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NJSA: 4:1C-10.1a, Allows commercial farmer to be awarded reasonable costs and attorney fees for defending against bad faith complaints under "Right to Farm Act".

SPONSOR(S) Freiman, Roy and others

COMMITTEE: **ASSEMBLY:** Commerce, Economic Development & Agriculture

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: 12/19/2024

SENATE: 06/30/2025

DATE OF APPROVAL: 11/13/2025

FINAL TEXT OF BILL (A4603 enacted)

ADVANCE LAW Yes

PAMPHLET LAW Yes

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): No

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S3662

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
REPRINT(S):	No
TECHNICAL REVIEW OF BILL:	No
COMMITTEE STATEMENT: ASSEMBLY:	No
SENATE:	Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	No
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	No
LEGISLATOR STATEMENT:	Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

'New law strengthens legal protections for farmers - Agriculture. Governor Phil Murphy signed bipartisan legislation sponsored by Sen. Parker Space strengthening the "Right to Farm Act," allowing commercial farmers to recover legal costs from bad-faith complaints.', *Advertiser-News, The* (online), 14 Nov 2025
⌈<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A46174735046B10>⌋

CL/MMcB

P.L. 2025, CHAPTER 156, *approved November 13, 2025*
Assembly, No. 4603

1 AN ACT concerning the filing of complaints about farming
2 activities, and supplementing P.L.1983, c.31 (C.4:1C-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. A respondent who prevails in an action brought pursuant to
8 section 5 of P.L.1998, c.48 (C.4:1C-10.1) because the commercial
9 agricultural operation, activity or structure is found to be entitled to
10 the irrebuttable presumption established in section 7 of P.L.1983,
11 c.31 (C.4:1C-10) shall be awarded reasonable costs and attorney
12 fees to be paid by the complainant upon a determination supported
13 by a preponderance of the evidence that the complaint was brought
14 in bad faith.

15 A respondent seeking an award under this section shall submit an
16 application to the county board or committee detailing the costs and
17 attorney fees incurred in the defense of the complaint. If the county
18 board or committee finds that a preponderance of the evidence
19 supports a determination that the complaint was brought in bad
20 faith, the county board or committee shall determine if the costs and
21 attorney fees, or a portion thereof, are reasonable, and shall issue an
22 order requiring the complainant to pay the reasonable costs and
23 attorney fees.
24

25 2. This act shall take effect immediately.
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28 STATEMENT
29

30 This bill would strengthen the legal protections provided to
31 farmers under the “Right to Farm Act.” Specifically, the bill would
32 allow farmers to recover reasonable costs and attorney fees incurred
33 in the defense of bad faith complaints against commercial
34 agricultural operations, activities or structures when a county
35 agriculture development board or the State Agriculture
36 Development Committee (SADC), as applicable:

37 1) finds the farmer is entitled to the irrebuttable presumption
38 established under the “Right to Farm Act”; and

39 2) determines, supported by a preponderance of the evidence,
40 that the complaint was brought in bad faith and all or a portion of
41 the costs and attorney fees are reasonable.

42 Under the “Right to Farm Act,” the established irrebuttable
43 presumption is that a commercial agricultural operation, activity or

1 structure or specific operation or practice does not constitute a
2 public or private nuisance, or does not otherwise invade or interfere
3 with the use and enjoyment of any other land or property, if:

4 1) the commercial agricultural operation, activity or structure
5 conforms to agricultural management practices recommended and
6 adopted by the SADC, or the specific operation or practice of the
7 commercial agricultural operation has been determined to constitute
8 a generally accepted agricultural operation or practice, either by the
9 appropriate county agriculture development board or the SADC, as
10 applicable; and

11 2) the commercial agricultural operation, activity or structure
12 or specific operation or practice complies with all relevant federal
13 and State statutes and regulations, and does not pose a direct threat
14 to public health and safety.

15 Under the bill, a farmer seeking an award of reasonable costs and
16 attorney fees would submit an application therefor to the county
17 agriculture development board or the SADC as applicable, after
18 being found entitled to the irrebuttable presumption. The county
19 agriculture development board or the SADC would then determine,
20 whether a preponderance of the evidence supports a determination
21 that the complaint was made in bad faith and if the costs and fees,
22 or a portion thereof, are reasonable. If so, the county agriculture
23 development board or the SADC would issue an order for the
24 person filing the complaint to pay the reasonable costs and fees to
25 the farmer.

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30 Allows commercial farmer to be awarded reasonable costs and
31 attorney fees for defending against bad faith complaints under
32 “Right to Farm Act”.

CHAPTER 156

AN ACT concerning the filing of complaints about farming activities, and supplementing P.L.1983, c.31 (C.4:1C-1 et seq.).

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

C.4:1C-10.1a Farmers to recover reasonable costs, attorney fees, bad faith complaints.

1. A respondent who prevails in an action brought pursuant to section 5 of P.L.1998, c.48 (C.4:1C-10.1) because the commercial agricultural operation, activity, or structure is found to be entitled to the irrebuttable presumption established in section 7 of P.L.1983, c.31 (C.4:1C-10) shall be awarded reasonable costs and attorney fees to be paid by the complainant upon a determination supported by a preponderance of the evidence that the complaint was brought in bad faith.

A respondent seeking an award under this section shall submit an application to the county board or committee detailing the costs and attorney fees incurred in the defense of the complaint. If the county board or committee finds that a preponderance of the evidence supports a determination that the complaint was brought in bad faith, the county board or committee shall determine if the costs and attorney fees, or a portion thereof, are reasonable and shall issue an order requiring the complainant to pay the reasonable costs and attorney fees.

2. This act shall take effect immediately.

Approved November 13, 2025.

ASSEMBLY, No. 4603

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 17, 2024

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

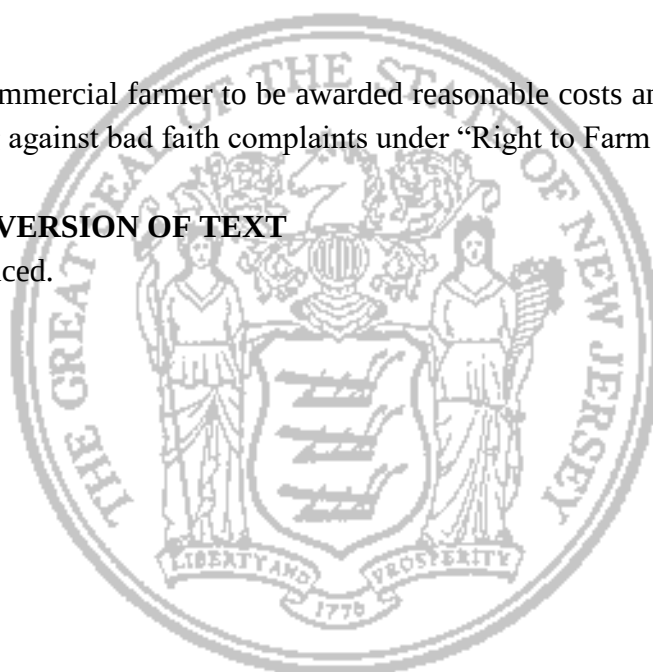
Assemblyman Simonsen, Assemblywomen Drulis, Flynn, Assemblymen Scharfenberger, Torrissi, Clifton, Assemblywomen Speight, Swain, Senators McKnight and Tiver

SYNOPSIS

Allows commercial farmer to be awarded reasonable costs and attorney fees for defending against bad faith complaints under “Right to Farm Act”.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning the filing of complaints about farming
2 activities, and supplementing P.L.1983, c.31 (C.4:1C-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. A respondent who prevails in an action brought pursuant to
8 section 5 of P.L.1998, c.48 (C.4:1C-10.1) because the commercial
9 agricultural operation, activity or structure is found to be entitled to
10 the irrebuttable presumption established in section 7 of P.L.1983,
11 c.31 (C.4:1C-10) shall be awarded reasonable costs and attorney
12 fees to be paid by the complainant upon a determination supported
13 by a preponderance of the evidence that the complaint was brought
14 in bad faith.

15 A respondent seeking an award under this section shall submit an
16 application to the county board or committee detailing the costs and
17 attorney fees incurred in the defense of the complaint. If the county
18 board or committee finds that a preponderance of the evidence
19 supports a determination that the complaint was brought in bad
20 faith, the county board or committee shall determine if the costs and
21 attorney fees, or a portion thereof, are reasonable, and shall issue an
22 order requiring the complainant to pay the reasonable costs and
23 attorney fees.
24

25 2. This act shall take effect immediately.
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27

28 STATEMENT 29

30 This bill would strengthen the legal protections provided to
31 farmers under the “Right to Farm Act.” Specifically, the bill would
32 allow farmers to recover reasonable costs and attorney fees incurred
33 in the defense of bad faith complaints against commercial
34 agricultural operations, activities or structures when a county
35 agriculture development board or the State Agriculture
36 Development Committee (SADC), as applicable:

37 1) finds the farmer is entitled to the irrebuttable presumption
38 established under the “Right to Farm Act”; and

39 2) determines, supported by a preponderance of the evidence,
40 that the complaint was brought in bad faith and all or a portion of
41 the costs and attorney fees are reasonable.

42 Under the “Right to Farm Act,” the established irrebuttable
43 presumption is that a commercial agricultural operation, activity or
44 structure or specific operation or practice does not constitute a
45 public or private nuisance, or does not otherwise invade or interfere
46 with the use and enjoyment of any other land or property, if:

47 1) the commercial agricultural operation, activity or structure
48 conforms to agricultural management practices recommended and

1 adopted by the SADC, or the specific operation or practice of the
2 commercial agricultural operation has been determined to constitute
3 a generally accepted agricultural operation or practice, either by the
4 appropriate county agriculture development board or the SADC, as
5 applicable; and
6 2) the commercial agricultural operation, activity or structure
7 or specific operation or practice complies with all relevant federal
8 and State statutes and regulations, and does not pose a direct threat
9 to public health and safety.
10 Under the bill, a farmer seeking an award of reasonable costs and
11 attorney fees would submit an application therefor to the county
12 agriculture development board or the SADC as applicable, after
13 being found entitled to the irrebuttable presumption. The county
14 agriculture development board or the SADC would then determine,
15 whether a preponderance of the evidence supports a determination
16 that the complaint was made in bad faith and if the costs and fees,
17 or a portion thereof, are reasonable. If so, the county agriculture
18 development board or the SADC would issue an order for the
19 person filing the complaint to pay the reasonable costs and fees to
20 the farmer.

ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND
AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4603

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2024

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably Assembly Bill No. 4603.

This bill would strengthen the legal protections provided to farmers under the “Right to Farm Act.” Specifically, the bill would allow farmers to recover reasonable costs and attorney fees incurred in the defense of bad faith complaints against commercial agricultural operations, activities or structures when a county agriculture development board or the State Agriculture Development Committee (SADC), as applicable:

1) finds the farmer is entitled to the irrebuttable presumption established under the “Right to Farm Act”; and

2) determines, supported by a preponderance of the evidence, that the complaint was brought in bad faith and all or a portion of the costs and attorney fees are reasonable.

Under the “Right to Farm Act,” the established irrebuttable presumption is that a commercial agricultural operation, activity or structure or specific operation or practice does not constitute a public or private nuisance, or does not otherwise invade or interfere with the use and enjoyment of any other land or property, if:

1) the commercial agricultural operation, activity or structure conforms to agricultural management practices recommended and adopted by the SADC, or the specific operation or practice of the commercial agricultural operation has been determined to constitute a generally accepted agricultural operation or practice, either by the appropriate county agriculture development board or the SADC, as applicable; and

2) the commercial agricultural operation, activity or structure or specific operation or practice complies with all relevant federal and State statutes and regulations, and does not pose a direct threat to public health and safety.

Under the bill, a farmer seeking an award of reasonable costs and attorney fees would submit an application therefor to the county agriculture development board or the SADC as applicable, after being found entitled to the irrebuttable presumption. The county agriculture development board or the SADC would then determine, whether a preponderance of the evidence supports a determination that the

complaint was made in bad faith and if the costs and fees, or a portion thereof, are reasonable. If so, the county agriculture development board or the SADC would issue an order for the person filing the complaint to pay the reasonable costs and fees to the farmer.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4603

STATE OF NEW JERSEY

DATED: JUNE 12, 2025

The Senate Economic Growth Committee reports favorably Assembly Bill No. 4603.

As reported, this bill strengthens the legal protections provided to farmers under the “Right to Farm Act.” Specifically, the bill allows farmers to recover reasonable costs and attorney fees incurred in the defense of bad faith complaints against commercial agricultural operations, activities or structures when a county agriculture development board or the State Agriculture Development Committee (SADC), as applicable: (1) finds the farmer is entitled to the irrebuttable presumption established under the “Right to Farm Act”; and (2) determines, supported by a preponderance of the evidence, that the complaint was brought in bad faith and all or a portion of the costs and attorney fees are reasonable.

Under the “Right to Farm Act,” the established irrebuttable presumption is that a commercial agricultural operation, activity or structure or specific operation or practice does not constitute a public or private nuisance, or does not otherwise invade or interfere with the use and enjoyment of any other land or property, if:

(1) the commercial agricultural operation, activity or structure conforms to agricultural management practices recommended and adopted by the SADC, or the specific operation or practice of the commercial agricultural operation has been determined to constitute a generally accepted agricultural operation or practice, either by the appropriate county agriculture development board or the SADC, as applicable; and

(2) the commercial agricultural operation, activity or structure or specific operation or practice complies with all relevant federal and State statutes and regulations and does not pose a direct threat to public health and safety.

Under the bill, a farmer seeking an award of reasonable costs and attorney fees is required to submit an application therefor to the county agriculture development board or the SADC, as applicable, after being found entitled to the irrebuttable presumption. The county agriculture development board or the SADC is then to determine by a preponderance of the evidence whether the complaint was made in bad faith and whether the costs and attorney fees, or a portion thereof, are reasonable. If the complaint is determined to have been brought in bad faith and reasonable costs and attorney fees are determined, the county

agriculture development board or the SADC is to issue an order for the person filing the complaint to pay the reasonable costs and attorney fees to the farmer.

As reported by the committee, Assembly Bill No. 4603 is identical to Senate Bill No. 3662, which was also reported by the committee on this date.

SENATE, No. 3662

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 26, 2024

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senators McKnight and Tiver

SYNOPSIS

Allows commercial farmer to be awarded reasonable costs and attorney fees for defending against bad faith complaints under “Right to Farm Act”.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/18/2024)

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10 the irrebuttable presumption established in section 7 of P.L.1983,
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20 faith, the county board or committee shall determine if the costs and
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25 2. This act shall take effect immediately.
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34 agricultural operations, activities or structures when a county
35 agriculture development board or the State Agriculture
36 Development Committee (SADC), as applicable:

37 1) finds the farmer is entitled to the irrebuttable presumption
38 established under the “Right to Farm Act”; and

39 2) determines, supported by a preponderance of the evidence,
40 that the complaint was brought in bad faith and all or a portion of
41 the costs and attorney fees are reasonable.

42 Under the “Right to Farm Act,” the established irrebuttable
43 presumption is that a commercial agricultural operation, activity or
44 structure or specific operation or practice does not constitute a
45 public or private nuisance, or does not otherwise invade or interfere
46 with the use and enjoyment of any other land or property, if:

47 1) the commercial agricultural operation, activity or structure
48 conforms to agricultural management practices recommended and

1 adopted by the SADC, or the specific operation or practice of the
2 commercial agricultural operation has been determined to constitute
3 a generally accepted agricultural operation or practice, either by the
4 appropriate county agriculture development board or the SADC, as
5 applicable; and
6 2) the commercial agricultural operation, activity or structure
7 or specific operation or practice complies with all relevant federal
8 and State statutes and regulations, and does not pose a direct threat
9 to public health and safety.
10 Under the bill, a farmer seeking an award of reasonable costs and
11 attorney fees would submit an application therefor to the county
12 agriculture development board or the SADC as applicable, after
13 being found entitled to the irrebuttable presumption. The county
14 agriculture development board or the SADC would then determine,
15 whether a preponderance of the evidence supports a determination
16 that the complaint was made in bad faith and if the costs and fees,
17 or a portion thereof, are reasonable. If so, the county agriculture
18 development board or the SADC would issue an order for the
19 person filing the complaint to pay the reasonable costs and fees to
20 the farmer.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 3662

STATE OF NEW JERSEY

DATED: JUNE 12, 2025

The Senate Economic Growth Committee reports favorably Senate Bill No. 3662.

As reported, this bill strengthens the legal protections provided to farmers under the “Right to Farm Act.” Specifically, the bill allows farmers to recover reasonable costs and attorney fees incurred in the defense of bad faith complaints against commercial agricultural operations, activities or structures when a county agriculture development board or the State Agriculture Development Committee (SADC), as applicable: (1) finds the farmer is entitled to the irrebuttable presumption established under the “Right to Farm Act”; and (2) determines, supported by a preponderance of the evidence, that the complaint was brought in bad faith and all or a portion of the costs and attorney fees are reasonable.

Under the “Right to Farm Act,” the established irrebuttable presumption is that a commercial agricultural operation, activity or structure or specific operation or practice does not constitute a public or private nuisance, or does not otherwise invade or interfere with the use and enjoyment of any other land or property, if:

(1) the commercial agricultural operation, activity or structure conforms to agricultural management practices recommended and adopted by the SADC, or the specific operation or practice of the commercial agricultural operation has been determined to constitute a generally accepted agricultural operation or practice, either by the appropriate county agriculture development board or the SADC, as applicable; and

(2) the commercial agricultural operation, activity or structure or specific operation or practice complies with all relevant federal and State statutes and regulations and does not pose a direct threat to public health and safety.

Under the bill, a farmer seeking an award of reasonable costs and attorney fees is required to submit an application therefor to the county agriculture development board or the SADC, as applicable, after being found entitled to the irrebuttable presumption. The county agriculture development board or the SADC is then to determine by a preponderance of the evidence whether the complaint was made in bad faith and whether the costs and attorney fees, or a portion thereof, are reasonable. If the complaint is

determined to have been brought in bad faith and reasonable costs and attorney fees are determined, the county agriculture development board or the SADC is to issue an order for the person filing the complaint to pay the reasonable costs and attorney fees to the farmer.

As reported by the committee, Senate Bill No. 3662 is identical to Assembly Bill No. 4603, which was also reported by the committee on this date.

Posted on: November 13, 2025

Space-Sponsored Law Protects Farmers From Nuisance Lawsuits

Governor Phil Murphy signed bipartisan legislation sponsored by Senator Parker Space (R-24) that strengthens legal protections for commercial farmers under the “Right to Farm Act.”



“By enacting this law, we are protecting farmers from bad-faith lawsuits that waste time and money,” said Sen. Space. “It’s hard enough to make a living farming the land and dealing with frivolous complaints only makes it more difficult. Today’s bill signing sends a clear message that we stand with our farmers and honor the traditions that have shaped New Jersey’s rich agricultural heritage.”

Farmers will now be able to submit applications to a county agriculture development board, or the State Agriculture Development Committee to recover reasonable costs and attorney fees incurred in the defense of bad faith complaints against legitimate commercial operations, activities, or structures.

If the complaint is determined to have been made in bad faith, the appropriate board would issue an order for the complainant to pay reasonable costs and fees to the farmer.

The bill was strongly supported by the New Jersey Farm Bureau and others in the state agricultural community.

Read the [full text of the bill, S-3662/A-4603](#), online.

Posted on: November 13, 2025

Freiman Bill Protecting the Right to Farm Signed Into Law

New law allows commercial farmers to recover costs and attorney fees when forced to defend against unfounded challenges

(TRENTON, NJ) – Legislation sponsored by Assemblyman **Roy Freiman** to protect New Jersey farmers from frivolous or malicious complaints under the state's Right to Farm Act has been signed into law. The measure, **A4603**, allows commercial farmers to be awarded reasonable costs and attorney fees when they successfully defend against complaints filed in bad faith.



The Right to Farm Act guides how local officials review and decide whether farm operations comply with accepted agricultural practices. When residents or entities file complaints in bad faith, farmers are often required to spend significant time and money defending their operations. The new law helps deter these tactics while ensuring farmers can focus on agricultural production without unnecessary legal burdens.

“Agriculture is a vital part of our economy and our heritage. Farmers should be able to do their work without the constant worry of costly legal challenges that lack merit,” **said Assemblyman Freiman (D-Hunterdon, Mercer, Middlesex, Somerset)**. “With this law, we are reinforcing our commitment to a fair and balanced Right to Farm process and helping put the garden back in the Garden State.”

The law, which takes effect immediately, was also sponsored by Assemblywoman **Luanne Peterpaul**.

Posted on: November 13, 2025

Now Law: Sauickie Bill Protecting Farmers from Costly Nuisance Lawsuits

Assemblyman Alex Sauickie’s bill protecting farmers from increasing meritless nuisance lawsuits was signed into law by the governor on Thursday. The law, Sauickie says, recognizes that high-density housing mandates in established farming communities lead to more complaints about accepted agricultural operations.



“As New Jersey mandates more and more residential development in traditionally rural areas, complaints over noise or other aspects of farming operations will continue to rise. The financial costs of defending against these claims can be very hard on farmers. This is a much-needed law that will strengthen protections for farmers and preserve the future of farming in the Garden State,” Sauickie said.

The legislation (A4603) allows commercial farmers to recover reasonable costs and attorney fees associated with bad faith lawsuits by enhancing New Jersey’s 1983 Right to Farm Act. The act affirms that accepted commercial farming practices and operations do not constitute a public or private nuisance.

The law takes effect immediately.