

CHAPTER 3**DEPARTMENT RECORDS****Authority**

N.J.S.A. 2A:17-56.44e, 46:3B-5, 52:27C-24, 52:27D-3f,
52:27D-124, 52:27D-201, 52:27D-203, 55:13B-7.

Source and Effective Date

R.2003 d.461, effective October 31, 2003.
See: 35 N.J.R. 2550(a), 35 N.J.R. 5371(a).

Executive Order No. 66(1978) Expiration Date

Chapter 3, Department Records, expires October 31, 2008.

Chapter Historical Note

Chapter 3, originally Office of the Commissioner, was filed and became effective prior to September 1, 1969 with rules on contract approval. These rules were repealed by R.1978 d.360, effective October 6, 1978. See: 10 N.J.R. 377(a), 10 N.J.R. 470(a).

Pursuant to Executive Order 66(1978), Chapter 3 was readopted as R.1988 d.458, effective September 1, 1988. See: 20 N.J.R. 1763(a), 20 N.J.R. 2451(b).

Pursuant to Executive Order No. 66(1978), Chapter 3, Department Records, was readopted as R.1993 d.419, effective July 30, 1993. See: 25 N.J.R. 2157(a), 25 N.J.R. 4071(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, Department Records, was readopted as R.1998 d.296, effective May 14, 1998. See: 30 N.J.R. 1003(a), 30 N.J.R. 2204(a).

Chapter 3, Department Records, was readopted by R.2003 d.461, effective October 31, 2003.

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SUBCHAPTER 1. GENERAL PROVISIONS**5:3-1.1 (Reserved)**

Amended by R.1983 d.433, effective October 17, 1983.
See: 15 N.J.R. 1152(a), 15 N.J.R. 1758(a).

Deleted old (d) and added new (d)1.

Amended by R.1983 d.643, effective January 17, 1984.

See: 15 N.J.R. 1910(a), 16 N.J.R. 128(a).

(d)2. added.

Amended by R.1988 d.458, effective October 3, 1988.

See: 20 N.J.R. 1763(a), 20 N.J.R. 2451(b).

Substantially amended.

Recodified from 5:3-2.1 and amended by R.1993 d.419, effective September 7, 1993.

See: 25 N.J.R. 2157(a), 25 N.J.R. 4071(a).

Amended by R.1998 d.296, effective June 15, 1998.

See: 30 N.J.R. 1003(a), 30 N.J.R. 2204(a).

In (a), added 4; in (c), substituted a reference to the Division of Codes and Standards for a reference to the Division of Housing and Development in the introductory paragraph, deleted former 2, 4 and 5, and recodified former 3 as 2; and added (d).

Repealed by R.2003 d.461, effective November 10, 2003.

See: 35 N.J.R. 2250(a), 35 N.J.R. 5371(a).

Section Nonpublic records.

5:3-1.2 Social Security numbers

(a) Except as otherwise provided by Federal law, no division, bureau or other unit within the Department of Community Affairs may require any person to submit his or her Social Security number as a condition for acceptance of an application for licensure, certification, registration or assistance.

(b) Units within the Department of Community Affairs responsible for the enforcement of the Rooming and Boarding House Act of 1979, the State Uniform Construction Code Act, the Uniform Fire Safety Act, the New Home Warranty and Builders' Registration Act and the Prevention of Homelessness Act may request voluntary submission of Social Security numbers for use in connection with criminal background checks or credit checks needed for purposes of licensure, certification, registration or assistance, as the case may be. No application shall be denied for failure to comply with any such request; provided, however, that a person who refuses to submit a Social Security number may be required to submit such other information as the Depart-

ment may require in order to determine an applicant's eligibility for licensure, certification, registration or assistance, as the case may be.

(c) Any form used by any unit within the Department to request submission of a Social Security number shall include the following:

1. A statement as to whether provision of the Social Security number is mandatory or voluntary;
2. A citation of the statute or rule (which, in the case of a request for voluntary submission, shall be this section, together with N.J.S.A. 55:13B-7, 52:27D-201, 52:27D-203, 52:27D-124, 46:3B-5 or 52:27C-24, whichever may be applicable) that authorizes the Department to require or request the Social Security number; and
3. A statement of the use or uses that the Department will make of the Social Security number.

New Rule, R.1993 d.419, effective September 7, 1993.
See: 25 N.J.R. 2157(a), 25 N.J.R. 4071(a).