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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RWH 4/24/08

§1 - C.9:3A-7.2  
§2 - C.30:1A-13  
§3 –  
C.52:18A-18.2

P.L. 2007, CHAPTER 76, *approved May 4, 2007*  
Senate, No. 205 (*Second Reprint*)

1 AN ACT concerning State properties for use as residential treatment  
2 facilities and housing for certain persons with disabilities and  
3 supplementing <sup>2</sup>**[Title]**Titles 9 and<sup>2</sup> 30 of the Revised Statutes.

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

7  
8 <sup>2</sup>1. The Commissioner of Children and Families, in conjunction  
9 with the State Treasurer, shall prepare and maintain a list of all  
10 available State-owned properties that would be suitable for use as a  
11 residential treatment facility for juveniles who are adjudicated by a  
12 court of competent jurisdiction to be in need of mental health  
13 treatment or referred by the Department of Children and Families.

14 The list shall include: the location of the property; the general  
15 condition of the property, including whether the property is  
16 available for immediate occupancy; and the square footage of the  
17 property including, if available or applicable, the size of potential  
18 sleeping areas, eating areas and kitchen space, recreational space,  
19 and classroom space.

20 The commissioner shall provide the list to nonprofit and for  
21 profit agencies and organizations that provide or intend to provide  
22 residential mental health services to children, upon request of the  
23 agency or organization and when the State is provided notice, either  
24 verbally or in writing, that the agency or organization is relocating.<sup>2</sup>  
25

26 <sup>2</sup>[1.]<sup>2</sup> The Commissioner of Human Services, in conjunction  
27 with the State Treasurer, shall prepare and maintain a list of all  
28 available State-owned properties that would be suitable for use  
29 as<sup>2</sup>:

30 a. a residential treatment facility for juveniles who are  
31 adjudicated by a court of competent jurisdiction to be in need of  
32 mental health treatment or referred by the <sup>1</sup>**[Division of Youth and**  
33 **Family]** Office of Children's<sup>1</sup> Services in the Department of  
34 Human Services; or

35 b.]<sup>2</sup> housing for adults with mental illness, or children or adults  
36 with developmental disabilities.

37 The list shall include: the location of the property; the <sup>1</sup>general<sup>1</sup>  
38 condition of the property, including whether the property is  
39 available for immediate occupancy; and the square footage 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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate floor amendments adopted June 22, 2006.

<sup>2</sup>Assembly AHU committee amendments adopted December 7, 2006.

1 property including, if available or applicable, the size of potential  
 2 sleeping areas, eating areas and kitchen space, recreational space,  
 3 and classroom space.

4 The commissioner shall provide the list to nonprofit and for  
 5 profit agencies and organizations that provide or intend to provide  
 6 <sup>2</sup>~~residential mental health services to children, or~~<sup>2</sup> housing for  
 7 adults with mental illness or children or adults with developmental  
 8 disabilities, upon request of the agency or organization and when  
 9 the State is provided notice, either verbally or in writing, that the  
 10 agency or organization is relocating.

11  
 12 <sup>2</sup>~~2.13.~~<sup>2</sup> If the Department of the Treasury seeks to lease any  
 13 property included on the <sup>2</sup>~~list~~<sup>2</sup> lists<sup>2</sup> prepared by the  
 14 <sup>2</sup>~~commissioner~~<sup>2</sup> Commissioner of Children and Families<sup>2</sup> pursuant  
 15 to <sup>2</sup>~~this act~~<sup>2</sup> section 1 of P.L. , c. (C. )(pending before the  
 16 Legislature as this bill) or the Commissioner of Human Services  
 17 pursuant to section 2 of P.L. , c. (C. )(pending before the  
 18 Legislature as this bill)<sup>2</sup> <sup>1</sup>and no State agency has indicated a  
 19 current need for the property<sup>1</sup>, the department shall give priority  
 20 first to nonprofit and for profit agencies and organizations that  
 21 provide residential mental health services to children, and then to  
 22 nonprofit and for profit agencies and organizations that provide  
 23 housing to adults with mental illness or persons with developmental  
 24 disabilities, to lease the property from the State in order to establish  
 25 a residential treatment facility or housing, as provided in <sup>2</sup>~~this act~~<sup>2</sup>  
 26 sections 1 and 2 of P.L. , c. (C. and C. )(pending before the  
 27 Legislature as this bill)<sup>2</sup>. <sup>1</sup>The lease to a nonprofit or for profit  
 28 agency shall be at the fair market rate, as established by the  
 29 Department of the Treasury, and shall be subject to approval by the  
 30 State House Commission.<sup>1</sup>

31  
 32 <sup>2</sup>~~3.~~<sup>2</sup> <sup>4.</sup><sup>2</sup> This act shall take effect immediately.

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37 Requires DCF and DHS to compile lists of State properties  
 38 suitable for certain residential uses.

# SENATE, No. 205

## STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

**Sponsored by:**

**Senator DIANE B. ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

**Senator Karcher**

**SYNOPSIS**

Requires DHS to compile list of State properties suitable for residential treatment facilities for children in need of mental health services and housing for persons with mental illness or developmental disabilities.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 6/9/2006)**

1 AN ACT concerning State properties for use as residential treatment  
2 facilities and housing for certain persons with disabilities and  
3 supplementing Title 30 of the Revised Statutes.  
4

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

8 1. The Commissioner of Human Services, in conjunction with  
9 the State Treasurer, shall prepare and maintain a list of all available  
10 State-owned properties that would be suitable for use as:

11 a. a residential treatment facility for juveniles who are  
12 adjudicated by a court of competent jurisdiction to be in need of  
13 mental health treatment or referred by the Division of Youth and  
14 Family Services in the Department of Human Services; or

15 b. housing for adults with mental illness or children or adults  
16 with developmental disabilities.

17 The list shall include: the location of the property; the condition  
18 of the property, including whether the property is available for  
19 immediate occupancy; and the square footage of the property  
20 including, if available or applicable, the size of potential sleeping  
21 areas, eating areas and kitchen space, recreational space and  
22 classroom space.

23 The commissioner shall provide the list to nonprofit and for  
24 profit agencies and organizations that provide or intend to provide  
25 residential mental health services to children or housing for adults  
26 with mental illness or children or adults with developmental  
27 disabilities, upon request of the agency or organization and when  
28 the State is provided notice, either verbally or in writing, that the  
29 agency or organization is relocating.  
30

31 2. If the Department of the Treasury seeks to lease any property  
32 included on the list prepared by the commissioner pursuant to this  
33 act, the department shall give priority first to nonprofit and for  
34 profit agencies and organizations that provide residential mental  
35 health services to children, and then to nonprofit and for profit  
36 agencies and organizations that provide housing to adults with  
37 mental illness or persons with developmental disabilities, to lease  
38 the property from the State in order to establish a residential  
39 treatment facility or housing, as provided in this act.  
40

41 3. This act shall take effect immediately.  
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43

44 STATEMENT  
45

46 This bill requires the Commissioner of Human Services, in  
47 conjunction with the State Treasurer, to prepare and maintain a list  
48 of all available State-owned properties that would be suitable for

1 use as:

2 (1) a residential treatment facility for juveniles who are  
3 adjudicated by a court of competent jurisdiction to be in need of  
4 mental health treatment or referred by the Division of Youth and  
5 Family Services in the Department of Human Services; or

6 (2) housing for adults with mental illness or children or adults  
7 with developmental disabilities.

8 The list shall include: the location of the property; the condition  
9 of the property, including whether the property is available for  
10 immediate occupancy; and the square footage of the property  
11 including, if available or applicable, the size of potential sleeping  
12 areas, eating areas and kitchen space, and recreational and  
13 classroom space.

14 The commissioner shall provide the list to nonprofit and for  
15 profit agencies and organizations that provide or intend to provide  
16 residential mental health services to children or housing to persons  
17 with mental illness or developmental disabilities upon request of the  
18 agency or organization, and when the State is provided notice,  
19 either verbally or in writing, that the agency or organization is  
20 relocating.

21 The bill also provides that if the Department of the Treasury  
22 seeks to lease any property included on the list prepared by the  
23 commissioner, the department shall give priority first to the  
24 agencies and organizations that provide residential mental health  
25 services to children and then to agencies and organizations that  
26 provide housing to persons with mental illness or developmental  
27 disabilities.

# ASSEMBLY HUMAN SERVICES COMMITTEE

## STATEMENT TO

[First Reprint]

## **SENATE, No. 205**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 7, 2006

The Assembly Human Services Committee reports favorably and with committee amendments Senate Bill No. 205(1R).

As amended by the committee, this bill requires the Commissioner of Children and Families, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as a residential treatment facility for juveniles who are adjudicated by a court of competent jurisdiction to be in need of mental health treatment or referred by the Department of Children and Families.

The bill also requires the Commissioner of Human Services, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as housing for adults with mental illness, or children or adults with developmental disabilities.

The lists shall include: the location of the property; the general condition of the property, including whether the property is available for immediate occupancy; and the square footage of the property including, if available or applicable, the size of potential sleeping areas, eating areas and kitchen space, and recreational and classroom space.

The commissioners shall provide their respective lists to the nonprofit and for profit agencies and organizations that provide or intend to provide residential mental health services to children or housing for persons with mental illness or developmental disabilities, as appropriate, upon request of the agency or organization, and when the State is provided notice, either verbally or in writing, that the agency or organization is relocating.

The bill also provides that if the Department of the Treasury seeks to lease any property included on the lists prepared by the commissioners and no State agency has indicated a current need for the property, the department shall give priority first to the agencies and organizations that provide residential mental health services to



children and then to agencies and organizations that provide housing to persons with mental illness or developmental disabilities. The lease to a nonprofit or for profit agency shall be at the fair market rate, as established by the Department of the Treasury, and shall be subject to approval by the State House Commission.

This bill is identical to Assembly Bill No. 3416(Aca) (Fisher/Cruz-Perez/Burzichelli/Voss), which the committee also reported favorably on this date.

COMMITTEE AMENDMENTS:

The committee amendments are technical in nature and conform the bill's provisions to the enactment of P.L.2006, c.47, which established the Department of Children and Families.

Specifically, the amendments provide that the list prepared for properties suitable for use as residential treatment facilities for juveniles would be prepared and maintained by the Commissioner of Children and Families, and the list prepared for properties suitable for use as housing for adults with mental illness, or children or adults with developmental disabilities, would be prepared and maintained by the Commissioner of Human Services.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 205**

**STATE OF NEW JERSEY**

DATED: JUNE 8, 2006

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 205.

This bill requires the Commissioner of Human Services, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as:

(1) a residential treatment facility for juveniles who are adjudicated by a court of competent jurisdiction to be in need of mental health treatment or referred by the Division of Youth and Family Services in the Department of Human Services; or

(2) housing for adults with mental illness, or children or adults with developmental disabilities.

The list shall include: the location of the property; the condition of the property, including whether the property is available for immediate occupancy; and the square footage of the property including, if available or applicable, the size of potential sleeping areas, eating areas and kitchen space, and recreational and classroom space.

The commissioner shall provide the list to nonprofit and for profit agencies and organizations that provide or intend to provide residential mental health services to children or housing to persons with mental illness or developmental disabilities upon request of the agency or organization, and when the State is provided notice, either verbally or in writing, that the agency or organization is relocating.

The bill also provides that if the Department of the Treasury seeks to lease any property included on the list prepared by the commissioner, the department shall give priority first to the agencies and organizations that provide residential mental health services to children and then to agencies and organizations that provide housing to persons with mental illness or developmental disabilities.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# STATEMENT TO

## **SENATE, No. 205**

with Senate Floor Amendments  
(Proposed By Senator ALLEN)

ADOPTED: JUNE 22, 2006

These amendments:

-- replace a reference to the Division of Youth and Family Services (DYFS) with the Office of Children's Services, which includes DYFS as well as the Division of Child Behavioral Health Services;

-- clarify that the list prepared by the Commissioner of Human Services shall include the "general condition" of the property, rather than the "condition" of the property, as the bill originally provided;

-- specify that if no State agency has indicated a current need for the property, then first priority for leasing property on the list will be given to nonprofit and for profit agencies and organizations that provide residential mental health services to children; and

-- specify that the lease to a nonprofit or for profit agency shall be at the fair market rate, as established by the Department of the Treasury, and shall be subject to approval by the State House Commission.

# ASSEMBLY, No. 3416

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JULY 4, 2006

**Sponsored by:**

**Assemblyman DOUGLAS H. FISHER**  
**District 3 (Salem, Cumberland and Gloucester)**  
**Assemblywoman NILSA CRUZ-PEREZ**  
**District 5 (Camden and Gloucester)**  
**Assemblyman JOHN J. BURZICHELLI**  
**District 3 (Salem, Cumberland and Gloucester)**  
**Assemblywoman JOAN M. VOSS**  
**District 38 (Bergen)**

**SYNOPSIS**

Requires DHS to compile list of State properties suitable for residential treatment facilities for children in need of mental health services and housing for persons with mental illness or developmental disabilities.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/13/2006)**

1 AN ACT concerning State properties for use as residential treatment  
2 facilities and housing for certain persons with disabilities and  
3 supplementing Title 30 of the Revised Statutes.

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

7  
8 1. The Commissioner of Human Services, in conjunction with  
9 the State Treasurer, shall prepare and maintain a list of all available  
10 State-owned properties that would be suitable for use as:

11 a. a residential treatment facility for juveniles who are  
12 adjudicated by a court of competent jurisdiction to be in need of  
13 mental health treatment or referred by the Office of Children's  
14 Services in the Department of Human Services; or

15 b. housing for adults with mental illness, or children or adults  
16 with developmental disabilities.

17 The list shall include: the location of the property; the general  
18 condition of the property, including whether the property is  
19 available for immediate occupancy; and the square footage of the  
20 property including, if available or applicable, the size of potential  
21 sleeping areas, eating areas and kitchen space, recreational space,  
22 and classroom space.

23 The commissioner shall provide the list to nonprofit and for  
24 profit agencies and organizations that provide or intend to provide  
25 residential mental health services to children, or housing for adults  
26 with mental illness or children or adults with developmental  
27 disabilities, upon request of the agency or organization and when  
28 the State is provided notice, either verbally or in writing, that the  
29 agency or organization is relocating.

30  
31 2. If the Department of the Treasury seeks to lease any property  
32 included on the list prepared by the commissioner pursuant to this  
33 act and no State agency has indicated a current need for the  
34 property, the department shall give priority first to nonprofit and for  
35 profit agencies and organizations that provide residential mental  
36 health services to children, and then to nonprofit and for profit  
37 agencies and organizations that provide housing to adults with  
38 mental illness or persons with developmental disabilities, to lease  
39 the property from the State in order to establish a residential  
40 treatment facility or housing, as provided in this act. The lease to a  
41 nonprofit or for profit agency shall be at the fair market rate, as  
42 established by the Department of the Treasury, and shall be subject  
43 to approval by the State House Commission.

44  
45 3. This act shall take effect immediately.

STATEMENT

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This bill requires the Commissioner of Human Services, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as:

(1) a residential treatment facility for juveniles who are adjudicated by a court of competent jurisdiction to be in need of mental health treatment or referred by the Office of Children's Services in the Department of Human Services; or

(2) housing for adults with mental illness, or children or adults with developmental disabilities.

The list shall include: the location of the property; the general condition of the property, including whether the property is available for immediate occupancy; and the square footage of the property including, if available or applicable, the size of potential sleeping areas, eating areas and kitchen space, and recreational and classroom space.

The commissioner shall provide the list to nonprofit and for profit agencies and organizations that provide or intend to provide residential mental health services to children or housing to persons with mental illness or developmental disabilities upon request of the agency or organization, and when the State is provided notice, either verbally or in writing, that the agency or organization is relocating.

The bill also provides that if the Department of the Treasury seeks to lease any property included on the list prepared by the commissioner and no State agency has indicated a current need for the property, the department shall give priority first to the agencies and organizations that provide residential mental health services to children and then to agencies and organizations that provide housing to persons with mental illness or developmental disabilities. The lease to a nonprofit or for profit agency shall be at the fair market rate, as established by the Department of the Treasury, and shall be subject to approval by the State House Commission.

# ASSEMBLY HUMAN SERVICES COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3416**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 7, 2006

The Assembly Human Services Committee reports favorably and with committee amendments Assembly Bill No. 3416.

As amended by the committee, this bill requires the Commissioner of Children and Families, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as a residential treatment facility for juveniles who are adjudicated by a court of competent jurisdiction to be in need of mental health treatment or referred by the Department of Children and Families.

The bill also requires the Commissioner of Human Services, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as housing for adults with mental illness, or children or adults with developmental disabilities.

The lists shall include: the location of the property; the general condition of the property, including whether the property is available for immediate occupancy; and the square footage of the property including, if available or applicable, the size of potential sleeping areas, eating areas and kitchen space, and recreational and classroom space.

The commissioners shall provide their respective lists to the nonprofit and for profit agencies and organizations that provide or intend to provide residential mental health services to children or housing for persons with mental illness or developmental disabilities, as appropriate, upon request of the agency or organization, and when the State is provided notice, either verbally or in writing, that the agency or organization is relocating.

The bill also provides that if the Department of the Treasury seeks to lease any property included on the lists prepared by the commissioners and no State agency has indicated a current need for the property, the department shall give priority first to the agencies and organizations that provide residential mental health services to children and then to agencies and organizations that provide housing to persons with mental illness or developmental disabilities. The lease to

a nonprofit or for profit agency shall be at the fair market rate, as established by the Department of the Treasury, and shall be subject to approval by the State House Commission.

This bill is identical to Senate Bill No. 205 (1R)Aca (Allen), which the committee also reported favorably on this date.

COMMITTEE AMENDMENTS:

The committee amendments are technical in nature and conform the bill's provisions to the enactment of P.L.2006, c.47, which established the Department of Children and Families.

Specifically, the amendments provide that the list prepared for properties suitable for use as residential treatment facilities for juveniles would be prepared and maintained by the Commissioner of Children and Families, and the list prepared for properties suitable for use as housing for adults with mental illness, or children or adults with developmental disabilities, would be prepared and maintained by the Commissioner of Human Services.