

46: 8-45

**LEGISLATIVE HISTORY CHECKLIST**  
Compiled by the NJ State Law Library

**NJSA:** 46:8-45

(Landlord-tenant  
rights &  
responsibilities--require  
spanish language  
version)

**LAWS OF:** 1990

**CHAPTER:** 37

**Bill No:** A823

**Sponsor(s):** Bush and Menendez

**Date Introduced:** Pre-filed

**Com mittee: Assembly:** Consumer Affairs

**Senate:** State Government

**A mended during passage:** No

**Date of Passage: Assembly:** March 8, 1990

**Senate:** May 17, 1990

**Date of Approval:** June 13, 1990

**Following statements are attached if available:**

**Sponsor statement:** Yes (Below)

**Com mittee Statement: Assembly:** Yes

**Senate:** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

(over)

**Sponsor<sup>1</sup> statement:**

The Department of Community Affairs is required by law to distribute annually to landlords and tenants a statement of their legal rights and responsibilities. In recognition of the State's growing hispanic population, this bill would require that statement to be published in the spanish as well as the english language.

**KBG/SLJ**

P.L.1990, CHAPTER 37, approved June 13, 1990

1990 Assembly No. 823

1 AN ACT regarding the rights of tenants and landlords and  
2 amending P.L.1975, c.310.

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

6 1. Section 3 of P.L.1975, c.310 (C.46:8-45) is amended to read  
7 as follows:

8 3. a. The department shall, as soon as practicable and  
9 annually thereafter, after public hearing, prepare and make  
10 available at cost to the public a statement, in a form and size  
11 suitable for posting and distributing pursuant to the provisions of  
12 this act, of the primary clearly established legal rights and  
13 responsibilities of tenants and landlords [or] of rental dwelling  
14 units. This statement shall be printed in both the English and  
15 Spanish languages. The statement shall serve as an informational  
16 document, and nothing therein shall be construed as binding on or  
17 affecting a judicial determination under section 6 of this act of  
18 what constitutes a lease provision which violates clearly  
19 established legal rights of tenants or responsibilities of landlords.

20 b. Where practical considerations make it necessary for the  
21 department to limit the extent of the statement, items to be  
22 included shall be selected on the basis of the importance of their  
23 inclusion in protecting the rights of the public.

24 (cf: P.L.1975, c.310, s.3)

25 2. This act shall take effect on the first day of the fourth  
26 month following enactment.

27  
28  
29 HOUSING AND CONSTRUCTION

30  
31 Requires Spanish language version of tenant rights statement.

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.

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblywoman BUSH and Assemblyman MENENDEZ

1 AN ACT regarding the rights of tenants and landlords and  
2 amending P.L.1975, c.310.

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

6 1. Section 3 of P.L.1975, c.310 (C.46:8-45) is amended to read  
7 as follows:

8 3. a. The department shall, as soon as practicable and  
9 annually thereafter, after public hearing, prepare and make  
10 available at cost to the public a statement, in a form and size  
11 suitable for posting and distributing pursuant to the provisions of  
12 this act, of the primary clearly established legal rights and  
13 responsibilities of tenants and landlords [or] of rental dwelling  
14 units. This statement shall be printed in both the English and  
15 Spanish languages. The statement shall serve as an informational  
16 document, and nothing therein shall be construed as binding on or  
17 affecting a judicial determination under section 6 of this act of  
18 what constitutes a lease provision which violates clearly  
19 established legal rights of tenants or responsibilities of landlords.

20 b. Where practical considerations make it necessary for the  
21 department to limit the extent of the statement, items to be  
22 included shall be selected on the basis of the importance of their  
23 inclusion in protecting the rights of the public.

24 (cf: P.L.1975, c.310, s.3)

25 2. This act shall take effect on the first day of the fourth  
26 month following enactment.

27

28

STATEMENT

29

30 The Department of Community Affairs is required by law to  
31 distribute annually to landlords and tenants a statement of their  
32 legal rights and responsibilities. In recognition of the State's  
33 growing Hispanic population, this bill would require that  
34 statement to be published in the Spanish as well as the English  
35 language.

36

37

HOUSING AND CONSTRUCTION

38

39

Requires Spanish language version of tenant rights statement.

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, No. 823

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblywoman BUSH and Assemblyman MENENDEZ

1 AN ACT regarding the rights of tenants and landlords and  
2 amending P.L.1975, c.310.

3

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

6 1. Section 3 of P.L.1975, c.310 (C.46:8-45) is amended to read  
7 as follows:

8 3. a. The department shall, as soon as practicable and  
9 annually thereafter, after public hearing, prepare and make  
10 available at cost to the public a statement, in a form and size  
11 suitable for posting and distributing pursuant to the provisions of  
12 this act, of the primary clearly established legal rights and  
13 responsibilities of tenants and landlords [or] of rental dwelling  
14 units. This statement shall be printed in both the English and  
15 Spanish languages. The statement shall serve as an informational  
16 document, and nothing therein shall be construed as binding on or  
17 affecting a judicial determination under section 6 of this act of  
18 what constitutes a lease provision which violates clearly  
19 established legal rights of tenants or responsibilities of landlords.

20 b. Where practical considerations make it necessary for the  
21 department to limit the extent of the statement, items to be  
22 included shall be selected on the basis of the importance of their  
23 inclusion in protecting the rights of the public.

24 (cf: P.L.1975, c.310, s.3)

25 2. This act shall take effect on the first day of the fourth  
26 month following enactment.

27

28

29

HOUSING AND CONSTRUCTION

30

31 Requires Spanish language version of tenant rights statement.

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 COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 823**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 8, 1990

The Assembly Consumer Affairs Committee favorably reports Assembly Bill No. 823.

Assembly Bill No. 823 amends section 3 of P.L.1975, c.310 (C.46:8-45) to require the Department of Community Affairs to publish its annual statement outlining the rights and responsibilities of tenants and landlords not only in English, but also in Spanish.

Under current law, the Department of Community Affairs is required to publish annually a statement outlining the rights and responsibilities of tenants and landlords. Landlords are required to distribute a copy of this statement to each tenant within 30 days of the date on which it is made available by the department and, in the case of new tenants, prior to or at the time they assume occupancy of the rental unit. In addition, every landlord is required to post a copy of the statement in one or more prominent locations so that it is readily accessible to all tenants.

The section at present only mandates the publication of this statement; it does not set forth any language requirements.

It is the committee's understanding that this bill will have no true cost impact on the State since the department, under the provisions of this section of the law, prepares and makes the statement "available at cost to the public." Any additional expenses incurred by the department in producing a Spanish version of the statement should, therefore, be passed on to the landlords.

This bill was prefiled for introduction in the 1990 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE STATE GOVERNMENT AND FEDERAL  
AND INTERSTATE RELATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 823

STATE OF NEW JERSEY

DATED: MAY 14, 1990

The Senate State Government and Federal and Interstate Relations Committee reports favorably Assembly, No. 823.

At present, the Department of Community Affairs is required by law to prepare and distribute at cost to the public a statement of the legal rights and responsibilities of landlords and tenants. The statement must be in a form and size suitable for posting and distribution. This bill requires that the statement shall be printed in both the English and Spanish languages.

This act shall take effect on the first day of the fourth month following enactment.