

# 45:8-71

## LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

**LAWS OF:** 2001                    **CHAPTER:** 158  
**NJSA:** 45:8-71                (Home inspectors—engineers and architects)  
**BILL NO:** A3154                (Substituted for S2269)

**SPONSOR(S):** Moran and Impreveduto

**DATE INTRODUCED:** January 23, 2001

**COMMITTEE:**                    **ASSEMBLY:** Consumer Affairs

**SENATE:** -----

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**            **ASSEMBLY:** June 28, 2001

**SENATE:** June 28, 2001

**DATE OF APPROVAL:** July 13, 2001

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

#### A3154

**SPONSORS STATEMENT:** (Begins on page 2 of original bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

#### S2269

**SPONSORS STATEMENT:** (Begins on page 2 of original bill) Yes

|  |                  |     |
|--|------------------|-----|
| <b>COMMITTEE STATEMENT:</b>                    | <b>ASSEMBLY:</b> | No  |
|  | <b>SENATE:</b>   | Yes |
| <b>FLOOR AMENDMENT STATEMENTS:</b>             |                  | No  |
| <b>LEGISLATIVE FISCAL ESTIMATE:</b>            |                  | No  |
| <b>FINAL VERSION (1<sup>st</sup> reprint):</b> |                  | Yes |
| <b>VETO MESSAGE:</b>                           |                  | No  |
| <b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>    |                  | Yes |

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government

Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

|                            |    |
|----------------------------|----|
| <b>REPORTS:</b>            | No |
| <b>HEARINGS:</b>           | No |
| <b>NEWSPAPER ARTICLES:</b> | No |

# ASSEMBLY, No. 3154

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JANUARY 23, 2001

**Sponsored by:**

**Assemblyman JEFFREY W. MORAN**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman ANTHONY IMPREVEDUTO**

**District 32 (Bergen and Hudson)**

**SYNOPSIS**

Permits issuance of home inspectors licenses to certain licensed professional engineers and architects.

**CURRENT VERSION OF TEXT**

As introduced.



A3154 MORAN, IMPREVEDUTO

2

1 AN ACT concerning licensed home inspectors and amending P.L.1997,  
2 c.323.

3

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

6

7 1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read  
8 as follows:

9 11. a. Upon payment to the board of a fee and the submission of  
10 a written application provided by the board, the committee shall issue  
11 a home inspector license to any person who holds a valid license issued  
12 by another state or possession of the United States or the District of  
13 Columbia which has standards substantially equivalent to those of this  
14 State, as determined by the committee.

15 b. Notwithstanding the requirements of section 8 of P.L.1997,  
16 c.323 (C.45:8-68), upon payment to the board of a fee and the  
17 submission of a written application provided by the board, the  
18 committee shall issue a home inspector license to any person who is a  
19 licensed professional engineer or architect in New Jersey.

20 (cf: P.L.1997, c.323, s.11)

21

22 2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read  
23 as follows:

24 15. No person licensed as a home inspector pursuant to this act  
25 shall engage in the practice of architecture or the practice of  
26 professional engineering unless licensed therefor.

27 (cf: P.L.1997, c.323, s.15)

28

29 3. This act shall take effect immediately.

30

31

32

STATEMENT

33

34 This bill permits persons who are licensed professional engineers or  
35 architects in New Jersey to be licensed as home inspectors,  
36 notwithstanding the requirements of the "Home Inspection  
37 Professional Licensing Act," P.L.1997, c.323 (C.45:8-61 et seq.). In  
38 addition, the bill clarifies that no person licensed as a home inspector  
39 shall engage in the practice of architecture or the practice of  
40 professional engineering unless licensed therefor.

**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.**

ASSEMBLY CONSUMER AFFAIRS AND REGULATED  
PROFESSIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3154**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 22, 2001

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 3154.

As amended, this bill permits persons who are licensed professional engineers to be licensed as home inspectors, notwithstanding the requirements of the "Home Inspection Professional Licensing Act," P.L.1997, c.323 (C.45:8-61 et seq.), provided that these persons are deemed qualified by the State Board of Professional Engineers and Land Surveyors, without examination, by training, education and experience. The bill also permits persons who are licensed architects to be licensed as home inspectors, notwithstanding the requirements of the "Home Inspection Professional Licensing Act," provided that these persons are deemed qualified by the New Jersey State Board of Architects, without examination, by training, education and experience. In addition, the bill clarifies that no person licensed as a home inspector shall engage in the practice of architecture or the practice of professional engineering unless licensed therefor.

The bill originally permitted persons who are licensed professional engineers or architects in New Jersey to be licensed as home inspectors, notwithstanding the requirements of the "Home Inspection Professional Licensing Act," P.L.1997, c.323 (C.45:8-61 et seq.)

[First Reprint]

**ASSEMBLY, No. 3154**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

INTRODUCED JANUARY 23, 2001

**Sponsored by:**

**Assemblyman JEFFREY W. MORAN**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman ANTHONY IMPREVEDUTO**

**District 32 (Bergen and Hudson)**

**Co-Sponsored by:**

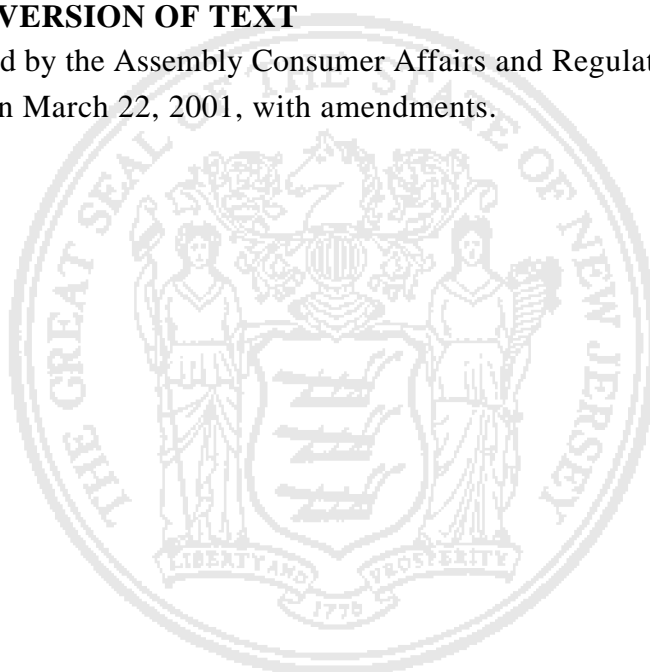
**Senators Cardinale, Allen, Ciesla, Palaia and Matheussen**

**SYNOPSIS**

Permits issuance of home inspectors licenses to certain licensed professional engineers and architects.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Consumer Affairs and Regulated Professions Committee on March 22, 2001, with amendments.



**(Sponsorship Updated As Of: 6/29/2001)**

A3154 [1R] MORAN, IMPREVEDUTO

2

1 AN ACT concerning licensed home inspectors and amending P.L.1997,  
2 c.323.

3

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

6

7 1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read  
8 as follows:

9 11. a. Upon payment to the board of a fee and the submission of  
10 a written application provided by the board, the committee shall issue  
11 a home inspector license to any person who holds a valid license issued  
12 by another state or possession of the United States or the District of  
13 Columbia which has standards substantially equivalent to those of this  
14 State, as determined by the committee.

15 b. Notwithstanding the requirements of section 8 of P.L.1997,  
16 c.323 (C.45:8-68), upon payment to the board of a fee and the  
17 submission of a written application provided by the board, the  
18 committee shall issue a home inspector license to any person who is  
19 <sup>1</sup>[a licensed professional engineer or architect in New Jersey]: (1) a  
20 licensed professional engineer deemed qualified by the board, without  
21 examination, by training, education and experience; or (2) a licensed  
22 architect deemed qualified by the New Jersey State Board of  
23 Architects, without examination, by training, education and  
24 experience<sup>1</sup>.

25 (cf: P.L.1997, c.323, s.11)

26

27 2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read  
28 as follows:

29 15. No person licensed as a home inspector pursuant to this act  
30 shall engage in the practice of architecture or the practice of  
31 professional engineering unless licensed therefor.

32 (cf: P.L.1997, c.323, s.15)

33

34 3. This act shall take effect immediately.

**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 ACP committee amendments adopted March 22, 2001.

**SENATE, No. 2269**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

INTRODUCED MARCH 29, 2001

**Sponsored by:**

**Senator GERALD CARDINALE**

**District 39 (Bergen)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

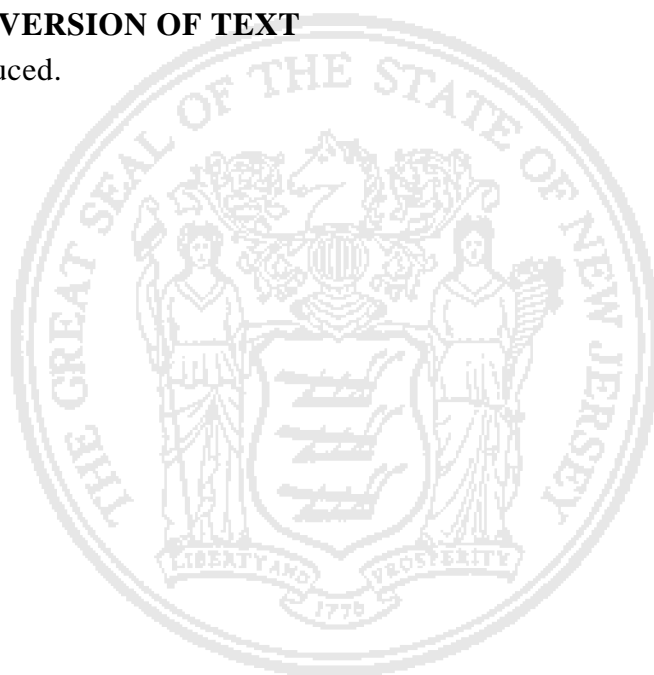
**Senators Ciesla, Palaia and Matheussen**

**SYNOPSIS**

Permits issuance of home inspectors licenses to certain licensed professional engineers and architects.

**CURRENT VERSION OF TEXT**

As introduced.





1 AN ACT concerning licensed home inspectors and amending P.L.1997,  
2 c.323.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read  
8 as follows:

9 11. a. Upon payment to the board of a fee and the submission of  
10 a written application provided by the board, the committee shall issue  
11 a home inspector license to any person who holds a valid license issued  
12 by another state or possession of the United States or the District of  
13 Columbia which has standards substantially equivalent to those of this  
14 State, as determined by the committee.

15 b. Notwithstanding the requirements of section 8 of P.L.1997,  
16 c.323 (C.45:8-68), upon payment to the board of a fee and the  
17 submission of a written application provided by the board, the  
18 committee shall issue a home inspector license to any person who is:  
19 (1) a licensed professional engineer deemed qualified by the board,  
20 without examination, by training, education and experience; or (2) a  
21 licensed architect deemed qualified by the New Jersey State Board of  
22 Architects, without examination, by training, education and  
23 experience.

24 (cf: P.L.1997, c.323, s.11)

25  
26 2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read  
27 as follows:

28 15. No person licensed as a home inspector pursuant to this act  
29 shall engage in the practice of architecture or the practice of  
30 professional engineering unless licensed therefor.

31 (cf: P.L.1997, c.323, s.15)

32  
33 3. This act shall take effect immediately.

34

35

36

#### STATEMENT

37

38 This bill permits persons who are licensed professional engineers to  
39 be licensed as home inspectors, notwithstanding the requirements of  
40 the "Home Inspection Professional Licensing Act," P.L.1997, c.323  
41 (C.45:8-61 et seq.), provided that these persons are deemed qualified  
42 by the State Board of Professional Engineers and Land Surveyors,  
43 without examination, by training, education and experience. The bill

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

**Matter underlined thus is new matter.**

1 also permits persons who are licensed architects to be licensed as  
2 home inspectors, notwithstanding the requirements of the "Home  
3 Inspection Professional Licensing Act," provided that these persons  
4 are deemed qualified by the New Jersey State Board of Architects,  
5 without examination, by training, education and experience. In  
6 addition, the bill clarifies that no person licensed as a home inspector  
7 shall engage in the practice of architecture or the practice of  
8 professional engineering unless licensed therefor.

# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### **SENATE, No. 2269**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 24, 2001

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2269.

This bill, as amended by the committee, permits persons who are licensed professional engineers to be licensed as home inspectors, notwithstanding the requirements of the "Home Inspection Professional Licensing Act," P.L.1997, c.323 (C.45:8-61 et seq.), provided that these persons are deemed qualified by the State Board of Professional Engineers and Land Surveyors, without examination, by training, education and experience for a home inspector license. The bill also permits persons who are licensed architects to be licensed as home inspectors, notwithstanding the requirements of the "Home Inspection Professional Licensing Act," provided that these persons are deemed qualified by the New Jersey State Board of Architects, without examination, by training, education and experience for a home inspector license. The training, education and experience requirements will be specified by the appropriate boards by regulation. In addition, the bill clarifies that no person licensed as a home inspector shall engage in the practice of architecture or the practice of professional engineering unless licensed therefor.

[First Reprint]

**SENATE, No. 2269**

---

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

---

INTRODUCED MARCH 29, 2001

**Sponsored by:**

**Senator GERALD CARDINALE**

**District 39 (Bergen)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

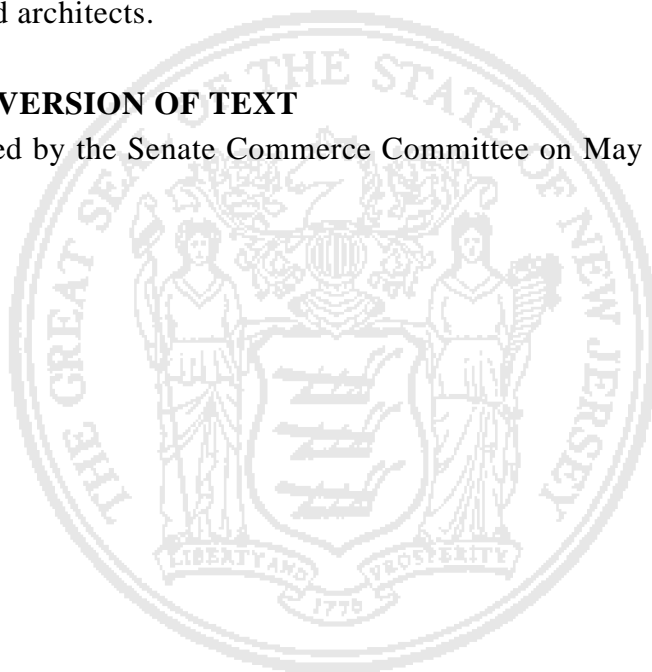
**Senators Ciesla, Palaia and Matheussen**

**SYNOPSIS**

Permits issuance of home inspectors licenses to certain licensed professional engineers and architects.

**CURRENT VERSION OF TEXT**

As reported by the Senate Commerce Committee on May 24, 2001, with amendments.



1 AN ACT concerning licensed home inspectors and amending P.L.1997,  
2 c.323.

3

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

6

7 1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read  
8 as follows:

9 11. a. Upon payment to the board of a fee and the submission of  
10 a written application provided by the board, the committee shall issue  
11 a home inspector license to any person who holds a valid license issued  
12 by another state or possession of the United States or the District of  
13 Columbia which has standards substantially equivalent to those of this  
14 State, as determined by the committee.

15 b. Notwithstanding the requirements of section 8 of P.L.1997,  
16 c.323 (C.45:8-68), upon payment to the board of a fee and the  
17 submission of a written application provided by the board, the  
18 committee shall issue a home inspector license to any person who is:  
19 (1) a licensed professional engineer deemed qualified by the board,  
20 without examination, by training, education and experience<sup>1</sup> for a  
21 home inspector license<sup>1</sup>; or (2) a licensed architect deemed qualified  
22 by the New Jersey State Board of Architects, without examination, by  
23 training, education and experience<sup>1</sup> for a home inspector license<sup>1</sup>.

24 (cf: P.L.1997, c.323, s.11)

25

26 2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read  
27 as follows:

28 15. No person licensed as a home inspector pursuant to this act  
29 shall engage in the practice of architecture or the practice of  
30 professional engineering unless licensed therefor.

31 (cf: P.L.1997, c.323, s.15)

32

33 3. This act shall take effect immediately.

**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> Senate SCM committee amendments adopted May 24, 2001.**

P.L. 2001, CHAPTER 158, *approved July 13, 2001*  
Assembly, No. 3154 (*First Reprint*)

1 AN ACT concerning licensed home inspectors and amending P.L.1997,  
2 c.323.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read  
8 as follows:

9 11. a. Upon payment to the board of a fee and the submission of  
10 a written application provided by the board, the committee shall issue  
11 a home inspector license to any person who holds a valid license issued  
12 by another state or possession of the United States or the District of  
13 Columbia which has standards substantially equivalent to those of this  
14 State, as determined by the committee.

15 b. Notwithstanding the requirements of section 8 of P.L.1997,  
16 c.323 (C.45:8-68), upon payment to the board of a fee and the  
17 submission of a written application provided by the board, the  
18 committee shall issue a home inspector license to any person who is  
19 <sup>1</sup>[a licensed professional engineer or architect in New Jersey]: (1) a  
20 licensed professional engineer deemed qualified by the board, without  
21 examination, by training, education and experience; or (2) a licensed  
22 architect deemed qualified by the New Jersey State Board of  
23 Architects, without examination, by training, education and  
24 experience<sup>1</sup>.

25 (cf: P.L.1997, c.323, s.11)

26  
27 2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read  
28 as follows:

29 15. No person licensed as a home inspector pursuant to this act  
30 shall engage in the practice of architecture or the practice of  
31 professional engineering unless licensed therefor.

32 (cf: P.L.1997, c.323, s.15)

33  
34 3. This act shall take effect immediately.

35  
36  
37 \_\_\_\_\_  
38  
39 Permits issuance of home inspectors licenses to certain licensed  
40 professional engineers and architects.

**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 ACP committee amendments adopted March 22, 2001.

## CHAPTER 158

AN ACT concerning licensed home inspectors and amending P.L.1997, c.323.

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

1. Section 11 of P.L.1997, c.323 (C.45:8-71) is amended to read as follows:

C.45:8-71 Issuance of home inspector license.

11. a. Upon payment to the board of a fee and the submission of a written application provided by the board, the committee shall issue a home inspector license to any person who holds a valid license issued by another state or possession of the United States or the District of Columbia which has standards substantially equivalent to those of this State, as determined by the committee.

b. Notwithstanding the requirements of section 8 of P.L.1997, c.323 (C.45:8-68), upon payment to the board of a fee and the submission of a written application provided by the board, the committee shall issue a home inspector license to any person who is: (1) a licensed professional engineer deemed qualified by the board, without examination, by training, education and experience; or (2) a licensed architect deemed qualified by the New Jersey State Board of Architects, without examination, by training, education and experience

2. Section 15 of P.L.1997, c.323 (C.45:8-75) is amended to read as follows:

C.45:8-75 Limitations upon licensees.

15. No person licensed as a home inspector pursuant to this act shall engage in the practice of architecture or the practice of professional engineering unless licensed therefor.

3. This act shall take effect immediately.

Approved July 13, 2001.

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Rae Hutton  
609-777-2600

RELEASE: July 13 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

**A-3154**, sponsored by Senators Andrew Ciesla (R-Monmouth/Ocean), Joseph Palaia (R-Monmouth), Diane Allen (R-Burlington/Camden) and Assembly members Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Anthony Impreveduto (D-Bergen/Hudson), permits persons who are licensed professional engineers or architects in New Jersey to be licensed as home inspectors, provided they are deemed qualified to do home inspections by the New Jersey Board of Architects or the State Board of Professional Engineers and Land Surveyors.

**S-986**, sponsored by Senators Robert Martin (R-Essex/Morris/Passaic) and Kevin O'Toole (R-Essex/Union) and Assembly members Joel Weingarten (R-Essex/Union) and Rose Marie Heck (R-Bergen), permits jointure commissions to provide counseling, inclusionary and child study team service for, but not limited to disabled pupils.

**S-1736**, sponsored by Senator James Cafiero (R-Cape May/Atlantic/ Cumberland) and Assembly members Scott Garrett (R-Sussex/Hunterdon/ Morris) and Connie Myers (R-Warren/Hunterdon/Mercer), exempts certain privately owned campgrounds, hotels, motels, mobile home parks and retirement communities with swimming areas other than pools from certain Department of Health and Senior Services (DHSS) regulations establishing first aid personnel and lifeguard requirements.

**SCS-1783/S-1733**, sponsored by Senators Jack Sinagra (R-Middlesex), James Cafiero (R-Cape May/Atlantic/Cumberland), John Lynch (D-Middlesex/Somerset/ Union) and Louis Kosco (R-Bergen) and Assembly members George Geist (R-Camden/Gloucester) and Arline Friscia (D-Middlesex), establishes a Supplemental Workforce Administrative Fund for Basic Skills within the Workforce Development Partnership Fund by redirecting a portion of the employers and employee contributions from the unemployment compensation fund to the Supplemental Workforce Administrative Fund For Basic Skills.

**A-759**, sponsored by Senator Norman Robertson (R-Essex/Passaic) and Assemblyman Gerald Zecker (R-Essex/Passaic), provides that a delineated area in a municipality may be determined to be in need of rehabilitation if more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

**A-972**, sponsored by Senators Jack Sinagra (R-Middlesex) and John Adler (D-Camden) and Assemblymen Gary Stuhltrager (R-Salem/Cumberland/Gloucester) and John Wisniewski (D-Middlesex), the Athletic Training Licensure Act, requires athletic trainers



to be licensed by, rather than just registered with, the State Board of Medical Examiners (BME) in the Division of Consumer Affairs.

**A-3013**, sponsored by Senators Diane Allen (R-Burlington/Camden) and Peter Inverso (D-Mercer/Middlesex) and Assemblymen Michael Arnone (R-Monmouth) and Peter Biondi (R-Morris/Somerset), requires the Director of the Division of Local Government Services in the Department of Community Affairs to conduct a study of all municipalities, counties, school districts and regional authorities and districts to determine the number and type of all interlocal services agreements between such local units entered into between August 2, 1973, the effective date of the Interlocal Services Act, and January 1, 2001.

**S-1887**, sponsored by Senators Martha Bark (R-Atlantic/ Burlington/Camden) and Diane Allen (R-Burlington/Camden) and Assemblyman Leonard Lance (R-Warren/Hunterdon/Mercer), provides for the protection of the assets and distributions from creditors of "Roth" and "Education" individual retirement accounts (IRA) and higher education tuition savings accounts by including these trusts in the definition of "qualifying trust" under New Jersey law. This bill makes qualifying trusts non-exempt from punitive damages awarded in a civil action arising from manslaughter or murder.

**SCS-2345**, sponsored by Senators Henry McNamara (R-Bergen/Passaic) and John Adler (D-Camden) and Assemblyman Steve Corodemus (R-Monmouth), gives the state additional time to pursue legal actions against those who are responsible for contaminating sites around New Jersey. As a result of this act, responsible parties, not the taxpayers, will continue to be required to pay for the cleanup and the restoration of natural resources injured by that contamination. This bill continues the New Jersey Department of Environmental Protection's authority to require restoration of natural resources injured by a hazardous discharge as part of the remediation process.