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TECHNICAL REVIEW OF BILL: No

SENATE: No

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

LEGISLATOR STATEMENT: No

FOLLOWING WERE PRINTED:

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REPORTS: No

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P.L. 2025, CHAPTER 142, *approved September 11, 2025*
Assembly, No. 2390 (*First Reprint*)

1 **AN ACT** requiring that municipalities in compliance with affordable
2 housing obligations be provided priority consideration for certain
3 grants and assistance, and supplementing chapter 27D of Title 52
4 and chapter 1B of Title 34 of the Revised Statutes.
5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8
9 1. a. Notwithstanding any rule, regulation, or law to the contrary,
10 in awarding grants or other financial assistance through the Main
11 Street New Jersey Program pursuant to P.L.2001, c.238 (C.52:27D-
12 452 et seq.), the Neighborhood Preservation Program established
13 pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or any other
14 program administered by the Department of Community Affairs
15 through which monies may be provided to a municipality via a
16 competitive process, the Department of Community Affairs shall give
17 priority consideration to municipalities that ¹**are in compliance with**
18 the municipality’s fair share housing obligation pursuant to P.L.1985,
19 c.222 (C.52:27D-301 et al.), as determined by the Department of
20 Community Affairs **the department determines to be in compliance**
21 with subsection b. of this section¹. The requirements of this section
22 shall not apply to any grant or financial assistance that is intended to
23 assist a municipality in fulfilling the municipality’s fair share housing
24 obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).
25 b. For the purposes of this section:
26 (1) ¹**For** During¹ the first five years commencing at the
27 beginning of a new round of affordable housing obligations, the
28 Department of Community Affairs shall ¹**consider** provide priority
29 consideration to a municipality if the municipality obtained
30 compliance certification, or its equivalent, for the prior round of
31 affordable housing obligations, and, the municipality is in compliance
32 with¹ the following ¹**in determining a municipality’s compliance with**
33 the municipality’s fair share housing obligation pursuant to P.L.1985,
34 c.222 (C.52:27D-301 et al.)¹:

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

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate floor amendments adopted February 25, 2025.

1 (a) the '[use of a] municipality was not required to include
2 affordable units that resulted from' builder's remedy 'litigation'
3 during the round of affordable housing obligations immediately
4 preceding the current round;

5 (b) the '[existence and terms of] municipality entered into' an
6 affordable housing settlement agreement reached 'as part of a
7 Declaratory Judgment action and received a Judgment of Compliance'
8 during the round of affordable housing obligations immediately
9 preceding the current round;

10 (c) the '[percentage of the municipality's affordable housing
11 obligation for] municipality has issued certificates of occupancy for
12 new units that were part of' the affordable housing obligation round
13 immediately preceding the current round '[that has been fulfilled]';
14 'and'

15 (d) any other factor of the round of affordable housing obligations
16 immediately preceding the current round deemed relevant by the
17 Department of Community Affairs.

18 (2) Commencing five years after the beginning of a new round of
19 affordable housing obligations, the Department of Community Affairs
20 shall '[make compliance determinations based] provide priority
21 consideration to a municipality if the municipality has obtained
22 compliance certification for the current round of affordable housing
23 obligations, and has made substantial progress' on the fulfillment of a
24 municipality's affordable housing obligation for the current round of
25 affordable housing obligations.

26 (3) The Department of Community Affairs shall deem and
27 determine 'Qualified Urban Aid' municipalities 'as that term is
28 defined in the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et
29 al.),' that are exempt from 'prospective need' fair share affordable
30 housing obligations to meet the requirements of this section and shall
31 give the municipality priority consideration as otherwise provided for
32 in this section.

33
34 2. Notwithstanding any rule, regulation, or law to the contrary, in
35 awarding grants or other financial assistance through any program
36 through which monies may be provided to a municipality via a
37 competitive process, the New Jersey Economic Development
38 Authority shall give priority consideration to municipalities '[that are
39 in compliance with the municipality's fair share housing obligation
40 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
41 the Department of Community Affairs pursuant to] following the
42 standards set forth in' section 1 of P.L. , c. (C.) (pending
43 before the Legislature as this bill). The requirements of this section
44 shall not apply to any grant or financial assistance that is intended to
45 assist a municipality in fulfilling the municipality's fair share housing
46 obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

1 3. This act shall take effect immediately.

2

3

4

5

6 Requires municipalities in compliance with affordable housing
7 obligations be provided priority consideration for certain State
8 grants and assistance.

CHAPTER 142

AN ACT requiring that municipalities in compliance with affordable housing obligations be provided priority consideration for certain grants and assistance, and supplementing chapter 27D of Title 52 and chapter 1B of Title 34 of the Revised Statutes.

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

C.52:27D-304.4 Priority consideration, municipalities in compliance, fair share housing.

1. a. Notwithstanding any rule, regulation, or law to the contrary, in awarding grants or other financial assistance through the Main Street New Jersey Program pursuant to P.L.2001, c.238 (C.52:27D-452 et seq.), the Neighborhood Preservation Program established pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or any other program administered by the Department of Community Affairs through which monies may be provided to a municipality via a competitive process, the Department of Community Affairs shall give priority consideration to municipalities that the department determines to be in compliance with subsection b. of this section. The requirements of this section shall not apply to any grant or financial assistance that is intended to assist a municipality in fulfilling the municipality's fair share housing obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

b. For the purposes of this section:

(1) During the first five years commencing at the beginning of a new round of affordable housing obligations, the Department of Community Affairs shall provide priority consideration to a municipality if the municipality obtained compliance certification, or its equivalent, for the prior round of affordable housing obligations and the municipality is in compliance with the following:

(a) the municipality was not required to include affordable units that resulted from builder's remedy litigation during the round of affordable housing obligations immediately preceding the current round;

(b) the municipality entered into an affordable housing settlement agreement reached as part of a Declaratory Judgment action and received a Judgment of Compliance during the round of affordable housing obligations immediately preceding the current round;

(c) the municipality has issued certificates of occupancy for new units that were part of the affordable housing obligation round immediately preceding the current round; and

(d) any other factor of the round of affordable housing obligations immediately preceding the current round deemed relevant by the Department of Community Affairs.

(2) Commencing five years after the beginning of a new round of affordable housing obligations, the Department of Community Affairs shall provide priority consideration to a municipality if the municipality has obtained compliance certification for the current round of affordable housing obligations and has made substantial progress on the fulfillment of a municipality's affordable housing obligation for the current round of affordable housing obligations.

(3) The Department of Community Affairs shall deem and determine Qualified Urban Aid municipalities, as that term is defined in the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), that are exempt from prospective need fair share affordable housing obligations to meet the requirements of this section and shall give the municipality priority consideration as otherwise provided for in this section.

C.34:1B-6.1 Priority consideration, municipalities in compliance, New Jersey Economic Development Authority.

2. Notwithstanding any rule, regulation, or law to the contrary, in awarding grants or other financial assistance through any program through which monies may be provided to a municipality

via a competitive process, the New Jersey Economic Development Authority shall give priority consideration to municipalities following the standards set forth in section 1 of P.L.2025, c.142 (C.52:27D-304.4). The requirements of this section shall not apply to any grant or financial assistance that is intended to assist a municipality in fulfilling the municipality's fair share housing obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

3. This act shall take effect immediately.

Approved September 11, 2025.

ASSEMBLY, No. 2390

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

SYNOPSIS

Requires municipalities in compliance with affordable housing obligations be provided priority consideration for certain State grants and assistance.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** requiring that municipalities in compliance with affordable
2 housing obligations be provided priority consideration for certain
3 grants and assistance, and supplementing chapter 27D of Title 52
4 and chapter 1B of Title 34 of the Revised Statutes.

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

8
9 1. a. Notwithstanding any rule, regulation, or law to the
10 contrary, in awarding grants or other financial assistance through
11 the Main Street New Jersey Program pursuant to P.L.2001, c.238
12 (C.52:27D-452 et seq.), the Neighborhood Preservation Program
13 established pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or
14 any other program administered by the Department of Community
15 Affairs through which monies may be provided to a municipality
16 via a competitive process, the Department of Community Affairs
17 shall give priority consideration to municipalities that are in
18 compliance with the municipality's fair share housing obligation
19 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
20 the Department of Community Affairs. The requirements of this
21 section shall not apply to any grant or financial assistance that is
22 intended to assist a municipality in fulfilling the municipality's fair
23 share housing obligation pursuant to P.L.1985, c.222 (C.52:27D-
24 301 et al.).

25 b. For the purposes of this section:

26 (1) For the first five years commencing at the beginning of a
27 new round of affordable housing obligations, the Department of
28 Community Affairs shall consider the following in determining a
29 municipality's compliance with the municipality's fair share
30 housing obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et
31 al.):

32 (a) the use of a builder's remedy during the round of affordable
33 housing obligations immediately preceding the current round;

34 (b) the existence and terms of an affordable housing settlement
35 agreement reached during the round of affordable housing
36 obligations immediately preceding the current round;

37 (c) the percentage of the municipality's affordable housing
38 obligation for the affordable housing obligation round immediately
39 preceding the current round that has been fulfilled;

40 (d) any other factor of the round of affordable housing
41 obligations immediately preceding the current round deemed
42 relevant by the Department of Community Affairs.

43 (2) Commencing five years after the beginning of a new round
44 of affordable housing obligations, the Department of Community
45 Affairs shall make compliance determinations based on the
46 fulfillment of a municipality's affordable housing obligation for the
47 current round of affordable housing obligations.

1 (3) The Department of Community Affairs shall deem and
2 determine municipalities that are exempt from fair share affordable
3 housing obligations to meet the requirements of this section and
4 shall give the municipality priority consideration as otherwise
5 provided for in this section.

6
7 2. Notwithstanding any rule, regulation, or law to the contrary,
8 in awarding grants or other financial assistance through any
9 program through which monies may be provided to a municipality
10 via a competitive process, the New Jersey Economic Development
11 Authority shall give priority consideration to municipalities that are
12 in compliance with the municipality's fair share housing obligation
13 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
14 the Department of Community Affairs pursuant to section 1 of
15 P.L. , c. (C.) (pending before the Legislature as this bill).
16 The requirements of this section shall not apply to any grant or
17 financial assistance that is intended to assist a municipality in
18 fulfilling the municipality's fair share housing obligation pursuant
19 to P.L.1985, c.222 (C.52:27D-301 et al.).
20

21 3. This act shall take effect immediately.
22
23

24 STATEMENT 25

26 This bill requires the Department of Community Affairs (DCA)
27 and the New Jersey Economic Development Authority (EDA) to
28 give priority consideration to municipalities that are in compliance
29 with their affordable housing obligations in awarding grants or
30 other financial assistance through the Main Street New Jersey
31 Program, Neighborhood Preservation Program, or any other
32 program administered by the DCA or the EDA through which
33 monies are provided to a municipality via a competitive process.
34 The bill's provisions would not apply to grants or financial
35 assistance intended to help a municipality fulfill its affordable
36 housing obligation.

37 For the purposes of the bill, the Department of Community
38 Affairs would consider, at a minimum, the following in determining
39 a municipality's compliance in the first five years after a new round
40 of affordable housing obligations begin: prior round builder's
41 remedy lawsuits, prior round fair share settlements, the percentage
42 of fulfilled obligation, and any other factor deemed relevant by the
43 department.

[First Reprint]

ASSEMBLY, No. 2390

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Senator RENEE C. BURGESS

District 28 (Essex and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblyman Allen, Assemblywoman Donlon, Assemblyman Wimberly,
Assemblywomen Bagolie, Speight, Collazos-Gill, Hall, Senators Stack,
Johnson, Assemblywomen Peterpaul and Ramirez**

SYNOPSIS

Requires municipalities in compliance with affordable housing obligations be provided priority consideration for certain State grants and assistance.

CURRENT VERSION OF TEXT

As amended by the Senate on February 25, 2025.



(Sponsorship Updated As Of: 6/27/2025)

1 AN ACT requiring that municipalities in compliance with affordable
 2 housing obligations be provided priority consideration for certain
 3 grants and assistance, and supplementing chapter 27D of Title 52
 4 and chapter 1B of Title 34 of the Revised Statutes.

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

8
 9 1. a. Notwithstanding any rule, regulation, or law to the contrary,
 10 in awarding grants or other financial assistance through the Main
 11 Street New Jersey Program pursuant to P.L.2001, c.238 (C.52:27D-
 12 452 et seq.), the Neighborhood Preservation Program established
 13 pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or any other
 14 program administered by the Department of Community Affairs
 15 through which monies may be provided to a municipality via a
 16 competitive process, the Department of Community Affairs shall give
 17 priority consideration to municipalities that ¹**are in compliance with**
 18 **the municipality's fair share housing obligation pursuant to P.L.1985,**
 19 **c.222 (C.52:27D-301 et al.), as determined by the Department of**
 20 **Community Affairs]** the department determines to be in compliance
 21 with subsection b. of this section¹. The requirements of this section
 22 shall not apply to any grant or financial assistance that is intended to
 23 assist a municipality in fulfilling the municipality's fair share housing
 24 obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

25 b. For the purposes of this section:

26 (1) ¹**For]** During¹ the first five years commencing at the
 27 beginning of a new round of affordable housing obligations, the
 28 Department of Community Affairs shall ¹**consider]** provide priority
 29 consideration to a municipality if the municipality obtained
 30 compliance certification, or its equivalent, for the prior round of
 31 affordable housing obligations, and, the municipality is in compliance
 32 with¹ the following ¹**in determining a municipality's compliance with**
 33 **the municipality's fair share housing obligation pursuant to P.L.1985,**
 34 **c.222 (C.52:27D-301 et al.)]**¹:

35 (a) the ¹**use of a]** municipality was not required to include
 36 affordable units that resulted from¹ builder's remedy ¹litigation¹
 37 during the round of affordable housing obligations immediately
 38 preceding the current round;

39 (b) the ¹**existence and terms of]** municipality entered into¹ an
 40 affordable housing settlement agreement reached ¹as part of a
 41 Declaratory Judgment action and received a Judgment of Compliance¹
 42 during the round of affordable housing obligations immediately
 43 preceding the current round;

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted February 25, 2025.

1 (c) the ¹percentage of the municipality's affordable housing
2 obligation for ¹municipality has issued certificates of occupancy for
3 new units that were part of¹ the affordable housing obligation round
4 immediately preceding the current round ¹that has been fulfilled¹;
5 ¹and¹

6 (d) any other factor of the round of affordable housing obligations
7 immediately preceding the current round deemed relevant by the
8 Department of Community Affairs.

9 (2) Commencing five years after the beginning of a new round of
10 affordable housing obligations, the Department of Community Affairs
11 shall ¹make compliance determinations based¹ provide priority
12 consideration to a municipality if the municipality has obtained
13 compliance certification for the current round of affordable housing
14 obligations, and has made substantial progress¹ on the fulfillment of a
15 municipality's affordable housing obligation for the current round of
16 affordable housing obligations.

17 (3) The Department of Community Affairs shall deem and
18 determine ¹Qualified Urban Aid¹ municipalities ¹, as that term is
19 defined in the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et
20 al.),¹ that are exempt from ¹prospective need¹ fair share affordable
21 housing obligations to meet the requirements of this section and shall
22 give the municipality priority consideration as otherwise provided for
23 in this section.

24
25 2. Notwithstanding any rule, regulation, or law to the contrary, in
26 awarding grants or other financial assistance through any program
27 through which monies may be provided to a municipality via a
28 competitive process, the New Jersey Economic Development
29 Authority shall give priority consideration to municipalities ¹that are
30 in compliance with the municipality's fair share housing obligation
31 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
32 the Department of Community Affairs pursuant to ¹following the
33 standards set forth in¹ section 1 of P.L. , c. (C.) (pending
34 before the Legislature as this bill). The requirements of this section
35 shall not apply to any grant or financial assistance that is intended to
36 assist a municipality in fulfilling the municipality's fair share housing
37 obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

38
39 3. This act shall take effect immediately.

ASSEMBLY, No. 2390

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Senator RENEE C. BURGESS

District 28 (Essex and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblyman Allen, Assemblywoman Donlon, Assemblyman Wimberly,
Assemblywomen Bagolie, Speight, Collazos-Gill, Hall, Senators Stack and
Johnson**

SYNOPSIS

Requires municipalities in compliance with affordable housing obligations be provided priority consideration for certain State grants and assistance.

CURRENT VERSION OF TEXT

As reported by the Assembly Housing Committee with technical review.



(Sponsorship Updated As Of: 1/14/2025)

1 **AN ACT** requiring that municipalities in compliance with affordable
2 housing obligations be provided priority consideration for certain
3 grants and assistance, and supplementing chapter 27D of Title 52
4 and chapter 1B of Title 34 of the Revised Statutes.

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

8
9 1. a. Notwithstanding any rule, regulation, or law to the
10 contrary, in awarding grants or other financial assistance through
11 the Main Street New Jersey Program pursuant to P.L.2001, c.238
12 (C.52:27D-452 et seq.), the Neighborhood Preservation Program
13 established pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or
14 any other program administered by the Department of Community
15 Affairs through which monies may be provided to a municipality
16 via a competitive process, the Department of Community Affairs
17 shall give priority consideration to municipalities that are in
18 compliance with the municipality's fair share housing obligation
19 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
20 the Department of Community Affairs. The requirements of this
21 section shall not apply to any grant or financial assistance that is
22 intended to assist a municipality in fulfilling the municipality's fair
23 share housing obligation pursuant to P.L.1985, c.222 (C.52:27D-
24 301 et al.).

25 b. For the purposes of this section:

26 (1) For the first five years commencing at the beginning of a
27 new round of affordable housing obligations, the Department of
28 Community Affairs shall consider the following in determining a
29 municipality's compliance with the municipality's fair share
30 housing obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et
31 al.):

32 (a) the use of a builder's remedy during the round of affordable
33 housing obligations immediately preceding the current round;

34 (b) the existence and terms of an affordable housing settlement
35 agreement reached during the round of affordable housing
36 obligations immediately preceding the current round;

37 (c) the percentage of the municipality's affordable housing
38 obligation for the affordable housing obligation round immediately
39 preceding the current round that has been fulfilled;

40 (d) any other factor of the round of affordable housing
41 obligations immediately preceding the current round deemed
42 relevant by the Department of Community Affairs.

43 (2) Commencing five years after the beginning of a new round
44 of affordable housing obligations, the Department of Community
45 Affairs shall make compliance determinations based on the
46 fulfillment of a municipality's affordable housing obligation for the
47 current round of affordable housing obligations.

- 1 (3) The Department of Community Affairs shall deem and
2 determine municipalities that are exempt from fair share affordable
3 housing obligations to meet the requirements of this section and
4 shall give the municipality priority consideration as otherwise
5 provided for in this section.
6
- 7 2. Notwithstanding any rule, regulation, or law to the contrary,
8 in awarding grants or other financial assistance through any
9 program through which monies may be provided to a municipality
10 via a competitive process, the New Jersey Economic Development
11 Authority shall give priority consideration to municipalities that are
12 in compliance with the municipality's fair share housing obligation
13 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
14 the Department of Community Affairs pursuant to section 1 of
15 P.L. , c. (C.) (pending before the Legislature as this bill).
16 The requirements of this section shall not apply to any grant or
17 financial assistance that is intended to assist a municipality in
18 fulfilling the municipality's fair share housing obligation pursuant
19 to P.L.1985, c.222 (C.52:27D-301 et al.).
20
- 21 3. This act shall take effect immediately.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2390

STATE OF NEW JERSEY

DATED: JANUARY 29, 2024

The Assembly Housing Committee reports favorably Assembly Bill No. 2390.

This bill requires the Department of Community Affairs (DCA) and the New Jersey Economic Development Authority (EDA) to give priority consideration to municipalities that are in compliance with their affordable housing obligations in awarding grants or other financial assistance through the Main Street New Jersey Program, Neighborhood Preservation Program, or any other program administered by the DCA or the EDA through which monies are provided to a municipality via a competitive process. The bill's provisions would not apply to grants or financial assistance intended to help a municipality fulfill its affordable housing obligation.

For the purposes of the bill, the Department of Community Affairs would consider, at a minimum, the following in determining a municipality's compliance in the first five years after a new round of affordable housing obligations begin: prior round builder's remedy lawsuits, prior round fair share settlements, the percentage of fulfilled obligation, and any other factor deemed relevant by the department.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2390

STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2390.

This bill requires the Department of Community Affairs (DCA) and the New Jersey Economic Development Authority (EDA) to give priority consideration to municipalities that are in compliance with their affordable housing obligations in awarding grants or other financial assistance through the Main Street New Jersey Program, Neighborhood Preservation Program, or any other program administered by the DCA or the EDA through which monies are provided to a municipality via a competitive process. The bill's provisions would not apply to grants or financial assistance intended to help a municipality fulfill its affordable housing obligation.

For the purposes of the bill, the Department of Community Affairs would consider, at a minimum, the following in determining a municipality's compliance in the first five years after a new round of affordable housing obligations begin: prior round builder's remedy lawsuits, prior round fair share settlements, the percentage of fulfilled obligation, and any other factor deemed relevant by the department.

As reported by the committee, Assembly Bill No. 2390 is identical to Senate Bill No. 2506, which was also reported by the committee on this date.

STATEMENT TO

ASSEMBLY, No. 2390

with Senate Floor Amendments
(Proposed by Senator BURGESS)

ADOPTED: FEBRUARY 25, 2025

The amendments to this bill accomplish the following:

- require that, during the first five years of a new round of affordable housing obligations, the Department of Community Affairs (DCA) is to provide priority consideration for certain financial assistance to municipalities that obtained compliance certification, or its equivalent, for the prior round, and are in compliance with certain additional criteria;
- adjust one of the additional criteria for financial assistance priority to consideration by DCA of whether the municipality has issued certificates of occupancy for new units that were part of the prior round of affordable housing obligations;
- require that, during the last five years of a round of affordable housing obligations, DCA is to provide priority consideration to municipalities that have obtained compliance certification for the current round, and have made substantial progress toward the fulfillment of that obligation;
- provide expressly that Qualified Urban Aid municipalities are to obtain priority consideration; and
- make technical changes and adjust the use of certain terminology.

SENATE, No. 2506

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 5, 2024

Sponsored by:

Senator RENEE C. BURGESS

District 28 (Essex and Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Stack and Johnson

SYNOPSIS

Requires municipalities in compliance with affordable housing obligations be provided priority consideration for certain State grants and assistance.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2025)

1 AN ACT requiring that municipalities in compliance with affordable
2 housing obligations be provided priority consideration for certain
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4 and chapter 1B of Title 34 of the Revised Statutes.

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12 (C.52:27D-452 et seq.), the Neighborhood Preservation Program
13 established pursuant to P.L.1975, c.248 (C.52:27D-142 et seq.), or
14 any other program administered by the Department of Community
15 Affairs through which monies may be provided to a municipality
16 via a competitive process, the Department of Community Affairs
17 shall give priority consideration to municipalities that are in
18 compliance with the municipality's fair share housing obligation
19 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
20 the Department of Community Affairs. The requirements of this
21 section shall not apply to any grant or financial assistance that is
22 intended to assist a municipality in fulfilling the municipality's fair
23 share housing obligation pursuant to P.L.1985, c.222
24 (C.52:27D-301 et al.).

25 b. For the purposes of this section:

26 (1) For the first five years commencing at the beginning of a
27 new round of affordable housing obligations, the Department of
28 Community Affairs shall consider the following in determining a
29 municipality's compliance with the municipality's fair share
30 housing obligation pursuant to P.L.1985, c.222 (C.52:27D-301 et
31 al.):

32 (a) the use of a builder's remedy during the round of affordable
33 housing obligations immediately preceding the current round;

34 (b) the existence and terms of an affordable housing settlement
35 agreement reached during the round of affordable housing
36 obligations immediately preceding the current round;

37 (c) the percentage of the municipality's affordable housing
38 obligation for the affordable housing obligation round immediately
39 preceding the current round that has been fulfilled;

40 (d) any other factor of the round of affordable housing
41 obligations immediately preceding the current round deemed
42 relevant by the Department of Community Affairs.

43 (2) Commencing five years after the beginning of a new round
44 of affordable housing obligations, the Department of Community
45 Affairs shall make compliance determinations based on the
46 fulfillment of a municipality's affordable housing obligation for the
47 current round of affordable housing obligations.

1 (3) The Department of Community Affairs shall deem and
2 determine municipalities that are exempt from fair share affordable
3 housing obligations to meet the requirements of this section and
4 shall give the municipality priority consideration as otherwise
5 provided for in this section.

6
7 2. Notwithstanding any rule, regulation, or law to the contrary,
8 in awarding grants or other financial assistance through any
9 program through which monies may be provided to a municipality
10 via a competitive process, the New Jersey Economic Development
11 Authority shall give priority consideration to municipalities that are
12 in compliance with the municipality's fair share housing obligation
13 pursuant to P.L.1985, c.222 (C.52:27D-301 et al.), as determined by
14 the Department of Community Affairs pursuant to section 1 of
15 P.L. , c. (C.) (pending before the Legislature as this bill).
16 The requirements of this section shall not apply to any grant or
17 financial assistance that is intended to assist a municipality in
18 fulfilling the municipality's fair share housing obligation pursuant
19 to P.L.1985, c.222 (C.52:27D-301 et al.).

20
21 3. This act shall take effect immediately.

22
23
24 STATEMENT

25
26 This bill requires the Department of Community Affairs (DCA)
27 and the New Jersey Economic Development Authority (EDA) to
28 give priority consideration to municipalities that are in compliance
29 with their affordable housing obligations in awarding grants or
30 other financial assistance through the Main Street New Jersey
31 Program, Neighborhood Preservation Program, or any other
32 program administered by the DCA or the EDA through which
33 monies are provided to a municipality via a competitive process.
34 The bill's provisions would not apply to grants or financial
35 assistance intended to help a municipality fulfill its affordable
36 housing obligation.

37 For the purposes of the bill, the Department of Community
38 Affairs would consider, at a minimum, the following in determining
39 a municipality's compliance in the first five years after a new round
40 of affordable housing obligations begin: prior round builder's
41 remedy lawsuits, prior round fair share settlements, the percentage
42 of fulfilled obligation, and any other factor deemed relevant by the
43 department.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2506

STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2506.

This bill requires the Department of Community Affairs (DCA) and the New Jersey Economic Development Authority (EDA) to give priority consideration to municipalities that are in compliance with their affordable housing obligations in awarding grants or other financial assistance through the Main Street New Jersey Program, Neighborhood Preservation Program, or any other program administered by the DCA or the EDA through which monies are provided to a municipality via a competitive process. The bill's provisions would not apply to grants or financial assistance intended to help a municipality fulfill its affordable housing obligation.

For the purposes of the bill, the Department of Community Affairs would consider, at a minimum, the following in determining a municipality's compliance in the first five years after a new round of affordable housing obligations begin: prior round builder's remedy lawsuits, prior round fair share settlements, the percentage of fulfilled obligation, and any other factor deemed relevant by the department.

As reported by the committee, Senate Bill No. 2506 is identical to Assembly Bill No. 2390, which was also reported by the committee on this date.

Governor Phil Murphy

Governor Murphy Takes Action on Legislation

Posted on - 09/11/2025

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

A-2390/S-2506 (Spearman, Stanley, Quijano/Burgess, Turner) - Requires municipalities in compliance with affordable housing obligations be provided priority consideration for certain State grants and assistance

S-4506/A-5692 (Sarlo, Singer/Calabrese, Drulis, Moen) - Exempts minor league baseball players from certain State wage laws under certain circumstances

A-4085/S-3007 (Conaway, Marengo, Speight/Vitale, Bramnick) - Allows for natural organic reduction and controlled supervised decomposition of human remains

SCS for S-3309/ACS for A-4380 (Scutari, Bucco/Coughlin, DiMaio, Sampson) - Establishes “Motor Vehicle Open Recall Notice and Fair Compensation Act”; revises motor vehicle franchise agreements

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