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FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
FOLLOWING WERE PRINTED:	
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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

RWH/JA

P.L. 2019, CHAPTER 464, *approved January 21, 2020*

Assembly, No. 1449

1 **AN ACT** providing job security to individuals who are unable to
2 work due to donating an organ or bone marrow, and amending
3 and supplementing P.L.1948, c.110.

4

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

7

8 1. Section 5 of P.L.1948, c.110 (C.43:21-29) is amended to
9 read as follows:

10 5. Compensable disability. (a) In the case of the disability of a
11 covered individual, disability shall be compensable subject to the
12 limitations of P.L.1948, c.110 (C.43:21-25 et al.) if the disability is
13 the result of the covered individual suffering an accident or sickness
14 not arising out of and in the course of the individual's employment
15 or if so arising not compensable under the workers' compensation
16 law, R.S.34:15-1 et seq., including if the disability is the result of
17 the donation of any organ or bone marrow by the covered
18 individual, and resulting in the individual's total inability to perform
19 the duties of employment.

20 (b) In the case of an individual taking family temporary
21 disability leave, the leave shall be compensable subject to the
22 limitations of P.L.2008, c.17 (C.43:21-39.1 et al.).

23 (cf: P.L.2008, c.17, s.3)

24

25 2. Section 15 of P.L.1948, c.110 (C.43:21-39) is amended to
26 read as follows:

27 15. Limitation of benefits. Notwithstanding any other provision
28 of the "Temporary Disability Benefits Law," P.L.1948,
29 c.110 (C.43:21-25 et al.), no benefits shall be payable under the
30 State plan to any individual:

31 (a) for the first seven consecutive days of each period of
32 disability; except that:

33 (1) if benefits shall be payable for three consecutive weeks with
34 respect to any period of disability, then benefits shall also be
35 payable with respect to the first seven days thereof;

36 (2) in the case of intermittent leave in a single period of family
37 temporary disability leave taken to provide care for a family
38 member of the individual with a serious health condition, benefits
39 shall be payable with respect to the first day of leave taken after the
40 first one-week period following the commencement of the period of

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 family temporary disability leave and each subsequent day of leave
2 during that period of family temporary disability leave; and if
3 benefits become payable on any day after the first three weeks in
4 which leave is taken, then benefits shall also be payable with
5 respect to any leave taken during the first one-week period in which
6 leave is taken; **[and]**

7 (3) in the case of an individual taking family temporary
8 disability leave immediately after the individual has a period of
9 disability for the individual's own disability, there shall be no
10 waiting period between the period of the individual's own disability
11 and the period of family temporary disability; and

12 (4) if the benefits shall be payable for a period of disability
13 which is the result of the donation of any organ or bone marrow by
14 the covered individual, then benefits shall be payable with respect
15 to the first seven days thereof;

16 (b) (1) for more than 26 weeks with respect to any one period
17 of disability of the individual;

18 (2) for more than six weeks with respect to any one period of
19 family temporary disability leave, or more than 42 days with respect
20 to any one period of family temporary disability leave taken on an
21 intermittent basis to provide care for a family member of the
22 individual with a serious health condition; and

23 (3) for more than six weeks of family temporary disability leave
24 during any 12-month period, or more than 42 days of family
25 temporary disability leave taken during any 12-month period, on an
26 intermittent basis to provide care for a family member of the
27 individual with a serious health condition, including family
28 temporary disability leave taken pursuant to R.S.43:21-4(f)(2) while
29 unemployed;

30 (c) for any period of disability which did not commence while
31 the claimant was a covered individual;

32 (d) for any period of disability of a claimant during which the
33 claimant is not under the care of a legally licensed physician,
34 dentist, optometrist, podiatrist, practicing psychologist, advanced
35 practice nurse, certified nurse midwife, or chiropractor, who, when
36 requested by the division, shall certify within the scope of the
37 practitioner's practice, the disability of the claimant, the probable
38 duration thereof, and, where applicable, the medical facts within the
39 practitioner's knowledge or for any period of family temporary
40 disability leave for a serious health condition of a family member of
41 the claimant, during which the family member is not receiving
42 inpatient care in a hospital, hospice, or residential medical care
43 facility or is not subject to continuing medical treatment or
44 continuing supervision by a health care provider, who, when
45 requested by the division, shall certify within the scope of the
46 provider's practice, the serious health condition of the family
47 member, the probable duration thereof, and, where applicable, the
48 medical facts within the provider's knowledge;

1 (e) (Deleted by amendment, P.L.1980, c.90.)

2 (f) for any period of disability due to willfully and intentionally
3 self-inflicted injury, or to injury sustained in the perpetration by the
4 claimant of a crime of the first, second, third, or fourth degree, or
5 for any period during which a covered individual would be
6 disqualified for unemployment compensation benefits for gross
7 misconduct under subsection (b) of R.S.43:21-5;

8 (g) for any period during which the claimant performs any work
9 for remuneration or profit;

10 (h) in a weekly amount which together with any remuneration
11 the claimant continues to receive from the employer would exceed
12 regular weekly wages immediately prior to disability;

13 (i) for any period during which a covered individual would be
14 disqualified for unemployment compensation benefits under
15 subsection (d) of R.S.43:21-5, unless the disability commenced
16 prior to such disqualification; and there shall be no other cause of
17 disqualification or ineligibility to receive disability benefits
18 hereunder except as may be specifically provided in **[this act]**
19 P.L.1948, c.110 (C.43:21-25 et al.).

20 (cf: P.L.2009, c.114, s.1)

21

22 3. (New section) For a period of disability which is the result
23 of donating any organ or bone marrow under section 5 of P.L.1948,
24 c.110 (C.43:21-29), a covered individual shall, after the period of
25 disability ends, be entitled to be restored by the individual's
26 employer to the position of employment held by the individual
27 when the period of disability commenced or to an equivalent
28 position of like seniority, status, employment benefits, pay, and
29 other terms and conditions of employment. If during the period of
30 disability which is the result of donating any organ or bone marrow,
31 the employer experiences a reduction in force or layoff and the
32 covered individual would have lost the position of employment had
33 the individual not experienced the period of disability, as a result of
34 the reduction in force or pursuant to the good faith operation of a
35 bona fide layoff and recall system, including a system under a
36 collective bargaining agreement where applicable, the individual
37 shall not be entitled to reinstatement to the former or an equivalent
38 position. The covered individual shall retain all rights under any
39 applicable layoff and recall system, including a system under a
40 collective bargaining agreement, as if the individual had not
41 experienced the period of disability.

42

43 4. This act shall take effect on the 120th day after enactment.

44

45

46

47

48 _____
Provides job security to certain organ and bone marrow donors.

ASSEMBLY, No. 1449

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblywoman ELIZABETH MAHER MUOIO

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Coughlin

SYNOPSIS

Provides job security to certain organ and bone marrow donors.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT providing job security to individuals who are unable to
2 work due to donating an organ or bone marrow, and amending
3 and supplementing P.L.1948, c.110.
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
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14 not arising out of and in the course of the individual's employment
15 or if so arising not compensable under the workers' compensation
16 law, R.S.34:15-1 et seq., including if the disability is the result of
17 the donation of any organ or bone marrow by the covered
18 individual, and resulting in the individual's total inability to perform
19 the duties of employment.

20 (b) In the case of an individual taking family temporary
21 disability leave, the leave shall be compensable subject to the
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29 c.110 (C.43:21-25 et al.), no benefits shall be payable under the
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33 (1) if benefits shall be payable for three consecutive weeks with
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36 (2) in the case of intermittent leave in a single period of family
37 temporary disability leave taken to provide care for a family
38 member of the individual with a serious health condition, benefits
39 shall be payable with respect to the first day of leave taken after the
40 first one-week period following the commencement of the period of
41 family temporary disability leave and each subsequent day of leave
42 during that period of family temporary disability leave; and if
43 benefits become payable on any day after the first three weeks in
44 which leave is taken, then benefits shall also be payable with

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 respect to any leave taken during the first one-week period in which
2 leave is taken; **[and]**

3 (3) in the case of an individual taking family temporary
4 disability leave immediately after the individual has a period of
5 disability for the individual's own disability, there shall be no
6 waiting period between the period of the individual's own disability
7 and the period of family temporary disability; and

8 (4) if the benefits shall be payable for a period of disability
9 which is the result of the donation of any organ or bone marrow by
10 the covered individual, then benefits shall be payable with respect
11 to the first seven days thereof;

12 (b) (1) for more than 26 weeks with respect to any one period
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21 temporary disability leave taken during any 12-month period, on an
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23 individual with a serious health condition, including family
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25 unemployed;

26 (c) for any period of disability which did not commence while
27 the claimant was a covered individual;

28 (d) for any period of disability of a claimant during which the
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30 dentist, optometrist, podiatrist, practicing psychologist, advanced
31 practice nurse, certified nurse midwife, or chiropractor, who, when
32 requested by the division, shall certify within the scope of the
33 practitioner's practice, the disability of the claimant, the probable
34 duration thereof, and, where applicable, the medical facts within the
35 practitioner's knowledge or for any period of family temporary
36 disability leave for a serious health condition of a family member of
37 the claimant, during which the family member is not receiving
38 inpatient care in a hospital, hospice, or residential medical care
39 facility or is not subject to continuing medical treatment or
40 continuing supervision by a health care provider, who, when
41 requested by the division, shall certify within the scope of the
42 provider's practice, the serious health condition of the family
43 member, the probable duration thereof, and, where applicable, the
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45 (e) (Deleted by amendment, P.L.1980, c.90.)

46 (f) for any period of disability due to willfully and intentionally
47 self-inflicted injury, or to injury sustained in the perpetration by the
48 claimant of a crime of the first, second, third, or fourth degree, or

1 for any period during which a covered individual would be
2 disqualified for unemployment compensation benefits for gross
3 misconduct under subsection (b) of R.S.43:21-5;

4 (g) for any period during which the claimant performs any work
5 for remuneration or profit;

6 (h) in a weekly amount which together with any remuneration
7 the claimant continues to receive from the employer would exceed
8 regular weekly wages immediately prior to disability;

9 (i) for any period during which a covered individual would be
10 disqualified for unemployment compensation benefits under
11 subsection (d) of R.S.43:21-5, unless the disability commenced
12 prior to such disqualification; and there shall be no other cause of
13 disqualification or ineligibility to receive disability benefits
14 hereunder except as may be specifically provided in **[this act]**
15 P.L.1948, c.110 (C.43:21-25 et al.).

16 (cf: P.L.2009, c.114, s.1)

17

18 3. (New section) For a period of disability which is the result
19 of donating any organ or bone marrow under section 5 of P.L.1948,
20 c.110 (C.43:21-29), a covered individual shall, after the period of
21 disability ends, be entitled to be restored by the individual's
22 employer to the position of employment held by the individual
23 when the period of disability commenced or to an equivalent
24 position of like seniority, status, employment benefits, pay, and
25 other terms and conditions of employment. If during the period of
26 disability which is the result of donating any organ or bone marrow,
27 the employer experiences a reduction in force or layoff and the
28 covered individual would have lost the position of employment had
29 the individual not experienced the period of disability, as a result of
30 the reduction in force or pursuant to the good faith operation of a
31 bona fide layoff and recall system, including a system under a
32 collective bargaining agreement where applicable, the individual
33 shall not be entitled to reinstatement to the former or an equivalent
34 position. The covered individual shall retain all rights under any
35 applicable layoff and recall system, including a system under a
36 collective bargaining agreement, as if the individual had not
37 experienced the period of disability.

38

39 4. This act shall take effect on the 120th day after enactment.

40

41

42

STATEMENT

43

44 This bill provides job security for an individual during a period
45 of disability under the "Temporary Disability Benefits Law,"
46 P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ
47 or bone marrow donation by the individual.

1 Currently, an individual who donates an organ or bone marrow is
2 eligible for temporary disability benefits under the “Temporary
3 Disability Benefits Law” during the period that the individual is
4 unable to work due to the organ or bone marrow donation.
5 However, the “Temporary Disability Benefits Law” does not
6 provide an express guarantee of job security for an individual who
7 is unable to work during a period of disability under the law.

8 This bill provides, for the purposes of donating an organ or bone
9 marrow, that an individual who experiences a period of disability
10 pursuant to the “Temporary Disability Benefits Law” will be
11 entitled to be restored to the individual’s position of employment
12 upon the end of the period of disability, or to an equivalent position
13 of like seniority, status, employment benefits, pay, and other terms
14 and conditions of employment. Also, for the purposes of donating
15 an organ or bone marrow, the bill eliminates the one week waiting
16 period for the payment of temporary disability benefits.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1449

STATE OF NEW JERSEY

DATED: JUNE 18, 2018

The Assembly Labor Committee reports favorably Assembly Bill No. 1449.

This bill provides job security for an individual during a period of disability under the “Temporary Disability Benefits Law,” P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ or bone marrow donation by the individual.

Currently, an individual who donates an organ or bone marrow is eligible for temporary disability benefits under the “Temporary Disability Benefits Law” during the period that the individual is unable to work due to the organ or bone marrow donation. However, the “Temporary Disability Benefits Law” does not provide an express guarantee of job security for an individual who is unable to work during a period of disability under the law.

This bill provides, for the purposes of donating an organ or bone marrow, that an individual who experiences a period of disability pursuant to the “Temporary Disability Benefits Law” will be entitled to be restored to the individual’s position of employment upon the end of the period of disability, or to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment. Also, for the purposes of donating an organ or bone marrow, the bill eliminates the one week waiting period for the payment of temporary disability benefits.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1449

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2018

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1449.

This bill provides job security for an individual during a period of disability under the “Temporary Disability Benefits Law,” P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ or bone marrow donation by the individual.

Currently, an individual who donates an organ or bone marrow is eligible for temporary disability benefits under the “Temporary Disability Benefits Law” during the period that the individual is unable to work due to the organ or bone marrow donation. However, the “Temporary Disability Benefits Law” does not provide an express guarantee of job security for an individual who is unable to work during a period of disability under the law.

This bill provides, for the purposes of donating an organ or bone marrow, that an individual who experiences a period of disability pursuant to the “Temporary Disability Benefits Law” will be entitled to be restored to the individual’s position of employment upon the end of the period of disability, or to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment. Also, for the purposes of donating an organ or bone marrow, the bill eliminates the one week waiting period for the payment of temporary disability benefits.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the State Disability Benefits Fund (SDBF) due to an increase in temporary disability insurance (TDI) benefit payments to covered workers who take time off from work to donate an organ or bone marrow.

The OLS notes that the benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. As such, the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1449

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1449.

This bill provides job security for an individual during a period of disability under the “Temporary Disability Benefits Law,” P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ or bone marrow donation by the individual.

Currently, an individual who donates an organ or bone marrow is eligible for temporary disability benefits under the “Temporary Disability Benefits Law” during the period that the individual is unable to work due to the organ or bone marrow donation. However, the “Temporary Disability Benefits Law” does not provide an express guarantee of job security for an individual who is unable to work during a period of disability under the law.

This bill provides, for the purposes of donating an organ or bone marrow, that an individual who experiences a period of disability pursuant to the “Temporary Disability Benefits Law” will be entitled to be restored to the individual’s position of employment upon the end of the period of disability, or to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment. Also, for the purposes of donating an organ or bone marrow, the bill eliminates the one week waiting period for the payment of temporary disability benefits.

As reported by the committee, Assembly Bill No. 1449 is identical to Senate Bill No. 3168, which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the State Disability Benefits Fund (SDBF) due to an increase in temporary disability insurance (TDI) benefit payments to covered workers who take time off from work to donate an organ or bone marrow.

The OLS notes that the benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. As such, the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1449
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: OCTOBER 29, 2018

SUMMARY

Synopsis: Provides job security to certain organ and bone marrow donors.

Type of Impact: Annual expenditure and revenue increases to State Disability Benefits Fund.

Agencies Affected: Department of Labor and Workforce Development.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the State Disability Benefits Fund (SDBF) due to an increase in temporary disability insurance (TDI) benefit payments to covered workers who take time off from work to donate an organ or bone marrow.
- The OLS notes that the benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. Accordingly, the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase.

BILL DESCRIPTION

The bill provides job security and eliminates the one-week waiting period for the payment of TDI benefits for individuals who take time off from work to donate an organ or bone marrow. Under current law, these individuals are eligible for TDI benefits, but subject to a one-week waiting period.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the SDBF due to an increase in TDI benefit payments to covered workers who take time off from work to donate an organ or bone marrow. The increase will be the result of the elimination of the one-week waiting period for the payment of TDI benefits and enhanced job protections for certain organ and bone marrow donors.

The benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. The OLS projects that the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase. The 2018 maximum TDI weekly benefit rate is \$681.

The TDI program provides up to 26 weeks of benefits to workers who cannot work due to non-occupational illness or injury. While organ and bone marrow donors are currently eligible for TDI benefits, they do not receive benefits during the first week of disability, as benefits are generally payable beginning only on the eighth consecutive day of the disability in most instances. The first seven days of disability are called the waiting week. Only if the disability continues for three consecutive weeks will benefits for the waiting week be paid.

This bill eliminates the waiting week period for organ and bone marrow donors. The OLS estimates that this provision will increase the number of TDI claims and the amount of TDI benefit payments for leave due to organ or bone marrow donation, as more workers will file claims while others who would file claims absent this bill will receive additional benefit payments.

Currently, the length of recovery periods for organ and bone marrow donors may preclude certain donors from utilizing TDI benefits and may dissuade them from donating. According to advocacy groups, bone marrow donors should expect to return to work within one to seven days, precluding them from receiving TDI benefits. Organ donors may be able to go back to work within one or two weeks of the surgery, providing eligibility for TDI benefits but precluding payment for the one-week waiting period. The OLS notes that there is no standard for the length of recovery for donating an organ or bone marrow.

Furthermore, research indicates that the lack of job security during a work leave may reduce the use of leave benefits. Therefore, a covered worker under the TDI law may be more likely to use TDI benefits for the purposes of organ or bone marrow donation if the worker is entitled to be restored to the worker's position following the leave. Accordingly, the OLS estimates that this bill's job protection for organ and bone marrow donors will result in an increased number of TDI claims for leave due to organ or bone marrow donation.

The OLS is unable to determine the number of additional claims that may result from this bill, and therefore the total cost to the SDBF. According to the United States Department of Health and Human Services, 250 organ procurements occurred in New Jersey in 2017 from living donors. The OLS is unable to determine how many, if any, of those donors received TDI benefits. Furthermore, according to NJ Sharing Network, a non-profit organization responsible for the recovery and placement of donated organs and tissue, in 2018, over 4,000 residents are listed on organ donor waiting registries.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
Associate Fiscal Analyst
Approved: Frank W. Haines III
Legislative Budget and Finance Officer

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

SENATE, No. 3168

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 26, 2018

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Diegnan

SYNOPSIS

Provides job security to certain organ and bone marrow donors.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2020)

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3 and supplementing P.L.1948, c.110.

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14 not arising out of and in the course of the individual's employment
15 or if so arising not compensable under the workers' compensation
16 law, R.S.34:15-1 et seq., including if the disability is the result of
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39 shall be payable with respect to the first day of leave taken after the
40 first one-week period following the commencement of the period of
41 family temporary disability leave and each subsequent day of leave
42 during that period of family temporary disability leave; and if
43 benefits become payable on any day after the first three weeks in
44 which leave is taken, then benefits shall also be payable with
45 respect to any leave taken during the first one-week period in which
46 leave is taken; **[and]**

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 (3) in the case of an individual taking family temporary
2 disability leave immediately after the individual has a period of
3 disability for the individual's own disability, there shall be no
4 waiting period between the period of the individual's own disability
5 and the period of family temporary disability; and

6 (4) if the benefits shall be payable for a period of disability
7 which is the result of the donation of any organ or bone marrow by
8 the covered individual, then benefits shall be payable with respect
9 to the first seven days thereof;

10 (b) (1) for more than 26 weeks with respect to any one period
11 of disability of the individual;

12 (2) for more than six weeks with respect to any one period of
13 family temporary disability leave, or more than 42 days with respect
14 to any one period of family temporary disability leave taken on an
15 intermittent basis to provide care for a family member of the
16 individual with a serious health condition; and

17 (3) for more than six weeks of family temporary disability leave
18 during any 12-month period, or more than 42 days of family
19 temporary disability leave taken during any 12-month period, on an
20 intermittent basis to provide care for a family member of the
21 individual with a serious health condition, including family
22 temporary disability leave taken pursuant to R.S.43:21-4(f)(2) while
23 unemployed;

24 (c) for any period of disability which did not commence while
25 the claimant was a covered individual;

26 (d) for any period of disability of a claimant during which the
27 claimant is not under the care of a legally licensed physician,
28 dentist, optometrist, podiatrist, practicing psychologist, advanced
29 practice nurse, certified nurse midwife, or chiropractor, who, when
30 requested by the division, shall certify within the scope of the
31 practitioner's practice, the disability of the claimant, the probable
32 duration thereof, and, where applicable, the medical facts within the
33 practitioner's knowledge or for any period of family temporary
34 disability leave for a serious health condition of a family member of
35 the claimant, during which the family member is not receiving
36 inpatient care in a hospital, hospice, or residential medical care
37 facility or is not subject to continuing medical treatment or
38 continuing supervision by a health care provider, who, when
39 requested by the division, shall certify within the scope of the
40 provider's practice, the serious health condition of the family
41 member, the probable duration thereof, and, where applicable, the
42 medical facts within the provider's knowledge;

43 (e) (Deleted by amendment, P.L.1980, c.90.)

44 (f) for any period of disability due to willfully and intentionally
45 self-inflicted injury, or to injury sustained in the perpetration by the
46 claimant of a crime of the first, second, third, or fourth degree, or
47 for any period during which a covered individual would be

1 disqualified for unemployment compensation benefits for gross
2 misconduct under subsection (b) of R.S.43:21-5;
3 (g) for any period during which the claimant performs any work
4 for remuneration or profit;
5 (h) in a weekly amount which together with any remuneration
6 the claimant continues to receive from the employer would exceed
7 regular weekly wages immediately prior to disability;
8 (i) for any period during which a covered individual would be
9 disqualified for unemployment compensation benefits under
10 subsection (d) of R.S.43:21-5, unless the disability commenced
11 prior to such disqualification; and there shall be no other cause of
12 disqualification or ineligibility to receive disability benefits
13 hereunder except as may be specifically provided in **[this act]**
14 P.L.1948, c.110 (C.43:21-25 et al.).
15 (cf: P.L.2009, c.114, s.1)

16
17 3. (New section) For a period of disability which is the result
18 of donating any organ or bone marrow under section 5 of P.L.1948,
19 c.110 (C.43:21-29), a covered individual shall, after the period of
20 disability ends, be entitled to be restored by the individual's
21 employer to the position of employment held by the individual
22 when the period of disability commenced or to an equivalent
23 position of like seniority, status, employment benefits, pay, and
24 other terms and conditions of employment. If during the period of
25 disability which is the result of donating any organ or bone marrow,
26 the employer experiences a reduction in force or layoff and the
27 covered individual would have lost the position of employment had
28 the individual not experienced the period of disability, as a result of
29 the reduction in force or pursuant to the good faith operation of a
30 bona fide layoff and recall system, including a system under a
31 collective bargaining agreement where applicable, the individual
32 shall not be entitled to reinstatement to the former or an equivalent
33 position. The covered individual shall retain all rights under any
34 applicable layoff and recall system, including a system under a
35 collective bargaining agreement, as if the individual had not
36 experienced the period of disability.

37
38 4. This act shall take effect on the 120th day after enactment.
39

40
41 STATEMENT
42

43 This bill provides job security for an individual during a period
44 of disability under the "Temporary Disability Benefits Law,"
45 P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ
46 or bone marrow donation by the individual.

47 Currently, an individual who donates an organ or bone marrow is
48 eligible for temporary disability benefits under the "Temporary

1 Disability Benefits Law” during the period that the individual is
2 unable to work due to the organ or bone marrow donation.
3 However, the “Temporary Disability Benefits Law” does not
4 provide an express guarantee of job security for an individual who
5 is unable to work during a period of disability under the law.

6 This bill provides, for the purposes of donating an organ or bone
7 marrow, that an individual who experiences a period of disability
8 pursuant to the “Temporary Disability Benefits Law” will be
9 entitled to be restored to the individual’s position of employment
10 upon the end of the period of disability, or to an equivalent position
11 of like seniority, status, employment benefits, pay, and other terms
12 and conditions of employment. Also, for the purposes of donating
13 an organ or bone marrow, the bill eliminates the one week waiting
14 period for the payment of temporary disability benefits.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3168

STATE OF NEW JERSEY

DATED: JANUARY 9, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3168.

This bill provides job security for an individual during a period of disability under the “Temporary Disability Benefits Law,” P.L.1948, c.110 (C.43:21-25 et al.), which is the result of an organ or bone marrow donation by the individual.

Currently, an individual who donates an organ or bone marrow is eligible for temporary disability benefits under the “Temporary Disability Benefits Law” during the period that the individual is unable to work due to the organ or bone marrow donation. However, the “Temporary Disability Benefits Law” does not provide an express guarantee of job security for an individual who is unable to work during a period of disability under the law.

This bill provides, for the purposes of donating an organ or bone marrow, that an individual who experiences a period of disability pursuant to the “Temporary Disability Benefits Law” will be entitled to be restored to the individual’s position of employment upon the end of the period of disability, or to an equivalent position of like seniority, status, employment benefits, pay, and other terms and conditions of employment. Also, for the purposes of donating an organ or bone marrow, the bill eliminates the one week waiting period for the payment of temporary disability benefits.

As reported by the committee, Senate Bill No. 3168 is identical to Assembly Bill No. 1449, which also was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the State Disability Benefits Fund (SDBF) due to an increase in temporary disability insurance (TDI) benefit payments to covered workers who take time off from work to donate an organ or bone marrow.

The OLS notes that the benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. As such, the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 3168
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: JANUARY 14, 2020

SUMMARY

Synopsis: Provides job security to certain organ and bone marrow donors.

Type of Impact: Annual expenditure and revenue increases to State Disability Benefits Fund.

Agencies Affected: Department of Labor and Workforce Development.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the State Disability Benefits Fund (SDBF) due to an increase in temporary disability insurance (TDI) benefit payments to covered workers who take time off from work to donate an organ or bone marrow.
- The OLS notes that the benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. Accordingly, the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase.

BILL DESCRIPTION

The bill provides job security and eliminates the one-week waiting period for the payment of TDI benefits for individuals who take time off from work to donate an organ or bone marrow. Under current law, these individuals are eligible for TDI benefits, but subject to a one-week waiting period.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the enactment of this bill may result in an indeterminate annual increase in expenditures from the SDBF due to an increase in TDI benefit payments to covered workers who take time off from work to donate an organ or bone marrow. The increase will be the result of the elimination of the one-week waiting period for the payment of TDI benefits and enhanced job protections for certain organ and bone marrow donors.

The benefits and administrative costs of the TDI program are funded by worker and employer payroll taxes whose rates are set annually to cover anticipated program expenditures. The OLS projects that the bill will result in an annual revenue increase to the SDBF that will partially, if not fully, offset the annual expenditure increase. The 2019 maximum TDI weekly benefit rate is \$696.

The TDI program provides up to 26 weeks of benefits to workers who cannot work due to non-occupational illness or injury. While organ and bone marrow donors are currently eligible for TDI benefits, they do not receive benefits during the first week of disability, as benefits are generally payable beginning only on the eighth consecutive day of the disability in most instances. The first seven days of disability are called the waiting week. Only if the disability continues for three consecutive weeks will benefits for the waiting week be paid.

This bill eliminates the waiting week period for organ and bone marrow donors. The OLS estimates that this provision will increase the number of TDI claims and the amount of TDI benefit payments for leave due to organ or bone marrow donation, as more workers will file claims while others who would file claims absent this bill will receive additional benefit payments.

Currently, the length of recovery periods for organ and bone marrow donors may preclude certain donors from utilizing TDI benefits and may dissuade them from donating. According to advocacy groups, bone marrow donors should expect to return to work within one to seven days, precluding them from receiving TDI benefits. Organ donors may be able to go back to work within one or two weeks of the surgery, providing eligibility for TDI benefits but precluding payment for the one-week waiting period. The OLS notes that there is no standard for the length of recovery for donating an organ or bone marrow.

Furthermore, research indicates that the lack of job security during a work leave may reduce the use of leave benefits. Therefore, a covered worker under the TDI law may be more likely to use TDI benefits for the purposes of organ or bone marrow donation if the worker is entitled to be restored to the worker's position following the leave. Accordingly, the OLS estimates that this bill's job protection for organ and bone marrow donors will result in an increased number of TDI claims for leave due to organ or bone marrow donation.

The OLS is unable to determine the number of additional claims that may result from this bill, and therefore the total cost to the SDBF. According to the United States Department of Health and Human Services, 250 organ procurements occurred in New Jersey in 2017 from living donors. The OLS is unable to determine how many, if any, of those donors received TDI benefits. Furthermore, according to NJ Sharing Network, a non-profit organization responsible for the recovery and placement of donated organs and tissue, in 2018, over 4,000 residents are listed on organ donor waiting registries.

Section: Commerce, Labor and Industry
Analyst: Juan C. Rodriguez
Senior Fiscal Analyst
Approved: Frank W. Haines III
Legislative Budget and Finance Officer

Governor Murphy Takes Action on Legislation

01/21/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space) – Requires certain contractors to register under "The Public Works Contractor Registration Act"

S-358/A-4587 (Rice/Sumter, Reynolds-Jackson) – Establishes database with certain information about individuals elected to public office in this State

S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy) – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttie) – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso) – Makes various changes to "Criminal Injuries Compensation Act of 1971"

S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttie) – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty) – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey) – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson) – Authorizes use of certain electric school buses

S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano) – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttie, Sumter, Benson) – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer) – Increases workers' compensation for loss of hand or foot

S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin) – Prohibits resale of non-prescription diabetes test devices by pharmacists

S-939/A-3331 (Pou/Vainieri Huttie, Lopez, McKnight) – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

S-974/A-3040 (Singleton, T. Kean/Vainieri Huttie, Timberlake, Mosquera) – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

State correctional facilities

S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake) – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak) – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey) – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano) – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson) – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn) – Designates Seeing Eye® dog as State Dog

S-3036/A-1697 (Lagana, Scutari/Dancer, Downey) – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson) – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake) – Establishes youth apprenticeship pilot program in Department of Education

S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter) – Establishes five year Apprentice Assistance and Support Services Pilot Program

S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker) – Requires certain medical facilities to undertake end-of-life planning and training

S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz) – Requires emergency departments to take certain measures concerning palliative care for patients

S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti) – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land) – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

S-3227/A-5261 (Gopal/Tully, Pinkin, Swain) – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle) – Prohibits sale or distribution of flavored vapor products

[Copy of Statement](#)

S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle) – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttie) – Establishes Task Force on Maximizing Employment for People with Disabilities

S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttie, Downey) – Authorizes certain health care and social service resources to be made available during Code Blue alert

S-3581/A-5963 (Singleton/Lopez, Quijano) – Prohibits certain business financing contracts that contain judgment by confession provisions

S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight) – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths) – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space) – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling) – Prohibits local governments from imposing fines on alarm companies in certain circumstances

S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon) – Adds member from Retired Judges Association of New Jersey to State Investment Council

SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin) – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

S-3920 wGR/A-5552 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy) – Concerns labor harmony agreements for hospitality projects

SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon) – Establishes Recycling Market Development Council

S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttie) – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

S-4025/A-5695 (Pou/Wimberly, Sumter) – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

S-4162/A-6014 (Smith, Greenstein/Vainieri Huttie, Pinkin, Houghtaling) – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

S-4165/A-4364 (Rice/Giblin, Caputo, Tucker) – Expands University Hospital board of directors membership from 11 to 13 members

S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt) – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley) – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey) – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese) – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

S-4275/A-6088 (Smith, Greenstein/Burzichelli) – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land) – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey) – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy) – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin) – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

S-4286/A-5890 (Vitale/Swain, Jones) – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttle, Zwicker) – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez) – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli) – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land) – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain) – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker) – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter) – Establishes the "New Jersey State Commission on Urban Violence"

SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttle, Schepisi) – Designates March 19th "Women in Public Office Day" in New Jersey

SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce) – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin) – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz) – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz) – Requires DHS to study social isolation occurring in certain population groups

A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado) – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

A-5432/S-3796 (Milam, Land/Andrzejczak) – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado) – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez) – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo) – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman) – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado) – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari) – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney) – Concerns responsibility of contractors for wage claims against subcontractors

A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown) – Allows certain persons to qualify for casino key employee license and casino employee registration

A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg) – Authorizes DOH to notify elected officials of financial distress of certain hospitals

A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale) – Expands hospital reporting requirements

A-5970/S-4201 (Lopez, Speight, Chaparro/Codey) – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado) – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton) – Makes changes to New Jersey Infrastructure Bank's enabling act

A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton) – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

A-6119/S-4336 (Egan, Houghtaling/Madden) – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein) – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado) – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden) – Designates April of each year as "Financial Literacy Month" in New Jersey

AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado) – Designates February in each year as "Career and Technical Education Month" in New Jersey

Governor Murphy declined to sign the following bills, meaning they expire without becoming law:

S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly) – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer) – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo) – Concerns installation of electric vehicle charging stations in common interest communities

S-2425/A-3851 (Singleton, Andrzejczak/Conaway) – Revises law relating to common interest communities

S-2429/A-4028 (Scutari, Pou/Bramnick, Downey) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy) – Requires public schools to administer written screenings for depression for students in certain grades

S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter) – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

S-2957/A-4712 (Stack/Mukherji, Chaparro) – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce) – Establishes the "Energy Infrastructure Public-Private Partnership Act"

S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy) – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo) – Provides tuition fee waiver apprenticeship courses

S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land) – The "Electronic Construction Procurement Act"

S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano) – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttle, Chiaravalloti, McKnight) – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce) – Establishes certain requirements for stop loss insurance offered to small employers

S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer) – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones) – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

S-3888/A-5585 (Ruiz/Dancer, Pintor Marin) – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter) – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin) – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones) – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

A-491/S-4340 (Jimenez/Sacco, Stack) – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden) – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho) – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

A-1526/S-1048 (Zwicker, Johnson/Vitale) – Concerns payment of independent contractors

A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho) – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith) – Requires paint producers to implement or participate in paint stewardship program

A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak) – Establishes "Electronic Permit Processing Review System"

A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan) – Establishes expedited construction inspection program

A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan) – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana) – Requires reporting of opioid deaths

A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado) – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney) – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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