

26:2H-127

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2009 **CHAPTER:** 55

NJSA: 26:2H-127 (Provides that assisted living resident's security deposit is refundable if resident leaves facility)

BILL NO: A1239 (Substituted for S2202)

SPONSOR(S): Wolfe and others

DATE INTRODUCED: January 8, 2008

COMMITTEE: **ASSEMBLY:** Health and Senior Services
 SENATE: Health, Human Services and Senior Citizens

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** September 25, 2008
 SENATE: February 23, 2009

DATE OF APPROVAL: May 6, 2009

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Technical review of pre-filed bill enacted)

A1239

SPONSOR'S STATEMENT: (Begins on page 2 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	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: No

LEGISLATIVE FISCAL ESTIMATE: No

S2202

SPONSOR'S STATEMENT: (Begins on page 2 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes
FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/IS 9/9/09

ASSEMBLY, No. 1239

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman DAVID W. WOLFE

District 10 (Monmouth and Ocean)

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblyman ERIC MUNOZ

District 21 (Essex, Morris, Somerset and Union)

Co-Sponsored by:

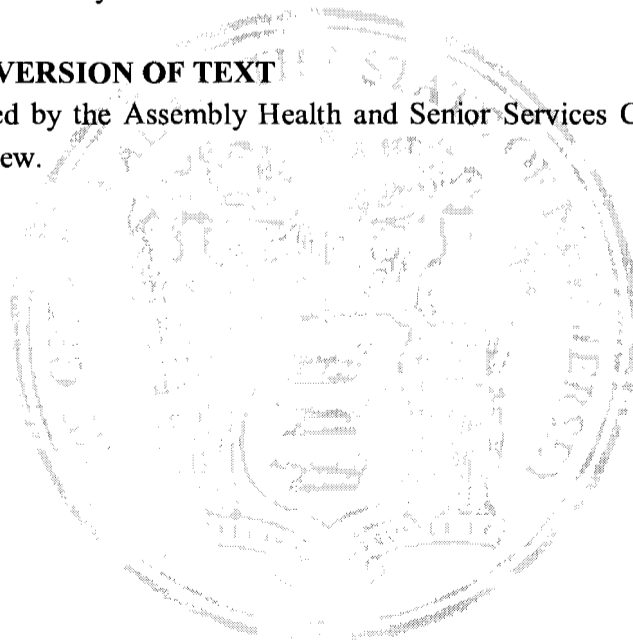
Assemblyman Moriarty, Senators Madden and Redd

SYNOPSIS

Provides that assisted living resident's security deposit is refundable if resident leaves facility.

CURRENT VERSION OF TEXT

As reported by the Assembly Health and Senior Services Committee with technical review.



(Sponsorship Updated As Of: 2/24/2009)

1 AN ACT concerning assisted living facilities and supplementing
2 Title 26 of the Revised Statutes.

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

6
7 1. a. An assisted living facility licensed by the Department of
8 Health and Senior Services pursuant to P.L.1971, c.136 (C.26:2H-1
9 et seq.) that requires a new resident, as a condition of admission to
10 the facility, to pay a one-time security deposit, which is in addition
11 to the regular monthly rental and services charges, shall provide
12 that the deposit plus interest earned on the deposit is refundable to
13 the resident or other designated person upon the resident's vacating
14 the facility if the resident provides the facility with 30 days' notice
15 that the resident intends to vacate the facility.

16 b. The facility may deduct an amount not to exceed one percent
17 per annum of the amount of the invested or deposited security
18 deposit for the cost of servicing and processing an account
19 containing a security deposit.

20

21 2. This act shall take effect on the 30th day after enactment.

1 AN ACT concerning assisted living facilities and supplementing
2 Title 26 of the Revised Statutes.

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

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7 1. a. An assisted living facility licensed by the Department of
8 Health and Senior Services pursuant to P.L.1971, c.136 (C.26:2H-1
9 et seq.) that requires a new resident, as a condition of admission to
10 the facility, to pay a one-time security deposit, which is in addition
11 to the regular monthly rental and services charges, shall provide
12 that the deposit plus interest earned on the deposit is refundable to
13 the resident or other designated person upon the resident's vacating
14 the facility if the resident provides the facility with 30 days' notice
15 that the resident intends to vacate the facility.

16 b. The facility may deduct an amount not to exceed one percent
17 per annum of the amount of the invested or deposited security
18 deposit for the cost of servicing and processing an account
19 containing a security deposit.

20

21 2. This act shall take effect on the 30th day after enactment.

22

23

24 SPONSOR'S STATEMENT

25

26 This bill provides that an assisted living facility that requires a
27 new resident to pay a one-time security deposit, in addition to
28 payment of regular monthly rental and services charges, shall
29 provide that the deposit plus interest earned on the deposit is
30 refundable to the resident or other designated person upon the
31 resident's vacating the facility if the resident provides the facility
32 with 30-days' notice that the resident intends to vacate the facility.

33 In addition, the bill permits the facility to deduct an amount not
34 to exceed one percent per annum of the amount of the invested or
35 deposited security deposit for the cost of servicing and processing
36 an account containing a security deposit.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1239

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2008

The Assembly Health and Senior Services Committee reports favorably Assembly Bill No. 1239.

This bill is intended to ensure that assisted living facility residents receive a refund of their security deposits if they move from a facility.

The bill provides specifically as follows:

- An assisted living facility that requires a new resident to pay a one-time security deposit, in addition to payment of regular monthly rental and services charges, must refund the deposit plus interest earned on the deposit to the resident or other designated person upon the resident's vacating the facility if the resident provides the facility with 30-days' notice that the resident intends to vacate the facility.
- The facility may deduct an amount not to exceed one percent per annum of the amount of the invested or deposited security deposit for the cost of servicing and processing an account containing a security deposit.
- The bill takes effect on the 30th day after enactment.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1239

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2008

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 1239.

This bill is intended to ensure that assisted living facility residents receive a refund of their security deposits if they move from a facility.

The bill provides specifically as follows:

- An assisted living facility that requires a new resident to pay a one-time security deposit, in addition to payment of regular monthly rental and services charges, must refund the deposit plus interest earned on the deposit to the resident or other designated person upon the resident's vacating the facility if the resident provides the facility with 30-days' notice that the resident intends to vacate the facility.
- The facility may deduct an amount not to exceed one percent per annum of the amount of the invested or deposited security deposit for the cost of servicing and processing an account containing a security deposit.
- The bill takes effect on the 30th day after enactment.

This bill is identical to Senate Bill No. 2202 (Madden), which the committee also reported favorably on this date.

1 AN ACT concerning assisted living facilities and supplementing
2 Title 26 of the Revised Statutes.

3

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

6

7 1. a. An assisted living facility licensed by the Department of
8 Health and Senior Services pursuant to P.L.1971, c.136 (C.26:2H-1
9 et seq.) that requires a new resident, as a condition of admission to
10 the facility, to pay a one-time security deposit, which is in addition
11 to the regular monthly rental and services charges, shall provide
12 that the deposit plus interest earned on the deposit is refundable to
13 the resident or other designated person upon the resident's vacating
14 the facility if the resident provides the facility with 30 days' notice
15 that the resident intends to vacate the facility.

16 b. The facility may deduct an amount not to exceed one percent
17 per annum of the amount of the invested or deposited security
18 deposit for the cost of servicing and processing an account
19 containing a security deposit.

20

21 2. This act shall take effect on the 30th day after enactment.

22

23

24

SPONSOR'S STATEMENT

25

26 This bill is intended to ensure that assisted living facility
27 residents receive a refund of their security deposits if they move
28 from a facility.

29 The bill provides that an assisted living facility that requires a
30 new resident to pay a one-time security deposit, in addition to
31 payment of regular monthly rental and services charges, must
32 refund the deposit plus interest earned on the deposit to the resident
33 or other designated person upon the resident's vacating the facility
34 if the resident provides the facility with 30-days' notice that the
35 resident intends to vacate the facility.

36 The facility may deduct an amount not to exceed one percent per
37 annum of the amount of the invested or deposited security deposit
38 for the cost of servicing and processing an account containing a
39 security deposit.

40 The bill takes effect on the 30th day after enactment.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2202

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2008

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2202.

This bill is intended to ensure that assisted living facility residents receive a refund of their security deposits if they move from a facility.

The bill provides specifically as follows:

- An assisted living facility that requires a new resident to pay a one-time security deposit, in addition to payment of regular monthly rental and services charges, must refund the deposit plus interest earned on the deposit to the resident or other designated person upon the resident's vacating the facility if the resident provides the facility with 30-days' notice that the resident intends to vacate the facility.
- The facility may deduct an amount not to exceed one percent per annum of the amount of the invested or deposited security deposit for the cost of servicing and processing an account containing a security deposit.
- The bill takes effect on the 30th day after enactment.

This bill is identical to Assembly Bill No. 1239 (Wolfe/Malone), which the committee also reported favorably on this date.