

# 2016 New Jersey Legislative Review

by Leonard S. dePalma, Esq.

Below are brief descriptions of some of the new laws passed by New Jersey's Legislature during 2016. These are intended as introductory descriptions only and are not comprehensive as to the content of the new laws listed. Contact The dePalma Law Firm to learn more about these enactments.

## Uniform Interstate Family Support Act

The new "Uniform Interstate Family Support Act," (UIFSA) enacted during March 2016 (P.L. 2016, c.1) repeals the existing "Uniform Interstate Family Support Act," which was adopted in New Jersey as P.L.1998, c.2 (C.2A:4-30.65 et seq.). UIFSA provides uniform rules for the enforcement of family support orders. In 2007, the United States signed the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance ("the Convention"). In 2008, the Uniform Law Commission approved amendments to UIFSA which incorporated the provisions required by the Convention. In 2014, Congress passed federal implementing legislation for the Convention, the "Preventing Sex Trafficking and Strengthening Families Act," Public Law No.113-183, which requires the 2008 UIFSA amendments be enacted in every jurisdiction by April 1, 2016 as a condition of continuing to receive federal funds for state child support programs. This bill repeals portions of New Jersey's 1998 version of UIFSA, and implements a new UIFSA which encompasses those amendments promulgated by the Uniform Law Commission. This bill provides guidelines and procedures for the registration, enforcement and modification of foreign support orders.

## "Upskirting" Invasion of Privacy Law

This law enacted in May 2016 (P.L. 2016, c.2) explicitly outlaws "upskirting" - the taking revealing photos under a person's clothing. In part, the law states that "An actor commits a crime of the fourth degree if, knowing that he is not licensed or privileged to do so, he photographs, films, videotapes, records, or otherwise reproduces in any manner, the image of the undergarment-clad intimate parts of another person, without that person's consent and under circumstances in which a reasonable person would not expect to have his undergarment-clad intimate parts observed.

## NJ Task Force on Abuse of Elderly or Disabled

This law enacted in May 2016 (P.L. 2016, c.3) created a task force to evaluate current policies that are designed to protect older adults and persons with disabilities from instances of abuse, neglect, and financial exploitation; identify any existing circumstances that might allow for the inadequate protection of this population; and develop recommendations for more effective and efficient legislation, policies, and strategies.

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of the season be yours.**

**The dePalma Law Firm**

**Len, Beth, Peter, Neal,  
Andrea, Derek and Alex**

## 2016 Legislative Review

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### Protection of Threatened Animals

New laws enacted in June 2016 (P.L. 2016, c.6 and c.7) prohibit possession, transport, import, export, processing, sale, or shipment of parts and products of certain animal species threatened with extinction. They also prohibit possession and transport of parts and products of certain animals at Port Authority airports and port facilities. Since the airports and facilities of the Port Authority - Newark Liberty International, J.F.K and LaGuardia - are some of the most heavily traveled routes back to the U.S. from countries in Africa, it is hoped this ban will serve as a disincentive for killing endangered animals for sport. The specified African species are the African elephant, African leopard, African lion, black rhinoceros and white rhinoceros, and Cape buffalo. Any person in violation of the law would be guilty of a fourth degree crime. Upon conviction, any property used in connection with the violation would be forfeited and disposed of in a manner consistent with the best interest of the public. Any penalty imposed under the bill would be in addition to any penalty that may be imposed pursuant to any other applicable law.



### Supplemental Nutrition Assistance Program

This amendment to an existing law enacted in June 2016 (P.L. 2016, c.11) permits the Department of Human Services to request waiver of time limits for certain Supplemental Nutrition Assistance Program recipients under certain circumstances. The new law states in pertinent part: "Immediately upon the effective date of this act and at least once annually thereafter, the Commissioner of Human Services shall conduct a review of available data on labor and employment in the State produced by the Department of Labor and Workforce Development and the federal Bureau of Labor Statistics. The purpose of the review shall be to determine whether to submit a request for a waiver of the benefit time limit for able bodied adults without dependents participating in the Supplemental Nutrition Assistance Program as authorized by 7 C.F.R. 273.24(f), either throughout the State or in any geographic area of the State. The review shall consider each criterion of eligibility for a waiver as well as the availability of opportunities that will fulfill the work requirement described in 7 C.F.R. 273.24(a). Based on the review conducted pursuant to this section, the commissioner shall determine whether to submit a request for a waiver."

### Madison Holleran Suicide Prevention Act

This new law enacted in August 2016 (P.L. 2016, c.18) known as the "Madison Holleran Suicide Prevention Act" concerns suicide prevention at institutions of higher education and supplements prior related statutes. It states in pertinent part "An institution of higher education shall have individuals with training and experience in mental health issues who focus on reducing student suicides and attempted suicides available on campus or remotely by telephone or other means for students 24 hours a day, seven days a week. The individuals shall also work with faculty and staff on ways to recognize the warning signs and risk factors associated with student suicide." The new law also states "No later than 15 days following the beginning of each semester, an institution of higher education shall transmit to each student via electronic mail the contact information of the individuals required pursuant to subsection a. of this section."

### Veterans' Affordable Housing Assistance

This law enacted in August 2016 (P.L. 2016, c.19) requires the Commissioner of Department of Community Affairs to promulgate rules and regulations providing for veterans' affordable housing assistance preference. It also states in part "Admission to housing projects constructed, improved or rehabilitated under this act shall be limited to families whose gross aggregate family income at the time of admission does not exceed six times the annual rental or carrying charges, including the value or cost to them of heat, light, water, sewerage, parking facilities and cooking fuel, of the dwellings that may be furnished to such families, or seven times those charges if there are three or more dependents. There may be included in the carrying charges to any family for residence in any mutual housing project constructed, improved or rehabilitated with a loan from the agency an amount equal to 6% of the original cash investment of the family in the mutual housing project and, to the extent authorized by the agency where not included in the carrying charges, the value or cost of repainting the apartment and replacing any fixtures or appliances. Notwithstanding the provisions of this section, no family or individual shall be eligible for admission to any housing project constructed, improved or rehabilitated with a loan from the agency, whose gross aggregate family income exceeds such amount as shall be established from time to time by the agency, by rules or regulations promulgated hereunder; except that with respect to any project financed by an agency loan insured or guaranteed by the United States of America or any agency or instrumentality thereof, the agency may adopt the admission standards for such projects then currently utilized or required by the guarantor or insurer."