52:14F-21.1 to 52:14F-21.3
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2021 **CHAPTER:** 390

NJSA: 52:14F-21.1 to 52:14F-21.3 (Creates special education unit within the Office of Administrative Law; requires annual report.)

BILL NO: S2160 (Substituted for A5701 (1R))

SPONSOR(S) Sweeney, Stephen M. and others

DATE INTRODUCED: 3/16/2020

COMMITTEE: **ASSEMBLY:** Appropriations

SENATE: Health, Human Services & Senior Citizens
Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 1/10/2022

SENATE: 1/10/2022

DATE OF APPROVAL: 1/18/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted) Yes

S2160

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Appropriations

SENATE: Yes Health, Human Services & Senior Citizens

Budget & Appropriations

(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: Yes 5/21/2021
6/2/2021
1/13/2022

A5701 (1R)

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT:	**ASSEMBLY:**	Yes	Education Appropriations
	SENATE:	No	

(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:	Yes	6/16/2021 6/28/2021

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS:		No
HEARINGS:		No
NEWSPAPER ARTICLES:	No	

RWH/JA

§§1-3
C.52:14F-21.1 to
52:14F-21.3
§4
Note to §§1-3

P.L. 2021, CHAPTER 390, ***approved January 18, 2022***
Senate, No. 2160 ***(Second Reprint)***

AN ACT concerning the Office of Administrative Law and special education and supplementing Title 52 of the Revised Statutes.

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

1. a. The Director and Chief Administrative Law Judge of the Office of Administrative Law shall establish within the Office of Administrative Law a special education unit consisting of administrative law judges having expertise in special education law. The [1]**[**Director**]** director[1] and Chief Administrative Law Judge shall ensure that the administrative law judges in the special education unit include individuals with a wide range of special education law expertise, including expertise as school board attorneys and as parent and student advocates. The number of administrative law judges in the special education unit shall be proportional to the number and complexity of special education cases referred to the office and shall be of a sufficient number to render decisions within the [1]**[**federal and State mandated time period**]** time periods mandated under federal and State law[1] . The [1]**[**Director**]** director[1] and Chief Administrative Law Judge may appoint administrative law judges to the special education unit on a temporary or case basis as need arises.

b. Upon the establishment of the special education unit, all contested cases, as defined in section 2 of P.L.1968, c.410 (C.52:14B-2), concerning special education law referred to the Office of Administrative Law shall be assigned to and adjudicated by the administrative law judges in the special education unit.

2. The [1]**[**Director**]** director[1] and Chief Administrative Law Judge shall prepare an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature [1],[1] regarding the special education unit established under section 1 of

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Senate SBA committee amendments adopted May 20, 2021.
[2]Senate amendments adopted in accordance with Governor's recommendations December 12, 2021.

P.L. c. (C.) (pending before the Legislature as this bill). The report shall include:

a. the number of special education cases that were decided via a final settlement within 45 days after the case was transmitted to the Office of Administrative Law, and of the remaining petitions transmitted to the Office of Administrative Law, the number of cases that were heard and decided in a written decision within 45 days after the case was transmitted to the Office of Administrative Law;

b. a list setting forth each special education case that was not decided within the 45 days, including the total number of days it took the administrative law judge to hear the case and issue the decision and the reason why the case was not decided within the 45 days; [1]**[**and**]**[1]

c. [1]the number of administrative law judges currently assigned to the special education unit;

d. recommendations as to whether the number of administrative law judges in the special education unit is sufficient to render decisions within the time periods mandated under federal and State law and, if not, recommendations concerning the number of additional administrative law judges that would be needed to enable the special education unit to render decisions within federal and State mandated time periods; and

e.[1] other relevant information and recommendations at the discretion of the [1]**[**Director**]** director[1] and Chief Administrative Law Judge.

3. The Director and Chief Administrative Law Judge of the Office of Administrative Law, in consultation with the Department of Education, shall develop a system to track a due process petition once it is assigned to an administrative law judge and to allow petitioners to track the status of their petition.

4. This act shall take effect on the first day of the ninth month next following [2]the appointment and confirmation of 15 additional administrative law judges but in no case later than the first day of the 25th month following[2] enactment except the Director and Chief Administrative Law Judge of the Office of Administrative Law may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Creates special education unit within the Office of Administrative Law; requires annual report.

CHAPTER 390
(CORRECTED COPY)

AN ACT concerning the Office of Administrative Law and special education and supplementing Title 52 of the Revised Statutes.

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

C.52:14F-21.1 Special education law unit, Office of Administrative Law, establishment.

1. a. The director and Chief Administrative Law Judge of the Office of Administrative Law shall establish within the Office of Administrative Law a special education unit consisting of administrative law judges having expertise in special education law. The director and Chief Administrative Law Judge shall ensure that the administrative law judges in the special education unit include individuals with a wide range of special education law expertise, including expertise as school board attorneys and as parent and student advocates. The number of administrative law judges in the special education unit shall be proportional to the number and complexity of special education cases referred to the office and shall be of a sufficient number to render decisions within the time periods mandated under federal and State law. The director and Chief Administrative Law Judge may appoint administrative law judges to the special education unit on a temporary or case basis as need arises.

b. Upon the establishment of the special education unit, all contested cases, as defined in section 2 of P.L.1968, c.410 (C.52:14B-2), concerning special education law referred to the Office of Administrative Law shall be assigned to and adjudicated by the administrative law judges in the special education unit.

C.52:14F-21.2 Annual report to the Governor, Legislature.

2. The director and Chief Administrative Law Judge shall prepare an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, regarding the special education unit established under section 1 of P.L.2021, c.390 (C.52:14F-21.1). The report shall include:

a. the number of special education cases that were decided via a final settlement within 45 days after the case was transmitted to the Office of Administrative Law, and of the remaining petitions transmitted to the Office of Administrative Law, the number of cases that were heard and decided in a written decision within 45 days after the case was transmitted to the Office of Administrative Law;

b. a list setting forth each special education case that was not decided within the 45 days, including the total number of days it took the administrative law judge to hear the case and issue the decision and the reason why the case was not decided within the 45 days;

c. the number of administrative law judges currently assigned to the special education unit;

d. recommendations as to whether the number of administrative law judges in the special education unit is sufficient to render decisions within the time periods mandated under federal and State law and, if not, recommendations concerning the number of additional administrative law judges that would be needed to enable the special education unit to render decisions within federal and State mandated time periods; and

e. other relevant information and recommendations at the discretion of the director and Chief Administrative Law Judge.

C.52:14F-21.3 Track system development, petition status.

3. The director and Chief Administrative Law Judge of the Office of Administrative Law, in consultation with the Department of Education, shall develop a system to track a due process petition once it is assigned to an administrative law judge and to allow petitioners to track the status of their petition.

4. This act shall take effect on the first day of the ninth month next following the appointment and confirmation of 15 additional administrative law judges but in no case later than the first day of the 25th month following enactment except the director and Chief Administrative Law Judge of the Office of Administrative Law may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved January 18, 2022.

SENATE, No. 2160

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator STEPHEN M. SWEENEY
District 3 (Cumberland, Gloucester and Salem)
Senator STEVEN V. OROHO
District 24 (Morris, Sussex and Warren)
Senator ROBERT W. SINGER
District 30 (Monmouth and Ocean)

Co-Sponsored by:
Senators Corrado, Holzapfel and Singleton

SYNOPSIS

Creates special education unit within the Office of Administrative Law; requires annual report.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 5/20/2021)

AN ACT concerning the Office of Administrative Law and special education and supplementing Title 52 of the Revised Statutes.

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

1. a. The Director and Chief Administrative Law Judge of the Office of Administrative Law shall establish within the Office of Administrative Law a special education unit consisting of administrative law judges having expertise in special education law. The Director and Chief Administrative Law Judge shall ensure that the administrative law judges in the special education unit include individuals with a wide range of special education law expertise, including expertise as school board attorneys and as parent and student advocates. The number of administrative law judges in the special education unit shall be proportional to the number and complexity of special education cases referred to the office and shall be of a sufficient number to render decisions within the federal and State mandated time period. The Director and Chief Administrative Law Judge may appoint administrative law judges to the special education unit on a temporary or case basis as need arises.

b. Upon the establishment of the special education unit, all contested cases, as defined in section 2 of P.L.1968, c.410 (C.52:14B-2), concerning special education law referred to the Office of Administrative Law shall be assigned to and adjudicated by the administrative law judges in the special education unit.

2. The Director and Chief Administrative Law Judge shall prepare an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature regarding the special education unit established under section 1 of P.L. c. (C.) (pending before the Legislature as this bill). The report shall include: a. the number of special education cases that were decided via a final settlement within 45 days after the case was transmitted to the Office of Administrative Law, and of the remaining petitions transmitted to the Office of Administrative Law, the number of cases that were heard and decided in a written decision within 45 days after the case was transmitted to the Office of Administrative Law; b. a list setting forth each special education case that was not decided within the 45 days, including the total number of days it took the administrative law judge to hear the case and issue the decision and the reason why the case was not decided within the 45 days; and c. other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

3. The Director and Chief Administrative Law Judge of the Office of Administrative Law, in consultation with the Department of Education, shall develop a system to track a due process petition once it is assigned to an administrative law judge and to allow petitioners to track the status of their petition.

4. This act shall take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge of the Office of Administrative Law may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; and other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2160

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Senate Bill No. 2160 (1R).

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; the number of administrative law judges currently assigned to the special education unit; recommendations as to whether the number of administrative law judges is sufficient to render decisions within federal and State-mandated time periods and, if not, recommendations as to the number of administrative law judges needed to enable the special education unit to render decisions within federal and State-mandated time periods; and other relevant information and recommendations at the discretion of the Director of the OAL and the Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

of administrative law judges that would be needed to enable the special education unit to render decisions within the federal and State mandated time periods.

As reported by the committee, Senate Bill No. 2160 (1R) is identical to Assembly Bill No. 5701, which was amended and reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2160

STATE OF NEW JERSEY

DATED: MARCH 9, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2160.

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; and other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2160

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 20, 2021

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2160, with committee amendments.

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; the number of administrative law judges currently assigned to the special education unit; recommendations as to whether the number of administrative law judges is sufficient to render decisions within federal and State-mandated time periods and, if not, recommendations as to the number of administrative law judges needed to enable the special education unit to render decisions within federal and State-mandated time periods; and other relevant information and recommendations at the discretion of the Director of the OAL and the Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

COMMITTEE AMENDMENTS:

The committee amendments provide that the Director and Chief Administrative Law Judge of the OAL will prepare an annual report to the Governor and to the Legislature that will also include the number of administrative law judges in the special education unit; and recommendations as to whether the number of administrative law judges is sufficient to render decisions within federal and State-mandated time periods and, if not, recommendations as to the number of administrative law judges that would be needed to enable the special education unit to render decisions within the federal and State mandated time periods.

The committee amendments make technical corrections involving formatting, grammar, and capitalization.

FISCAL IMPACT:

The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2160
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MAY 21, 2021

SUMMARY

Synopsis: Creates special education unit within the Office of Administrative Law; requires annual report.

Type of Impact: Potential Annual Expenditure Impact to State General Fund.

Agencies Affected: Office of Administrative Law and Department of Education.

Office of Legislative Services Estimate

Fiscal Impact	
Potential Annual State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

BILL DESCRIPTION

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding the special education unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures.

The bill would not change the OAL's special education law caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the bill. The legislation requires the OAL to cease referring contested special education law cases to generalist administrative law judges and instead to refer these cases to a special education unit the OAL would have to establish. The unit would consist of judges having expertise in special education law. Their number would be proportional to the number and complexity of contested special education cases referred to the OAL and would be sufficient to render decisions within mandated federal and State time periods. The office would have substantial discretion to develop the formula for determining the number of judges in the special education unit. Absent information from the OAL on the formula it would adopt, the OLS cannot gauge the extent to which the bill may lead to annual OAL position and expenditure outcomes that may differ from the current law baseline. Furthermore, it is unclear if training of judges for special education law would be in-house or require outside resources and hence an additional expense.

Identifying the bill's effects on annual OAL expenditures is complicated further by recent changes to the special education dispute resolution system. In a letter dated August 6, 2019, the New Jersey Department of Education (NJDOE) informed the Office of Special Education Programs in the United States Department of Education of policy changes it is implementing in response to a corrective action plan issued by that office. The federal Office of Special Education Programs had found several instances of noncompliance by New Jersey's special education dispute resolution system with federal requirements, including that a final decision in contested cases must be reached within 45 calendar days with only limited possible extensions.

Specifically, in its August 6, 2019 letter the NJDOE noted that it would work with the OAL so that special education law hearings are scheduled in compliance with timelines established in federal law; administrative law judges receive regular training and professional development in special education law; and accurate dispute resolution data are collected and reported. In conjunction with the OAL, the NJDOE would also implement an Independent Hearing Officer pilot program in FY 2020 under which contracted independent hearing officers would preside over special education litigation. The hearing officers would supplement, but not supplant, administrative law judges. In response to FY 2020 OLS Discussion Points, the NJDOE specified that the pilot program would be financed by a $200,000 set-aside in federal Individuals with Disabilities Education Act funding the State anticipated receiving in FY 2020. Absent information regarding the effects of the NJDOE's announced changes on the OAL's caseload and expenditures, the OLS cannot assess how the bill would alter the new, unknown expenditure baseline.

In reply to FY 2020 OLS Discussion Points, the NJDOE also stated that between September 1, 2017 and March 31, 2019, the OAL conducted 1,389 special education due process hearings. Of that total, 720 hearings, or 52 percent, were not resolved within 45 calendar days, as required by the federal Individuals with Disabilities Education Act and its implementing regulations.

Lastly, the bill requires the OAL to report annually on the work of the special education unit and to develop a public-facing system to track contested special education cases upon assignment to specific administrative law judges. There would be an indeterminate cost increase to develop and maintain the public-facing system. As to the reporting requirements, the NJDOE already reports some of the required OAL data on its webpage and plans to publish additional data according to its August 2019 letter. It is unclear whether the bill's reporting requirements that go beyond the information the NJDOE already intends to compile and publish would increase OAL administrative expenditures considering that the office may be able to use existing resources to achieve compliance.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2160

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 2, 2021

SUMMARY

Synopsis:	Creates special education unit within the Office of Administrative Law; requires annual report.
Type of Impact:	Potential Annual Expenditure Impact to State General Fund.
Agencies Affected:	Office of Administrative Law and Department of Education.

Office of Legislative Services Estimate

Fiscal Impact	
Potential Annual State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

BILL DESCRIPTION

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding the special education unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures.

The bill would not change the OAL's special education law caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the bill. The legislation requires the OAL to cease referring contested special education law cases to generalist administrative law judges and instead to refer these cases to a special education unit the OAL would have to establish. The unit would consist of judges having expertise in special education law. Their number would be proportional to the number and complexity of contested special education cases referred to the OAL and would be sufficient to render decisions within mandated federal and State time periods. The office would have substantial discretion to develop the formula for determining the number of judges in the special education unit. Absent information from the OAL on the formula it would adopt, the OLS cannot gauge the extent to which the bill may lead to annual OAL position and expenditure outcomes that may differ from the current law baseline.

Identifying the bill's effects on annual OAL expenditures is complicated further by recent changes to the special education dispute resolution system. In a letter dated August 6, 2019, the New Jersey Department of Education (NJDOE) informed the Office of Special Education Programs in the United States Department of Education of policy changes it is implementing in response to a corrective action plan issued by that office. The federal Office of Special Education Programs had found several instances of noncompliance by New Jersey's special education dispute resolution system with federal requirements, including that a final decision in contested cases must be reached within 45 calendar days with only limited possible extensions.

Specifically, in its August 6, 2019 letter the NJDOE noted that it would work with the OAL so that special education law hearings are scheduled in compliance with timelines established in federal law; administrative law judges receive regular training and professional development in special education law; and accurate dispute resolution data are collected and reported. In conjunction with the OAL, the NJDOE would also implement an Independent Hearing Officer pilot program in FY 2020 under which contracted independent hearing officers would preside over special education litigation. The hearing officers would supplement, but not supplant, administrative law judges. In response to FY 2020 OLS Discussion Points, the NJDOE specified that the pilot program would be financed by a $200,000 set-aside in federal Individuals with Disabilities Education Act funding the State anticipated receiving in FY 2020. Absent information

regarding the effects of the NJDOE's announced changes on the OAL's caseload and expenditures, the OLS cannot assess how the bill would alter the new, unknown expenditure baseline. In Proposed Special Education Due Process Hearing Guidelines, jointly issued by the OAL and the NJDOE on January 17, 2020, it was noted that New Jersey remains a high-volume state when it comes to special education disputes. The average number of dispute resolution filings over the last three state fiscal years is 1,752. In state fiscal year 2019, 1,862 special education disputes were filed with the NJDOE.

Furthermore, in response to FY 2020 OLS Discussion Points, the NJDOE also stated that between September 1, 2017 and March 31, 2019, the OAL conducted 1,389 special education due process hearings. Of that total, 720 hearings, or 52 percent, were not resolved within 45 calendar days, as required by the federal Individuals with Disabilities Education Act and its implementing regulations.

Lastly, the bill requires the OAL to report annually on the work of the special education unit and to develop a public-facing system to track contested special education cases upon assignment to specific administrative law judges. There would be an indeterminate cost increase to develop and maintain the public-facing system. The bill also directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature, which may add to its existing administrative expenditures due to increased workload but it is unclear by how much. The NJDOE already reports some of the required OAL data on its webpage and plans to publish additional data according to its August 2019 letter. It is unclear whether the bill's reporting requirements that go beyond the information the NJDOE already intends to compile and publish would increase OAL administrative expenditures considering that the office may be able to use existing resources to achieve compliance.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 2160

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JANUARY 13, 2022

SUMMARY

Synopsis: Creates special education unit within the Office of Administrative Law; requires annual report.

Type of Impact: Annual Expenditure Increase to State General Fund.

Agencies Affected: Office of Administrative Law and Department of Education.

Office of Legislative Services Estimate

Fiscal Impact	
State Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) lacks the informational basis to determine the magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation by appointing an additional 15 new administrative law judges and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL, the OLS cannot assess the extent to which the bill may result in increased State expenditures.

BILL DESCRIPTION

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding specific information about the special education unit as enumerated in the bill.

The bill would take effect on the first day of the ninth month next following the appointment and confirmation of 15 additional administrative law judges but in no case later than the first day of the 25th month following enactment except the director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS lacks the informational basis to determine the magnitude of the impact the bill may have on annual State expenditures. The bill would not change the OAL's special education law caseload relative to the current law baseline. According to the Governor's Conditional Veto, there are approximately 1,200 special education cases each year translating into roughly 30 special education cases per administrative law judge leading to delays in resolution and therefore, an increase in support personnel and the appointment of administrative law judges is recommended. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation by appointing an additional 15 new administrative law judges and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL, the OLS cannot assess the extent to which the bill may result in increased State expenditures.

The legislation requires the OAL to cease referring contested special education law cases to generalist administrative law judges and instead to refer these cases to a special education unit the OAL would have to establish. The unit would consist of judges having expertise in special education law.

Identifying the bill's effects on annual OAL expenditures is complicated further by recent changes to the special education dispute resolution system. In a letter dated August 6, 2019, the New Jersey Department of Education (NJDOE) informed the Office of Special Education Programs in the United States Department of Education of policy changes it is implementing in response to a corrective action plan issued by that office. The federal Office of Special Education Programs had found several instances of noncompliance by New Jersey's special education dispute resolution system with federal requirements, including that a final decision in contested cases must be reached within 45 calendar days with only limited possible extensions.

Specifically, in its August 6, 2019 letter the NJDOE noted that it would work with the OAL so that special education law hearings are scheduled in compliance with timelines established in federal law; administrative law judges receive regular training and professional development in special education law; and accurate dispute resolution data are collected and reported. In conjunction with the OAL, the NJDOE would also implement an Independent Hearing Officer pilot program in FY 2020 under which contracted independent hearing officers would preside over

special education litigation. The hearing officers would supplement, but not supplant, administrative law judges. In response to FY 2020 OLS Discussion Points, the NJDOE specified that the pilot program would be financed by a $200,000 set-aside in federal Individuals with Disabilities Education Act funding the State anticipated receiving in FY 2020. Absent information regarding the effects of the NJDOE's announced changes on the OAL's caseload and expenditures, the OLS cannot assess how the bill would alter the new, unknown expenditure baseline. In Proposed Special Education Due Process Hearing Guidelines, jointly issued by the OAL and the NJDOE on January 17, 2020, it was noted that New Jersey remains a high-volume state when it comes to special education disputes. The average number of dispute resolution filings over the last three state fiscal years is 1,752. In state fiscal year 2019, 1,862 special education disputes were filed with the NJDOE.

Furthermore, in response to FY 2020 OLS Discussion Points, the NJDOE also stated that between September 1, 2017 and March 31, 2019, the OAL conducted 1,389 special education due process hearings. Of that total, 720 hearings, or 52 percent, were not resolved within 45 calendar days, as required by the federal Individuals with Disabilities Education Act and its implementing regulations.

Lastly, the bill requires the OAL to report annually on the work of the special education unit and to develop a public-facing system to track contested special education cases upon assignment to specific administrative law judges. There would be an indeterminate cost increase to develop and maintain the public-facing system. The bill also directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature, which may add to its existing administrative expenditures due to increased workload but it is unclear by how much. The NJDOE already reports some of the required OAL data on its webpage and plans to publish additional data according to its August 2019 letter. It is unclear whether the bill's reporting requirements that go beyond the information the NJDOE already intends to compile and publish would increase OAL administrative expenditures considering that the office may be able to use existing resources to achieve compliance.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Associate Research Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 5701

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:
Assemblywoman LINDA S. CARTER
District 22 (Middlesex, Somerset and Union)
Assemblywoman PAMELA R. LAMPITT
District 6 (Burlington and Camden)
Assemblywoman MILA M. JASEY
District 27 (Essex and Morris)

Co-Sponsored by:
Assemblywoman Vainieri Huttle, Assemblymen Wirths and Space

SYNOPSIS

Creates special education unit within the Office of Administrative Law; requires annual report.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/16/2021)

AN ACT concerning the Office of Administrative Law and special education and supplementing Title 52 of the Revised Statutes.

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

1. a. The Director and Chief Administrative Law Judge of the Office of Administrative Law shall establish within the Office of Administrative Law a special education unit consisting of administrative law judges having expertise in special education law. The Director and Chief Administrative Law Judge shall ensure that the administrative law judges in the special education unit include individuals with a wide range of special education law expertise, including expertise as school board attorneys and as parent and student advocates. The number of administrative law judges in the special education unit shall be proportional to the number and complexity of special education cases referred to the office and shall be of a sufficient number to render decisions within the federal and State mandated time period. The Director and Chief Administrative Law Judge may appoint administrative law judges to the special education unit on a temporary or case basis as need arises.

b. Upon the establishment of the special education unit, all contested cases, as defined in section 2 of P.L.1968, c.410 (C.52:14B-2), concerning special education law referred to the Office of Administrative Law shall be assigned to and adjudicated by the administrative law judges in the special education unit.

2. The Director and Chief Administrative Law Judge shall prepare an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature regarding the special education unit established under section 1 of P.L. c. (C.) (pending before the Legislature as this bill). The report shall include: a. the number of special education cases that were decided via a final settlement within 45 days after the case was transmitted to the Office of Administrative Law, and of the remaining petitions transmitted to the Office of Administrative Law, the number of cases that were heard and decided in a written decision within 45 days after the case was transmitted to the Office of Administrative Law; b. a list setting forth each special education case that was not decided within the 45 days, including the total number of days it took the administrative law judge to hear the case and issue the decision and the reason why the case was not decided within the 45 days; and c. other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

3. The Director and Chief Administrative Law Judge of the Office of Administrative Law, in consultation with the Department of Education, shall develop a system to track a due process petition once it is assigned to an administrative law judge and to allow petitioners to track the status of their petition.

4. This act shall take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge of the Office of Administrative Law may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; and other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5701

STATE OF NEW JERSEY

DATED: MAY 12, 2021

The Assembly Education Committee reports favorably Assembly Bill No. 5701.

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; and other relevant information and recommendations at the discretion of the Director and Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5701

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5701, with committee amendments.

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding: the number of special education cases referred to the special education unit during the reporting period; the number of special education cases resolved by the special education unit during the reporting period; the average number of cases pending before the special education unit during the reporting period; the average time to resolution of the special education cases; a brief description of the outcome of the resolved cases; the number of administrative law judges currently assigned to the special education unit; recommendations as to whether the number of administrative law judges is sufficient to render decisions within federal and State-mandated time periods and, if not, recommendations as to the number of administrative law judges needed to enable the special education unit to render decisions within federal and State-mandated time periods; and other relevant information and recommendations at the discretion of the director of the OAL and the Chief Administrative Law Judge.

The bill has a delayed effective date in order to allow the OAL to develop a timeline for training judges and assigning judges to the new unit. The bill would take effect on the first day of the ninth month next following enactment except the director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

As amended and reported by the committee, Assembly Bill No. 5701 is identical to Senate Bill No. 2160 (1R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments provide that the director and Chief Administrative Law Judge of the OAL will prepare an annual report to the Governor and to the Legislature that will also include the number of administrative law judges in the special education unit; and recommendations as to whether the number of administrative law judges is sufficient to render decisions within federal and State-mandated time periods and, if not, recommendations as to the number of administrative law judges that would be needed to enable the special education unit to render decisions within the federal and State mandated time periods.

The committee amendments make technical corrections involving formatting, grammar, and capitalization.

FISCAL IMPACT:

The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5701
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 16, 2021

SUMMARY

Synopsis: Creates special education unit within the Office of Administrative Law; requires annual report.

Type of Impact: Potential Annual Expenditure Impact to State General Fund.

Agencies Affected: Office of Administrative Law and Department of Education.

Office of Legislative Services Estimate

Fiscal Impact	
Potential Annual State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

BILL DESCRIPTION

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding the special education unit. The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures.

The bill would not change the OAL's special education law caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the bill. The legislation requires the OAL to cease referring contested special education law cases to generalist administrative law judges and instead to refer these cases to a special education unit the OAL would have to establish. The unit would consist of judges having expertise in special education law. Their number would be proportional to the number and complexity of contested special education cases referred to the OAL and would be sufficient to render decisions within mandated federal and State time periods. The office would have substantial discretion to develop the formula for determining the number of judges in the special education unit. Absent information from the OAL on the formula it would adopt, the OLS cannot gauge the extent to which the bill may lead to annual OAL position and expenditure outcomes that may differ from the current law baseline.

Identifying the bill's effects on annual OAL expenditures is complicated further by recent changes to the special education dispute resolution system. In a letter dated August 6, 2019, the New Jersey Department of Education (NJDOE) informed the Office of Special Education Programs in the United States Department of Education of policy changes it is implementing in response to a corrective action plan issued by that office. The federal Office of Special Education Programs had found several instances of noncompliance by New Jersey's special education dispute resolution system with federal requirements, including that a final decision in contested cases must be reached within 45 calendar days with only limited possible extensions.

Specifically, in its August 6, 2019 letter the NJDOE noted that it would work with the OAL so that special education law hearings are scheduled in compliance with timelines established in federal law; administrative law judges receive regular training and professional development in special education law; and accurate dispute resolution data are collected and reported. In conjunction with the OAL, the NJDOE would also implement an Independent Hearing Officer pilot program in FY 2020 under which contracted independent hearing officers would preside over special education litigation. The hearing officers would supplement, but not supplant, administrative law judges. In response to FY 2020 OLS Discussion Points, the NJDOE specified that the pilot program would be financed by a $200,000 set-aside in federal Individuals with Disabilities Education Act funding the State anticipated receiving in FY 2020. Absent information regarding the effects of the NJDOE's announced changes on the OAL's caseload and expenditures, the OLS cannot assess how the bill would alter the new, unknown expenditure baseline. In

Proposed Special Education Due Process Hearing Guidelines, jointly issued by the OAL and the NJDOE on January 17, 2020, it was noted that New Jersey remains a high-volume state when it comes to special education disputes. The average number of dispute resolution filings over the last three state fiscal years is 1,752. In state fiscal year 2019, 1,862 special education disputes were filed with the NJDOE.

Furthermore, in response to FY 2020 OLS Discussion Points, the NJDOE also stated that between September 1, 2017 and March 31, 2019, the OAL conducted 1,389 special education due process hearings. Of that total, 720 hearings, or 52 percent, were not resolved within 45 calendar days, as required by the federal Individuals with Disabilities Education Act and its implementing regulations.

Lastly, the bill requires the OAL to report annually on the work of the special education unit and to develop a public-facing system to track contested special education cases upon assignment to specific administrative law judges. There would be an indeterminate cost increase to develop and maintain the public-facing system. The bill also directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature, which may add to its existing administrative expenditures due to increased workload but it is unclear by how much. The NJDOE already reports some of the required OAL data on its webpage and plans to publish additional data according to its August 2019 letter. It is unclear whether the bill's reporting requirements that go beyond the information the NJDOE already intends to compile and publish would increase OAL administrative expenditures considering that the office may be able to use existing resources to achieve compliance.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

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This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5701

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JUNE 28, 2021

SUMMARY

Synopsis:	Creates special education unit within the Office of Administrative Law; requires annual report.
Type of Impact:	Potential Annual Expenditure Impact to State General Fund.
Agencies Affected:	Office of Administrative Law and Department of Education.

Office of Legislative Services Estimate

Fiscal Impact	
Potential Annual State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures. The proposed changes regarding the adjudication by the Office of Administrative Law (OAL) of contested special education law cases would not alter the office's special education caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the legislation and from developing a public-facing system to track contested special education cases once they are assigned to specific administrative law judges. Absent information from the OAL on the manner in which it would implement the bill, the OLS cannot assess the extent to which the bill may produce annual OAL position and expenditure outcomes that may differ from the current law baseline.

BILL DESCRIPTION

This bill would establish a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The number of administrative law judges in the unit would be proportional to the number and complexity of special education cases referred to the OAL.

Under the bill, all contested cases concerning special education law referred to the OAL would be assigned to and adjudicated by the administrative law judges in the special education unit.

The bill directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature regarding the number of special education cases referred to the special education unit.

The bill would take effect on the first day of the ninth month next following enactment except the Director and Chief Administrative Law Judge may take any anticipatory administrative action in advance as necessary for the implementation of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS lacks the informational basis to determine the direction and magnitude of the impact the bill may have on annual State expenditures.

The bill would not change the OAL's special education law caseload relative to the current law baseline. Any change in annual OAL expenditures would result from reorganizing the office in accordance with the bill. The legislation requires the OAL to cease referring contested special education law cases to generalist administrative law judges and instead to refer these cases to a special education unit the OAL would have to establish. The unit would consist of judges having expertise in special education law. Their number would be proportional to the number and complexity of contested special education cases referred to the OAL and would be sufficient to render decisions within mandated federal and State time periods. The office would have substantial discretion to develop the formula for determining the number of judges in the special education unit. Absent information from the OAL on the formula it would adopt, the OLS cannot gauge the extent to which the bill may lead to annual OAL position and expenditure outcomes that may differ from the current law baseline.

Identifying the bill's effects on annual OAL expenditures is complicated further by recent changes to the special education dispute resolution system. In a letter dated August 6, 2019, the New Jersey Department of Education (NJDOE) informed the Office of Special Education Programs in the United States Department of Education of policy changes it is implementing in response to a corrective action plan issued by that office. The federal Office of Special Education Programs had found several instances of noncompliance by New Jersey's special education dispute resolution system with federal requirements, including that a final decision in contested cases must be reached within 45 calendar days with only limited possible extensions.

Specifically, in its August 6, 2019 letter the NJDOE noted that it would work with the OAL so that special education law hearings are scheduled in compliance with timelines established in federal law; administrative law judges receive regular training and professional development in special education law; and accurate dispute resolution data are collected and reported. In conjunction with the OAL, the NJDOE would also implement an Independent Hearing Officer pilot program in FY 2020 under which contracted independent hearing officers would preside over special education litigation. The hearing officers would supplement, but not supplant, administrative law judges. In response to FY 2020 OLS Discussion Points, the NJDOE specified that the pilot program would be financed by a $200,000 set-aside in federal Individuals with

Disabilities Education Act funding the State anticipated receiving in FY 2020. Absent information regarding the effects of the NJDOE's announced changes on the OAL's caseload and expenditures, the OLS cannot assess how the bill would alter the new, unknown expenditure baseline. In Proposed Special Education Due Process Hearing Guidelines, jointly issued by the OAL and the NJDOE on January 17, 2020, it was noted that New Jersey remains a high-volume state when it comes to special education disputes. The average number of dispute resolution filings over the last three state fiscal years is 1,752. In state fiscal year 2019, 1,862 special education disputes were filed with the NJDOE.

Furthermore, in response to FY 2020 OLS Discussion Points, the NJDOE also stated that between September 1, 2017 and March 31, 2019, the OAL conducted 1,389 special education due process hearings. Of that total, 720 hearings, or 52 percent, were not resolved within 45 calendar days, as required by the federal Individuals with Disabilities Education Act and its implementing regulations.

Lastly, the bill requires the OAL to report annually on the work of the special education unit and to develop a public-facing system to track contested special education cases upon assignment to specific administrative law judges. There would be an indeterminate cost increase to develop and maintain the public-facing system. The bill also directs the Director and Chief Administrative Law Judge of the OAL to prepare an annual report to the Governor and to the Legislature, which may add to its existing administrative expenditures due to increased workload but it is unclear by how much. The NJDOE already reports some of the required OAL data on its webpage and plans to publish additional data according to its August 2019 letter. It is unclear whether the bill's reporting requirements that go beyond the information the NJDOE already intends to compile and publish would increase OAL administrative expenditures considering that the office may be able to use existing resources to achieve compliance.

Section:	*Judiciary*
Analyst:	*Anuja Pande Joshi* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

November 8, 2021

SENATE BILL NO. 2160
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I herewith return Senate Bill No. 2160 (First Reprint) with my recommendations for reconsideration.

Senate Bill No. 2160 (First Reprint) would create a special education unit within the Office of Administrative Law ("OAL"). All contested cases referred to the OAL concerning special education law would be assigned to and adjudicated by the judges in the special education unit, all of whom would have expertise in special education law. The bill also requires the Director and Chief Administrative Law Judge to prepare an annual report to the Governor and Legislature detailing important data points of the special education unit, including, but not limited to, the number of cases referred, the number of cases resolved, and the average time to resolution.

I commend the bill's sponsors for recognizing the need to create a unit within OAL dedicated exclusively to special education cases. A special education unit will help address the longstanding issue of special education case backlog and the resulting delays in delivering appropriate education and services to special education students. Over the past twenty years, there has been an 80% increase in the total number of cases pending before the OAL and a 120% increase in special education cases. There are approximately 1,200 special education cases each year, which translates into an annual caseload of approximately 30 special education cases per Administrative Law Judge. As a result, the average time to resolve special education cases is generally much longer than the average resolution time for other matters pending before the OAL.

This bill will bring welcomed and necessary change to the OAL and the lives of special education students and families throughout the State. However, in order to ensure the proper and efficient operation of the new unit, the OAL will require a significant increase in staffing levels. I am therefore recommending revisions to delay the bill's effective date to coincide with the appointment and confirmation of a minimum of fifteen new Administrative Law Judges and the necessary support personnel.

Thus, I herewith return Senate Bill No. 2160 (First Reprint) and recommend that it be amended as follows:

Page 3, Section 4, Line 24:	After "following" insert "the appointment and confirmation of fifteen additional administrative law judges but in no case later than the first day of the 25th month following"

Respectfully,

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor

Governor Murphy Takes Action on Legislation

11/8/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle) – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce) – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley) – Requires residential landlords to install covers on steam radiators upon request of tenant

S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle) – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle) – Requires certain student identification cards to contain telephone number for suicide prevention hotline

SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley) – Revises cybersecurity, asset management, and related reporting requirements in "Water Quality Accountability Act"

S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli) – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy) – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway) – Requires public water systems to offer drinking water tests to customers in certain circumstances

S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle) – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson) – Permits counties and municipalities to bond for alternative fuel vehicles

S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin) – Concerns disclosure of certain information prior to sale of real estate

S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly) – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey) – Authorizes imposition of fee for connection to municipal electric distribution system

S-1259/A-2628 (Singleton/Murphy) – Concerns labor contractors

S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker) – Prohibits sale of cosmetic products that have been tested on animals

S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttle, Jasey, McKnight) – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission's senior citizen housing recommendations

S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight) – Concerns certain restrictive covenants on real property

S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson) – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services

S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttle) – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program

S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttle, Chiaravalloti) – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes

S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji) – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology

S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji) – Establishes alternate route to expedite certification of teachers at early college high school programs

S-3318/A-5893 (Sweeney, Pou/Vainieri Huttle, Caputo, Karabinchak) – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey

S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin) – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions

S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter) – Establishes Kean University as public urban research university

S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey) – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation

SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight) – Designates June 2 of each year as "Gun Violence Awareness Day"

SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttle) – Condemns hate and violent extremism and commits to defense of safe and just democracy

A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach) – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge

A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty) – Prohibits municipal licensure of children operating temporary businesses

A-2311/S-356 (Calabrese, Jasey/Cryan, Codey) – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities

A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton) – Commits $3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development

ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith) – Requires certain newly constructed warehouses to be solar-ready buildings

A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal) – Increases fee for New Jersey Waterfowl Stamps

A-4138/S-2701 (Vainieri Huttle, Benson, Giblin/Gopal, Codey) – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari) – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale) – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco) – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey) – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

A-4633/S-2856 (Giblin, DeCroce/Pou) – Permits certain nonresident Certified Public Accountants to provide attest services

A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari) – Clarifies classification in this State of criminal offenses committed in other states or under federal law

A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner) – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

A-4861/S-3041 (Vainieri Huttle, Armato, Verrelli/Vitale, Gopal) – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden) – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

A-5059/S-3031 (Conaway, Vainieri Huttle, Benson/Sweeney, Vitale) – Requires DOH to establish certain nursing education and professional advancement programs

A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan) – Permits dentists to administer vaccines under certain circumstances

A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal) – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan) – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan) – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean) – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton) – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

S-108/A-169 (Gill, Turner/Caputo, Wirths) – **CONDITIONAL -** Concerns speech rights of student journalists at public schools and public institutions of higher education

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S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttle) – **CONDITIONAL -** Establishes "Stillbirth Resource Center" and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – **CONDITIONAL -** Creates special education unit within the Office of Administrative Law; requires annual report

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S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – **CONDITIONAL -** Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – **CONDITIONAL -** Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates $5 million

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S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – **CONDITIONAL -** Mandates training on culturally responsive teaching for all candidates for teaching certification

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S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – **CONDITIONAL -** Expands scope of inmate reentry assistance and benefits

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S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – **CONDITIONAL -** Establishes New Jersey Easy Enrollment Health Insurance Program

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S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – **CONDITIONAL -** Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttle) – **CONDITIONAL -** Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – **CONDITIONAL -** Establishes "Rental Assistance Navigation Program" in DCA; makes appropriation

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A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – **CONDITIONAL -** Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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A-2455/S-2204 (Benson, Vainieri Huttle, DeAngelo/Greenstein, Oroho) – **CONDITIONAL -** Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – **CONDITIONAL -** Establishes three year Financial Empowerment Pilot Program

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A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – **CONDITIONAL -** Allows deduction of promotional gaming credit from gross revenue on sports wagering

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A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – **CONDITIONAL -** Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL - Concerns labor harmony agreements in retail and distribution center projects

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A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – **CONDITIONAL -** Requires that certain provider subsidy payments for child care services be based on enrollment

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A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – **CONDITIONAL -** Requires disclosure letter be included with mail falsely implying State government connection

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A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – **CONDITIONAL -** Establishes expedited construction inspection program

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A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – **CONDITIONAL -** Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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A-5353/S-3421 (Conaway, Vainieri Huttle, Benson/Madden, Turner) – CONDITIONAL - Provides for certification of temporary nurse aides

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A-5599/S-3916 (Chiaravalloti, Vainieri Huttle, McKnight/Scutari, Gill) – **CONDITIONAL -** Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

S-415/A-4685 (Turner/Quijano, Verrelli) – **ABSOLUTE -** Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – **CONDITIONAL -** Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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S-2261/A-4265 (Singleton/Conaway) – **ABSOLUTE -** Revises law relating to common interest communities

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S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – **ABSOLUTE -** Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsen) – **ABSOLUTE -** Establishes county-based mitigation plan to allow businesses to operate during pandemic

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S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – **ABSOLUTE -** Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates $1.8 million

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S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE - Concerns construction code enforcing agency fee revenue

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A-2722/S-1862 (Mukherji/Gopal, Oroho) – **ABSOLUTE -** Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – **ABSOLUTE -** Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – **ABSOLUTE -** Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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Governor Murphy Takes Action on Legislation

01/18/2022

TRENTON – Governor Murphy today signed the following bills:

S-384/A-1964 (Weinberg, Singleton/Stanley, Munoz, McKeon, Sumter, Lampitt, Vainieri Huttle, Wimberly, Mosquera, Downey, Chiaravalloti) – Expands training for judges, law enforcement officers and assistant county prosecutors concerning handling of domestic violence cases

S-386/A-1763 (Weinberg, Singleton/Munoz, Vainieri Huttle, Downey, Mosquera, Lampitt, Benson) - Establishes mandatory domestic violence training for municipal prosecutors

S-396/A-4903 (Weinberg, Addiego/Johnson, Mukherji) – Adjusts statute of limitations on damage claim for construction defect in common interest communities

S-705/A-1077 (Ruiz, Cunningham/Speight, Vainieri Huttle, Downey) – Requires DOH to develop and implement plan to improve access to perinatal mood and anxiety disorder screening

SCS for S-844 and 2533/ACS for A-4635 (Pou, Greenstein/Zwicker, Lopez) – Revises reporting requirements for charitable organizations and non-profit corporations

S-867/A-2316 (Pou/Jimenez, Giblin, Johnson) – Permits physical therapists to perform dry needling under certain circumstances

S-896/A-2396 (Pou, Turner/Wimberly, Timberlake, Murphy) – Expands Office of Public Defender representation of juveniles; repeals section 4 of P.L.1968, c.371

S-969wGR/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – Establishes loan redemption program for certain teachers to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain schools; makes annual appropriation of $1 million

S-994/A-6248 (Sweeney, Singleton/Lopez) – Requires State agencies and political subdivisions to make good faith effort to purchase five percent of goods and services from Central Nonprofit Agency

SCS for S-1016/ACS for A-2070 (Smith, Bateman/Calabrese, Mukherji, Benson) – Restricts use of neonicotinoid pesticides

S-1020/AS for ACS for A-1184 and 4414 (Ruiz, Gopal/Zwicker, Conaway, Verrelli, Caputo) – Requires School Report Card to include demographic breakdown of students who receive disciplinary actions; requires Commissioner of Education to establish Statewide database concerning certain disciplinary actions

S-1559/A-1659 (Scutari, Diegnan/Quijano, Bramnick, Mukherji, Sumter, Downey, Dancer) – “New Jersey Insurance Fair Conduct Act”

S-1771/A-1489 (Madden, Turner/Moriarty, Mosquera, Vainieri Huttle) – Expressly prohibits invasive examination of unconscious patient by health care practitioner without patient’s prior informed written consent

S-2160wGR/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – Creates special education unit within the Office of Administrative Law; requires annual report

SCS for S-2515/ACS for A-4676 (Smith, Greenstein/Quijano, Jasey, McKeon) – Establishes postconsumer recycled content requirements for rigid plastic containers, glass containers, paper and plastic carryout bags, and plastic trash bags; prohibits sale of polystyrene loose fill packaging

S-2723/A-2614 (Sweeney, Turner/Murphy, Benson, Timberlake) – "21st Century Integrated Digital Experience Act"

S-2830/A-5291 (Ruiz, Singleton/Quijano) – Requires educator preparation program to report passing rates of students who complete certain tests and to disseminate information on test fee waiver programs, and permits collection of student fee for certain testing costs

S-2835/A-5292 (Ruiz, Cunningham/Quijano, Lampitt, Jasey) – Requires compilation of data and issuance of annual reports on New Jersey teacher workforce

S-2921/A-5554 (Gopal, Greenstein/Houghtaling, Downey, Mukherji) – Allows municipalities to designate outdoor areas upon which people may consume alcoholic beverages

S-3009/A-4847 (Vitale, Gopal, Gill/Vainieri Huttle, Quijano, Verrelli) – Authorizes expanded provision of harm reduction services to distribute sterile syringes and provide certain support services to persons who use drugs intravenously

S-3081/A-5219 (Singleton/McKeon, Dunn) – Repeals law concerning excess rates and charges for title insurance; makes agreement to use services of title or settlement service company subject to attorney review

S-3164/A-4987 (Gopal, Singleton/Houghtaling, Vainieri Huttle, Giblin) – Creates NJ Legislative Youth Council

S-3265/A-5074 (Diegnan, Greenstein/DeAngelo, Dancer, Mukherji) – Permits members of SPRS to purchase service credit for prior public employment with federal government or another state

S-3342/A-5463 (Codey, Singleton/Jasey, Giblin, Timberlake) – Directs NJT to erect statue in honor of A. Philip Randolph; appropriates $90,000

S-3465/A-4336 (Oroho, Sweeney/Houghtaling, Space) – Directs Department of Agriculture to pay annual premiums to enrolled dairy farmers for certain coverage under the federal Dairy Margin Coverage Program; appropriates $125,000

S-3488wGR/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

S-3493/A-5458 (Vitale, Gill/Vainieri Huttle, Mukherji, McKnight) – Permits expungement of possession or distribution of hypodermic syringe or needle offense in cases of previous expungement; repeals criminal offense of possession of syringe

S-3539/A5409 (T. Kean, Gopal/Houghtaling) – Directs DEP to establish grant program for local governments to support development of community gardens

S-3594/A-5509 (Singleton, Scutari/Zwicker, Reynolds-Jackson, Verrelli) – Provides that in personal

injury or wrongful death lawsuits, calculations of lost or impaired earnings capacity not be reduced because of race, ethnicity, gender identity or expression, or affectional or sexual orientation

S-3672/A-6009 (Singleton, Turner, Moen, Johnson, McKnight) – Permits exemption from civil service examination requirement for entry-level law enforcement officers, sheriff's officers, and State and county correctional police officers; permits hiring or appointment of such officers under certain conditions, and makes appropriation

S-3673/A-6219 (Gopal, Greenstein/Burzichelli) – Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances

S-3685/A-5576 (Ruiz, Codey/Jasey, Lampitt, Mukherji) – Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during 2021-2022 and 2022-2023 school years

S-3707/A-5673 (Vitale, Ruiz/Vainieri Huttle, Downey, Zwicker) – Repeals statute criminalizing sexual penetration while infected with venereal disease or HIV under certain circumstances; requires that in prosecutions for endangering another by creating substantial risk of transmitting infectious disease, name of defendant and other person be kept confidential

S-3764/A-3369 (Gopal, Weinberg/Johnson, Stanley, Karabinchak) – Establishes Commission on Asian American Heritage in DOE

S-3810/ACS for A-5862 (Sweeney, Addiego, Greenstein/Benson, Quijano) – "Responsible Collective Negotiations Act"

S-3968/A-5930 (Singleton, Beach/Sumter, Karabinchak) – Increases purchasing threshold permitting Director of Division of Purchase and Property to delegate authority to agencies; increases bid advertising threshold on certain contracts by same scale

S-3975/A-5963 (Greenstein, Oroho/Benson, Vainieri Huttle, DeAngelo) – Establishes requirements to commence screening newborn infants for congenital cytomegalovirus infection; establishes public awareness campaign

S-4004wGR/A-5950 (Weinberg, Greenstein/Sumter, Benson, Reynolds-Jackson) – Establishes database of certain appointed positions and elected offices

S-4020/A-5867 (Gopal, Cunningham/Chiaravalloti, Jasey, Carter) – Expands bonding authority of New Jersey Educational Facilities Authority to permit financing for general funding needs at New Jersey's institutions of higher education

S-4021/A-6100 (Gopal, Ruiz/Mukherji, Jasey, Timberlake, Stanley) – Requires school districts to provide instruction on history and contributions of Asian Americans and Pacific Islanders as part of implementation of New Jersey Student Learning Standards in Social Studies

S-4043/A-6005 (Cunningham/Jasey, Greenwald) – Raises statutory threshold for certain public bidding, permits bidder disqualification due to prior negative experience, adds exemptions to public bidding requirement under "State College Contracts Law," and establishes process for cooperative pricing system

S-4063/A-6220 (Sweeney/Giblin, Egan) – Removes New Jersey Maritime Pilot and Docking Pilot Commission from appropriations act provision that limits compensation and health benefits; clarifies PERS and SHBP eligibility for members of commission

S-4068/ACS for A-6110 and 6185 (Sarlo, Oroho/Benson, Mukherji, Bramnick) – Revises elective pass-through entity business alternative income tax

S-4074wGR/A-6000 (Ruiz, Beach/Verrelli, Lampitt, Carter) – Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification

SCS for S-4102/A-6230 (Sweeney, Ruiz/Benson, Mejia, Zwicker) – Establishes Direct Support Professional Career Development Program; appropriates $1,000,000

S-4128/A-6231 (Sweeney, Pou/Houghtaling, Conaway, Dancer) – Requires that only fruits and vegetables grown and packaged in NJ may be labeled by food retailers as local to State

S-4207/A-6119 (Sweeney, Beach/Mukherji, Egan, Pintor Marin) – Concerns apprenticeship programs of public works contractors

S-4210/A-6062 (Sweeney, Greenstein/Greenwald, McKnight, Mukherji) – Requires EDA to establish loan program to assist certain businesses with funding to provide reasonable accommodations for employees with disabilities

S-4211/A-6228 (Sweeney, Corrado/Benson, Speight, Zwicker) – Establishes county college-based adult centers for transition for individuals with developmental disabilities; makes annual appropriation of $4.5 million

S-4218/A-6256 (Scutari/Reynolds-Jackson, Wimberly, Mukherji) – Appropriates $2 million to CRDA to support costs associated with hosting NAACP National Convention in Atlantic City

S-4233/A-6229 (Scutari, Gopal/Mukherji, Jimenez) – Limits fees charged to patients and authorized third parties for copies of medical and billing records

S-4252/A-6182 (Madden/Murphy, Chaparro) – Limits extension of mandatory retirement to 90 days from State Police Retirement System during emergencies

A-259/S-2224 (DeAngelo, Mukherji, Benson/Gopal, Pennacchio) – Provides civil service preference to military service members who did not serve in theater of operation but received campaign or expedition medal

A-798/S-52 (Verrelli, Vainieri Huttle, Armato/Singer, Greenstein) – Establishes local drug overdose fatality review teams

A-802/S-1352 (Verrelli, Reynolds-Jackson, Murphy/Turner, Pou) – Requires certain retailers to train employees on gift card fraud

A-862wGR/S-962 (Chiaravalloti, Karabinchak/Pennacchio, Pou) – Permits municipalities to refund excess property taxes paid by a taxpayer who wins an assessment appeal as a property tax credit

A-953/S-4031 (Karabinchak, Houghtaling/Pou) – Requires architects disclose insurance coverage

ACS for A-998 and 2349/S-4312 (Moen, Downey, Houghtaling, Benson, Vainieri Huttle/Ruiz, Beach, Singleton) – The “New Jersey Social Innovation Act”; establishes social innovation loan pilot program and study commission within EDA

A-1121/S-1871 (Murphy, Dancer, Stanley/Lagana, Pennacchio) – Upgrades certain crimes of misrepresenting oneself as member or veteran of US Armed Forces or organized militia

A-1219wGR/S-1054 (Chaparro, McKnight/Stack) – Requires owner notification of rabies testing protocol prior to testing of owner's animal for rabies

A-1229wGR/S-2161 (Schaer, Mosquera, Tucker, Lampitt, Vainieri Huttle, Quijano, Wimberly, Pintor Marin, Jasey/Turner, Singleton) – Requires DCA to make information on homeless prevention programs and services available on its Internet website

A-1293/S-3977 (Greenwald, Burzichelli, Mukherji/Greenstein, Gopal) – Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts

A-1663/S-1842 (Quijano, Vainieri Huttle, Karabinchak/Cryan, Scutari) – Establishes "New Jersey Nonprofit Security Grant Program"

A-2186/S-1599 (Mukherji, Chaparro, McKnight/Codey, Pou) – Establishes Statewide database of beds in shelters for the homeless

A-2360/S-3285 (Chaparro, Karabinchak, Johnson/Greenstein, Stack) – Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces

A-2685wGR/S-4209 (Armato, Mazzeo, Mukherji/Stack) – Concerns information on property condition disclosure statement

A-2772/S-1040 (Downey, Houghtaling, Benson/Gopal) – Authorizes certain Medicaid recipients residing on post-secondary school campus to participate remotely in meetings of non-medical nature regarding Medicaid benefits

A-2877/S-1149 (Dancer, Vainieri Huttle, Reynolds-Jackson/Ruiz) – Requires registration of certain vacant and abandoned properties with municipalities and provides enforcement tools related to maintenance of these properties

A-3007/S-3127 (Lampitt, Dunn, Benson/Lagana, Gopal) – Requires institutions of higher education to provide students with access to mental health care programs and services and to establish a hotline to provide information concerning the availability of those services

A-3392/S-1219 (Reynolds-Jackson, Timberlake, Jasey/Turner, Beach) – Requires student representative be appointed to each board of education of school district and board of trustees of charter school that includes grades nine through 12

A-3804/S-1590 (Armato, Murphy, S. Kean/Beach, A.M. Bucco) – Designates 9-1-1 operators or dispatchers as 9-1-1 first responder dispatchers

A-3870/S-2807 (Karabinchak, Johnson, Mukherji/Greenstein, Pou) – "Defense Against Porch Pirates Act"; amends theft statute

A-3950wGR/S-3180 (Verrelli, Benson, Zwicker/Greenstein, Turner) – Prohibits employer use of tracking device in vehicle operated by employee under certain circumstances

A-4002wGR/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – Allows deduction of promotional gaming credit from gross revenue on sports wagering

A-4232/S-4231 (Houghtaling, Dancer, Wirths/Oroho, Smith) – Creates program in Department of Agriculture for deer fencing on certain farmland

A-4238/S-2561 (Chiaravalloti, Schaer, Benson/Gopal, Singer) – Establishes minimum Medicaid reimbursement rate for adult medical day care services

A-4241/S-2894 (Downey, Vainieri Huttle, Murphy/Pou) – Requires DHS to conduct biennial survey of SNAP experience

ACS for A-4253/S-3233 (Conaway, Pinkin, Jimenez/Cryan) – Requires certain electronic medical programs to include demographic data entry feature; requires laboratories to record certain patients' demographic information; requires certain hospitals and laboratories to implement cultural competency training program

A-4366/S-2801 (Taliaferro, Sumter, Mukherji/Pou, Greenstein) – Requires Police Training Commission to contract with crisis intervention training center to provide mental health training to police officers and establish curriculum specific to persons experiencing economic crisis or substance use disorder

A-4434wGR/S-2716 (Greenwald, Lampitt, Mukherji/Beach, Ruiz) – Establishes Student Wellness Grant Program in DOE

A-4478/S2759 (Vainieri Huttle, Speight, Schepisi, DeCroce/Vitale, Madden) – Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes

A-4569/S-3535 (Reynolds-Jackson, Benson, Karabinchak/Turner) – Requires BPU, electric power suppliers, and gas suppliers to publish certain information related to filing of customer complaints

ACS for A-4655/S-3595 (Reynolds-Jackson, Wimberly, Carter/Turner) – Limits police presence at polling places and ballot drop boxes; prohibits electioneering within 100 feet of ballot drop box

A-4771/S-2951 (Downey, Armato, Mukherji/Gopal, Singleton) – Expands offenses eligible for expungement upon successful discharge from drug court

A-4856/S-3094 (Lampitt, Benson, Caputo/Ruiz, Beach) – Requires Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf to be accessible to persons with disabilities

A-5033wGR/S-3279 (Benson, Dancer, Verrelli/Gopal) – Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

ACS for A-5075wGR/S-4001 (Burzichelli, Dancer, Johnson/Sweeney, A.M. Bucco) – Removes Fire Museum and Fallen Firefighters Memorial from auspices of DEP and establishes museum as independent organization; makes $200,000 supplemental appropriation

A-5160/S-3324 (DeAngelo, Conaway, Zwicker/Smith, Bateman) – Establishes minimum energy and water efficiency standards for certain products sold, offered for sale, or leased in the State

A-5294/S-3418 (Speight, Vainieri Huttle, Verrelli/Gopal, Madden) – Provides fast track hiring and advancement employment opportunities by State for persons with significant disabilities

A-5296/S-3426 (Speight, Vainieri Huttle, McKnight/T. Kean, Schepisi) – Provides for employment by State of certain persons with disabilities

A-5322/S-3433 (Mosquera, Vainieri Huttle, DePhillips/Cruz-Perez, T. Kean) – Provides for process to vacate and expunge certain arrests, charges, complaints, convictions, other dispositions, and DNA

records, associated with violations by certain human trafficking victims

A-5336wGR/S-3441 (Benson, Freiman, Vainieri Huttle/Diegnan, Madden) – Requires DHS to establish payment programs for purchase of transportation services from private sector and government transportation service providers

A-5439/S-3760 (Caputo, Dancer, Murphy/Gopal, Beach) – Changes deadline for New Jersey Racing Commission's annual report from end of calendar year to end of State fiscal year

A-5694/S-3783 (Houghtaling, Downey, Dancer/Gopal, Madden) – Permits dependents of military member to enroll in school district in advance of military member's relocation to district

A-5814/S-3851 (Swain, Tully, Benson/Lagana, Diegnan) – Creates Office of School Bus Safety in Department of Education; appropriates $200,000

A-5864wGR/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – Allows law enforcement officers to review body worn camera recordings prior to creating initial report

A-5997/S-4084 (Coughlin, Lopez/Sweeney, O'Scanlon) – Removes requirement for Legislature, DOE, free public libraries, and historical societies to purchase "Manual of the Legislature of New Jersey"

A-6012/S-4076 (Moen, Murphy, Freiman/Sarlo, Gopal) – Appropriates $500,000 for USS New Jersey Commissioning Committee to support commissioning of boat and assigned personnel

A-6020/S-4114 (Conaway, Jimenez, Vainieri Huttle/Codey) – Establishes requirements for certain tobacco product retailers to stock and sell nicotine replacement therapy products

A-6060/S-4272 (Tucker, Caputo, Mukherji/Cunningham) – Makes supplemental appropriation of $8 million to DHS to increase reimbursement for funeral, burial, and crematory services provided to certain beneficiaries of Work First New Jersey and Supplemental Security Income programs

A-6073/S-4140 (Verrelli/Vitale) – Temporarily waives certain basic life support services crewmember requirements

A-6093/S-4201 (Stanley, Benson, Timberlake/Greenstein, Gopal) – Mandates periodic cancer screening examinations for firefighters enrolled in SHBP

A-6108wGR/S-4247 (DeAngelo, Egan, Houghtaling/Madden) – Updates licenses offered by and certain licensure requirements from Board of Examiners of Electrical Contractors

A-6132/S-4235 (Schaer, Greenwald, Conaway/Singer, Gopal) – Permits volunteer paramedics to operate within mobile intensive care units

A-6133/S-4251 (Bramnick, Mukherji, Downey/Scutari) – Allows certain persons not yet appointed as administrator of estate to pursue lawsuit for damages for wrongful death on behalf of deceased's survivors

A-6150/S-4119 (DeAngelo, Karabinchak, Wirths/Oroho, Pou) – Revises penalties for transfer of certain professional and occupational licenses

A-6159/S-4236 (Coughlin, McKnight/Vitale, Ruiz) – Revises and renames Office of Food Insecurity Advocate

A-6162/S-4246 (Benson, Stanley/Gopal) – Requires certain motor vehicle dealers to maintain certain

requirements for business premises

A-6205/S-4270 (Coughlin, McKeon/Pou) – Amends certain requirements concerning insurance holding companies

A-6206wGR/S-4260 (Wimberly/Diegnan, Oroho) – Codifies right of real estate broker-salespersons and salespersons to define relationship with broker as one between broker and independent contractor or employee and enforces current and previous written agreements addressing relationship

A-6207/S-4222 (Greenwald, Lampitt, Benson/Sweeney) – Eliminates requirement for DOE to set certain tuition rates for approved private schools for students with disabilities in certain cases

A-6208/S-4151 (Mosquera, DeAngelo, Armato/Greenstein, Cruz-Perez) – Appropriates $60,940,361 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-6209/S-4154 (Freiman, Spearman, Egan/Turner, Oroho) – Appropriates $18 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

A-6210/S-4150 (Taliaferro, Moriarty, Burzichelli/Cruz-Perez, Greenstein) – Appropriates $4.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

A-6211/S-4149 (Houghtaling, Reynolds-Jackson, Downey/Cruz-Perez, Greenstein) – Appropriates $440,240 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

A-6212/S-4148 (Jimenez, Swain, Timberlake/Codey, Corrado) – Appropriates $54.5 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-6213/S-4155 (Kennedy, Carter, Tully/Bateman, Smith) – Appropriates $49.932 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-6214/S-4153 (Danielsen, Zwicker, Conaway/Greenstein, Smith) – Appropriates $80,539,578 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

A-6215/S-4152 (Stanley, Murphy, Jasey/Smith, Greenstein) – Appropriates $14,687,510 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

A-6246/S-4295 (Karabinchak/Sweeney) – Concerns changes in control of hotels and disruptions of hotel services

A-6257/S-4311 (McKnight/Sweeney, Singleton) – Imposes surcharge on casino hotel occupancies to fund public safety services

A-6262/S-4314 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Permits PERS retiree to return to employment in NJ Legislature after retirement under certain circumstances

A-6263/S-4315 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Appropriates $2 million to Legislative Services Commission

Governor Murphy pocket vetoed the following bills:

S-73/A-4580 (Bateman, Sarlo/Zwicker, Thomson, McKnight) – Establishes requirements for sale of cottage food products

S-995/A-6172 (Sweeney, A.M. Bucco/Downey, McKnight) – Requires DOLWD and DHS to conduct assessment of community rehabilitation programs and community businesses

S-1934/A-1158 (Sweeney, Pou, Cryan/Freiman, Lopez, Murphy) – Authorizes use of disability benefits for transportation provided by transportation network companies

S-2679/A-1979 (Beach, Smith/Stanley, Lopez, Kennedy) – Requires paint producers to implement or participate in paint stewardship program

S-2768/A-4664 (Singleton, Ruiz/Reynolds-Jackson, Stanley, Sumter) – Authorizes State Chief Diversity Officer to conduct disparity study concerning utilization of minority-owned and women-owned businesses in State procurement process

S-3458/A-6245 (Lagana, Gopal/Coughlin, Jimenez, Mukherji) – Revises out-of-network arbitration process

S-3529/A-5442 (Addiego, Diegnan/DeAngelo, Dancer, Dunn) – Clarifies that member of SPRS may receive accidental disability benefit under certain circumstances

S-3715/A-5804 (Cryan/Quijano, Mukherji) – Modifies certain definitions related to transient accommodation taxes and fees

S-4189/A-6112 (Vitale, Cruz-Perez/Lopez) – Permits PERS retiree to return to elective public office after retirement under certain circumstances

A-1073/S-3432 (Speight, Pintor Marin, McKnight, Timberlake/Ruiz, O'Scanlon) – Establishes requirements to screen certain people who are pregnant and who have given birth for preeclampsia

A-1269/S-3490 (Greenwald, Giblin, Calabrese/Cruz-Perez, Beach) – Eliminates one percent tax on purchasers of Class 4A commercial property transferred for consideration in excess of $1 million

A-4958/S-3740 (Tully, Armato, Zwicker/Lagana, Oroho) – Provides temporary exemption under sales and use tax for winterizing certain small business operations

A-5334/S-3442 (Lopez, Mazzeo, Stanley/Diegnan, T. Kean) – Requires DOT, NJT, and DHS to study and implement transportation mobility and accessibility improvements for persons with autism and developmental disabilities

A-5484/S-3817 (Dancer, Caputo, Houghtaling/Lagana) – Requires New Jersey Racing Commission to adopt procedures to enforce internal controls; requires annual audit

A-6033/S-4194 (Bramnick/Sweeney, T. Kean) – Classifies golf caddies as independent contractors for purposes of State employment laws

A-6157/S-4202 (Speight, Moen/Ruiz, Beach) – Prohibits circumventing intergovernmental transfer process for law enforcement officers in certain circumstances