curriculum and administration of a course of
37 study as he deems appropriate, the object of which shall be to assist
38 members and executive directors of local housing authorities and
39 municipal redevelopment agencies to acquire the knowledge and skills
40 necessary to oversee and administer the operations of such authorities
41 or agencies in accordance with current law and in the best interests of
42 the citizens served by such authorities. The commissioner shall adopt
43 the standards by administrative rule, pursuant to the provisions of the

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 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
2 seq.).

3 The course shall consist of instruction in the principles of housing
4 and redevelopment, which may include, but not be limited to,
5 construction management and code compliance, financial management
6 and public administration, and such other topics as the commissioner
7 may deem appropriate. The commissioner shall, to the greatest extent
8 possible, cooperate with organizations of housing authority
9 representatives and redevelopment agency representatives, and shall
10 consult with Rutgers, The State University, and other educational
11 institutions in establishing the standards for the curriculum and
12 administration of the course of study, as provided above. The course
13 shall also include information concerning strategies for drug
14 elimination and crime prevention and control and the use of drug
15 elimination funds.

16 (cf: P.L.1992, c.79, s.45)

17

18 3. This act shall take effect 180 days following enactment;
19 however, subsection c. of section 1 shall take effect immediately.

20

21

22 STATEMENT

23

24 This bill would require the executive director of a local housing
25 authority to report annually to the Commissioner of Community
26 Affairs the number and type of violent crimes and drug offenses
27 committed on property owned by the housing authority and property
28 for which the housing authority provides rental assistance. The report
29 would also contain information concerning the amount expended for
30 drug elimination and crime prevention and control.

31 In turn, the commissioner would be required to combine and
32 analyze all such reported information into a report that it would
33 prepare and distribute to each member of the Legislature annually.

34 The bill would also require the commissioner to modify the course
35 curriculum for housing authority members and executive directors to
36 include strategies for drug elimination and crime prevention and
37 control and the use of drug elimination funds.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1705

STATE OF NEW JERSEY

DATED: MAY 5, 2003

The Assembly Housing and Local Government Committee reports favorably Senate Bill No. 1705.

This bill would require the executive director of a local housing authority to report annually to the Commissioner of Community Affairs the number and type of violent crimes and drug offenses committed on property owned by the housing authority and property for which the housing authority provides rental assistance. The report would also contain information concerning the amount expended for drug elimination and crime prevention and control. In the past, the Department of Housing and Urban Development (HUD) required public housing authorities who received grants from HUD for the purposes of eliminating drug crimes on public housing property to report violent crime and drug offenses occurring on their property. However, Congress no longer requires this information to be compiled by HUD. The information is not required to be included in the annual reports filed with HUD by the public housing authorities.

The Commissioner of Community Affairs would be required under this bill to prepare a report on all violent crimes and drug offenses committed on public housing authority property. The report would be distributed to each member of the Legislature annually.

The bill would also require the commissioner to modify the course curriculum for housing authority members and executive directors to include strategies for drug elimination, crime prevention and control, and the use of drug elimination funds.

This bill is identical to A-3522 which was also released by the committee this day.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1705

STATE OF NEW JERSEY

DATED: SEPTEMBER 9, 2002

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 1705.

This bill would require the executive director of a local housing authority to report annually to the Commissioner of Community Affairs the number and type of violent crimes and drug offenses committed on property owned by the housing authority and property for which the housing authority provides rental assistance. The report would also contain information concerning the amount expended for drug elimination and crime prevention and control.

In turn, the commissioner would be required to combine and analyze all such reported information into a report that it would prepare and distribute to each member of the Legislature annually.

The bill would also require the commissioner to modify the course curriculum for housing authority members and executive directors to include strategies for drug elimination and crime prevention and control and the use of drug elimination funds.

ASSEMBLY, No. 3522

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED MAY 5, 2003

Sponsored by:

Assemblyman JERRY GREEN

District 22 (Middlesex, Somerset and Union)

Assemblyman MICHAEL J. DOHERTY

District 23 (Warren and Hunterdon)

SYNOPSIS

Concerns local housing authority crime reporting.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/9/2003)

1 AN ACT requiring local housing authorities and the Commissioner of
2 Community Affairs to report certain information to the Legislature,
3 supplementing chapter 27D of Title 52 of the New Jersey Statutes
4 and amending P.L.1992, c.79.

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

8
9 1. (New section) a. Not later than July 1st of each year, the
10 executive director of a housing authority created pursuant to the
11 "Local Housing Authorities Law," P.L.1938, c.19 (C.55:14A-1 et
12 seq.) or the "Local Redevelopment and Housing Law," P.L.1992, c.79
13 (C.40A:12A-1 et seq.) shall report to the Commissioner of Community
14 Affairs, on a form prepared and provided by the commissioner for this
15 purpose, the number and type of violent crimes and drug offenses
16 committed on property owned by the housing authority and property
17 for which the housing authority provided rental assistance at any time
18 during the twelve months immediately preceding the report. The
19 report shall also include the amount expended by the housing authority
20 for drug elimination and crime prevention and control.

21 b. Not later than January 1st of each year, the commissioner shall
22 prepare and distribute to each member of the Legislature a report
23 displaying all of the information reported by each housing authority.
24 The report shall also assimilate and analyze the information reported
25 by each housing authority.

26 c. The commissioner shall promulgate rules and regulations
27 necessary to effectuate the provisions of this act pursuant to the
28 provisions of the "Administrative Procedure Act," P.L.1968, c.410
29 (C.52:14B-1 et seq.), not later than the 90th day following the
30 effective date of P.L. , c. (C.) (pending before the Legislature
31 as this bill).

32
33 2. Section 45 of P.L.1992, c.79 (C.40A:12A-45) is amended to
34 read as follows:

35 45. The Commissioner of Community Affairs shall prescribe and
36 enforce standards for the curriculum and administration of a course of
37 study as he deems appropriate, the object of which shall be to assist
38 members and executive directors of local housing authorities and
39 municipal redevelopment agencies to acquire the knowledge and skills
40 necessary to oversee and administer the operations of such authorities
41 or agencies in accordance with current law and in the best interests of
42 the citizens served by such authorities. The commissioner shall adopt
43 the standards by administrative rule, pursuant to the provisions of the

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

Matter underlined thus is new matter.

1 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
2 seq.).

3 The course shall consist of instruction in the principles of housing
4 and redevelopment, which may include, but not be limited to,
5 construction management and code compliance, financial management
6 and public administration, and such other topics as the commissioner
7 may deem appropriate. The commissioner shall, to the greatest extent
8 possible, cooperate with organizations of housing authority
9 representatives and redevelopment agency representatives, and shall
10 consult with Rutgers, The State University, and other educational
11 institutions in establishing the standards for the curriculum and
12 administration of the course of study, as provided above. The course
13 shall also include information concerning strategies for drug
14 elimination and crime prevention and control and the use of drug
15 elimination funds.

16 (cf: P.L.1992, c.79, s.45)

17

18 3. This act shall take effect 180 days following enactment;
19 however, subsection c. of section 1 shall take effect immediately.

20

21

22

STATEMENT

23

24 This bill would require the executive director of a local housing
25 authority to report annually to the Commissioner of Community
26 Affairs the number and type of violent crimes and drug offenses
27 committed on property owned by the housing authority and property
28 for which the housing authority provides rental assistance. The report
29 would also contain information concerning the amount expended for
30 drug elimination and crime prevention and control.

31 In turn, the commissioner would be required to combine and
32 analyze all such reported information into a report that it would
33 prepare and distribute to each member of the Legislature annually.

34 The bill would also require the commissioner to modify the course
35 curriculum for housing authority members and executive directors to
36 include strategies for drug elimination and crime prevention and
37 control and the use of drug elimination funds.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3522

STATE OF NEW JERSEY

DATED: MAY 5, 2003

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 3522

This bill would require the executive director of a local housing authority to report annually to the Commissioner of Community Affairs the number and type of violent crimes and drug offenses committed on property owned by the housing authority and property for which the housing authority provides rental assistance. The report would also contain information concerning the amount expended for drug elimination and crime prevention and control. In the past, the Department of Housing and Urban Development (HUD) required public housing authorities who received grants from HUD for the purposes of eliminating drug crimes on public housing property to report violent crime and drug offenses occurring on their property. However, Congress no longer requires this information to be compiled by HUD. The information is not required to be included in the annual reports filed with HUD by the public housing authorities.

The Commissioner of Community Affairs would be required under this bill to prepare a report on all violent crimes and drug offenses committed on public housing authority property. The report would be distributed to each member of the Legislature annually.

The bill would also require the commissioner to modify the course curriculum for housing authority members and executive directors to include strategies for drug elimination, crime prevention and control, and the use of drug elimination funds.

This bill is identical to S-1705 which was also released by the committee this day.

SENATE BILL NO. 1705

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1705 with my recommendations for reconsideration.

A. Summary of Bill

This bill would amend and supplement current law to require the Department of Community Affairs (DCA) to compile certain information regarding criminal activity occurring on property owned by housing authorities, as well as property for which a housing authority provides any form of rental assistance. The bill also would impose certain reporting requirements upon housing authorities and DCA, and would require DCA to modify the course curriculum for housing authority members and executive directors to include strategies for drug elimination, crime prevention and control, and the use of drug elimination funds.

B. Recommended Action

I commend the sponsors of this bill and the Legislature for their efforts intended to promote a safe and crime-free environment in publicly assisted housing. The data compilation and training proposed under this bill certainly could provide valuable assistance in ensuring that all New Jersey residents have the opportunity to live and raise their families in safety and security.

I am concerned, however, that the bill as currently drafted raises several technical and administrative issues affecting both the Department of Community Affairs and local housing authorities. For example, with regard to the obligation of housing authorities to report violent crimes and drug-related offenses, the bill does not specifically define which crimes and offenses must be reported, while the timelines proposed under the bill may not allow adequate time for accurate reporting to occur on an annual basis. Moreover, the bill as currently drafted goes beyond establishing reporting obligations for large public

housing authority projects as had been the case under a similar reporting program, no longer in existence, administered by the federal government. Instead, the bill would cover all properties for which any form of rental assistance is received, including Section 8 housing vouchers. Expanding the reporting program in this manner would create a significant administrative burden and possible disincentive to accepting the vouchers for small landlords, while the information received from property owners having limited numbers of rental units spread throughout the State would not be particularly useful in keeping track of crime occurring in large public housing projects.

As a result of the above considerations, I recommend that the bill be amended to include clear definitions of the terms "violent crime" and "drug offenses" by incorporating established definitions from other similar laws, to adjust the bill's timelines in order to allow full and accurate reporting to occur, and to clarify that only the owner of a property consisting of ten or more rental units that is receiving project-based federal Section 8 rental assistance is required to comply with the reporting obligations. Accordingly, I herewith return Senate Bill No. 1705 and recommend that it be amended as follows:

Page 2, Section 1, Line 9: Delete "July" and insert "September"

Page 2, Section 1, Line 13: After "(C.40A:12A-1 et seq.)" insert "and the owner of a property consisting of 10 or more rental units receiving project-based federal section 8 rental assistance, hereinafter 'project-based housing,'"

Page 2, Section 1, Line 15: After "violent crimes" insert ", as those crimes are delineated in the most recently issued Uniform Crime Report, published by the Department of Law and Public Safety,"

Page 2, Section 1, Line 15: After "drug offenses" insert ", as those offenses are enumerated in the 'Comprehensive Drug Reform Act of 1987,' N.J.S.2C:35-1 et al., involving the use, possession, manufacture, dispensing or

distribution of a controlled dangerous substance, controlled dangerous substance analog or drug paraphernalia,"

Page 2, Section 1, Lines 16-18:

After "housing authority" delete "and property for which the housing authority provided rental assistance" and insert "or committed on project-based housing, respectively,"

Page 2, Section 1, Line 18:

After "during the" delete "twelve months immediately preceding the report" and insert "preceding State fiscal year"

Page 2, Section 1, Line 19:

After "authority" insert "or the project-based housing entity"

Page 2, Section 1, Line 23:

After "authority" insert "and project-based housing entity required to report under this act"

Page 2, Section 1, Line 25:

After "authority" insert "and project-based housing entity required to report under this act"

Respectfully,

James E. McGreevey
Governor

Attest:

Michael R. DeCotiis
Chief Counsel to the Governor