

CHAPTER 68

AN ACT concerning Code Blue alert plans to shelter at-risk individuals , supplementing chapter 9 of Appendix A of the Revised Statutes, and amending P.L.1942, c.251.

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

C.App.A:9-43.18 Definitions relative to Code Blue alert plans.

1. As used in this act:

“At-risk individual” means an individual living outdoors, on the streets, in the parks or in poorly insulated settings, and who is at risk for weather-related exposure and possible death.

“Coordinator” means the county emergency management coordinator appointed pursuant to section 12 of P.L.1953, c.438 (C.App.A:9-42.1).

“County governing body” means the board of chosen freeholders, or in the case of those counties organized pursuant to the provisions of the “Optional County Charter Law,” P.L.1972, c.154 (C.40:41A-1 et seq.), the board of chosen freeholders and the county executive, the county supervisor, or the county manager, as appropriate.

C.App.A:9-43.19 Plan for issuance of Code Blue alert.

2. A county governing body, through its office of emergency management or other appropriate office, agency, or department, shall establish a plan for issuing a Code Blue alert to municipalities, social service agencies, and non-profit organizations that provide services to at-risk individuals and are located within the county’s borders. The county office of emergency management, or appropriate office, agency, or department, shall coordinate with municipal emergency management coordinators in municipalities with a documented homeless population of at least 10, as noted in the most recent Annual Point In Time Count, in developing consistent Code Blue alert plans throughout the county that provide for emergency warming centers during implementation of a Code Blue alert plan. This plan may be carried out by designated volunteer organizations. Volunteer-organized Code Blue efforts shall receive cooperation and logistical support from the coordinator, but shall operate autonomously, provided that they operate in response to an alert and pursuant to the Code Blue alert plan.

C.App.A:9-43.20 Declaration of Code Blue alert.

3. A coordinator shall declare a Code Blue alert after evaluating weather forecasts and advisories produced by the National Weather Service that predict the following weather conditions in the county within 24 to 48 hours:

a. temperatures will reach 25 degrees Fahrenheit or lower without precipitation or 32 degrees Fahrenheit or lower with precipitation; or

b. the National Weather Service windchill temperature will be zero degrees Fahrenheit or less for a period of two hours or more.

4. Section 20 of P.L.1942, c.251 (C.App.A:9-52) is amended to read as follows:

C.App.A:9-52 Liability for injury to persons or property.

20. Neither the State nor any political subdivision of the State under any circumstances, nor the agents, officers, employees, servants or representatives of the State or any political subdivision thereof, including all volunteers, in good faith carrying out, complying with, or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this act or performing any authorized service in connection therewith, shall be

liable for any injury or death to persons or damage to property as the result of any such activity. No person owning, possessing or managing any real property which has been designated, pursuant to the provisions of this act or of any order, rule or regulation promulgated thereunder, as a shelter from destructive operations or attacks by enemies of the United States, shall be liable in any civil action for death or injury to any person who, because such real property has been designated a shelter as aforesaid, enters upon it solely for the purpose of seeking refuge therein during such destructive operations or attacks or during civil defense tests ordered by lawful authority, except where such death or injury is caused by the willful act of such owner, possessor or manager, or his agents or employees. The foregoing shall not affect the right of any person to receive benefits or compensation which may be specifically provided by the provisions of this or any other State or Federal Statute, nor shall it affect the right of any person to recover under the terms of any policy of insurance. The provisions of this section shall apply but shall not be limited to establishing or developing a Code Blue alert plan, or implementing, carrying out, or providing services under a Code Blue alert plan, pursuant to the provisions of P.L.2017, c.68 (C.App.A:9-43.18 et al.).

C.App.A:9-43.21 Review of weather forecasts.

5. The coordinator, or the coordinator's designee, shall review weather forecasts from the National Weather Service on a regular and consistent basis to determine when a Code Blue alert is warranted.

6. This act shall take effect immediately.

Approved May 11, 2017.