

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Emergency Shelters for the Homeless

Proposed Amendment: N.J.A.C. 5:15-4.3

Authorized By: Jacquelyn A. Suárez, Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 55:13C-1.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-033.

Submit written comments by June 6, 2025, to:

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The agency's proposal follows:

Summary

The Department of Community Affairs (Department) proposes to amend the rules for Emergency Shelters for the Homeless, N.J.A.C. 5:15, to incorporate the requirements at P.L. 2023, c. 303, the New Jersey Feminine Hygiene Products for the Homeless Act. This rulemaking amends N.J.A.C. 5:15-4.3, Equipment and furnishings requirements, by requiring that feminine hygiene products be provided to residents of emergency shelters, subject to the availability of additional funds in the homeless shelter's budget.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

It is expected the proposed amendment will have a positive social impact by ensuring access to feminine hygiene products in emergency shelters; this relieves the burden of the cost of feminine hygiene products for people experiencing homelessness.

Economic Impact

This rulemaking ensures that people experiencing homelessness are not burdened with the cost of feminine hygiene products while already experiencing financial and economic hardships. Owners and operators of emergency shelters will need to purchase feminine hygiene products to be provided to residents of the shelter, which will lead to increased costs. However, this cost ensures that residents within the shelter are not facing further economic hardship.

Federal Standards Statement

A Federal standards analysis is not required because the proposed amendment is not being proposed pursuant to the authority of, or in order to implement, comply with, or participate in, any program established pursuant to Federal law or any State statute that incorporates or refers to any Federal law, standards, or requirements.

Jobs Impact

The Department does not anticipate that this rulemaking, which ensures feminine hygiene products are available in emergency shelters for the homeless, will lead to the creation or loss of any

jobs in the State.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendment would impact the agriculture industry.

Regulatory Flexibility Statement

There are no for-profit businesses that sponsor emergency shelters in the State. As such, no regulatory flexibility analysis pursuant to New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., is required.

Housing Affordability Impact Analysis

It is not expected that the proposed amendment will have an impact on the affordability of housing, or the average costs associated with housing, as the rules ensure feminine hygiene products are available in emergency shelters for the homeless.

Smart Growth Development Impact Analysis

It is not expected that the proposed amendment will have any impact upon housing production within Planning Areas 1 and 2, or within designated centers, pursuant to the State Development and Redevelopment Plan, as the rules ensure feminine hygiene products are available in emergency shelters for the homeless.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Department has evaluated this rulemaking and determined that it will not have an impact

on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 4. FACILITY REQUIREMENTS

5:15-4.3 Equipment and furnishings requirements

(a)-(c) (No change.)

(d) Each resident shall be supplied with:

1.-5. (No change.)

6. Toilet tissue; [and,]

7. For emergency shelters for the homeless that serve female residents, subject to the availability of funds in the shelter's general budget, feminine hygiene products including, but not limited to, sanitary napkins, tampons, and panty liners; and

[7.] **8.** (No change in text.)

(e) – (k) (No change.)