

FLOOR AMENDMENT STATEMENT: No

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(continued)

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RH/CL

P.L. 2021, CHAPTER 29, *approved March 1, 2021*
Assembly, No. 1226

1 **AN ACT** concerning certain power restoration practices of electric
2 public utilities and supplementing Title 48 of the Revised
3 Statutes.

4

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

7

8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Assisted living facility” means an assisted living residence or
11 comprehensive personal care home licensed pursuant to P.L.1971,
12 c.136 (C.26:2H-1 et seq.).

13 “Board” means the Board of Public Utilities or any successor
14 agency.

15 “DNA” means deoxyribonucleic acid.

16 “Electric public utility” means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 “Extended power outage” means an electric power outage lasting
20 more than 24 hours.

21 “Facility” means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 “Hospital” means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 “Major event” means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the utility, including,
29 but not limited to, a terrorist attack, thunderstorm, tornado,
30 hurricane, flood, heat wave, snow storm, ice storm, or earthquake,
31 which results in:

32 a. a sustained interruption of electric public utility service to at
33 least 10 percent of the customers in an operating area or 10 percent
34 of a utility’s customers within a municipality or county located in
35 an operating area; or

36 b. the declaration of a state of emergency or disaster by the
37 State or by the federal government.

38 “Nursing home” means a nursing home licensed pursuant to
39 P.L.1971 c.136 (C.26:2H-1 et seq.).

1 2. a. The board shall adopt, pursuant to the "Administrative
2 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
3 regulations requiring an electric public utility to give priority to a
4 facility for electric public utility power restoration after an extended
5 power outage following a major event, except that power restoration
6 efforts to a facility shall not divert efforts to restore power where
7 needed to otherwise maintain overall public safety.

8 b. The rules and regulations adopted by the board pursuant to
9 subsection a. of this section shall allow an electric public utility to
10 exercise its discretion to prioritize power restoration to a facility
11 after an extended power outage in accordance with the facility's
12 needs and with the characteristics of the geographic area in which
13 power shall be restored.

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15 3. This act shall take effect 60 days following the date of
16 enactment.

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21 Requires electric public utilities to provide priority power
22 restoration to certain medical facilities, assisted living facilities, and
23 nursing homes.

ASSEMBLY, No. 1226

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

Assemblyman McKeon, Assemblywoman Mosquera, Assemblymen Johnson, Chiaravalloti, Kennedy, Conaway, Assemblywomen Pintor Marin, N.Munoz, Vainieri Huttel, Pinkin, B.DeCroce, Chaparro, Murphy, McKnight, Lopez, DiMaso, Jasey and Assemblyman Danielsen

SYNOPSIS

Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 10/19/2020)

1 AN ACT concerning certain power restoration practices of electric
2 public utilities and supplementing Title 48 of the Revised
3 Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 "Assisted living facility" means an assisted living residence or
11 comprehensive personal care home licensed pursuant to P.L.1971,
12 c.136 (C.26:2H-1 et seq.).

13 "Board" means the Board of Public Utilities or any successor
14 agency.

15 "DNA" means deoxyribonucleic acid.

16 "Electric public utility" means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 "Extended power outage" means an electric power outage lasting
20 more than 24 hours.

21 "Facility" means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 "Hospital" means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 "Major event" means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the utility, including,
29 but not limited to, a terrorist attack, thunderstorm, tornado,
30 hurricane, flood, heat wave, snow storm, ice storm, or earthquake,
31 which results in:

32 a. a sustained interruption of electric public utility service to at
33 least 10 percent of the customers in an operating area or 10 percent
34 of a utility's customers within a municipality or county located in
35 an operating area; or

36 b. the declaration of a state of emergency or disaster by the
37 State or by the federal government.

38 "Nursing home" means a nursing home licensed pursuant to
39 P.L.1971 c.136 (C.26:2H-1 et seq.).

40
41 2. a. The board shall adopt, pursuant to the "Administrative
42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
43 regulations requiring an electric public utility to give priority to a
44 facility for electric public utility power restoration after an extended
45 power outage following a major event, except that power restoration
46 efforts to a facility shall not divert efforts to restore power where
47 needed to otherwise maintain overall public safety.

1 b. The rules and regulations adopted by the board pursuant to
2 subsection a. of this section shall allow an electric public utility to
3 exercise its discretion to prioritize power restoration to a facility
4 after an extended power outage in accordance with the facility's
5 needs and with the characteristics of the geographic area in which
6 power shall be restored.

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8 3. This act shall take effect 60 days following the date of
9 enactment.

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STATEMENT

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14 This bill requires the Board of Public Utilities (BPU) to adopt rules
15 and regulations requiring an electric public utility to provide priority
16 power restoration following an extended power outage to: 1) hospitals;
17 2) nursing homes; 3) assisted living facilities; 4) chronic or acute renal
18 dialysis facilities; and 5) clinical or research laboratories or institutes
19 that store human blood, other human tissue, or human DNA.

20 The bill requires the BPU to allow a utility to exercise its
21 discretion to prioritize power restoration to any of the specified
22 facilities after an extended power outage in accordance with the
23 facilities' needs and the characteristics of the geographic area in which
24 power is to be restored.

25 Any priority power restoration efforts to the specified facilities are
26 not to divert efforts to restore power where needed to otherwise
27 maintain overall public safety.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1226

STATE OF NEW JERSEY

DATED: OCTOBER 19, 2020

The Assembly Homeland Security and State Preparedness Committee reports favorably Assembly Bill No. 1226.

As reported by the committee, Assembly Bill No. 1226 requires the Board of Public Utilities (BPU) to adopt rules and regulations requiring an electric public utility to provide priority power restoration following an extended power outage to: 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4) chronic or acute renal dialysis facilities; and 5) clinical or research laboratories or institutes that store human blood, other human tissue, or human DNA.

The bill requires the BPU to allow a utility to exercise its discretion to prioritize power restoration to any of the specified facilities after an extended power outage in accordance with the facilities' needs and the characteristics of the geographic area in which power is to be restored.

Any priority power restoration efforts on behalf of the specified facilities are not to divert efforts to restore power where needed to otherwise maintain overall public safety.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1226

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2020

The Senate Economic Growth Committee reports favorably Assembly Bill No. 1226.

As reported, this bill requires the Board of Public Utilities (BPU) to adopt rules and regulations requiring an electric public utility to provide priority power restoration following an extended power outage to: 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4) chronic or acute renal dialysis facilities; and 5) clinical or research laboratories or institutes that store human blood, other human tissue, or human DNA.

The bill requires the BPU to allow an electric public utility to exercise its discretion to prioritize power restoration to any of the specified facilities after an extended power outage in accordance with the facilities' needs and the characteristics of the geographic area in which power is to be restored.

Any priority power restoration efforts on behalf of the specified facilities are not to divert efforts to restore power where needed to otherwise maintain overall public safety.

As reported, Assembly Bill No. 1226 is identical to Senate Bill No. 265, which was also reported by the committee on this date.

SENATE, No. 265

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senator Corrado

SYNOPSIS

Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/29/2020)

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14 agency.

15 "DNA" means deoxyribonucleic acid.

16 "Electric public utility" means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 "Extended power outage" means an electric power outage lasting
20 more than 24 hours.

21 "Facility" means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 "Hospital" means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 "Major event" means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the electric public
29 utility, including, but not limited to, a terrorist attack, thunderstorm,
30 tornado, hurricane, flood, heat wave, snow storm, ice storm, or
31 earthquake, which results in:

32 a. a sustained interruption of electric public utility service to at
33 least 10 percent of the customers in an operating area or 10 percent
34 of an electric public utility's customers within a municipality or
35 county located in an operating area; or

36 b. the declaration of a state of emergency or disaster by the
37 State or by the federal government.

38 "Nursing home" means a nursing home licensed pursuant to
39 P.L.1971, c.136 (C.26:2H-1 et seq.).

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41 2. a. The board shall adopt, pursuant to the "Administrative
42 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
43 regulations requiring an electric public utility to give priority to a
44 facility for electric public utility power restoration after an extended
45 power outage following a major event, except that power restoration
46 efforts to a facility shall not divert efforts to restore power where
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1 b. The rules and regulations adopted by the board pursuant to
2 subsection a. of this section shall allow an electric public utility to
3 exercise its discretion to prioritize power restoration to a facility
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5 needs and with the characteristics of the geographic area in which
6 power shall be restored.

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8 3. This act shall take effect 60 days following the date of
9 enactment.

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STATEMENT

14 This bill requires the Board of Public Utilities (BPU) to adopt
15 rules and regulations requiring an electric public utility to provide
16 priority power restoration following an extended power outage to:
17 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4)
18 chronic or acute renal dialysis facilities; and 5) clinical or research
19 laboratories or institutes that store human blood, other human
20 tissue, or human DNA. Any priority power restoration efforts to the
21 specified facilities are not to divert efforts to restore power where
22 needed to otherwise maintain overall public safety.

23 The bill requires BPU to allow an electric public utility to
24 exercise its discretion to prioritize power restoration to any of the
25 specified facilities after an extended power outage in accordance
26 with the facilities' needs and the characteristics of the geographic
27 area in which power is to be restored.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 265

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2020

The Senate Economic Growth Committee reports favorably Senate Bill No. 265.

As reported, this bill requires the Board of Public Utilities (BPU) to adopt rules and regulations requiring an electric public utility to provide priority power restoration following an extended power outage to: 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4) chronic or acute renal dialysis facilities; and 5) clinical or research laboratories or institutes that store human blood, other human tissue, or human DNA.

The bill requires the BPU to allow an electric public utility to exercise its discretion to prioritize power restoration to any of the specified facilities after an extended power outage in accordance with the facilities' needs and the characteristics of the geographic area in which power is to be restored.

Any priority power restoration efforts on behalf of the specified facilities are not to divert efforts to restore power where needed to otherwise maintain overall public safety.

As reported, Senate Bill No. 265 is identical to Assembly Bill No. 1226, which was also reported by the committee on this date.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Governor Murphy Takes Action on Legislation

03/1/2021

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

S-1271, 2588, 2660/ A-4409 (Cunningham, Gopal/Jasey, Downey, Reynolds-Jackson) – Establishes requirements for closures of private career schools and institutions of higher education, modifies review process of new academic programs, and requires approval of branch campuses

S-2713/A-4631 (Sarlo, Codey/Burzichelli) – Allows for cashless payment at certain sports and entertainment venues

A-1226/S-265 (Schaer, Jimenez, Wimberly, Mukherji, Benson, Quijano/T. Kean, Pou) – Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes

A-1537/S-2217 (Spearman, Moen/Cruz-Perez) – Extends economic recovery term under “Municipal Rehabilitation and Economic Recovery Act”; bars appeal of certain property assessments by Garden State Growth Zone Development Entity

A-2280/S-1763 (Armato, Murphy, Vainieri Huttel/Gopal, Cryan) – Criminalizes certain payments for referral of patients to substance use disorder treatment facilities

[Copy of Statement](#)

A-4454/S-2781 (Murphy, Reynolds-Jackson, Verrelli/Codey, Smith, Ruiz) – Requires school districts to include instruction on diversity and inclusion as part of implementation of New Jersey Student Learning Standards