

TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT:	ASSEMBLY: Yes	Commerce, Economic Dev & Agriculture Labor
	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: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

LEGISLATOR STATEMENT: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

CL/MMcB

P.L. 2025, CHAPTER 55, *approved May 9, 2025*
Senate, No. 3353 (*First Reprint*)

1 AN ACT concerning housing for resident farm employees on
2 commercial farms, and amending and supplementing P.L.1983,
3 c.31.

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

7
8 1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as
9 follows:

10 3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

11 "Board" or "county board" means a county agriculture
12 development board established pursuant to section 7 of P.L.1983,
13 c.32 (C.4:1C-14).

14 "Commercial farm" means (1) a farm management unit of no less
15 than five acres producing agricultural or horticultural products
16 worth \$2,500 or more annually, and satisfying the eligibility criteria
17 for differential property taxation pursuant to the "Farmland
18 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2)
19 a farm management unit less than five acres, producing agricultural
20 or horticultural products worth \$50,000 or more annually and
21 otherwise satisfying the eligibility criteria for differential property
22 taxation pursuant to the "Farmland Assessment Act of 1964,"
23 P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit
24 that is a beekeeping operation producing honey or other agricultural
25 or horticultural apiary-related products, or providing crop
26 pollination services, worth \$10,000 or more annually.

27 "Committee" means the State Agriculture Development
28 Committee established pursuant to section 4 of P.L.1983, c.31
29 (C.4:1C-4).

30 "Farm management unit" means a parcel or parcels of land,
31 whether contiguous or noncontiguous, together with agricultural or
32 horticultural buildings, structures and facilities, producing
33 agricultural or horticultural products, and operated as a single
34 enterprise.

35 "Farm market" means a facility used for the wholesale or retail
36 marketing of the agricultural output of a commercial farm, and
37 products that contribute to farm income, except that if a farm
38 market is used for retail marketing at least 51 percent of the annual
39 gross sales of the retail farm market shall be generated from sales 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:

¹Senate floor amendments adopted December 19, 2024.

1 agricultural output of the commercial farm, or at least 51 percent of
2 the sales area shall be devoted to the sale of agricultural output of
3 the commercial farm, and except that if a retail farm market is
4 located on land less than five acres in area, the land on which the
5 farm market is located shall produce annually agricultural or
6 horticultural products worth at least \$2,500.

7 "Full-time, year-round equine-related farm employee" means any
8 person employed by the owner or operator of a commercial farm on
9 a full-time, year-round basis to provide proper care and ensure the
10 safety of horses on the commercial farm, including, but not limited
11 to, a groom or other employee working in a stable. "Full-time,
12 year-round equine-related farm employee" shall not include a
13 migrant, seasonal, or temporary employee.

14 "Resident farm employee" means a person who is employed by
15 the owner or operator of a commercial farm to engage in
16 agricultural production activities on a full-time basis on the
17 commercial farm. "Resident farm employee" shall not include a
18 full-time, year-round equine-related farm employee¹, the owner of
19 the farm, or any lineal descendant of the owner¹.

20 "Shellfish" means the same as the term is defined in R.S.50:1-5.

21 "Shellfish aquaculture" means the propagation, rearing, and
22 subsequent harvesting of shellfish in controlled or selected
23 environments, and the subsequent processing, packaging, and
24 marketing of such shellfish, and includes activities to intervene in
25 the rearing process to increase production such as stocking, feeding,
26 transplanting, and providing for protection from predators.

27 "Shellfish aquaculture management unit" means an area,
28 contiguous or noncontiguous, together with buildings, structures,
29 and facilities, on which shellfish aquaculture is occurring, and
30 which is operated as a single enterprise.

31 "Shellfish commercial farm" means a shellfish aquaculture
32 management unit that engages in shellfish aquaculture and produces
33 shellfish worth \$40,000 or more annually.

34 "Shellfish farm market" means a structure co-located with a
35 shellfish post-harvest activities facility that is part of the shellfish
36 aquaculture management unit used for the wholesale or retail
37 marketing of the shellfish output of a shellfish commercial farm,
38 and products that contribute to farm income, except that if a
39 shellfish farm market is used for retail marketing at least 51 percent
40 of the annual gross sales of the retail farm market shall be generated
41 from sales of shellfish output of the shellfish commercial farm, or at
42 least 51 percent of the sales area shall be devoted to the sale of
43 shellfish output of the shellfish commercial farm.

44 "Shellfish post-harvest activities" means the storage, processing,
45 and packaging activities carried out at a shellfish aquaculture
46 management unit.

1 "Single enterprise" means a person, including a business entity,
2 that coordinates operations and combines resources in pursuit of the
3 same business purpose, as evidenced by items including, but not
4 limited to: common owners, principals, managers, directors,
5 shareholders, or employees; integrated business records, financial
6 statements, and tax returns; shared business resources; centralized
7 accounting processes; commingling of income or expenses; the
8 sharing of profits, losses, or liabilities; or common bank accounts.

9 (cf: P.L.2023, c.20, s.1)

10
11 2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as
12 follows:

13 6. Notwithstanding the provisions of any municipal or county
14 ordinance, resolution, or regulation to the contrary, the owner or
15 operator of a commercial farm, located in an area in which, as of
16 December 31, 1997 or thereafter, agriculture is a permitted use
17 under the municipal zoning ordinance and is consistent with the
18 municipal master plan, or which commercial farm is in operation as
19 of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the
20 operation of which conforms to agricultural management practices
21 recommended by the committee and adopted pursuant to the
22 provisions of the "Administrative Procedure Act," P.L.1968, c.410
23 (C.52:14B-1 et seq.), or whose specific operation or practice has
24 been determined by the appropriate county board, or in a county
25 where no county board exists, the committee, to constitute a
26 generally accepted agricultural operation or practice, and all
27 relevant federal or State statutes or rules and regulations adopted
28 pursuant thereto, and which does not pose a direct threat to public
29 health and safety may:

30 a. Produce agricultural and horticultural crops, trees and forest
31 products, livestock, and poultry and other commodities as described
32 in the Standard Industrial Classification for agriculture, forestry,
33 fishing and trapping or, after the operative date of the regulations
34 adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1),
35 included under the corresponding classification under the North
36 American Industry Classification System;

37 b. Process and package the agricultural output of the
38 commercial farm;

39 c. Provide for the operation of a farm market, including the
40 construction of building and parking areas in conformance with
41 municipal standards;

42 d. Replenish soil nutrients and improve soil tilth;

43 e. Control pests, predators and diseases of plants and animals;

44 f. Clear woodlands using open burning and other techniques,
45 install and maintain vegetative and terrain alterations and other
46 physical facilities for water and soil conservation and surface water
47 control in wetland areas;

- 1 g. Conduct on-site disposal of organic agricultural wastes;
- 2 h. Conduct agriculture-related educational and farm-based
3 recreational activities provided that the activities are related to
4 marketing the agricultural or horticultural output of the commercial
5 farm;
- 6 i. Engage in the generation of power or heat from biomass,
7 solar, or wind energy, provided that the energy generation is
8 consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et
9 al.), as applicable, and the rules and regulations adopted therefor
10 and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);
- 11 j. Engage in any other agricultural activity as determined by
12 the State Agriculture Development Committee and adopted by rule
13 or regulation pursuant to the provisions of the "Administrative
14 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); **[and]**
- 15 k. Hire any full-time, year-round equine-related farm
16 employee in the same building or facility as horses in accordance
17 with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3) ;
18 and
- 19 l. Hire a resident farm employee in accordance with the
20 provisions of section 3 of P.L. , c. (C.) (pending before the
21 Legislature as this bill) .
22 (cf: P.L.2020, c.154, s.2)
23
- 24 3. (New section) a. The committee shall adopt, pursuant to the
25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
26 seq.), an agricultural management practice for the housing of a
27 resident farm employee. ¹The agricultural management practice
28 shall provide that the amount of resident farm employee housing
29 shall correlate to the amount of labor needed on the farm.¹
- 30 b. The construction, installation, and provision of housing
31 pursuant to this section shall comply with the State Uniform
32 Construction Code adopted pursuant to the "State Uniform
33 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) ¹,
34 the "Seasonal Farm Labor Act," P.L.1945, c.71 (C.34:9A-1 et seq.),
35 the "Migrant and Seasonal Agricultural Worker Protection Act,"
36 (29 U.S.C. s.1801 et seq.),¹ and applicable Department of
37 Community Affairs standards and requirements.
- 38 c. A municipality shall not deny or withhold the issuance of a
39 certificate of occupancy for housing for a resident farm employee if
40 the housing complies with the provisions of this section and the
41 agricultural management practice adopted by the committee.
- 42 d. Housing constructed, installed, or provided pursuant to this
43 section shall be used only as housing for a resident farm employee.
44 ¹A resident farm employee shall not be charged rent to live in
45 resident farm employee housing.¹

1 4. This act shall take effect immediately.

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6 Directs State Agriculture Development Committee to adopt
7 agricultural management practice for housing resident farm
8 employees on commercial farms, and establishes such housing as
9 eligible for “Right to Farm” protection.

CHAPTER 55

AN ACT concerning housing for resident farm employees on commercial farms, and amending and supplementing P.L.1983, c.31.

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

1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as follows:

C.4:1C-3 Definitions.

3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

"Board" or "county board" means a county agriculture development board established pursuant to section 7 of P.L.1983, c.32 (C.4:1C-14).

"Commercial farm" means (1) a farm management unit of no less than five acres producing agricultural or horticultural products worth \$2,500 or more annually and satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2) a farm management unit less than five acres, producing agricultural or horticultural products worth \$50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit that is a beekeeping operation producing honey or other agricultural or horticultural apiary-related products, or providing crop pollination services, worth \$10,000 or more annually.

"Committee" means the State Agriculture Development Committee established pursuant to section 4 of P.L.1983, c.31 (C.4:1C-4).

"Farm management unit" means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures, and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

"Farm market" means a facility used for the wholesale or retail marketing of the agricultural output of a commercial farm and products that contribute to farm income, except that if a farm market is used for retail marketing, at least 51 percent of the annual gross sales of the retail farm market shall be generated from sales of agricultural output of the commercial farm or at least 51 percent of the sales area shall be devoted to the sale of agricultural output of the commercial farm, and except that if a retail farm market is located on land less than five acres in area, the land on which the farm market is located shall produce annually agricultural or horticultural products worth at least \$2,500.

"Full-time, year-round equine-related farm employee" means any person employed by the owner or operator of a commercial farm on a full-time, year-round basis to provide proper care and ensure the safety of horses on the commercial farm, including, but not limited to, a groom or other employee working in a stable. "Full-time, year-round equine-related farm employee" shall not include a migrant, seasonal, or temporary employee.

"Resident farm employee" means a person who is employed by the owner or operator of a commercial farm to engage in agricultural production activities on a full-time basis on the commercial farm. "Resident farm employee" shall not include a full-time, year-round equine-related farm employee, the owner of the farm, or any lineal descendant of the owner.

"Shellfish" means the same as the term is defined in R.S.50:1-5.

"Shellfish aquaculture" means the propagation, rearing, and subsequent harvesting of shellfish in controlled or selected environments, and the subsequent processing, packaging, and marketing of such shellfish, and includes activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting, and providing for protection from predators.

"Shellfish aquaculture management unit" means an area, contiguous or noncontiguous, together with buildings, structures, and facilities, on which shellfish aquaculture is occurring and which is operated as a single enterprise.

"Shellfish commercial farm" means a shellfish aquaculture management unit that engages in shellfish aquaculture and produces shellfish worth \$40,000 or more annually.

"Shellfish farm market" means a structure co-located with a shellfish post-harvest activities facility that is part of the shellfish aquaculture management unit used for the wholesale or retail marketing of the shellfish output of a shellfish commercial farm and products that contribute to farm income, except that if a shellfish farm market is used for retail marketing, at least 51 percent of the annual gross sales of the retail farm market shall be generated from sales of shellfish output of the shellfish commercial farm or at least 51 percent of the sales area shall be devoted to the sale of shellfish output of the shellfish commercial farm.

"Shellfish post-harvest activities" means the storage, processing, and packaging activities carried out at a shellfish aquaculture management unit.

"Single enterprise" means a person, including a business entity, that coordinates operations and combines resources in pursuit of the same business purpose, as evidenced by items including, but not limited to: common owners, principals, managers, directors, shareholders, or employees; integrated business records, financial statements, and tax returns; shared business resources; centralized accounting processes; commingling of income or expenses; the sharing of profits, losses, or liabilities; or common bank accounts.

2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as follows:

C.4:1C-9 Commercial farm owners, operators; permissible activities.

6. Notwithstanding the provisions of any municipal or county ordinance, resolution, or regulation to the contrary, the owner or operator of a commercial farm, located in an area in which, as of December 31, 1997 or thereafter, agriculture is a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan, or which commercial farm is in operation as of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the operation of which conforms to agricultural management practices recommended by the committee and adopted pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), or whose specific operation or practice has been determined by the appropriate county board, or in a county where no county board exists, the committee, to constitute a generally accepted agricultural operation or practice, and all relevant federal or State statutes or rules and regulations adopted pursuant thereto, and which does not pose a direct threat to public health and safety may:

- a. Produce agricultural and horticultural crops, trees and forest products, livestock, and poultry and other commodities as described in the Standard Industrial Classification for agriculture, forestry, fishing, and trapping or, after the operative date of the regulations adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1), included under the corresponding classification under the North American Industry Classification System;
- b. Process and package the agricultural output of the commercial farm;
- c. Provide for the operation of a farm market, including the construction of building and parking areas in conformance with municipal standards;
- d. Replenish soil nutrients and improve soil tilth;
- e. Control pests, predators, and diseases of plants and animals;

- f. Clear woodlands using open burning and other techniques and install and maintain vegetative and terrain alterations and other physical facilities for water and soil conservation and surface water control in wetland areas;
- g. Conduct on-site disposal of organic agricultural wastes;
- h. Conduct agriculture-related educational and farm-based recreational activities provided that the activities are related to marketing the agricultural or horticultural output of the commercial farm;
- i. Engage in the generation of power or heat from biomass, solar, or wind energy, provided that the energy generation is consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et al.), as applicable, and the rules and regulations adopted therefor and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);
- j. Engage in any other agricultural activity as determined by the State Agriculture Development Committee and adopted by rule or regulation pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.);
- k. Hire any full-time, year-round equine-related farm employee in the same building or facility as horses in accordance with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3); and
- l. Hire a resident farm employee in accordance with the provisions of section 3 of P.L.2025, c.55 (C.4:1C-9.4).

C.4:1C-9.4 Agricultural management practice adoption, housing, resident farm employee.

- 3. a. The committee shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), an agricultural management practice for the housing of a resident farm employee. The agricultural management practice shall provide that the amount of resident farm employee housing shall correlate to the amount of labor needed on the farm.
- b. The construction, installation, and provision of housing pursuant to this section shall comply with the State Uniform Construction Code adopted pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), the "Seasonal Farm Labor Act," P.L.1945, c.71 (C.34:9A-1 et seq.), the "Migrant and Seasonal Agricultural Worker Protection Act," (29 U.S.C. s.1801 et seq.), and applicable Department of Community Affairs standards and requirements.
- c. A municipality shall not deny or withhold the issuance of a certificate of occupancy for housing for a resident farm employee if the housing complies with the provisions of this section and the agricultural management practice adopted by the committee.
- d. Housing constructed, installed, or provided pursuant to this section shall be used only as housing for a resident farm employee. A resident farm employee shall not be charged rent to live in resident farm employee housing.

- 4. This act shall take effect immediately.

Approved May 9, 2025.

SENATE, No. 3353

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 3, 2024

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Directs State Agriculture Development Committee to adopt agricultural management practice for housing resident farm employees on commercial farms, and establishes such housing as eligible for “Right to Farm” protection.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/3/2024)

1 AN ACT concerning housing for resident farm employees on
2 commercial farms, and amending and supplementing P.L.1983,
3 c.31.

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

7
8 1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as
9 follows:

10 3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

11 "Board" or "county board" means a county agriculture
12 development board established pursuant to section 7 of P.L.1983,
13 c.32 (C.4:1C-14).

14 "Commercial farm" means (1) a farm management unit of no less
15 than five acres producing agricultural or horticultural products
16 worth \$2,500 or more annually, and satisfying the eligibility criteria
17 for differential property taxation pursuant to the "Farmland
18 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2)
19 a farm management unit less than five acres, producing agricultural
20 or horticultural products worth \$50,000 or more annually and
21 otherwise satisfying the eligibility criteria for differential property
22 taxation pursuant to the "Farmland Assessment Act of 1964,"
23 P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit
24 that is a beekeeping operation producing honey or other agricultural
25 or horticultural apiary-related products, or providing crop
26 pollination services, worth \$10,000 or more annually.

27 "Committee" means the State Agriculture Development
28 Committee established pursuant to section 4 of P.L.1983, c.31
29 (C.4:1C-4).

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31 whether contiguous or noncontiguous, together with agricultural or
32 horticultural buildings, structures and facilities, producing
33 agricultural or horticultural products, and operated as a single
34 enterprise.

35 "Farm market" means a facility used for the wholesale or retail
36 marketing of the agricultural output of a commercial farm, and
37 products that contribute to farm income, except that if a farm
38 market is used for retail marketing at least 51 percent of the annual
39 gross sales of the retail farm market shall be generated from sales of
40 agricultural output of the commercial farm, or at least 51 percent of
41 the sales area shall be devoted to the sale of agricultural output of
42 the commercial farm, and except that if a retail farm market is
43 located on land less than five acres in area, the land on which the
44 farm market is located shall produce annually agricultural or
45 horticultural products worth at least \$2,500.

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.

1 "Full-time, year-round equine-related farm employee" means any
2 person employed by the owner or operator of a commercial farm on
3 a full-time, year-round basis to provide proper care and ensure the
4 safety of horses on the commercial farm, including, but not limited
5 to, a groom or other employee working in a stable. "Full-time,
6 year-round equine-related farm employee" shall not include a
7 migrant, seasonal, or temporary employee.

8 "Resident farm employee" means a person who is employed by
9 the owner or operator of a commercial farm to engage in
10 agricultural production activities on a full-time basis on the
11 commercial farm. "Resident farm employee" shall not include a
12 full-time, year-round equine-related farm employee.

13 "Shellfish" means the same as the term is defined in R.S.50:1-5.

14 "Shellfish aquaculture" means the propagation, rearing, and
15 subsequent harvesting of shellfish in controlled or selected
16 environments, and the subsequent processing, packaging, and
17 marketing of such shellfish, and includes activities to intervene in
18 the rearing process to increase production such as stocking, feeding,
19 transplanting, and providing for protection from predators.

20 "Shellfish aquaculture management unit" means an area,
21 contiguous or noncontiguous, together with buildings, structures,
22 and facilities, on which shellfish aquaculture is occurring, and
23 which is operated as a single enterprise.

24 "Shellfish commercial farm" means a shellfish aquaculture
25 management unit that engages in shellfish aquaculture and produces
26 shellfish worth \$40,000 or more annually.

27 "Shellfish farm market" means a structure co-located with a
28 shellfish post-harvest activities facility that is part of the shellfish
29 aquaculture management unit used for the wholesale or retail
30 marketing of the shellfish output of a shellfish commercial farm,
31 and products that contribute to farm income, except that if a
32 shellfish farm market is used for retail marketing at least 51 percent
33 of the annual gross sales of the retail farm market shall be generated
34 from sales of shellfish output of the shellfish commercial farm, or at
35 least 51 percent of the sales area shall be devoted to the sale of
36 shellfish output of the shellfish commercial farm.

37 "Shellfish post-harvest activities" means the storage, processing,
38 and packaging activities carried out at a shellfish aquaculture
39 management unit.

40 "Single enterprise" means a person, including a business entity,
41 that coordinates operations and combines resources in pursuit of the
42 same business purpose, as evidenced by items including, but not
43 limited to: common owners, principals, managers, directors,
44 shareholders, or employees; integrated business records, financial
45 statements, and tax returns; shared business resources; centralized
46 accounting processes; commingling of income or expenses; the
47 sharing of profits, losses, or liabilities; or common bank accounts.

48 (cf: P.L.2023, c.20, s.1)

1 2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as
2 follows:

3 6. Notwithstanding the provisions of any municipal or county
4 ordinance, resolution, or regulation to the contrary, the owner or
5 operator of a commercial farm, located in an area in which, as of
6 December 31, 1997 or thereafter, agriculture is a permitted use
7 under the municipal zoning ordinance and is consistent with the
8 municipal master plan, or which commercial farm is in operation as
9 of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the
10 operation of which conforms to agricultural management practices
11 recommended by the committee and adopted pursuant to the
12 provisions of the "Administrative Procedure Act," P.L.1968, c.410
13 (C.52:14B-1 et seq.), or whose specific operation or practice has
14 been determined by the appropriate county board, or in a county
15 where no county board exists, the committee, to constitute a
16 generally accepted agricultural operation or practice, and all
17 relevant federal or State statutes or rules and regulations adopted
18 pursuant thereto, and which does not pose a direct threat to public
19 health and safety may:

20 a. Produce agricultural and horticultural crops, trees and forest
21 products, livestock, and poultry and other commodities as described
22 in the Standard Industrial Classification for agriculture, forestry,
23 fishing and trapping or, after the operative date of the regulations
24 adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1),
25 included under the corresponding classification under the North
26 American Industry Classification System;

27 b. Process and package the agricultural output of the
28 commercial farm;

29 c. Provide for the operation of a farm market, including the
30 construction of building and parking areas in conformance with
31 municipal standards;

32 d. Replenish soil nutrients and improve soil tilth;

33 e. Control pests, predators and diseases of plants and animals;

34 f. Clear woodlands using open burning and other techniques,
35 install and maintain vegetative and terrain alterations and other
36 physical facilities for water and soil conservation and surface water
37 control in wetland areas;

38 g. Conduct on-site disposal of organic agricultural wastes;

39 h. Conduct agriculture-related educational and farm-based
40 recreational activities provided that the activities are related to
41 marketing the agricultural or horticultural output of the commercial
42 farm;

43 i. Engage in the generation of power or heat from biomass,
44 solar, or wind energy, provided that the energy generation is
45 consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et
46 al.), as applicable, and the rules and regulations adopted therefor
47 and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);

1 j. Engage in any other agricultural activity as determined by
2 the State Agriculture Development Committee and adopted by rule
3 or regulation pursuant to the provisions of the "Administrative
4 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); **and**

5 k. House any full-time, year-round equine-related farm
6 employee in the same building or facility as horses in accordance
7 with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3) ;
8 and

9 l. House a resident farm employee in accordance with the
10 provisions of section 3 of P.L. , c. (C.) (pending before the
11 Legislature as this bill) .
12 (cf: P.L.2020, c.154, s.2)

13

14 3. (New section) a. The committee shall adopt, pursuant to the
15 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
16 seq.), an agricultural management practice for the housing of a
17 resident farm employee.

18 b. The construction, installation, and provision of housing
19 pursuant to this section shall comply with the State Uniform
20 Construction Code adopted pursuant to the "State Uniform
21 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.)
22 and applicable Department of Community Affairs standards and
23 requirements.

24 c. A municipality shall not deny or withhold the issuance of a
25 certificate of occupancy for housing for a resident farm employee if
26 the housing complies with the provisions of this section and the
27 agricultural management practice adopted by the committee.

28 d. Housing constructed, installed, or provided pursuant to this
29 section shall be used only as housing for a resident farm employee.

30

31 4. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 This bill amends and supplements the "Right to Farm Act,"
37 P.L.1983, c.31 (C.4:1C-1 et seq.), to allow housing for resident
38 farm employees on a commercial farm to be a permissible activity
39 and eligible for Right to Farm protections.

40 The bill directs the State Agriculture Development Committee
41 (SADC) to adopt an agricultural management practice that permits
42 the housing of resident farm employees. The bill defines "resident
43 farm employee" as a person employed by the owner or operator of a
44 commercial farm to engage in agricultural production activities on a
45 full-time basis on the commercial farm. The term does not include
46 a full-time, year-round equine-related farm employee.

[First Reprint]

SENATE, No. 3353

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 3, 2024

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Co-Sponsored by:

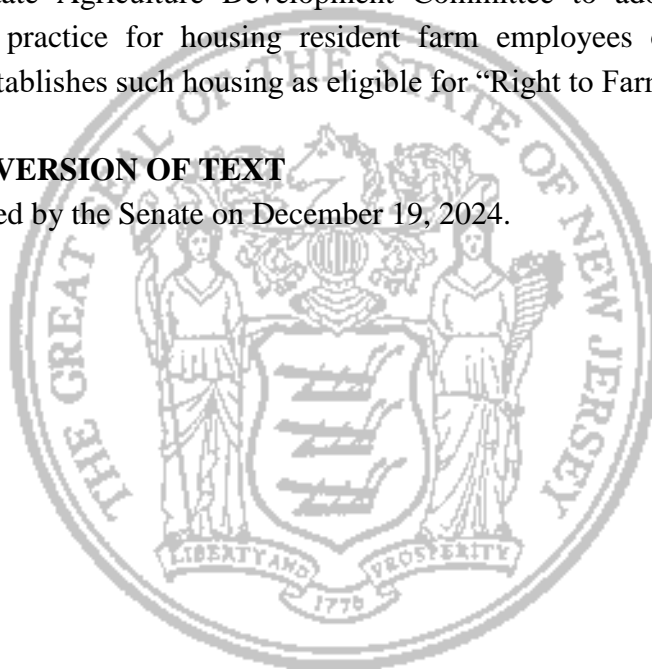
Assemblywoman Speight

SYNOPSIS

Directs State Agriculture Development Committee to adopt agricultural management practice for housing resident farm employees on commercial farms, and establishes such housing as eligible for “Right to Farm” protection.

CURRENT VERSION OF TEXT

As amended by the Senate on December 19, 2024.



(Sponsorship Updated As Of: 3/24/2025)

1 AN ACT concerning housing for resident farm employees on
2 commercial farms, and amending and supplementing P.L.1983,
3 c.31.

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

7
8 1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as
9 follows:

10 3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

11 "Board" or "county board" means a county agriculture
12 development board established pursuant to section 7 of P.L.1983,
13 c.32 (C.4:1C-14).

14 "Commercial farm" means (1) a farm management unit of no less
15 than five acres producing agricultural or horticultural products
16 worth \$2,500 or more annually, and satisfying the eligibility criteria
17 for differential property taxation pursuant to the "Farmland
18 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2)
19 a farm management unit less than five acres, producing agricultural
20 or horticultural products worth \$50,000 or more annually and
21 otherwise satisfying the eligibility criteria for differential property
22 taxation pursuant to the "Farmland Assessment Act of 1964,"
23 P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit
24 that is a beekeeping operation producing honey or other agricultural
25 or horticultural apiary-related products, or providing crop
26 pollination services, worth \$10,000 or more annually.

27 "Committee" means the State Agriculture Development
28 Committee established pursuant to section 4 of P.L.1983, c.31
29 (C.4:1C-4).

30 "Farm management unit" means a parcel or parcels of land,
31 whether contiguous or noncontiguous, together with agricultural or
32 horticultural buildings, structures and facilities, producing
33 agricultural or horticultural products, and operated as a single
34 enterprise.

35 "Farm market" means a facility used for the wholesale or retail
36 marketing of the agricultural output of a commercial farm, and
37 products that contribute to farm income, except that if a farm
38 market is used for retail marketing at least 51 percent of the annual
39 gross sales of the retail farm market shall be generated from sales of
40 agricultural output of the commercial farm, or at least 51 percent of
41 the sales area shall be devoted to the sale of agricultural output of
42 the commercial farm, and except that if a retail farm market is
43 located on land less than five acres in area, the land on which the
44 farm market is located shall produce annually agricultural or
45 horticultural products worth at least \$2,500.

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:

¹Senate floor amendments adopted December 19, 2024.

1 "Full-time, year-round equine-related farm employee" means any
2 person employed by the owner or operator of a commercial farm on
3 a full-time, year-round basis to provide proper care and ensure the
4 safety of horses on the commercial farm, including, but not limited
5 to, a groom or other employee working in a stable. "Full-time,
6 year-round equine-related farm employee" shall not include a
7 migrant, seasonal, or temporary employee.

8 "Resident farm employee" means a person who is employed by
9 the owner or operator of a commercial farm to engage in
10 agricultural production activities on a full-time basis on the
11 commercial farm. "Resident farm employee" shall not include a
12 full-time, year-round equine-related farm employee¹, the owner of
13 the farm, or any lineal descendant of the owner¹.

14 "Shellfish" means the same as the term is defined in R.S.50:1-5.

15 "Shellfish aquaculture" means the propagation, rearing, and
16 subsequent harvesting of shellfish in controlled or selected
17 environments, and the subsequent processing, packaging, and
18 marketing of such shellfish, and includes activities to intervene in
19 the rearing process to increase production such as stocking, feeding,
20 transplanting, and providing for protection from predators.

21 "Shellfish aquaculture management unit" means an area,
22 contiguous or noncontiguous, together with buildings, structures,
23 and facilities, on which shellfish aquaculture is occurring, and
24 which is operated as a single enterprise.

25 "Shellfish commercial farm" means a shellfish aquaculture
26 management unit that engages in shellfish aquaculture and produces
27 shellfish worth \$40,000 or more annually.

28 "Shellfish farm market" means a structure co-located with a
29 shellfish post-harvest activities facility that is part of the shellfish
30 aquaculture management unit used for the wholesale or retail
31 marketing of the shellfish output of a shellfish commercial farm,
32 and products that contribute to farm income, except that if a
33 shellfish farm market is used for retail marketing at least 51 percent
34 of the annual gross sales of the retail farm market shall be generated
35 from sales of shellfish output of the shellfish commercial farm, or at
36 least 51 percent of the sales area shall be devoted to the sale of
37 shellfish output of the shellfish commercial farm.

38 "Shellfish post-harvest activities" means the storage, processing,
39 and packaging activities carried out at a shellfish aquaculture
40 management unit.

41 "Single enterprise" means a person, including a business entity,
42 that coordinates operations and combines resources in pursuit of the
43 same business purpose, as evidenced by items including, but not
44 limited to: common owners, principals, managers, directors,
45 shareholders, or employees; integrated business records, financial
46 statements, and tax returns; shared business resources; centralized

1 accounting processes; commingling of income or expenses; the
2 sharing of profits, losses, or liabilities; or common bank accounts.

3 (cf: P.L.2023, c.20, s.1)

4

5 2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as
6 follows:

7 6. Notwithstanding the provisions of any municipal or county
8 ordinance, resolution, or regulation to the contrary, the owner or
9 operator of a commercial farm, located in an area in which, as of
10 December 31, 1997 or thereafter, agriculture is a permitted use
11 under the municipal zoning ordinance and is consistent with the
12 municipal master plan, or which commercial farm is in operation as
13 of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the
14 operation of which conforms to agricultural management practices
15 recommended by the committee and adopted pursuant to the
16 provisions of the "Administrative Procedure Act," P.L.1968, c.410
17 (C.52:14B-1 et seq.), or whose specific operation or practice has
18 been determined by the appropriate county board, or in a county
19 where no county board exists, the committee, to constitute a
20 generally accepted agricultural operation or practice, and all
21 relevant federal or State statutes or rules and regulations adopted
22 pursuant thereto, and which does not pose a direct threat to public
23 health and safety may:

24 a. Produce agricultural and horticultural crops, trees and forest
25 products, livestock, and poultry and other commodities as described
26 in the Standard Industrial Classification for agriculture, forestry,
27 fishing and trapping or, after the operative date of the regulations
28 adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1),
29 included under the corresponding classification under the North
30 American Industry Classification System;

31 b. Process and package the agricultural output of the
32 commercial farm;

33 c. Provide for the operation of a farm market, including the
34 construction of building and parking areas in conformance with
35 municipal standards;

36 d. Replenish soil nutrients and improve soil tilth;

37 e. Control pests, predators and diseases of plants and animals;

38 f. Clear woodlands using open burning and other techniques,
39 install and maintain vegetative and terrain alterations and other
40 physical facilities for water and soil conservation and surface water
41 control in wetland areas;

42 g. Conduct on-site disposal of organic agricultural wastes;

43 h. Conduct agriculture-related educational and farm-based
44 recreational activities provided that the activities are related to
45 marketing the agricultural or horticultural output of the commercial
46 farm;

1 i. Engage in the generation of power or heat from biomass,
2 solar, or wind energy, provided that the energy generation is
3 consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et
4 al.), as applicable, and the rules and regulations adopted therefor
5 and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);

6 j. Engage in any other agricultural activity as determined by
7 the State Agriculture Development Committee and adopted by rule
8 or regulation pursuant to the provisions of the "Administrative
9 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); **[and]**

10 k. Hire any full-time, year-round equine-related farm
11 employee in the same building or facility as horses in accordance
12 with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3) ;
13 and

14 l. Hire a resident farm employee in accordance with the
15 provisions of section 3 of P.L. , c. (C.) (pending before the
16 Legislature as this bill) .
17 (cf: P.L.2020, c.154, s.2)

18

19 3. (New section) a. The committee shall adopt, pursuant to the
20 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
21 seq.), an agricultural management practice for the housing of a
22 resident farm employee. ¹The agricultural management practice
23 shall provide that the amount of resident farm employee housing
24 shall correlate to the amount of labor needed on the farm.¹

25 b. The construction, installation, and provision of housing
26 pursuant to this section shall comply with the State Uniform
27 Construction Code adopted pursuant to the "State Uniform
28 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) ¹,
29 the "Seasonal Farm Labor Act," P.L.1945, c.71 (C.34:9A-1 et seq.),
30 the "Migrant and Seasonal Agricultural Worker Protection Act,"
31 (29 U.S.C. s.1801 et seq.),¹ and applicable Department of
32 Community Affairs standards and requirements.

33 c. A municipality shall not deny or withhold the issuance of a
34 certificate of occupancy for housing for a resident farm employee if
35 the housing complies with the provisions of this section and the
36 agricultural management practice adopted by the committee.

37 d. Housing constructed, installed, or provided pursuant to this
38 section shall be used only as housing for a resident farm employee.
39 ¹A resident farm employee shall not be charged rent to live in
40 resident farm employee housing.¹

41

42 4. This act shall take effect immediately.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3353

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2025

The Assembly Labor Committee reports favorably Senate Bill No. 3353 (1R).

This bill amends and supplements the “Right to Farm Act” to allow housing for resident farm employees on a commercial farm to be a permissible activity and eligible for protections under the “Right to Farm Act.”

The bill directs the State Agriculture Development Committee to adopt an agricultural management practice that permits the housing of resident farm employees. The bill defines “resident farm employee” as a person employed by the owner or operator of a commercial farm to engage in agricultural production activities on a full-time basis on the commercial farm. The term does not include a full-time, year-round equine-related farm employee, the owner of the farm, or any lineal descendant of the owner.

As reported by the committee, Senate Bill No. 3353 (1R) is identical to Assembly Bill No. 4501, which was amended and reported by the committee on this date.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 3353

STATE OF NEW JERSEY

DATED: OCTOBER 10, 2024

The Senate Economic Growth Committee reports favorably Senate Bill No. 3353.

As reported, this bill amends and supplements the “Right to Farm Act” to allow housing for resident farm employees on a commercial farm to be a permissible activity and eligible for protections under the “Right to Farm Act.”

The bill directs the State Agriculture Development Committee to adopt an agricultural management practice that permits the housing of resident farm employees. The bill defines “resident farm employee” as a person employed by the owner or operator of a commercial farm to engage in agricultural production activities on a full-time basis on the commercial farm. The term does not include a full-time, year-round equine-related farm employee.

STATEMENT TO
SENATE, No. 3353

with Senate Floor Amendments
(Proposed by Senator TURNER)

ADOPTED: DECEMBER 19, 2024

These floor amendments would:

(1) revise the definition of “resident farm employee” to exclude the owner of the farm or any lineal descendant of the owner;

(2) require housing for resident farm employees constructed pursuant to the bill to comply with the “Seasonal Farm Labor Act,” P.L.1945, c.71 (C.34:9A-1 et seq.) and the federal “Migrant and Seasonal Agricultural Worker Protection Act,” (29 U.S.C. s.1801 et seq.);

(3) provide that the charging of rent to resident farm employees living in resident farm employee housing would be prohibited; and

(4) require the agricultural management practice developed by the State Agriculture Development Committee pursuant to the bill to provide that the amount of resident farm employee housing is required to correlate to the amount of labor needed on the farm.

ASSEMBLY, No. 4501

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 6, 2024

Sponsored by:

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

SYNOPSIS

Directs State Agriculture Development Committee to adopt agricultural management practice for housing resident farm employees on commercial farms, and establishes such housing as eligible for “Right to Farm” protection.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/12/2024)

1 AN ACT concerning housing for resident farm employees on
2 commercial farms, and amending and supplementing P.L.1983,
3 c.31.

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

7
8 1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as
9 follows:

10 3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

11 "Board" or "county board" means a county agriculture
12 development board established pursuant to section 7 of P.L.1983,
13 c.32 (C.4:1C-14).

14 "Commercial farm" means (1) a farm management unit of no less
15 than five acres producing agricultural or horticultural products
16 worth \$2,500 or more annually, and satisfying the eligibility criteria
17 for differential property taxation pursuant to the "Farmland
18 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2)
19 a farm management unit less than five acres, producing agricultural
20 or horticultural products worth \$50,000 or more annually and
21 otherwise satisfying the eligibility criteria for differential property
22 taxation pursuant to the "Farmland Assessment Act of 1964,"
23 P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit
24 that is a beekeeping operation producing honey or other agricultural
25 or horticultural apiary-related products, or providing crop
26 pollination services, worth \$10,000 or more annually.

27 "Committee" means the State Agriculture Development
28 Committee established pursuant to section 4 of P.L.1983, c.31
29 (C.4:1C-4).

30 "Farm management unit" means a parcel or parcels of land,
31 whether contiguous or noncontiguous, together with agricultural or
32 horticultural buildings, structures and facilities, producing
33 agricultural or horticultural products, and operated as a single
34 enterprise.

35 "Farm market" means a facility used for the wholesale or retail
36 marketing of the agricultural output of a commercial farm, and
37 products that contribute to farm income, except that if a farm
38 market is used for retail marketing at least 51 percent of the annual
39 gross sales of the retail farm market shall be generated from sales of
40 agricultural output of the commercial farm, or at least 51 percent of
41 the sales area shall be devoted to the sale of agricultural output of
42 the commercial farm, and except that if a retail farm market is
43 located on land less than five acres in area, the land on which the
44 farm market is located shall produce annually agricultural or
45 horticultural products worth at least \$2,500.

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.

1 "Full-time, year-round equine-related farm employee" means any
2 person employed by the owner or operator of a commercial farm on
3 a full-time, year-round basis to provide proper care and ensure the
4 safety of horses on the commercial farm, including, but not limited
5 to, a groom or other employee working in a stable. "Full-time,
6 year-round equine-related farm employee" shall not include a
7 migrant, seasonal, or temporary employee.

8 "Resident farm employee" means a person who is employed by
9 the owner or operator of a commercial farm to engage in
10 agricultural production activities on a full-time basis on the
11 commercial farm. "Resident farm employee" shall not include a
12 full-time, year-round equine-related farm employee.

13 "Shellfish" means the same as the term is defined in R.S.50:1-5.

14 "Shellfish aquaculture" means the propagation, rearing, and
15 subsequent harvesting of shellfish in controlled or selected
16 environments, and the subsequent processing, packaging, and
17 marketing of such shellfish, and includes activities to intervene in
18 the rearing process to increase production such as stocking, feeding,
19 transplanting, and providing for protection from predators.

20 "Shellfish aquaculture management unit" means an area,
21 contiguous or noncontiguous, together with buildings, structures,
22 and facilities, on which shellfish aquaculture is occurring, and
23 which is operated as a single enterprise.

24 "Shellfish commercial farm" means a shellfish aquaculture
25 management unit that engages in shellfish aquaculture and produces
26 shellfish worth \$40,000 or more annually.

27 "Shellfish farm market" means a structure co-located with a
28 shellfish post-harvest activities facility that is part of the shellfish
29 aquaculture management unit used for the wholesale or retail
30 marketing of the shellfish output of a shellfish commercial farm,
31 and products that contribute to farm income, except that if a
32 shellfish farm market is used for retail marketing at least 51 percent
33 of the annual gross sales of the retail farm market shall be generated
34 from sales of shellfish output of the shellfish commercial farm, or at
35 least 51 percent of the sales area shall be devoted to the sale of
36 shellfish output of the shellfish commercial farm.

37 "Shellfish post-harvest activities" means the storage, processing,
38 and packaging activities carried out at a shellfish aquaculture
39 management unit.

40 "Single enterprise" means a person, including a business entity,
41 that coordinates operations and combines resources in pursuit of the
42 same business purpose, as evidenced by items including, but not
43 limited to: common owners, principals, managers, directors,
44 shareholders, or employees; integrated business records, financial
45 statements, and tax returns; shared business resources; centralized
46 accounting processes; commingling of income or expenses; the
47 sharing of profits, losses, or liabilities; or common bank accounts.

48 (cf: P.L.2023, c.20, s.1)

- 1 2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as
2 follows:
- 3 6. Notwithstanding the provisions of any municipal or county
4 ordinance, resolution, or regulation to the contrary, the owner or
5 operator of a commercial farm, located in an area in which, as of
6 December 31, 1997 or thereafter, agriculture is a permitted use
7 under the municipal zoning ordinance and is consistent with the
8 municipal master plan, or which commercial farm is in operation as
9 of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the
10 operation of which conforms to agricultural management practices
11 recommended by the committee and adopted pursuant to the
12 provisions of the "Administrative Procedure Act," P.L.1968, c.410
13 (C.52:14B-1 et seq.), or whose specific operation or practice has
14 been determined by the appropriate county board, or in a county
15 where no county board exists, the committee, to constitute a
16 generally accepted agricultural operation or practice, and all
17 relevant federal or State statutes or rules and regulations adopted
18 pursuant thereto, and which does not pose a direct threat to public
19 health and safety may:
- 20 a. Produce agricultural and horticultural crops, trees and forest
21 products, livestock, and poultry and other commodities as described
22 in the Standard Industrial Classification for agriculture, forestry,
23 fishing and trapping or, after the operative date of the regulations
24 adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1),
25 included under the corresponding classification under the North
26 American Industry Classification System;
- 27 b. Process and package the agricultural output of the
28 commercial farm;
- 29 c. Provide for the operation of a farm market, including the
30 construction of building and parking areas in conformance with
31 municipal standards;
- 32 d. Replenish soil nutrients and improve soil tilth;
- 33 e. Control pests, predators and diseases of plants and animals;
- 34 f. Clear woodlands using open burning and other techniques,
35 install and maintain vegetative and terrain alterations and other
36 physical facilities for water and soil conservation and surface water
37 control in wetland areas;
- 38 g. Conduct on-site disposal of organic agricultural wastes;
- 39 h. Conduct agriculture-related educational and farm-based
40 recreational activities provided that the activities are related to
41 marketing the agricultural or horticultural output of the commercial
42 farm;
- 43 i. Engage in the generation of power or heat from biomass,
44 solar, or wind energy, provided that the energy generation is
45 consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et
46 al.), as applicable, and the rules and regulations adopted therefor
47 and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);

1 j. Engage in any other agricultural activity as determined by
2 the State Agriculture Development Committee and adopted by rule
3 or regulation pursuant to the provisions of the "Administrative
4 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); **and**

5 k. House any full-time, year-round equine-related farm
6 employee in the same building or facility as horses in accordance
7 with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3) ;
8 and

9 l. House a resident farm employee in accordance with the
10 provisions of section 3 of P.L. , c. (C.) (pending before the
11 Legislature as this bill) .

12 (cf: P.L.2020, c.154, s.2)

13
14 3. (New section) a. The committee shall adopt, pursuant to the
15 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
16 seq.), an agricultural management practice for the housing of a
17 resident farm employee.

18 b. The construction, installation, and provision of housing
19 pursuant to this section shall comply with the State Uniform
20 Construction Code adopted pursuant to the "State Uniform
21 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.)
22 and applicable Department of Community Affairs standards and
23 requirements.

24 c. A municipality shall not deny or withhold the issuance of a
25 certificate of occupancy for housing for a resident farm employee if
26 the housing complies with the provisions of this section and the
27 agricultural management practice adopted by the committee.

28 d. Housing constructed, installed, or provided pursuant to this
29 section shall be used only as housing for a resident farm employee.

30
31 4. This act shall take effect immediately.

32
33
34 STATEMENT

35
36 This bill amends and supplements the "Right to Farm Act,"
37 P.L.1983, c.31 (C.4:1C-1 et seq.), to allow housing for resident
38 farm employees on a commercial farm to be a permissible activity
39 and eligible for Right to Farm protections.

40 The bill directs the State Agriculture Development Committee
41 (SADC) to adopt an agricultural management practice that permits
42 the housing of resident farm employees. The bill defines "resident
43 farm employee" as a person employed by the owner or operator of a
44 commercial farm to engage in agricultural production activities on a
45 full-time basis on the commercial farm. The term does not include
46 a full-time, year-round equine-related farm employee.

[First Reprint]

ASSEMBLY, No. 4501

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED JUNE 6, 2024

Sponsored by:

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Co-Sponsored by:

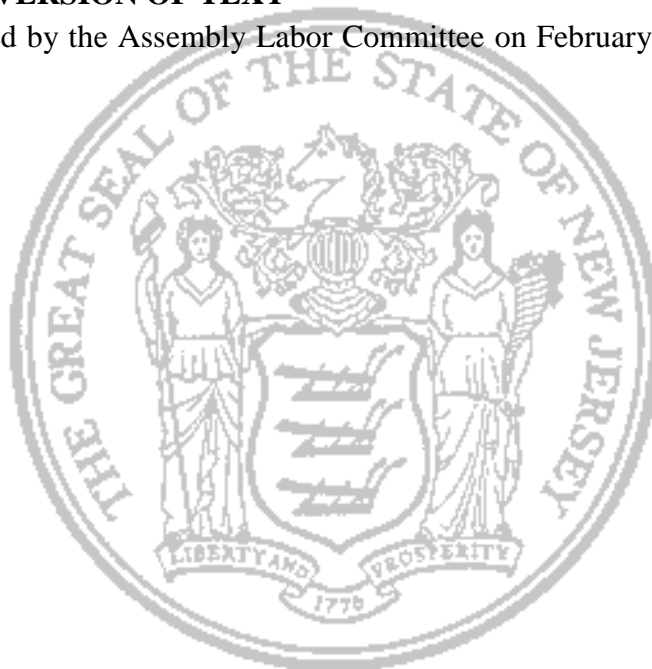
Assemblywoman Speight

SYNOPSIS

Directs State Agriculture Development Committee to adopt agricultural management practice for housing resident farm employees on commercial farms, and establishes such housing as eligible for “Right to Farm” protection.

CURRENT VERSION OF TEXT

As reported by the Assembly Labor Committee on February 20, 2025, with amendments.



(Sponsorship Updated As Of: 3/20/2025)

1 AN ACT concerning housing for resident farm employees on
2 commercial farms, and amending and supplementing P.L.1983,
3 c.31.

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

7
8 1. Section 3 of P.L.1983, c.31 (C.4:1C-3) is amended to read as
9 follows:

10 3. As used in P.L.1983, c.31 (C.4:1C-1 et seq.):

11 "Board" or "county board" means a county agriculture
12 development board established pursuant to section 7 of P.L.1983,
13 c.32 (C.4:1C-14).

14 "Commercial farm" means (1) a farm management unit of no less
15 than five acres producing agricultural or horticultural products
16 worth \$2,500 or more annually, and satisfying the eligibility criteria
17 for differential property taxation pursuant to the "Farmland
18 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), (2)
19 a farm management unit less than five acres, producing agricultural
20 or horticultural products worth \$50,000 or more annually and
21 otherwise satisfying the eligibility criteria for differential property
22 taxation pursuant to the "Farmland Assessment Act of 1964,"
23 P.L.1964, c.48 (C.54:4-23.1 et seq.), or (3) a farm management unit
24 that is a beekeeping operation producing honey or other agricultural
25 or horticultural apiary-related products, or providing crop
26 pollination services, worth \$10,000 or more annually.

27 "Committee" means the State Agriculture Development
28 Committee established pursuant to section 4 of P.L.1983, c.31
29 (C.4:1C-4).

30 "Farm management unit" means a parcel or parcels of land,
31 whether contiguous or noncontiguous, together with agricultural or
32 horticultural buildings, structures and facilities, producing
33 agricultural or horticultural products, and operated as a single
34 enterprise.

35 "Farm market" means a facility used for the wholesale or retail
36 marketing of the agricultural output of a commercial farm, and
37 products that contribute to farm income, except that if a farm
38 market is used for retail marketing at least 51 percent of the annual
39 gross sales of the retail farm market shall be generated from sales of
40 agricultural output of the commercial farm, or at least 51 percent of
41 the sales area shall be devoted to the sale of agricultural output of
42 the commercial farm, and except that if a retail farm market is
43 located on land less than five acres in area, the land on which the
44 farm market is located shall produce annually agricultural or
45 horticultural products worth at least \$2,500.

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:

¹Assembly ALA committee amendments adopted February 20, 2025.

1 "Full-time, year-round equine-related farm employee" means any
2 person employed by the owner or operator of a commercial farm on
3 a full-time, year-round basis to provide proper care and ensure the
4 safety of horses on the commercial farm, including, but not limited
5 to, a groom or other employee working in a stable. "Full-time,
6 year-round equine-related farm employee" shall not include a
7 migrant, seasonal, or temporary employee.

8 "Resident farm employee" means a person who is employed by
9 the owner or operator of a commercial farm to engage in
10 agricultural production activities on a full-time basis on the
11 commercial farm. "Resident farm employee" shall not include a
12 full-time, year-round equine-related farm employee¹, the owner of
13 the farm, or any lineal descendant of the owner¹.

14 "Shellfish" means the same as the term is defined in R.S.50:1-5.

15 "Shellfish aquaculture" means the propagation, rearing, and
16 subsequent harvesting of shellfish in controlled or selected
17 environments, and the subsequent processing, packaging, and
18 marketing of such shellfish, and includes activities to intervene in
19 the rearing process to increase production such as stocking, feeding,
20 transplanting, and providing for protection from predators.

21 "Shellfish aquaculture management unit" means an area,
22 contiguous or noncontiguous, together with buildings, structures,
23 and facilities, on which shellfish aquaculture is occurring, and
24 which is operated as a single enterprise.

25 "Shellfish commercial farm" means a shellfish aquaculture
26 management unit that engages in shellfish aquaculture and produces
27 shellfish worth \$40,000 or more annually.

28 "Shellfish farm market" means a structure co-located with a
29 shellfish post-harvest activities facility that is part of the shellfish
30 aquaculture management unit used for the wholesale or retail
31 marketing of the shellfish output of a shellfish commercial farm,
32 and products that contribute to farm income, except that if a
33 shellfish farm market is used for retail marketing at least 51 percent
34 of the annual gross sales of the retail farm market shall be generated
35 from sales of shellfish output of the shellfish commercial farm, or at
36 least 51 percent of the sales area shall be devoted to the sale of
37 shellfish output of the shellfish commercial farm.

38 "Shellfish post-harvest activities" means the storage, processing,
39 and packaging activities carried out at a shellfish aquaculture
40 management unit.

41 "Single enterprise" means a person, including a business entity,
42 that coordinates operations and combines resources in pursuit of the
43 same business purpose, as evidenced by items including, but not
44 limited to: common owners, principals, managers, directors,
45 shareholders, or employees; integrated business records, financial
46 statements, and tax returns; shared business resources; centralized

1 accounting processes; commingling of income or expenses; the
2 sharing of profits, losses, or liabilities; or common bank accounts.
3 (cf: P.L.2023, c.20, s.1)

4

5 2. Section 6 of P.L.1983, c.31 (C.4:1C-9) is amended to read as
6 follows:

7 6. Notwithstanding the provisions of any municipal or county
8 ordinance, resolution, or regulation to the contrary, the owner or
9 operator of a commercial farm, located in an area in which, as of
10 December 31, 1997 or thereafter, agriculture is a permitted use
11 under the municipal zoning ordinance and is consistent with the
12 municipal master plan, or which commercial farm is in operation as
13 of the effective date of P.L.1998, c.48 (C.4:1C-10.1 et al.), and the
14 operation of which conforms to agricultural management practices
15 recommended by the committee and adopted pursuant to the
16 provisions of the "Administrative Procedure Act," P.L.1968, c.410
17 (C.52:14B-1 et seq.), or whose specific operation or practice has
18 been determined by the appropriate county board, or in a county
19 where no county board exists, the committee, to constitute a
20 generally accepted agricultural operation or practice, and all
21 relevant federal or State statutes or rules and regulations adopted
22 pursuant thereto, and which does not pose a direct threat to public
23 health and safety may:

24 a. Produce agricultural and horticultural crops, trees and forest
25 products, livestock, and poultry and other commodities as described
26 in the Standard Industrial Classification for agriculture, forestry,
27 fishing and trapping or, after the operative date of the regulations
28 adopted pursuant to section 5 of P.L.2003, c.157 (C.4:1C-9.1),
29 included under the corresponding classification under the North
30 American Industry Classification System;

31 b. Process and package the agricultural output of the
32 commercial farm;

33 c. Provide for the operation of a farm market, including the
34 construction of building and parking areas in conformance with
35 municipal standards;

36 d. Replenish soil nutrients and improve soil tilth;

37 e. Control pests, predators and diseases of plants and animals;

38 f. Clear woodlands using open burning and other techniques,
39 install and maintain vegetative and terrain alterations and other
40 physical facilities for water and soil conservation and surface water
41 control in wetland areas;

42 g. Conduct on-site disposal of organic agricultural wastes;

43 h. Conduct agriculture-related educational and farm-based
44 recreational activities provided that the activities are related to
45 marketing the agricultural or horticultural output of the commercial
46 farm;

47 i. Engage in the generation of power or heat from biomass,
48 solar, or wind energy, provided that the energy generation is

1 consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et
2 al.), as applicable, and the rules and regulations adopted therefor
3 and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2);

4 j. Engage in any other agricultural activity as determined by
5 the State Agriculture Development Committee and adopted by rule
6 or regulation pursuant to the provisions of the "Administrative
7 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); **【and】**

8 k. House any full-time, year-round equine-related farm
9 employee in the same building or facility as horses in accordance
10 with the provisions of section 3 of P.L.2020, c.154 (C.4:1C-9.3) ;
11 and

12 l. House a resident farm employee in accordance with the
13 provisions of section 3 of P.L. , c. (C.) (pending before the
14 Legislature as this bill) .
15 (cf: P.L.2020, c.154, s.2)

16
17 3. (New section) a. The committee shall adopt, pursuant to the
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
19 seq.), an agricultural management practice for the housing of a
20 resident farm employee. ¹The agricultural management practice
21 shall provide that the amount of resident farm employee housing
22 shall correlate to the amount of labor needed on the farm.¹

23 b. The construction, installation, and provision of housing
24 pursuant to this section shall comply with the State Uniform
25 Construction Code adopted pursuant to the "State Uniform
26 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) ¹,
27 the "Seasonal Farm Labor Act," P.L.1945, c.71 (C.34:9A-1 et seq.),
28 the "Migrant and Seasonal Agricultural Worker Protection Act,"
29 (29 U.S.C. s.1801 et seq.),¹ and applicable Department of
30 Community Affairs standards and requirements.

31 c. A municipality shall not deny or withhold the issuance of a
32 certificate of occupancy for housing for a resident farm employee if
33 the housing complies with the provisions of this section and the
34 agricultural management practice adopted by the committee.

35 d. Housing constructed, installed, or provided pursuant to this
36 section shall be used only as housing for a resident farm employee.
37 ¹A resident farm employee shall not be charged rent to live in
38 resident farm employee housing.¹

39

40 4. This act shall take effect immediately.

ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND
AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4501

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2024

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably Assembly Bill No. 4501.

This bill amends and supplements the “Right to Farm Act,” P.L.1983, c.31 (C.4:1C-1 et seq.), to allow housing for resident farm employees on a commercial farm to be a permissible activity and eligible for Right to Farm protections.

The bill directs the State Agriculture Development Committee (SADC) to adopt an agricultural management practice that permits the housing of resident farm employees. The bill defines “resident farm employee” as a person employed by the owner or operator of a commercial farm to engage in agricultural production activities on a full-time basis on the commercial farm. The term does not include a full-time, year-round equine-related farm employee.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4501

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2025

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 4501.

This bill amends and supplements the “Right to Farm Act” to allow housing for resident farm employees on a commercial farm to be a permissible activity and eligible for protections under the “Right to Farm Act.”

The bill directs the State Agriculture Development Committee to adopt an agricultural management practice that permits the housing of resident farm employees. The bill defines “resident farm employee” as a person employed by the owner or operator of a commercial farm to engage in agricultural production activities on a full-time basis on the commercial farm. The term does not include a full-time, year-round equine-related farm employee, the owner of the farm, or any lineal descendant of the owner.

As amended and reported by the committee, Assembly Bill No. 4501 is identical to Senate Bill No. 3353 (1R), which was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) revise the definition of “resident farm employee” to exclude the owner of the farm or any lineal descendant of the owner;

(2) require housing for resident farm employees constructed pursuant to the bill to comply with the “Seasonal Farm Labor Act,” P.L.1945, c.71 (C.34:9A-1 et seq.) and the federal “Migrant and Seasonal Agricultural Worker Protection Act,” (29 U.S.C. s.1801 et seq.);

(3) provide that the charging of rent to resident farm employees living in resident farm employee housing would be prohibited; and

(4) require the agricultural management practice developed by the State Agriculture Development Committee pursuant to the bill to provide that the amount of resident farm employee housing is required to correlate to the amount of labor needed on the farm.

Governor Murphy Takes Action on Legislation

Posted on - 05/9/2025

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

S-3199/A-4343 (Timberlake, McKnight/Speight, Atkins, Venezia) - Establishes New Jersey-Haiti Commission

S-3353/A-4501 (Turner, McKnight/Sauickie, Spearman) - Directs State Agriculture Development Committee to adopt agricultural management practice for housing resident farm employees on commercial farms, and establishes such housing as eligible for “Right to Farm” protection

S-3525/A-4893 (Pou, McKnight/McCoy, Speight, Danielsen) - Requires financial institutions to allow mortgagors to make biweekly and semi-monthly payments and payments to mortgage principal

SJR-102/AJR-167 (Turner/Verrelli, Reynolds-Jackson) - Designates May 17 of each year as “Necrotizing Enterocolitis Awareness Day” in New Jersey

SJR-121/AJR-181 (Singleton/Swain, Hutchison, Miller) - Designates May 15 of each year as “Tuberous Sclerosis Complex Awareness Day” in New Jersey

Posted on: May 13, 2025

Sauickie Bill Addressing Farm Labor Needs Now Law

TRENTON, N.J. – Assemblyman Alex Sauickie’s bill permitting farmworkers to live onsite was signed into law May 9.



The bill (A4501/S3353) updates New Jersey’s Right to Farm Act to include the right to house workers on commercial farms, protecting landowners from public or private nuisance lawsuits.

“This bill recognizes that farmworkers often need to respond quickly to emergencies that could threaten crops or livestock,” said Sauickie (R-Ocean). “I’m pleased it is now law.”

The new law stipulates that the amount of onsite housing must correlate to the labor needed to operate the farm. It applies to full-time workers who are not family members of the landowners and operators. The employees also could not be charged rent.

“Equine farm employees already have this right, so this brings consistency to the law and provides clarity for municipalities and landowners,” Sauickie added.

In New Jersey, full-time equine farm employees are allowed to reside within the same building or facility where the horses are kept or boarded.

“Living on the premises gives employees the 24/7 access they need to support the farm and the future of New Jersey’s agriculture industry,” Sauickie said.