

1 county treasurer shall deposit the surcharges so collected into a fund  
2 that shall be used by the county to accomplish the purposes of  
3 P.L.2009, c.123 (C.52:27D-287a et al.). This fund shall be known  
4 as the "County Homelessness Housing Trust Fund." Five percent of  
5 the fund may be used annually by the county for administrative  
6 costs related to administration of the fund and the grant program  
7 established pursuant to P.L.2009, c.123 (C.52:27D-287a et al.), and  
8 the remainder only for homelessness housing programs as described  
9 in P.L.2009, c.123 (C.52:27D-287a et al.).

10 (2) The surcharge imposed in this section does not apply to  
11 assignments or substitutions of previously recorded deeds of trust.<sup>1</sup>  
12 (cf: P.L.2009, c.123, s.8)

13

14 <sup>1</sup>[4.] 5.<sup>1</sup> This act shall take effect immediately.

1 of grants, for the benefit of homeless veterans, including those at  
2 risk of homelessness.

3 e. A county may utilize its County Homelessness Trust Fund to  
4 support emergency shelter for the homeless services provided in  
5 connection with a Code Blue alert.

6 (cf: P.L.2017, c.320, s.1)

7  
8 <sup>1</sup>4. N.J.S.22A:4-17 is amended to read as follows:

9 22A:4-17. a. All fees, costs, allowances, percentages and other  
10 perquisites of whatever kind which surrogates, county clerks in  
11 their several capacities, registers of deeds and mortgages, and  
12 sheriffs or persons employed in their offices are entitled to charge  
13 and receive for any official acts or services they may render shall be  
14 for the sole use of the county and shall be accounted for regularly to  
15 the county treasurer; however, such monies shall be utilized to  
16 increase the salaries of surrogates, county clerks, registers of deeds  
17 and mortgages and sheriffs, except as provided in section 6 of  
18 P.L.2001, c.370 (C.22A:4-8.1), section 7 of P.L.1985, c.422  
19 (C.22A:4-17.1) and section 4 of P.L.1988, c.109 (C.22A:4-17.2).

20 Such accounting shall be made on or before the fifteenth day of  
21 each month on form blanks supplied by the county treasurer. The  
22 statement of account shall clearly set forth all sums charged or  
23 taxed or which shall have accrued or become payable during the  
24 preceding month. Such statements shall be made under oath and  
25 filed in the office of the county treasurer as public records.

26 Such statements when received by the county treasurer shall be  
27 forthwith audited by the county auditor or other proper officer.

28 On or before the twentieth day of each month surrogates, county  
29 clerks, registers of deeds and mortgages, and sheriffs shall pay over  
30 the amount of such fees and moneys to the county treasurer and  
31 such officers shall be personally liable to the county for such fees  
32 and moneys.

33 The penalty for each day's neglect to file the required statement  
34 of account or to pay over such moneys shall be one hundred dollars  
35 (\$100.00) to be recovered in the name of the board of chosen  
36 freeholders of the county in a civil action in the Superior Court, and  
37 said officers may also be proceeded against by proceeding in lieu of  
38 prerogative writ.

39 b. (1) In addition to the fees authorized in N.J.S.22A:4-4.1,  
40 and except as provided in paragraph (2) of this subsection, upon  
41 resolution or ordinance of the county governing body, as  
42 appropriate, a surcharge of :

43 (a) three dollars ; or

44 (b) five dollars, of which two dollars shall be used for the  
45 purpose required by subsection e. of section 6 of P.L.2009, c.123  
46 (C.52:27D-287f),

47 which surcharge shall be charged for each document recorded,  
48 which will be in addition to any other charge allowed by law. The

1 "Homeless housing plan" means the plan approved by a local  
2 government to address housing for homeless persons that includes  
3 measurable and achievable objectives to end homelessness in the  
4 county.

5 "Local government" means a county government.

6 "Outcome measurement" means the process of comparing  
7 specific measures of success against ultimate and interim goals.

8 (cf: P.L.2009, c.123, s.3)

9

10 3. Section 6 of P.L.2009, c.123 (C.52:27D-287f) is amended to  
11 read as follows:

12 6. a. Each county shall utilize its County Homelessness Trust  
13 Fund with the advice of the County Homelessness Trust Fund Task  
14 Force for the operation of a homeless housing grant program. This  
15 program is established in order to provide:

16 (1) for the acquisition, construction, or rehabilitation of housing  
17 projects or units within housing projects that supply permanent  
18 affordable housing for homeless persons or families, including  
19 those at risk of homelessness;

20 (2) rental assistance vouchers, including tenant and project  
21 based subsidies, for affordable housing projects or units within  
22 housing projects that provide permanent affordable housing for  
23 homeless persons or families, including those at risk of  
24 homelessness;

25 (3) supportive services as may be required by homeless  
26 individuals or families in order to obtain or maintain, or both,  
27 permanent affordable housing; and

28 (4) prevention services for at risk homeless individuals or  
29 families so that they can obtain and maintain permanent affordable  
30 housing.

31 b. Grants awarded by the governing body of the county shall be  
32 used to support projects that:

33 (1) measurably reduce homelessness;

34 (2) demonstrate government cost savings over time;

35 (3) employ evidence-based models;

36 (4) can be replicated in other counties;

37 (5) include an outcome measurement component;

38 (6) are consistent with the local homeless housing plan; or

39 (7) fund the acquisition, construction, or rehabilitation projects  
40 that will serve homeless individuals or families for a period of at  
41 least 30 years or the equal to the longest term of affordability  
42 required by other funding sources.

43 c. Each county that has established a County Homelessness  
44 Trust Fund shall transmit information concerning the uses of the  
45 funds to the New Jersey Housing and Mortgage Finance Agency in  
46 accordance with requirements established by that agency.

47 d. The governing body of a county may by resolution establish  
48 a preference for veterans that gives first priority, in the distribution

1 3. As used in **[this act]** P.L.2009, c.123 (C.52:27D-287a et  
2 al.):

3 "Code Blue alert" means an alert declared pursuant to section 3  
4 of P.L.2017, c.68 (C.App.A:9-43.20).

5 "Community based organization" means a nonprofit, private, or  
6 public organization funded with public or private funds, or both,  
7 that provides housing and services to families and individuals who  
8 are homeless.

9 "County homeless housing grant program" means the vehicle by  
10 which competitive grants are awarded by the governing body of the  
11 county, utilizing moneys from the County Homelessness Housing  
12 Trust Fund, for activities directly related to housing homeless  
13 individuals and families, preventing homelessness, and other efforts  
14 directly related to permanently housing homeless persons, as  
15 administered by the local government or its designated  
16 subcontractor, or directly related to temporarily housing homeless  
17 persons in connection with a Code Blue alert.

18 "County Homelessness Trust Fund Task Force" means the  
19 voluntary local committee created to advise a local government on  
20 the creation of a local homeless housing plan and participate in a  
21 local homeless housing program. It shall include a representative of  
22 the county, representatives from each of the three municipalities in  
23 the county with the largest populations of homeless people,  
24 representatives from the organization responsible for developing,  
25 implementing, or both, the local plan to end homelessness, at least  
26 three homeless or formerly homeless persons, and three  
27 representatives of local private or nonprofit organizations with  
28 experience in assisting the homeless or providing low-income  
29 housing. Among the responsibilities of the County Homelessness  
30 Trust Fund Task Force is to assess priorities for funding, review of  
31 applications, and preparation of an annual report and an annual  
32 measurement of the progress of the trust fund.

33 "Department" means the Department of Community Affairs,  
34 unless otherwise designated.

35 "Director" means the Director of the Division of Housing and  
36 Community Resources in the Department of Community Affairs.

37 "Homeless person" means an individual living outside, or in a  
38 building not meant for human habitation or which the person has no  
39 legal right to occupy, in an emergency shelter, or in a temporary  
40 housing program which may include a transitional and supportive  
41 housing program if habitation time limits exist, or temporarily in  
42 the home of another household, or in a motel.

43 "Housing authority" means any of the public corporations  
44 created pursuant to section 17 of P.L.1992, c.79 (C.40A:12A-17).

45 "Housing continuum" means the progression of individuals along  
46 a housing-focused scale with homelessness at one end and home  
47 ownership at the other.

1 AN ACT concerning the use of county homelessness trust funds and  
2 amending P.L.2009, c.123 <sup>1</sup>and N.J.S.22A:4-17<sup>1</sup>.

3

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

6

7 1. Section 2 of P.L.2009, c.123 (C.52:27D-287b) is amended to  
8 read as follows:

9 2. The Legislature finds and declares:

10 a. The creation of county homelessness trust funds in counties  
11 that have completed and endorsed a plan to end homelessness will  
12 provide some of the additional funds necessary to move homeless or  
13 formerly homeless individuals toward the goal of permanent  
14 affordable housing and self-sufficiency.

15 b. Despite laudable efforts by all levels of government, private  
16 individuals, nonprofit organizations, and charitable foundations to  
17 end homelessness, the number of homeless persons in New Jersey is  
18 unacceptably high. The State's homeless population, furthermore,  
19 includes a large number of families with children, youth, veterans,  
20 the elderly, and employed persons.

21 c. Fiscal and social costs of homelessness are high for both the  
22 public and private sectors and **[declares that]** ending homelessness  
23 should be a joint goal for State and local government.

24 d. A myriad of factors contribute to homelessness, including a  
25 shortage of affordable housing; a shortage of jobs that pay wages  
26 and benefits sufficient to support a family; high property taxes  
27 which undermine housing affordability; a lack of an accessible and  
28 affordable health care system available to all who suffer from  
29 physical and mental illnesses and chemical and alcohol dependency;  
30 domestic violence; and a lack of education and job skills necessary  
31 to acquire adequate wage jobs in the economy of the twenty-first  
32 century.

33 e. It is critical that emergency shelters for the homeless are  
34 able to provide sufficient and adequate shelter services to all  
35 homeless individuals in their communities when a Code Blue alert  
36 is in effect due to severely cold weather. Allowing county  
37 homelessness trust funds to be used in support of emergency shelter  
38 for the homeless services provided in connection with a Code Blue  
39 alert would create an additional funding source to help ensure that  
40 this goal is met.

41 (cf: P.L.2009, c.123, s.2)

42

43 2. Section 3 of P.L.2009, c.123 (C.52:27D-287c) is amended to  
44 read as follows:

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Senate SBA committee amendments adopted December 3, 2018.**

[First Reprint]  
**ASSEMBLY, No. 4177**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED JUNE 14, 2018

**Sponsored by:**

**Assemblywoman ELIANA PINTOR MARIN**

**District 29 (Essex)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Co-Sponsored by:**

**Assemblywoman Chaparro, Assemblyman Schaer, Assemblywomen Vainieri Huttie, Murphy, Reynolds-Jackson, DiMaso, Pinkin, Assemblymen Conaway, Wimberly, Senators Greenstein, Madden, Pou, Assemblywoman Lopez, Assemblyman Chiaravalloti and Assemblywoman Mosquera**

**SYNOPSIS**

Allows county homelessness trust funds to be used for code blue emergency shelter services.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on December 3, 2018, with amendments.



(Sponsorship Updated As Of: 2/1/2019)