



(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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RWH/JA



P.L. 2021, CHAPTER 496, *approved January 18, 2022*  
Assembly, No. 6246 (*First Reprint*)

1 AN ACT concerning changes in control of hotels and disruptions of  
2 hotel services and supplementing Title 29 of the Revised  
3 Statutes.

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

7  
8 1. a. (1) Not less than 30 days before a change in control or  
9 change in controlling interest or identity, a former hotel employer  
10 shall provide the successor hotel employer with a full and accurate  
11 list containing the name, address, date of hire, phone number, wage  
12 rate, and employment classification of each hotel service employee  
13 employed at an affected hotel. At the same time that the former  
14 hotel employer provides the list, the former hotel employer shall  
15 post the list in a notice to the hotel service employees that also sets  
16 forth the rights provided by this section, in the same location and  
17 manner that other statutorily required notices to the employees are  
18 posted at the affected hotel; provided that if the hotel is not open to  
19 the public, the notice shall be transmitted in the same manner as any  
20 offer of employment made pursuant to paragraph (2) of this  
21 subsection a. The notice shall also be provided to the employees'  
22 collective bargaining representative, if any.

23 (2) A successor hotel employer shall, during the hotel service  
24 employee retention period, offer each eligible hotel service  
25 employee employment for no less than 90 working days under the  
26 terms and conditions established by the successor hotel employer,  
27 with no reduction of wages or benefits, except that the wage and  
28 benefit rates offered and paid for the period may be higher than the  
29 rates last paid to the employee by the former hotel employer, and  
30 shall not be lower than any rate required by law. The offers shall be  
31 made in writing and shall remain open for at least 10 business days  
32 from the date of the offer.

33 (3) Except as provided in paragraph (4) of this subsection, an  
34 eligible hotel service employee retained pursuant to this section  
35 shall not be discharged without cause during the hotel service  
36 employee retention period.

37 (4) If at any time during the hotel service employee retention  
38 period the successor hotel employer determines that fewer hotel

**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:

<sup>1</sup>Assembly AAP committee amendments adopted January 6, 2022.

1 service employees are required than were employed by the former  
2 hotel employer, the successor hotel employer shall retain eligible  
3 hotel service employees by seniority and experience within each job  
4 classification, to the extent the classification exists, and offer to  
5 rehire the laid-off employees if the positions are subsequently  
6 restored.

7 (5) A successor hotel employer shall retain written verification  
8 of each offer of employment made pursuant to paragraph (2) of this  
9 subsection. The verification shall include the name, address, date  
10 of hire, phone number, wage rate, and employment classification of  
11 the eligible hotel service employee to whom the offer was made. A  
12 successor hotel employer shall retain the verification for no less  
13 than three years from the date the offer is made.

14 (6) At the end of the hotel service employee retention period,  
15 the successor hotel employer shall perform a written performance  
16 evaluation for each hotel service employee retained pursuant to this  
17 section. If the employee's performance during the retention period  
18 is satisfactory, the successor hotel employer shall offer the  
19 employee continued employment under the terms and conditions  
20 established by the successor hotel employer. A successor hotel  
21 employer shall retain the written performance evaluation for no less  
22 than three years from the date it is issued.

23 b. A hotel service employee who has been discharged or not  
24 retained in violation of this section, or a representative of the  
25 employee, may bring an action in a court of competent jurisdiction  
26 against a former hotel employer or successor hotel employer for any  
27 violation of an obligation imposed pursuant to this section.

28 The court shall have authority to order preliminary and  
29 permanent equitable relief, including, but not limited to,  
30 reinstatement of any employee who has been discharged or not  
31 retained in violation of this section. If the court finds that by reason  
32 of a violation of any obligation imposed pursuant to subsection b. of  
33 this section, a hotel service employee has been discharged or not  
34 retained in violation of this section, the court shall award:

35 (1) back pay, and an equal amount as liquidated damages, for  
36 each day during which the violation continues, which shall be  
37 calculated at a rate of compensation not less than the higher of: the  
38 average regular rate of pay received by the employee during the last  
39 three years of the employee's employment in the same occupation  
40 classification; or the final regular rate of pay received by the  
41 employee. Back pay shall apply to the period commencing on the  
42 date of the discharge or refusal-to-retain by the successor hotel  
43 employer and ending on the effective date of any offer of  
44 reinstatement or reinstatement of the employee;

45 (2) costs of benefits the successor hotel service employer would  
46 have incurred for the employee under the employee's benefit plan;  
47 and

48 (3) the employee's reasonable attorney's fees and costs.

1 The court shall have authority to order the former or successor  
2 hotel employer, as applicable, to provide any information required  
3 pursuant to subsection b. of this section.

4 c. This section shall not apply to:

5 (1) any successor hotel employer who, on or before the change  
6 of control or change in controlling interest or identity, agrees to  
7 assume, or to be bound by, the collective bargaining agreement of  
8 the former hotel employer until the end of the term of the agreement  
9 or the end of hotel service employee retention period, whichever is  
10 later, provided that the collective bargaining agreement includes  
11 terms and conditions for the discharge or laying off of employees;

12 (2) if there was no existing collective bargaining agreement as  
13 described in paragraph (1) of this subsection, any successor hotel  
14 employer who agrees, on or before the change of control or change  
15 in controlling interest or identity, to enter into a new collective  
16 bargaining agreement covering its hotel service employees,  
17 provided that the collective bargaining agreement includes terms  
18 and conditions for the discharge or laying off of employees; or

19 (3) a former hotel employer who obtains a written commitment  
20 from a successor hotel employer that the successor hotel employer's  
21 hotel service employees will be covered by a collective bargaining  
22 agreement that includes terms and conditions for the discharge or  
23 laying off of employees.

24 d. Each hotel employer shall maintain for three years, for each  
25 employee and former employee, by name, a record showing the  
26 employee's regular hourly rate of pay for each week of the  
27 employee's employment. The hotel employer shall make an  
28 employee's or former employee's records available in full to the  
29 employee or former employee upon request.

30 e. For the purposes of this section:

31 "Affected hotel" means a hotel or discrete portion of a hotel that  
32 has been the subject of a change in control or a change in  
33 controlling interest or identity.

34 "Change in control" means any sale, assignment, transfer,  
35 contribution or other disposition of all or substantially all of the  
36 assets used in the operation of a hotel or a discrete portion of a  
37 hotel. A change in control shall be defined to occur on the date of  
38 execution of the document effectuating the change.

39 "Change in controlling interest or identity" means any sale,  
40 assignment, transfer, contribution or other disposition of a  
41 controlling interest, including by consolidation, merger or  
42 reorganization, of a hotel employer or any person who controls a  
43 hotel employer; or any other event or sequence of events, including  
44 a purchase, sale or lease termination of a management contract or  
45 lease, that causes the identity of the hotel employer at a hotel to  
46 change. A change in controlling interest or identity shall be defined  
47 to occur on the date of execution of the document effectuating the  
48 change.

1 “Eligible hotel service employee” means a hotel service  
2 employee employed by a hotel employer at an affected hotel.

3 “Former hotel employer” means any hotel employer who owns,  
4 controls or operates a hotel prior to a change in control or change in  
5 controlling interest or identity of a hotel or of a discrete portion of a  
6 hotel that continues to operate as a hotel after the change.

7 “Hotel” means a hotel, apartment hotel, motel, inn, tourist camp,  
8 tourist cabin, tourist home, <sup>1</sup>【rooming or boarding house,】<sup>1</sup> club, or  
9 similar establishment where sleeping accommodations are supplied  
10 for pay to transient or permanent guests.

11 “Hotel employer” means any person who owns, controls or  
12 operates a hotel, and includes any person or contractor who, in a  
13 managerial, supervisory or confidential capacity, employs one or  
14 more hotel service employees.

15 “Hotel service” means work performed in connection with the  
16 operation of a hotel, including, but not limited to, letting of guest  
17 rooms, letting of meeting rooms, provision of food or beverage  
18 services, provision of banquet services, or provision of spa services.

19 “Hotel service employee” means: any person employed to  
20 perform a hotel service at an affected hotel during the 365-day  
21 period immediately preceding the change in control or change in  
22 controlling interest or identity of the hotel; or any person formerly  
23 employed to perform a hotel service at an affected hotel who retains  
24 recall rights under the former hotel employer’s collective  
25 bargaining agreement, if any, or under any comparable arrangement  
26 established by the former hotel employer, on the date of the change  
27 in control or change in controlling interest or identity of the hotel,  
28 except that “hotel service employee” shall not include persons who  
29 are managerial, supervisory or confidential employees or who  
30 otherwise exercise control over the management of the hotel.

31 “Hotel service employee retention period” means the 90-day  
32 period beginning on the date of a change in control or change in  
33 controlling interest or identity of the hotel or of a discrete portion of  
34 the hotel that continues to operate as a hotel after the change, except  
35 that, if the hotel is not open to the public on the date, the 90-day  
36 period shall begin on the first day that the hotel is open to the public  
37 after the change.

38 “Person” means an individual, corporation, business trust, estate,  
39 trust, partnership, limited liability company, association, joint  
40 venture, government, governmental subdivision, agency, or  
41 instrumentality, public corporation, or any other legal or  
42 commercial entity.

43 “Successor hotel employer” means a hotel employer who owns,  
44 controls or operates a hotel after a change in control or change in  
45 controlling interest or identity of the hotel or of a discrete portion of  
46 the hotel that continues to operate as a hotel after the change.

1       2. a. Within 24 hours of the occurrence of a service disruption,  
2 a hotel operator shall provide, in all modifiable mediums in which  
3 the hotel advertises, solicits customers, or through which customers  
4 can book or reserve rooms or services, notification of the service  
5 disruption to each third-party vendor and each guest who is seeking,  
6 or has entered into, a reservation, booking, or agreement with the  
7 hotel operator or a third-party vendor for the use or occupancy of a  
8 room. The notification shall also be provided immediately before  
9 accepting or entering into any new reservation, booking, or  
10 agreement for the use or occupancy of a room or hotel service. The  
11 notification shall also be provided to any current guest. If the  
12 circumstances of the service disruption make timely notification  
13 impracticable, the notification shall be made as soon as practicable.

14       b. The notification shall describe: the nature of the service  
15 disruption; the extent of the service disruption's effect on  
16 reservations, bookings, or agreements to use or occupy the room or  
17 hotel services; and the right of a guest to cancel or terminate the  
18 reservation, booking, or agreement for the use or occupancy of the  
19 room or hotel services, with a refund if applicable and without the  
20 imposition of any fee, penalty, or other charge, as provided in  
21 subsections c. and d. of this section. If the notification is included  
22 in a communication containing other information, the notification  
23 shall be in a significantly larger font and different color than the  
24 remainder of the communication.

25       c. A hotel operator shall not impose any fee, penalty, or other  
26 charge, nor retain any deposit, in the event a guest, prior to  
27 checking in, cancels a reservation, booking, or agreement with the  
28 hotel operator for the use or occupancy of a room, if the guest's stay  
29 or room is, or could be, <sup>1</sup>substantially<sup>1</sup> affected by a service  
30 disruption during the guest's stay or use of a hotel service.

31       d. If a service disruption arises only after any guest of the room  
32 has checked in, the hotel operator shall prominently and clearly  
33 notify the guest of the service disruption within 24 hours of the  
34 disruption, as provided in subsection a. of this section. The  
35 notification shall specify the rights set forth in this subsection,  
36 pursuant to subsection b. of this section. The guests of the room or  
37 hotel service may terminate any reservation, booking, or agreement  
38 for the rental of the room or use of a hotel service, and the hotel  
39 operator shall not impose any fee, penalty, or other charge for the  
40 termination, nor retain any deposit related to any unused portion of  
41 the period of the reservation, booking, or agreement following the  
42 onset of the service disruption.

43       e. A hotel operator that violates or causes another person to  
44 violate a provision of this section or any rule promulgated pursuant  
45 to the section, shall be subject to a civil penalty collectible by the  
46 <sup>1</sup>**【Department of Community】** Division of Consumer<sup>1</sup> Affairs <sup>1</sup>**【**in a  
47 summary proceeding pursuant to the "Penalty Enforcement Law of

1 1999," P.L.1999, c.274 (C.2A:58-10 et seq.)**】** in the Department of  
2 Law and Public Safety<sup>1</sup>, as follows:

3 (1) a civil penalty of \$500 for the first violation;

4 (2) a civil penalty of \$1,000 for the second violation issued for  
5 the same offense within a period of two years of the date of the first  
6 violation;

7 (3) a civil penalty of \$2,500 for the third violation issued for the  
8 same offense within a period of two years of the date of the first  
9 violation; and

10 (4) a civil penalty of \$5,000 for the fourth and each subsequent  
11 violation issued for the same offense within a period of two years of  
12 the date of the first violation.

13 The continuation of a violation shall constitute a separate offense  
14 for each successive day

15 f. In addition to any other penalties or remedies for violations  
16 of this section, any guest or customer may also bring a private cause  
17 of action in any court of competent jurisdiction to recover, in  
18 addition to the remedies provided for in this act, compensatory,  
19 equitable and consequential damages, and reasonable costs of the  
20 action and attorney's fees.

21 g. For the purposes of this section:

22 "Hotel" means a hotel, apartment hotel, motel, inn, tourist camp,  
23 tourist cabin, tourist home, <sup>1</sup>**【**rooming or boarding house,**】**<sup>1</sup> club, or  
24 similar establishment where sleeping accommodations are supplied  
25 for pay to transient or permanent guests.

26 "Hotel operator" means any person, including a contractor, who  
27 owns, controls or operates a hotel.

28 "Hotel service" means work performed in connection with the  
29 operation of a hotel, including, but not limited to, letting of guest  
30 rooms, letting of meeting rooms, provision of food or beverage  
31 services, provision of banquet services, or provision of spa services.

32 "Room" means a room available or let out for use or occupancy  
33 in a hotel.

34 "Service disruption" means any of the following conditions  
35 where the condition substantially affects or is likely to substantially  
36 affect any guest's use of a room or utilization of a hotel service<sup>1</sup>;  
37 provided that conditions described in paragraphs (2), (6) and (7) of  
38 this definition shall be presumed to substantially affect a guest's use  
39 of a room or utilization of a hotel service<sup>1</sup>:

40 (1) construction work in or directly related to the hotel that  
41 creates excessive noise that is likely to substantially disturb a guest,  
42 other than construction that is intended to correct an emergency  
43 condition or other condition requiring immediate attention;

44 (2) conditions of which the hotel operator is aware, indicating  
45 the presence in the hotel of any infestation by bed bugs, lice or  
46 other insects, rodents or other vermin capable of spreading disease  
47 or being carried, including on one's person, if the infestation has

1 not been fully treated by a licensed exterminator within 24 hours of  
2 identifying it;

3 (3) the unavailability, for a period of 24 hours or more, of any  
4 advertised hotel amenity, including, but not limited to, a pool, spa,  
5 shuttle service, internet access, or food and beverage service;

6 (4) the unavailability, for a period of 24 hours or more, of any  
7 advertised room appliances or technology, including but not limited  
8 to, in-room refrigerators, or internet or Wi-Fi services;

9 (5) the unavailability of any advertised or legally required  
10 accessibility feature, including, but not limited to, an elevator,  
11 wheelchair lift, ramp, or accessible bathroom in the room or in any  
12 common area of the hotel;

13 (6) the unavailability for a period of 24 hours or more, of any  
14 utility, including, but not limited to, gas, water, or electricity when  
15 the unavailability affects only the location of the hotel; or

16 (7) any strike, lockout or picketing activity, or other  
17 demonstration or event for a calendar day or more at or near the  
18 hotel.

19 “Third-party vendor” means a vendor with which a hotel  
20 operator has an arrangement for third-party room reservations, or  
21 any other entity that has reserved or entered into an agreement or  
22 booking for the use or occupancy of one or more rooms in a hotel in  
23 furtherance of the business of reselling the rooms to guests.

24

25 3. The provisions of this act shall be deemed to be severable  
26 and if any section, subsection, paragraph, sentence or other portion  
27 of this act is for any reason held or declared by any court of  
28 competent jurisdiction to be unconstitutional or preempted by  
29 federal law, or the applicability of that portion to any person or  
30 facility is held invalid, the remainder of this act shall not thereby be  
31 deemed to be unconstitutional, preempted or invalid.

32

33 4. This act shall take effect immediately and shall apply to any  
34 change in control or change in controlling interest or identity of a  
35 hotel occurring after the effective date.

36

37

38

39

40 \_\_\_\_\_  
41 Concerns changes in control of hotels and disruptions of hotel  
services.

**ASSEMBLY, No. 6246**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JANUARY 3, 2022

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**SYNOPSIS**

Concerns changes in control of hotels and disruptions of hotel services.

**CURRENT VERSION OF TEXT**

As introduced.



A6246 KARABINCHAK

1 AN ACT concerning changes in control of hotels and disruptions of  
2 hotel services and supplementing Title 29 of the Revised  
3 Statutes.

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

7  
8 1. a. (1) Not less than 30 days before a change in control or  
9 change in controlling interest or identity, a former hotel employer  
10 shall provide the successor hotel employer with a full and accurate  
11 list containing the name, address, date of hire, phone number, wage  
12 rate, and employment classification of each hotel service employee  
13 employed at an affected hotel. At the same time that the former  
14 hotel employer provides the list, the former hotel employer shall  
15 post the list in a notice to the hotel service employees that also sets  
16 forth the rights provided by this section, in the same location and  
17 manner that other statutorily required notices to the employees are  
18 posted at the affected hotel; provided that if the hotel is not open to  
19 the public, the notice shall be transmitted in the same manner as any  
20 offer of employment made pursuant to paragraph (2) of this  
21 subsection a. The notice shall also be provided to the employees'  
22 collective bargaining representative, if any.

23 (2) A successor hotel employer shall, during the hotel service  
24 employee retention period, offer each eligible hotel service  
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26 terms and conditions established by the successor hotel employer,  
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28 benefit rates offered and paid for the period may be higher than the  
29 rates last paid to the employee by the former hotel employer, and  
30 shall not be lower than any rate required by law. The offers shall be  
31 made in writing and shall remain open for at least 10 business days  
32 from the date of the offer.

33 (3) Except as provided in paragraph (4) of this subsection, an  
34 eligible hotel service employee retained pursuant to this section  
35 shall not be discharged without cause during the hotel service  
36 employee retention period.

37 (4) If at any time during the hotel service employee retention  
38 period the successor hotel employer determines that fewer hotel  
39 service employees are required than were employed by the former  
40 hotel employer, the successor hotel employer shall retain eligible  
41 hotel service employees by seniority and experience within each job  
42 classification, to the extent the classification exists, and offer to  
43 rehire the laid-off employees if the positions are subsequently  
44 restored.

45 (5) A successor hotel employer shall retain written verification  
46 of each offer of employment made pursuant to paragraph (2) of this  
47 subsection. The verification shall include the name, address, date  
48 of hire, phone number, wage rate, and employment classification of

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1 the eligible hotel service employee to whom the offer was made. A  
2 successor hotel employer shall retain the verification for no less  
3 than three years from the date the offer is made.

4 (6) At the end of the hotel service employee retention period,  
5 the successor hotel employer shall perform a written performance  
6 evaluation for each hotel service employee retained pursuant to this  
7 section. If the employee's performance during the retention period  
8 is satisfactory, the successor hotel employer shall offer the  
9 employee continued employment under the terms and conditions  
10 established by the successor hotel employer. A successor hotel  
11 employer shall retain the written performance evaluation for no less  
12 than three years from the date it is issued.

13 b. A hotel service employee who has been discharged or not  
14 retained in violation of this section, or a representative of the  
15 employee, may bring an action in a court of competent jurisdiction  
16 against a former hotel employer or successor hotel employer for any  
17 violation of an obligation imposed pursuant to this section.

18 The court shall have authority to order preliminary and  
19 permanent equitable relief, including, but not limited to,  
20 reinstatement of any employee who has been discharged or not  
21 retained in violation of this section. If the court finds that by reason  
22 of a violation of any obligation imposed pursuant to subsection b. of  
23 this section, a hotel service employee has been discharged or not  
24 retained in violation of this section, the court shall award:

25 (1) back pay, and an equal amount as liquidated damages, for  
26 each day during which the violation continues, which shall be  
27 calculated at a rate of compensation not less than the higher of: the  
28 average regular rate of pay received by the employee during the last  
29 three years of the employee's employment in the same occupation  
30 classification; or the final regular rate of pay received by the  
31 employee. Back pay shall apply to the period commencing on the  
32 date of the discharge or refusal-to-retain by the successor hotel  
33 employer and ending on the effective date of any offer of  
34 reinstatement or reinstatement of the employee;

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36 have incurred for the employee under the employee's benefit plan;  
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40 hotel employer, as applicable, to provide any information required  
41 pursuant to subsection b. of this section.

42 c. This section shall not apply to:

43 (1) any successor hotel employer who, on or before the change  
44 of control or change in controlling interest or identity, agrees to  
45 assume, or to be bound by, the collective bargaining agreement of  
46 the former hotel employer until the end of the term of the agreement  
47 or the end of hotel service employee retention period, whichever is

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1 later, provided that the collective bargaining agreement includes  
2 terms and conditions for the discharge or laying off of employees;

3 (2) if there was no existing collective bargaining agreement as  
4 described in paragraph (1) of this subsection, any successor hotel  
5 employer who agrees, on or before the change of control or change  
6 in controlling interest or identity, to enter into a new collective  
7 bargaining agreement covering its hotel service employees,  
8 provided that the collective bargaining agreement includes terms  
9 and conditions for the discharge or laying off of employees; or

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11 from a successor hotel employer that the successor hotel employer's  
12 hotel service employees will be covered by a collective bargaining  
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14 laying off of employees.

15 d. Each hotel employer shall maintain for three years, for each  
16 employee and former employee, by name, a record showing the  
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19 employee's or former employee's records available in full to the  
20 employee or former employee upon request.

21 e. For the purposes of this section:

22 "Affected hotel" means a hotel or discrete portion of a hotel that  
23 has been the subject of a change in control or a change in  
24 controlling interest or identity.

25 "Change in control" means any sale, assignment, transfer,  
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27 assets used in the operation of a hotel or a discrete portion of a  
28 hotel. A change in control shall be defined to occur on the date of  
29 execution of the document effectuating the change.

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31 assignment, transfer, contribution or other disposition of a  
32 controlling interest, including by consolidation, merger or  
33 reorganization, of a hotel employer or any person who controls a  
34 hotel employer; or any other event or sequence of events, including  
35 a purchase, sale or lease termination of a management contract or  
36 lease, that causes the identity of the hotel employer at a hotel to  
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39 change.

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1 similar establishment where sleeping accommodations are supplied  
2 for pay to transient or permanent guests.

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15 employed to perform a hotel service at an affected hotel who retains  
16 recall rights under the former hotel employer’s collective  
17 bargaining agreement, if any, or under any comparable arrangement  
18 established by the former hotel employer, on the date of the change  
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21 are managerial, supervisory or confidential employees or who  
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31 trust, partnership, limited liability company, association, joint  
32 venture, government, governmental subdivision, agency, or  
33 instrumentality, public corporation, or any other legal or  
34 commercial entity.

35 “Successor hotel employer” means a hotel employer who owns,  
36 controls or operates a hotel after a change in control or change in  
37 controlling interest or identity of the hotel or of a discrete portion of  
38 the hotel that continues to operate as a hotel after the change.

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40 2. a. Within 24 hours of the occurrence of a service disruption,  
41 a hotel operator shall provide, in all modifiable mediums in which  
42 the hotel advertises, solicits customers, or through which customers  
43 can book or reserve rooms or services, notification of the service  
44 disruption to each third-party vendor and each guest who is seeking,  
45 or has entered into, a reservation, booking, or agreement with the  
46 hotel operator or a third-party vendor for the use or occupancy of a  
47 room. The notification shall also be provided immediately before  
48 accepting or entering into any new reservation, booking, or

1 agreement for the use or occupancy of a room or hotel service. The  
2 notification shall also be provided to any current guest. If the  
3 circumstances of the service disruption make timely notification  
4 impracticable, the notification shall be made as soon as practicable.

5 b. The notification shall describe: the nature of the service  
6 disruption; the extent of the service disruption's effect on  
7 reservations, bookings, or agreements to use or occupy the room or  
8 hotel services; and the right of a guest to cancel or terminate the  
9 reservation, booking, or agreement for the use or occupancy of the  
10 room or hotel services, with a refund if applicable and without the  
11 imposition of any fee, penalty, or other charge, as provided in  
12 subsections c. and d. of this section. If the notification is included  
13 in a communication containing other information, the notification  
14 shall be in a significantly larger font and different color than the  
15 remainder of the communication.

16 c. A hotel operator shall not impose any fee, penalty, or other  
17 charge, nor retain any deposit, in the event a guest, prior to  
18 checking in, cancels a reservation, booking, or agreement with the  
19 hotel operator for the use or occupancy of a room, if the guest's stay  
20 or room is, or could be, affected by a service disruption during the  
21 guest's stay or use of a hotel service.

22 d. If a service disruption arises only after any guest of the room  
23 has checked in, the hotel operator shall prominently and clearly  
24 notify the guest of the service disruption within 24 hours of the  
25 disruption, as provided in subsection a. of this section. The  
26 notification shall specify the rights set forth in this subsection,  
27 pursuant to subsection b. of this section. The guests of the room or  
28 hotel service may terminate any reservation, booking, or agreement  
29 for the rental of the room or use of a hotel service, and the hotel  
30 operator shall not impose any fee, penalty, or other charge for the  
31 termination, nor retain any deposit related to any unused portion of  
32 the period of the reservation, booking, or agreement following the  
33 onset of the service disruption.

34 e. A hotel operator that violates or causes another person to  
35 violate a provision of this section or any rule promulgated pursuant  
36 to the section, shall be subject to a civil penalty collectible by the  
37 Department of Community Affairs in a summary proceeding  
38 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,  
39 c.274 (C.2A:58-10 et seq.), as follows:

40 (1) a civil penalty of \$500 for the first violation;

41 (2) a civil penalty of \$1,000 for the second violation issued for  
42 the same offense within a period of two years of the date of the first  
43 violation;

44 (3) a civil penalty of \$2,500 for the third violation issued for the  
45 same offense within a period of two years of the date of the first  
46 violation; and

1 (4) a civil penalty of \$5,000 for the fourth and each subsequent  
2 violation issued for the same offense within a period of two years of  
3 the date of the first violation.

4 The continuation of a violation shall constitute a separate offense  
5 for each successive day

6 f. In addition to any other penalties or remedies for violations  
7 of this section, any guest or customer may also bring a private cause  
8 of action in any court of competent jurisdiction to recover, in  
9 addition to the remedies provided for in this act, compensatory,  
10 equitable and consequential damages, and reasonable costs of the  
11 action and attorney's fees.

12 g. For the purposes of this section:

13 "Hotel" means a hotel, apartment hotel, motel, inn, tourist camp,  
14 tourist cabin, tourist home, rooming or boarding house, club, or  
15 similar establishment where sleeping accommodations are supplied  
16 for pay to transient or permanent guests.

17 "Hotel operator" means any person, including a contractor, who  
18 owns, controls or operates a hotel.

19 "Hotel service" means work performed in connection with the  
20 operation of a hotel, including, but not limited to, letting of guest  
21 rooms, letting of meeting rooms, provision of food or beverage  
22 services, provision of banquet services, or provision of spa services.

23 "Room" means a room available or let out for use or occupancy  
24 in a hotel.

25 "Service disruption" means any of the following conditions  
26 where the condition substantially affects or is likely to substantially  
27 affect any guest's use of a room or utilization of a hotel service:

28 (1) construction work in or directly related to the hotel that  
29 creates excessive noise that is likely to substantially disturb a guest,  
30 other than construction that is intended to correct an emergency  
31 condition or other condition requiring immediate attention;

32 (2) conditions of which the hotel operator is aware, indicating  
33 the presence in the hotel of any infestation by bed bugs, lice or  
34 other insects, rodents or other vermin capable of spreading disease  
35 or being carried, including on one's person, if the infestation has  
36 not been fully treated by a licensed exterminator within 24 hours of  
37 identifying it;

38 (3) the unavailability, for a period of 24 hours or more, of any  
39 advertised hotel amenity, including, but not limited to, a pool, spa,  
40 shuttle service, internet access, or food and beverage service;

41 (4) the unavailability, for a period of 24 hours or more, of any  
42 advertised room appliances or technology, including but not limited  
43 to, in-room refrigerators, or internet or Wi-Fi services;

44 (5) the unavailability of any advertised or legally required  
45 accessibility feature, including, but not limited to, an elevator,  
46 wheelchair lift, ramp, or accessible bathroom in the room or in any  
47 common area of the hotel;

1 (6) the unavailability for a period of 24 hours or more, of any  
2 utility, including, but not limited to, gas, water, or electricity when  
3 the unavailability affects only the location of the hotel; or

4 (7) any strike, lockout or picketing activity, or other  
5 demonstration or event for a calendar day or more at or near the  
6 hotel.

7 "Third-party vendor" means a vendor with which a hotel  
8 operator has an arrangement for third-party room reservations, or  
9 any other entity that has reserved or entered into an agreement or  
10 booking for the use or occupancy of one or more rooms in a hotel in  
11 furtherance of the business of reselling the rooms to guests.

12

13 3. The provisions of this act shall be deemed to be severable  
14 and if any section, subsection, paragraph, sentence or other portion  
15 of this act is for any reason held or declared by any court of  
16 competent jurisdiction to be unconstitutional or preempted by  
17 federal law, or the applicability of that portion to any person or  
18 facility is held invalid, the remainder of this act shall not thereby be  
19 deemed to be unconstitutional, preempted or invalid.

20

21 4. This act shall take effect immediately and shall apply to any  
22 change in control or change in controlling interest or identity of a  
23 hotel occurring after the effective date.

24

25

26

#### STATEMENT

27

28 This bill, in the case of a change in control, controlling interest,  
29 or identity of a hotel, requires the successor hotel employer to offer  
30 employment to each eligible hotel service employee, with no  
31 reduction of wages or benefits, for a retention period of not less  
32 than 90 days. The former hotel employer is required to provide the  
33 successor hotel employer with a full list of the identities, wage  
34 rates, and classifications of the hotel's service employees, and  
35 notify the employees of their rights under the bill.

36 The successor employer is not allowed to discharge the  
37 employees during the retention period, except for a reduction in  
38 force in which the employer retains employees on the basis of  
39 seniority and experience, and offers to rehire the laid off employees  
40 if the positions are subsequently restored. The employer is  
41 required, at the end of the retention period, to make a performance  
42 evaluation of each retained employee, and offer continued  
43 employment if the employee's performance is satisfactory.

44 The provisions of the bill regarding retention of employees do  
45 not apply if there is a collective bargaining agreement that includes  
46 terms and conditions for the discharge or laying off of employees.

47 The bill also requires a hotel operator to provide notification to  
48 third-party vendors and guests of any services disruption within 24

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- 1 hours of becoming aware of the disruption, and provide guests the
- 2 right to cancel any agreement for occupancy without penalty.

# ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 6246

# STATE OF NEW JERSEY

DATED: JANUARY 3, 2022

The Assembly Aging and Senior Services Committee reports favorably Assembly Bill No. 6246.

This bill, in the case of a change in control, controlling interest, or identity of a hotel, requires the successor hotel employer to offer employment to each eligible hotel service employee, with no reduction of wages or benefits, for a retention period of not less than 90 days. The former hotel employer is required to provide the successor hotel employer with a full list of the identities, wage rates, and classifications of the hotel's service employees, and notify the employees of their rights under the bill.

The successor employer is not allowed to discharge the employees during the retention period, except for a reduction in force in which the employer retains employees on the basis of seniority and experience, and offers to rehire the laid off employees if the positions are subsequently restored. The employer is required, at the end of the retention period, to make a performance evaluation of each retained employee, and offer continued employment if the employee's performance is satisfactory.

The provisions of the bill regarding retention of employees do not apply if there is a collective bargaining agreement that includes terms and conditions for the discharge or laying off of employees.

The bill also requires a hotel operator to provide notification to third-party vendors and guests of any services disruption within 24 hours of becoming aware of the disruption, and provide guests the right to cancel any agreement for occupancy without penalty.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 6246

with committee amendments

# STATE OF NEW JERSEY

DATED: JANUARY 6, 2022

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 6246.

As amended, this bill, in the case of a change in control, controlling interest, or identity of a hotel, requires the successor hotel employer to offer employment to each eligible hotel service employee, with no reduction of wages or benefits, for a retention period of not less than 90 days. The former hotel employer is required to provide the successor hotel employer with a full list of the identities, wage rates, and classifications of the hotel's service employees, and notify the employees of their rights under the bill.

The successor employer is not allowed to discharge the employees during the retention period, except for a reduction in force in which the employer retains employees on the basis of seniority and experience, and offers to rehire the laid off employees if the positions are subsequently restored. The employer is required, at the end of the retention period, to make a performance evaluation of each retained employee, and offer continued employment if the employee's performance is satisfactory.

The provisions of the bill regarding retention of employees do not apply if there is a collective bargaining agreement that includes terms and conditions for the discharge or laying off of employees.

The bill also requires a hotel operator to provide notification to third-party vendors and guests of any services disruption within 24 hours of becoming aware of the disruption, and, in the case of a substantial disruption, provide guests the right to cancel any agreement for occupancy without penalty.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) remove from the definition of "hotel" in the bill the term "rooming or boarding house";

(2) change collection of penalties for violations from the Department of Community Affairs to the Division of Consumer Affairs in the Department of Law and Public Safety;

(3) prohibit a hotel operator from imposing any fee, penalty, or other charge, nor retain any deposit, in the event a guest, prior to

checking in, cancels a reservation, booking, or agreement with the hotel operator for the use or occupancy of a room, if the guest's stay or room is, or could be, substantially affected by a service disruption during the guest's stay or use of a hotel service; and

(4) specify that conditions enumerated in paragraphs (2), (6), and (7) of the definition of "service disruption" shall be presumed to substantially affect a guest's use of a room or utilization of a hotel service.

These amendments make this bill identical to Senate Bill No. 4295 (1R) of the 2020-2021 Legislative Session.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

**SENATE, No. 4295**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED DECEMBER 20, 2021

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**SYNOPSIS**

Concerns changes in control of hotels and disruptions of hotel services.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning changes in control of hotels and disruptions of  
2 hotel services and supplementing Title 29 of the Revised Statutes.

3

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

6

7 1. a. (1) Not less than 30 days before a change in control or  
8 change in controlling interest or identity, a former hotel employer  
9 shall provide the successor hotel employer with a full and accurate  
10 list containing the name, address, date of hire, phone number, wage  
11 rate, and employment classification of each hotel service employee  
12 employed at an affected hotel. At the same time that the former hotel  
13 employer provides the list, the former hotel employer shall post the  
14 list in a notice to the hotel service employees that also sets forth the  
15 rights provided by this section, in the same location and manner that  
16 other statutorily required notices to the employees are posted at the  
17 affected hotel; provided that if the hotel is not open to the public, the  
18 notice shall be transmitted in the same manner as any offer of  
19 employment made pursuant to paragraph (2) of this subsection a. The  
20 notice shall also be provided to the employees' collective bargaining  
21 representative, if any.

22 (2) A successor hotel employer shall, during the hotel service  
23 employee retention period, offer each eligible hotel service employee  
24 employment for no less than 90 working days under the terms and  
25 conditions established by the successor hotel employer, with no  
26 reduction of wages or benefits, except that the wage and benefit rates  
27 offered and paid for the period may be higher than the rates last paid  
28 to the employee by the former hotel employer, and shall not be lower  
29 than any rate required by law. The offers shall be made in writing  
30 and shall remain open for at least 10 business days from the date of  
31 the offer.

32 (3) Except as provided in paragraph (4) of this subsection, an  
33 eligible hotel service employee retained pursuant to this section shall  
34 not be discharged without cause during the hotel service employee  
35 retention period.

36 (4) If at any time during the hotel service employee retention  
37 period the successor hotel employer determines that fewer hotel  
38 service employees are required than were employed by the former  
39 hotel employer, the successor hotel employer shall retain eligible  
40 hotel service employees by seniority and experience within each job  
41 classification, to the extent the classification exists, and offer to  
42 rehire the laid-off employees if the positions are subsequently  
43 restored.

44 (5) A successor hotel employer shall retain written verification of  
45 each offer of employment made pursuant to paragraph (2) of this  
46 subsection. The verification shall include the name, address, date of  
47 hire, phone number, wage rate, and employment classification of the  
48 eligible hotel service employee to whom the offer was made. A

1 successor hotel employer shall retain the verification for no less than  
2 three years from the date the offer is made.

3 (6) At the end of the hotel service employee retention period, the  
4 successor hotel employer shall perform a written performance  
5 evaluation for each hotel service employee retained pursuant to this  
6 section. If the employee's performance during the retention period is  
7 satisfactory, the successor hotel employer shall offer the employee  
8 continued employment under the terms and conditions established by  
9 the successor hotel employer. A successor hotel employer shall  
10 retain the written performance evaluation for no less than three years  
11 from the date it is issued.

12 b. A hotel service employee who has been discharged or not  
13 retained in violation of this section, or a representative of the  
14 employee, may bring an action in a court of competent jurisdiction  
15 against a former hotel employer or successor hotel employer for any  
16 violation of an obligation imposed pursuant to this section.

17 The court shall have authority to order preliminary and permanent  
18 equitable relief, including, but not limited to, reinstatement of any  
19 employee who has been discharged or not retained in violation of this  
20 section. If the court finds that by reason of a violation of any  
21 obligation imposed pursuant to subsection b. of this section, a hotel  
22 service employee has been discharged or not retained in violation of  
23 this section, the court shall award:

24 (1) back pay, and an equal amount as liquidated damages, for  
25 each day during which the violation continues, which shall be  
26 calculated at a rate of compensation not less than the higher of: the  
27 average regular rate of pay received by the employee during the last  
28 three years of the employee's employment in the same occupation  
29 classification; or the final regular rate of pay received by the  
30 employee. Back pay shall apply to the period commencing on the  
31 date of the discharge or refusal-to-retain by the successor hotel  
32 employer and ending on the effective date of any offer of reinstatement  
33 or reinstatement of the employee;

34 (2) costs of benefits the successor hotel service employer would  
35 have incurred for the employee under the employee's benefit plan;  
36 and

37 (3) the employee's reasonable attorney's fees and costs.

38 The court shall have authority to order the former or successor  
39 hotel employer, as applicable, to provide any information required  
40 pursuant to subsection b. of this section.

41 c. This section shall not apply to:

42 (1) any successor hotel employer who, on or before the change of  
43 control or change in controlling interest or identity, agrees to assume,  
44 or to be bound by, the collective bargaining agreement of the former  
45 hotel employer until the end of the term of the agreement or the end  
46 of hotel service employee retention period, whichever is later,  
47 provided that the collective bargaining agreement includes terms and  
48 conditions for the discharge or laying off of employees;

1 (2) if there was no existing collective bargaining agreement as  
2 described in paragraph (1) of this subsection, any successor hotel  
3 employer who agrees, on or before the change of control or change  
4 in controlling interest or identity, to enter into a new collective  
5 bargaining agreement covering its hotel service employees, provided  
6 that the collective bargaining agreement includes terms and  
7 conditions for the discharge or laying off of employees; or

8 (3) a former hotel employer who obtains a written commitment  
9 from a successor hotel employer that the successor hotel employer's  
10 hotel service employees will be covered by a collective bargaining  
11 agreement that includes terms and conditions for the discharge or  
12 laying off of employees.

13 d. Each hotel employer shall maintain for three years, for each  
14 employee and former employee, by name, a record showing the  
15 employee's regular hourly rate of pay for each week of the  
16 employee's employment. The hotel employer shall make an  
17 employee's or former employee's records available in full to the  
18 employee or former employee upon request.

19 e. For the purposes of this section:

20 "Affected hotel" means a hotel or discrete portion of a hotel that  
21 has been the subject of a change in control or a change in controlling  
22 interest or identity.

23 "Change in control" means any sale, assignment, transfer,  
24 contribution or other disposition of all or substantially all of the  
25 assets used in the operation of a hotel or a discrete portion of a hotel.  
26 A change in control shall be defined to occur on the date of execution  
27 of the document effectuating the change.

28 "Change in controlling interest or identity" means any sale,  
29 assignment, transfer, contribution or other disposition of a  
30 controlling interest, including by consolidation, merger or  
31 reorganization, of a hotel employer or any person who controls a  
32 hotel employer; or any other event or sequence of events, including  
33 a purchase, sale or lease termination of a management contract or  
34 lease, that causes the identity of the hotel employer at a hotel to  
35 change. A change in controlling interest or identity shall be defined  
36 to occur on the date of execution of the document effectuating the  
37 change.

38 "Eligible hotel service employee" means a hotel service employee  
39 employed by a hotel employer at an affected hotel.

40 "Former hotel employer" means any hotel employer who owns,  
41 controls or operates a hotel prior to a change in control or change in  
42 controlling interest or identity of a hotel or of a discrete portion of a  
43 hotel that continues to operate as a hotel after the change.

44 "Hotel" means a hotel, apartment hotel, motel, inn, tourist camp,  
45 tourist cabin, tourist home, rooming or boarding house, club, or  
46 similar establishment where sleeping accommodations are supplied  
47 for pay to transient or permanent guests.

1       “Hotel employer” means any person who owns, controls or  
2 operates a hotel, and includes any person or contractor who, in a  
3 managerial, supervisory or confidential capacity, employs one or  
4 more hotel service employees.

5       “Hotel service” means work performed in connection with the  
6 operation of a hotel, including, but not limited to, letting of guest  
7 rooms, letting of meeting rooms, provision of food or beverage  
8 services, provision of banquet services, or provision of spa services.

9       “Hotel service employee” means: any person employed to perform  
10 a hotel service at an affected hotel during the 365-day period  
11 immediately preceding the change in control or change in controlling  
12 interest or identity of the hotel; or any person formerly employed to  
13 perform a hotel service at an affected hotel who retains recall rights  
14 under the former hotel employer’s collective bargaining agreement,  
15 if any, or under any comparable arrangement established by the  
16 former hotel employer, on the date of the change in control or change  
17 in controlling interest or identity of the hotel, except that “hotel  
18 service employee” shall not include persons who are managerial,  
19 supervisory or confidential employees or who otherwise exercise  
20 control over the management of the hotel.

21       “Hotel service employee retention period” means the 90-day  
22 period beginning on the date of a change in control or change in  
23 controlling interest or identity of the hotel or of a discrete portion of  
24 the hotel that continues to operate as a hotel after the change, except  
25 that, if the hotel is not open to the public on the date, the 90-day  
26 period shall begin on the first day that the hotel is open to the public  
27 after the change.

28       “Person” means an individual, corporation, business trust, estate,  
29 trust, partnership, limited liability company, association, joint  
30 venture, government, governmental subdivision, agency, or  
31 instrumentality, public corporation, or any other legal or commercial  
32 entity.

33       “Successor hotel employer” means a hotel employer who owns,  
34 controls or operates a hotel after a change in control or change in  
35 controlling interest or identity of the hotel or of a discrete portion of  
36 the hotel that continues to operate as a hotel after the change.

37  
38       2. a. Within 24 hours of the occurrence of a service disruption,  
39 a hotel operator shall provide, in all modifiable mediums in which  
40 the hotel advertises, solicits customers, or through which customers  
41 can book or reserve rooms or services, notification of the service  
42 disruption to each third-party vendor and each guest who is seeking,  
43 or has entered into, a reservation, booking, or agreement with the  
44 hotel operator or a third-party vendor for the use or occupancy of a  
45 room. The notification shall also be provided immediately before  
46 accepting or entering into any new reservation, booking, or  
47 agreement for the use or occupancy of a room or hotel service. The  
48 notification shall also be provided to any current guest. If the

1 circumstances of the service disruption make timely notification  
2 impracticable, the notification shall be made as soon as practicable.

3 b. The notification shall describe: the nature of the service  
4 disruption; the extent of the service disruption's effect on  
5 reservations, bookings, or agreements to use or occupy the room or  
6 hotel services; and the right of a guest to cancel or terminate the  
7 reservation, booking, or agreement for the use or occupancy of the  
8 room or hotel services, with a refund if applicable and without the  
9 imposition of any fee, penalty, or other charge, as provided in  
10 subsections c. and d. of this section. If the notification is included in  
11 a communication containing other information, the notification shall  
12 be in a significantly larger font and different color than the remainder  
13 of the communication.

14 c. A hotel operator shall not impose any fee, penalty, or other  
15 charge, nor retain any deposit, in the event a guest, prior to checking  
16 in, cancels a reservation, booking, or agreement with the hotel  
17 operator for the use or occupancy of a room, if the guest's stay or  
18 room is, or could be, affected by a service disruption during the  
19 guest's stay or use of a hotel service.

20 d. If a service disruption arises only after any guest of the room  
21 has checked in, the hotel operator shall prominently and clearly  
22 notify the guest of the service disruption within 24 hours of the  
23 disruption, as provided in subsection a. of this section. The  
24 notification shall specify the rights set forth in this subsection,  
25 pursuant to subsection b. of this section. The guests of the room or  
26 hotel service may terminate any reservation, booking, or agreement  
27 for the rental of the room or use of a hotel service, and the hotel  
28 operator shall not impose any fee, penalty, or other charge for the  
29 termination, nor retain any deposit related to any unused portion of  
30 the period of the reservation, booking, or agreement following the  
31 onset of the service disruption.

32 e. A hotel operator that violates or causes another person to  
33 violate a provision of this section or any rule promulgated pursuant  
34 to the section, shall be subject to a civil penalty collectible by the  
35 Department of Community Affairs in a summary proceeding  
36 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274  
37 (C.2A:58-10 et seq.), as follows:

- 38 (1) a civil penalty of \$500 for the first violation;
- 39 (2) a civil penalty of \$1,000 for the second violation issued for  
40 the same offense within a period of two years of the date of the first  
41 violation;
- 42 (3) a civil penalty of \$2,500 for the third violation issued for the  
43 same offense within a period of two years of the date of the first  
44 violation; and
- 45 (4) a civil penalty of \$5,000 for the fourth and each subsequent  
46 violation issued for the same offense within a period of two years of  
47 the date of the first violation.

1 The continuation of a violation shall constitute a separate offense  
2 for each successive day

3 f. In addition to any other penalties or remedies for violations of  
4 this section, any guest or customer may also bring a private cause of  
5 action in any court of competent jurisdiction to recover, in addition  
6 to the remedies provided for in this act, compensatory, equitable and  
7 consequential damages, and reasonable costs of the action and  
8 attorney's fees.

9 g. For the purposes of this section:

10 "Hotel" means a hotel, apartment hotel, motel, inn, tourist camp,  
11 tourist cabin, tourist home, rooming or boarding house, club, or  
12 similar establishment where sleeping accommodations are supplied  
13 for pay to transient or permanent guests.

14 "Hotel operator" means any person, including a contractor, who  
15 owns, controls or operates a hotel.

16 "Hotel service" means work performed in connection with the  
17 operation of a hotel, including, but not limited to, letting of guest  
18 rooms, letting of meeting rooms, provision of food or beverage  
19 services, provision of banquet services, or provision of spa services.

20 "Room" means a room available or let out for use or occupancy in  
21 a hotel.

22 "Service disruption" means any of the following conditions where  
23 the condition substantially affects or is likely to substantially affect  
24 any guest's use of a room or utilization of a hotel service:

25 (1) construction work in or directly related to the hotel that  
26 creates excessive noise that is likely to substantially disturb a guest,  
27 other than construction that is intended to correct an emergency  
28 condition or other condition requiring immediate attention;

29 (2) conditions of which the hotel operator is aware, indicating the  
30 presence in the hotel of any infestation by bed bugs, lice or other  
31 insects, rodents or other vermin capable of spreading disease or being  
32 carried, including on one's person, if the infestation has not been  
33 fully treated by a licensed exterminator within 24 hours of identifying  
34 it;

35 (3) the unavailability, for a period of 24 hours or more, of any  
36 advertised hotel amenity, including, but not limited to, a pool, spa,  
37 shuttle service, internet access, or food and beverage service;

38 (4) the unavailability, for a period of 24 hours or more, of any  
39 advertised room appliances or technology, including but not limited  
40 to, in-room refrigerators, or internet or Wi-Fi services;

41 (5) the unavailability of any advertised or legally required  
42 accessibility feature, including, but not limited to, an elevator,  
43 wheelchair lift, ramp, or accessible bathroom in the room or in any  
44 common area of the hotel;

45 (6) the unavailability for a period of 24 hours or more, of any  
46 utility, including, but not limited to, gas, water, or electricity when  
47 the unavailability affects only the location of the hotel; or

1 (7) any strike, lockout or picketing activity, or other  
2 demonstration or event for a calendar day or more at or near the hotel.

3 "Third-party vendor" means a vendor with which a hotel operator  
4 has an arrangement for third-party room reservations, or any other  
5 entity that has reserved or entered into an agreement or booking for  
6 the use or occupancy of one or more rooms in a hotel in furtherance  
7 of the business of reselling the rooms to guests.

8

9 3. The provisions of this act shall be deemed to be severable and  
10 if any section, subsection, paragraph, sentence or other portion of this  
11 act is for any reason held or declared by any court of competent  
12 jurisdiction to be unconstitutional or preempted by federal law, or the  
13 applicability of that portion to any person or facility is held invalid,  
14 the remainder of this act shall not thereby be deemed to be  
15 unconstitutional, preempted or invalid.

16

17 4. This act shall take effect immediately and shall apply to any  
18 change in control or change in controlling interest or identity of a  
19 hotel occurring after the effective date.

20

21

22 STATEMENT

23

24 This bill, in the case of a change in control, controlling interest, or  
25 identity of a hotel, requires the successor hotel employer to offer  
26 employment to each eligible hotel service employee, with no  
27 reduction of wages or benefits, for a retention period of not less than  
28 90 days. The former hotel employer is required to provide the  
29 successor hotel employer with a full list of the identities, wage rates,  
30 and classifications of the hotel's service employees, and notify the  
31 employees of their rights under the bill.

32 The successor employer is not allowed to discharge the employees  
33 during the retention period, except for a reduction in force in which  
34 the employer retains employees on the basis of seniority and  
35 experience, and offers to rehire the laid off employees if the positions  
36 are subsequently restored. The employer is required, at the end of  
37 the retention period, to make a performance evaluation of each  
38 retained employee, and offer continued employment if the  
39 employee's performance is satisfactory.

40 The provisions of the bill regarding retention of employees do not  
41 apply if there is a collective bargaining agreement that includes terms  
42 and conditions for the discharge or laying off of employees.

43 The bill also requires a hotel operator to provide notification to  
44 third-party vendors and guests of any services disruption within 24  
45 hours of becoming aware of the disruption, and provide guests the  
46 right to cancel any agreement for occupancy without penalty.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 4295**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JANUARY 6, 2022

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 4295.

As amended, this bill, in the case of a change in control, controlling interest, or identity of a hotel, requires the successor hotel employer to offer employment to each eligible hotel service employee, with no reduction of wages or benefits, for a retention period of not less than 90 days. The former hotel employer is required to provide the successor hotel employer with a full list of the identities, wage rates, and classifications of the hotel's service employees, and notify the employees of their rights under the bill.

The successor employer is not allowed to discharge the employees during the retention period, except for a reduction in force in which the employer retains employees on the basis of seniority and experience, and offers to rehire the laid off employees if the positions are subsequently restored. The employer is required, at the end of the retention period, to make a performance evaluation of each retained employee, and offer continued employment if the employee's performance is satisfactory.

The provisions of the bill regarding retention of employees do not apply if there is a collective bargaining agreement that includes terms and conditions for the discharge or laying off of employees.

The bill also requires a hotel operator to provide notification to third-party vendors and guests of any services disruption within 24 hours of becoming aware of the disruption, and, in the case of a substantial disruption, provide guests the right to cancel any agreement for occupancy without penalty.

#### COMMITTEE AMENDMENTS

The committee amended the bill to:

(1) remove from the definition of "hotel" in the bill the term "rooming or boarding house";

(2) change collection of penalties for violations from the Department of Community Affairs to the Division of Consumer Affairs in the Department of Law and Public Safety;

(3) prohibit a hotel operator from imposing any fee, penalty, or other charge, nor retain any deposit, in the event a guest, prior to

checking in, cancels a reservation, booking, or agreement with the hotel operator for the use or occupancy of a room, if the guest's stay or room is, or could be, substantially affected by a service disruption during the guest's stay or use of a hotel service; and

(4) specify that conditions enumerated in paragraphs (2), (6), and (7) of the definition of "service disruption" shall be presumed to substantially affect a guest's use of a room or utilization of a hotel service.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

# 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 Huttie, 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 Huttie, 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 Huttie, 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 Huttie)** – 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 Huttel, 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 Huttel/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 Huttie/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 Huttie/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

