

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: 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>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

CL/MM

P.L. 2023, CHAPTER 338, *approved January 16, 2024*
Assembly, No. 5755 (*Third Reprint*)

1 AN ACT enhancing certain requirements related to hotel and
2 multiple dwelling violations, including notice requirements and
3 occupancy restrictions, and amending P.L.1967, c.76.
4

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

8 1. Section 3 of P.L.1967, c.76 (C.55:13A-3) is amended to read
9 as follows:

10 3. The following terms whenever used or referred to in
11 P.L.1967, c.76 (C.55:13A-1 et seq.) shall have the following
12 respective meanings for the purposes thereof, except in those
13 instances where the context clearly indicates otherwise:

14 (a) The term "act" shall mean P.L.1967, c.76 (C.55:13A-1 et
15 seq.), any amendments or supplements thereto, and any rules and
16 regulations promulgated thereunder.

17 (b) The term "accessory building" shall mean any building
18 which is used in conjunction with the main building of a hotel,
19 whether separate therefrom or adjoining thereto.

20 (c) (Deleted by amendment, P.L.2013, c.253.)

21 (d) The term "bureau" shall mean the Bureau of Housing
22 Inspection in the Department of Community Affairs.

23 (e) (Deleted by amendment.)

24 (f) The term "commissioner" shall mean the Commissioner of
25 Community Affairs.

26 (g) The term "department" shall mean the Department of
27 Community Affairs.

28 (h) The term "unit of dwelling space" or the term "dwelling
29 unit" shall mean any room or rooms, or suite or apartment thereof,
30 whether furnished or unfurnished, which is occupied, or intended,
31 arranged or designed to be occupied, for sleeping or dwelling
32 purposes by one or more persons, including but not limited to the
33 owner thereof, or any of the person's or persons' servants, agents or
34 employees, and shall include all privileges, services, furnishings,
35 furniture, equipment, facilities and improvements connected with
36 the use or occupancy thereof.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHO committee amendments adopted December 11, 2023.

²Assembly AAP committee amendments adopted December 18, 2023.

³Senate SCU committee amendments adopted January 4, 2024.

1 (i) The term "protective equipment" shall mean any equipment,
2 device, system or apparatus, whether manual, mechanical, electrical
3 or otherwise, permitted or required by the commissioner to be
4 constructed or installed in any hotel or multiple dwelling for the
5 protection of the occupants or intended occupants thereof, or of the
6 public generally.

7 (j) The term "hotel" shall mean any building, including but not
8 limited to any related structure, accessory building, and land
9 appurtenant thereto, and any part thereof, which contains 10 or
10 more units of dwelling space or has sleeping facilities for 25 or
11 more persons and is kept, used, maintained, advertised as, or held
12 out to be, a place where sleeping or dwelling accommodations are
13 available to transient or permanent guests.

14 This definition shall also mean and include any hotel, motor
15 hotel, motel, or established guesthouse, which is commonly
16 regarded as a hotel, motor hotel, motel, or established guesthouse,
17 as the case may be, in the community in which it is located;
18 provided, that this definition shall not be construed to include any
19 building or structure defined as a multiple dwelling in P.L.1967,
20 c.76 (C.55:13A-1 et seq.), registered as a multiple dwelling with the
21 Commissioner of Community Affairs as hereinafter provided, and
22 occupied or intended to be occupied as such nor shall this definition
23 be construed to include a rooming house or a boarding house as
24 defined in the "Rooming and Boarding House Act of 1979,"
25 P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth
26 in P.L.1987, c.270 (C.55:13A-7.5, 55:13A-7.6, 55:13A-12.1,
27 55:13A-13.2), any retreat lodging facility, as defined in this section.

28 (k) The term "multiple dwelling" shall mean any building or
29 structure of one or more stories and any land appurtenant thereto,
30 and any portion thereof, in which three or more units of dwelling
31 space are occupied, or are intended to be occupied by three or more
32 persons who live independently of each other. This definition shall
33 also mean any group of ten or more buildings on a single parcel of
34 land or on contiguous parcels under common ownership, in each of
35 which two units of dwelling space are occupied or intended to be
36 occupied by two persons or households living independently of
37 each other, and any land appurtenant thereto, and any portion
38 thereof. This definition shall not include:

39 (1) any building or structure defined as a hotel in P.L.1967, c.76
40 (C.55:13A-1 et seq.), or registered as a hotel with the Commissioner
41 of Community Affairs as hereinafter provided, or occupied or
42 intended to be occupied exclusively as such;

43 (2) a building section containing not more than four dwelling
44 units, provided the building has at least two exterior walls
45 unattached to any adjoining building section and the dwelling units
46 are separated exclusively by walls of such fire-resistant rating as
47 comports with the "State Uniform Construction Code Act,"
48 P.L.1975, c.217 (C.52:27D-119 et seq.) at the time of their

1 construction or with a rating as shall be established by the bureau in
2 conformity with recognized standards and the building is held under
3 a condominium or cooperative form of ownership, or by a mutual
4 housing corporation, provided that if any units within such a
5 building section are not occupied by an owner of the unit, then that
6 unit and the common areas within that building section shall not be
7 exempted from the definition of a multiple dwelling for the
8 purposes of P.L.1967, c.76 (C.55:13A-1 et seq.). A condominium
9 association, or a cooperative or mutual housing corporation shall
10 provide the bureau with any information necessary to justify an
11 exemption for a dwelling unit pursuant to this paragraph; or

12 (3) any building of three stories or less, owned or controlled by
13 a nonprofit corporation organized under any law of this State for the
14 primary purpose to provide for its shareholders or members housing
15 in a retirement community as same is defined under the provisions
16 of the "Retirement Community Full Disclosure Act," P.L.1969,
17 c.215 (C.45:22A-1 et seq.), provided that the corporation meets the
18 requirements of section 2 of P.L.1983, c.154 (C.55:13A-13.1).

19 (l) The term "owner" shall mean the person who owns, purports
20 to own, or exercises control of any hotel or multiple dwelling. The
21 term "owner" shall also mean and include any person who owns,
22 purports to own, or exercises control over three or more dwelling
23 units within a multiple dwelling.

24 (m) The term "person" shall mean any individual, corporation,
25 association, or other entity, as defined in R.S.1:1-2.

26 (n) The term "continuing violation" shall mean any violation of
27 P.L.1967, c.76 (C.55:13A-1 et seq.) or any regulation promulgated
28 thereunder, where notice is served within two years of the date of
29 service of a previous notice and where violation, premise and
30 person cited in both notices are substantially identical.

31 (o) The term "project" shall mean a group of buildings subject to
32 the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.), which are or
33 are represented to be under common or substantially common
34 ownership and which stand on a single parcel of land or parcels of
35 land which are contiguous and which group of buildings is named,
36 designated or advertised as a common entity. The contiguity of
37 such parcels shall not be adversely affected by public rights-of-way
38 incidental to such buildings.

39 (p) The term "mutual housing corporation" means a corporation
40 not-for-profit incorporated under the laws of New Jersey on a
41 mutual or cooperative basis within the scope of Title VI, s.607 of
42 the "Lanham Public War Housing Act," 54 Stat. 1125, 42 U.S.C.
43 s.1501 et seq., as amended, which acquired a National Defense
44 Housing Project pursuant to said act.

45 (q) "Condominium" means the form of ownership so defined in
46 the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.).

47 (r) "Cooperative" means a housing corporation or association
48 which entitles the holder of a share or membership interest thereof

1 to possess and occupy for dwelling purposes a house, apartment or
2 other structure owned or leased by said corporation or association,
3 or to lease or purchase a dwelling constructed or to be constructed
4 by said corporation or association.

5 (s) "Retreat lodging facility" means a building or structure,
6 including but not limited to any related structure, accessory
7 building, and land appurtenant thereto, and any part thereof, owned
8 by a nonprofit corporation or association which has tax-exempt
9 charitable status under the federal Internal Revenue Code and which
10 has sleeping facilities used exclusively on a transient basis by
11 persons participating in programs of a religious, cultural or
12 educational nature, conducted under the sole auspices of one or
13 more corporations or associations having tax-exempt charitable
14 status under the federal Internal Revenue Code, which are made
15 available without any mandatory charge to such participants.

16 (t) "Potentially hazardous violation" means an imminent hazard
17 to the health, safety, or welfare of the occupants or intended
18 occupants thereof, or of the public generally, or a deteriorating
19 structural, sanitary, or other condition that, if unaddressed, may
20 result in an imminent hazard prior to the next scheduled inspection
21 conducted pursuant to P.L.1967, c.76 (C.55:13A-1 et seq.).

22 (cf: P.L.2013, c.253, s.53)

23

24 ³[2. Section 13 of P.L.1967, c.76 (C.55:13A-13) is amended to
25 read as follows:

26 13. (a) Each multiple dwelling and each hotel shall be inspected
27 for the purpose of determining the extent to which each hotel or
28 multiple dwelling complies with the provisions of P.L.1967, c.76
29 (C.55:13A-1 et seq.) and regulations promulgated hereunder. The
30 commissioner shall establish by regulation the frequency of
31 inspections, which shall be conducted as follows:

32 (1) each hotel shall be inspected at least once every five years;
33 and

34 (2) each multiple dwelling shall be categorized into the
35 following tiers based upon the number of reinspections required to
36 abate the violations that were served upon the owner following an
37 initial inspection:

38 (i) a multiple dwelling in which no violations are found or all
39 violations have been abated by the first reinspection shall be placed
40 in the highest tier and shall next be inspected in seven years, and
41 the inspection fee shall be due at that time;

42 (ii) a multiple dwelling in which all violations have been abated
43 by the second or third reinspection shall be placed in the middle tier
44 and shall next be inspected in five years, and the inspection fee
45 shall be due at that time;

46 (iii) a multiple dwelling in which all violations have not been
47 abated by the third reinspection shall be placed in the lowest tier

1 and shall next be inspected in two years, and the inspection fee shall
2 be due at that time.

3 (3) notwithstanding the provisions of paragraph (2) of this
4 section to the contrary, if the commissioner determines that tiered
5 inspection schedules do not adequately protect the health and safety
6 of residents of multiple dwellings, the commissioner may, by
7 regulation, require that cyclical inspections for multiple dwellings
8 occur once every five years.

9 (b) Within 30 days of the most recent inspection, the owner of
10 each hotel shall file with the commissioner, upon forms provided by
11 the commissioner, an application for a certificate of inspection.
12 Said application shall include such information as the commissioner
13 shall prescribe to enforce the provisions of this law. Said
14 application shall be accompanied by a fee as follows: \$15 per unit
15 of dwelling space for the first 20 units of dwelling space in any
16 building or project, \$12 per unit of dwelling space for the 21st
17 through 100th unit in any building or project, \$8 per unit of
18 dwelling space for the 101st through 250th unit in any building or
19 project, and \$5 per unit of dwelling space for all units over 250 in
20 any building or project, except that in the case of hotels open and
21 operating less than six months in each year the fee shall be one-half
22 that which would otherwise be required, or, as the case may be, the
23 fees established by rule for each of the foregoing pursuant to
24 subsection (e) of this section. A certificate of inspection and the
25 fees therefor shall not be required more often than once each
26 inspection cycle.

27 Additionally, there shall be reinspection fees for hotels in the
28 amount of \$10 for each dwelling unit reinspected or, as the case
29 may be, the fees established by rule for each of the foregoing
30 pursuant to subsection (e) of this section.

31 Within 30 days of the most recent inspection of any multiple
32 dwelling occupied or intended to be occupied by three or more
33 persons living independently of each other, the owner of each such
34 multiple dwelling shall file with the commissioner, upon forms
35 provided by the commissioner, an application for a certificate of
36 inspection. Said application shall include such information as the
37 commissioner shall prescribe to enforce the provisions of this law.
38 Said application shall be accompanied by a fee of \$33 per unit of
39 dwelling space for the first 7 units in any building or project, \$21
40 per unit of dwelling space for the 8th through the 24th unit in any
41 building or project, \$18 per unit for the 25th through the 48th unit
42 in any building or project, and \$12 per unit of dwelling space for all
43 units of dwelling space over 48 in any building or project, provided
44 that the maximum total fee for owner-occupied three-unit multiple
45 dwellings shall be limited to \$65 for owners having a household
46 income that is less than 80 percent of the median income for
47 households of similar size in the county in which the multiple
48 dwelling is located, and the maximum total fee for owner-occupied

1 four-unit multiple dwellings shall be limited to \$80 for owners
2 having a household income that is less than 80 percent of the
3 median income for households of similar size in the county in
4 which the multiple dwelling is located, or, as the case may be, the
5 fees established by rule for each of the foregoing pursuant to
6 subsection (e) of this section. A certificate of inspection and the
7 fees therefor shall not be required more often than once each
8 inspection cycle.

9 Additionally, there shall be reinspection fees for multiple
10 dwellings in the amount of \$40 for each dwelling unit reinspected,
11 or, as the case may be, the fees established by rule pursuant to
12 subsection (e) of this section, but only after the first reinspection.

13 The commissioner may waive the inspection fee for any unit
14 upon a finding that the unit has been thoroughly inspected within
15 the previous 12-month period under a municipal ordinance
16 requiring inspection upon change of occupancy in accordance with
17 the maintenance standards established by the commissioner under
18 P.L.1967, c.76 (C.55:13A-1 et seq.), and has received a municipal
19 certificate of occupancy as a result of that inspection.

20 If the commissioner finds that (1) a building has been thoroughly
21 inspected prior to resale since the most recent inspection in
22 accordance with this section, (2) the inspection prior to resale was
23 conducted by the municipality in accordance with the maintenance
24 standards established by the commissioner under P.L.1967, c.76
25 (C.55:13A-1 et seq.), and (3) a municipal certificate of occupancy
26 was issued as a result of that inspection, the commissioner may
27 accept the inspection done prior to resale in lieu of a current
28 inspection under this section. If the commissioner accepts an
29 inspection prior to resale in lieu of a current inspection, no fee shall
30 be charged for any inspection done by the commissioner within the
31 years remaining in the applicable inspection cycle after the date of
32 the inspection so accepted.

33 (c) If the commissioner determines, as a result of the most
34 recent inspection of any hotel or multiple dwelling as required by
35 subsection (a) of this section, that any hotel or multiple dwelling
36 complies with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
37 and regulations promulgated hereunder, then the commissioner shall
38 issue to the owner thereof, upon receipt of the application and fee as
39 required by subsection (b) of this section, a certificate of inspection.
40 Any owner to whom a certificate of inspection is issued shall keep
41 said certificate posted in a conspicuous location in the hotel or
42 multiple dwelling to which the certificate applies. The certificate of
43 inspection shall be in such form as may be prescribed by the
44 commissioner.

45 The commissioner may, upon finding a consistent pattern of
46 compliance with the maintenance standards established under
47 P.L.1967, c.76 (C.55:13A-1 et seq.) in at least 20 percent of the
48 units in a building or project, issue a certificate of inspection for the

1 building or project, in which case the inspection fee shall be
2 charged on the basis of the number of units inspected.

3 The commissioner may by rule establish standards for self-
4 inspection by condominium associations exercising control over
5 buildings of not more than three stories, constructed after 1976, and
6 certified by the local enforcing agency having jurisdiction as being
7 in compliance with the Uniform Fire Code promulgated pursuant to
8 P.L.1983, c.383 (C.52:27D-192 et seq.), in which at least 80 percent
9 of the dwelling units are occupied by the unit owners. The
10 commissioner shall issue a certificate of acceptance, which shall be
11 in lieu of a certificate of inspection, upon acceptance of any such
12 self-inspection and upon payment of a fee of \$25.

13 (d) (1) If the commissioner determines, as a result of the most
14 recent inspection of any hotel or multiple dwelling as required by
15 subsection (a) of this section, that any hotel or multiple dwelling
16 does not comply with the provisions of P.L.1967, c.76 (C.55:13A-1
17 et seq.) and regulations promulgated thereunder, then the
18 commissioner shall issue to the owner thereof a written notice
19 stating the manner in which any such hotel or multiple dwelling
20 does not comply with P.L.1967, c.76 (C.55:13A-1 et seq.) or
21 regulations promulgated thereunder. Said notice shall fix such date,
22 not less than 60 days nor more than 180 days, on or before which
23 any such hotel or multiple dwelling must comply with the
24 provisions of P.L.1967, c.76 (C.55:13A-1 et seq.) and regulations
25 promulgated thereunder. If any such hotel or multiple dwelling is
26 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
27 et seq.) and regulations promulgated thereunder on or before the
28 date fixed in said notice, then the commissioner shall issue to the
29 owner thereof a certificate of inspection as described in subsection
30 (c) of this section. If any such hotel or multiple dwelling is not
31 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
32 et seq.) and regulations promulgated thereunder on or before the
33 date fixed in said notice, then the commissioner shall not issue to
34 the owner thereof a certificate of inspection as described in
35 subsection (c) of this section, and shall enforce the provisions of
36 P.L.1967, c.76 (C.55:13A-1 et seq.) against the owner thereof.

37 (2) In addition to complying with the requirements of paragraph
38 (1) of this subsection, if the commissioner determines that a
39 violation of P.L.1967, c.76 (C.55:13A-1 et seq.) is a potentially
40 hazardous violation, then the commissioner shall comply with this
41 paragraph, and shall immediately send, by certified or ordinary
42 mail, and by electronic mail, a written notice, stating the manner in
43 which the hotel or multiple dwelling does not comply with
44 P.L.1967, c.76 (C.55:13A-1 et seq.) or regulations promulgated
45 thereunder, to:

46 (i) The mayor of the municipality in which the hotel or multiple
47 dwelling is located;

1 (ii) The administrator, business administrator, city manager,
2 township manager, municipal manager, or other municipal official
3 with executive authority not vested in the mayor of the municipality
4 in which the hotel or multiple dwelling is located, as is applicable to
5 the municipality;

6 (iii) All members of the governing body of the municipality in
7 which the hotel or multiple dwelling is located;

8 (iv) The clerk, public information officer, or other municipal
9 official responsible for the distribution of communications to the
10 residents of the municipality, as applicable to the municipality; and

11 (v) The owner and operator of the hotel or multiple dwelling,
12 including, if applicable, to the property owner's last known address,
13 as determined through a review of local property tax and other
14 available records.

15 (3) If a notice issued by the commissioner pursuant to this
16 subsection concerns a potentially hazardous violation, then, in
17 addition to complying with paragraphs (1) and (2) of this
18 subsection, the commissioner and the owner and operator of a hotel
19 or multiple dwelling shall comply with this paragraph, and the
20 commissioner shall include as a part of the notice ²,² a mailing
21 notification ²[that] , which² shall contain large, easily readable text
22 ², clearly include the date by which the owner shall be required to
23 address the potentially hazardous violation,² and be presented on
24 distinctly colored paper or other paper that is easily distinguishable
25 from other notices or communications otherwise sent by the
26 commissioner. ²[The]

27 (4) The owner or operator of the hotel or multiple dwelling shall
28 address the potentially hazardous violation prior to the date required
29 by the commissioner in the notice issued pursuant to paragraphs (2)
30 and (3) of this subsection, and shall notify the municipality and the
31 department who may conduct an inspection, in the case of the
32 municipality, or a reinspection, in the case of the department, of the
33 hotel or multiple dwelling to determine whether the potentially
34 hazardous violation has been abated.

35 (5) If the² owner or operator of the hotel or multiple dwelling
36 ²fails to abate the potentially hazardous violation by the date
37 ordered by the commissioner, then the owner or operator of the
38 hotel or multiple dwelling² shall provide a hard copy of said
39 mailing notification to each existing resident or guest of the hotel or
40 multiple dwelling. The owner or operator of the hotel or multiple
41 dwelling shall additionally post a copy of the notification in a
42 conspicuous location in the lobby or common area of the hotel or
43 multiple dwelling, in which the information is most likely to be
44 viewed by residents or guests; and within ²[ten] 10² feet of the
45 elevator on each floor of the hotel or multiple dwelling, or, if the
46 hotel or multiple dwelling does not have an elevator, within ²[ten]
47 10² feet of, or in, the main stairwell of each floor. A notification

1 posted in a common area of the hotel or multiple dwelling, pursuant
2 to this subsection, may be removed only after the commissioner
3 issues to the owner and operator a certificate of inspection as
4 described in subsection (c) of this section. For a hotel room or
5 dwelling unit impacted by a potentially hazardous violation, the
6 owner or operator of any hotel or multiple dwelling shall not enter a
7 new lease for non-owner occupancy, or make available for the
8 same, such unit for such time as the hotel or multiple dwelling is
9 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
10 et seq.) and regulations promulgated thereunder and the
11 commissioner has issued to the owner and operator thereof a
12 certificate of inspection as described in subsection (c) of this
13 section. ²An administrator, business administrator, city manager,
14 township manager, municipal manager, or other appropriate
15 municipal official of the municipality in which the hotel or multiple
16 dwelling is located may, in their discretion, verify that the owner or
17 operator of the hotel or multiple dwelling has posted the notification
18 in compliance with this subsection.

19 (6) Once the owner or operator of the hotel or multiple dwelling
20 abates the potentially hazardous violation, then the owner or
21 operator of the hotel or multiple dwelling shall provide a
22 notification to each existing resident or guest of the hotel or
23 multiple dwelling describing the violation and the steps taken to
24 address it. The owner or operator of the hotel or multiple dwelling
25 shall additionally post a copy of the notification in a conspicuous
26 location in the lobby or common area of the hotel or multiple
27 dwelling, in which the information is most likely to be viewed by
28 residents or guests; and within 10 feet of the elevator on each floor
29 of the hotel or multiple dwelling, or, if the hotel or multiple
30 dwelling does not have an elevator, within 10 feet of, or in, the
31 main stairwell of each floor. An administrator, business
32 administrator, city manager, township manager, municipal manager,
33 or other appropriate municipal official of the municipality in which
34 the hotel or multiple dwelling is located may, in their discretion,
35 verify that the owner or operator of the hotel or multiple dwelling
36 has posted the notification in compliance with this subsection.²

37 (e) The commissioner shall annually review the cost of
38 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.),
39 including the cost to municipalities of carrying out inspections
40 pursuant to section 21 of P.L.1967, c.76 (C.55:13A-21), and shall
41 establish by rule, not more frequently than once every three years,
42 such fees as may be necessary to cover the costs of such
43 implementation and enforcement; provided, however, that any
44 increase or decrease shall be applied as a uniform percentage to
45 each category of fee established herein, and provided, further, that
46 the percentage amount of any increase shall not exceed the
47 percentage increase in salaries paid to State employees since the
48 then current fee schedule was established. The commissioner shall

1 provide by rule to owners the option of paying inspection fees in
2 installments in the form of an annual fee. The commissioner shall
3 annually prepare and file with the presiding officers of the Senate
4 and General Assembly and the legislative committees having
5 jurisdiction in housing matters a report setting forth the amounts of
6 fees and penalties received by the Bureau of Housing Inspection,
7 the cost to the bureau of enforcing P.L.1967, c.76 (C.55:13A-1 et
8 seq.), and information concerning the productivity of the bureau.
9 Copies of the report shall also be submitted to the Office of
10 Administrative Law for publication in the New Jersey Register. If
11 in any State fiscal year the fee revenue received by the bureau
12 exceeds the cost of enforcement of P.L.1967, c.76 (C.55:13A-1 et
13 seq.), the excess revenue shall be distributed pro rata to persons
14 who paid inspection fees during that fiscal year. Such distribution
15 shall be made within three months after the end of the fiscal year.

16 (f) Except as otherwise provided in section 2 of P.L.1991, c.179
17 (C.55:13A-26.1), the fees established by or pursuant to the
18 provisions of this section are dedicated to meeting the costs of
19 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.)
20 and shall not be used for any other purpose. All receipts in excess
21 of \$2,200,000 are hereby appropriated for the purposes of P.L.1967,
22 c.76 (C.55:13A-1 et seq.).

23 (cf: P.L.2019, c.202, s.2)]³

24

25 ³2. Section 13 of P.L.1967, c.76 (C.55:13A-13) is amended to
26 read as follows:

27 13. (a) Each multiple dwelling and each hotel shall be inspected
28 for the purpose of determining the extent to which each hotel or
29 multiple dwelling complies with the provisions of P.L.1967, c.76
30 (C.55:13A-1 et seq.) and regulations promulgated hereunder. The
31 commissioner shall establish by regulation the frequency of
32 inspections, which shall be conducted as follows:

33 (1) each hotel shall be inspected at least once every five years;
34 and

35 (2) each multiple dwelling shall be categorized into the
36 following tiers based upon the number of reinspections required to
37 abate the violations that were served upon the owner following an
38 initial inspection:

39 (i) a multiple dwelling in which no violations are found or all
40 violations have been abated by the first reinspection shall be placed
41 in the highest tier and shall next be inspected in seven years, and
42 the inspection fee shall be due at that time;

43 (ii) a multiple dwelling in which all violations have been abated
44 by the second or third reinspection shall be placed in the middle tier
45 and shall next be inspected in five years, and the inspection fee
46 shall be due at that time;

47 (iii) a multiple dwelling in which all violations have not been
48 abated by the third reinspection shall be placed in the lowest tier

1 and shall next be inspected in two years, and the inspection fee shall
2 be due at that time.

3 (3) notwithstanding the provisions of paragraph (2) of this
4 section to the contrary, if the commissioner determines that tiered
5 inspection schedules do not adequately protect the health and safety
6 of residents of multiple dwellings, the commissioner may, by
7 regulation, require that cyclical inspections for multiple dwellings
8 occur once every five years.

9 (b) Within 30 days of the most recent inspection, the owner of
10 each hotel shall file with the commissioner, upon forms provided by
11 the commissioner, an application for a certificate of inspection.
12 Said application shall include such information as the commissioner
13 shall prescribe to enforce the provisions of this law. Said
14 application shall be accompanied by a fee as follows: \$15 per unit
15 of dwelling space for the first 20 units of dwelling space in any
16 building or project, \$12 per unit of dwelling space for the 21st
17 through 100th unit in any building or project, \$8 per unit of
18 dwelling space for the 101st through 250th unit in any building or
19 project, and \$5 per unit of dwelling space for all units over 250 in
20 any building or project, except that in the case of hotels open and
21 operating less than six months in each year the fee shall be one-half
22 that which would otherwise be required, or, as the case may be, the
23 fees established by rule for each of the foregoing pursuant to
24 subsection (e) of this section. A certificate of inspection and the
25 fees therefor shall not be required more often than once each
26 inspection cycle.

27 Additionally, there shall be reinspection fees for hotels in the
28 amount of \$10 for each dwelling unit reinspected or, as the case
29 may be, the fees established by rule for each of the foregoing
30 pursuant to subsection (e) of this section.

31 Within 30 days of the most recent inspection of any multiple
32 dwelling occupied or intended to be occupied by three or more
33 persons living independently of each other, the owner of each such
34 multiple dwelling shall file with the commissioner, upon forms
35 provided by the commissioner, an application for a certificate of
36 inspection. Said application shall include such information as the
37 commissioner shall prescribe to enforce the provisions of this law.
38 Said application shall be accompanied by a fee of \$33 per unit of
39 dwelling space for the first 7 units in any building or project, \$21
40 per unit of dwelling space for the 8th through the 24th unit in any
41 building or project, \$18 per unit for the 25th through the 48th unit
42 in any building or project, and \$12 per unit of dwelling space for all
43 units of dwelling space over 48 in any building or project, provided
44 that the maximum total fee for owner-occupied three-unit multiple
45 dwellings shall be limited to \$65 for owners having a household
46 income that is less than 80 percent of the median income for
47 households of similar size in the county in which the multiple
48 dwelling is located, and the maximum total fee for owner-occupied

1 four-unit multiple dwellings shall be limited to \$80 for owners
2 having a household income that is less than 80 percent of the
3 median income for households of similar size in the county in
4 which the multiple dwelling is located, or, as the case may be, the
5 fees established by rule for each of the foregoing pursuant to
6 subsection (e) of this section. A certificate of inspection and the
7 fees therefor shall not be required more often than once each
8 inspection cycle.

9 Additionally, there shall be reinspection fees for multiple
10 dwellings in the amount of \$40 for each dwelling unit reinspected,
11 or, as the case may be, the fees established by rule pursuant to
12 subsection (e) of this section, but only after the first reinspection.

13 The commissioner may waive the inspection fee for any unit
14 upon a finding that the unit has been thoroughly inspected within
15 the previous 12-month period under a municipal ordinance
16 requiring inspection upon change of occupancy in accordance with
17 the maintenance standards established by the commissioner under
18 P.L.1967, c.76 (C.55:13A-1 et seq.), and has received a municipal
19 certificate of occupancy as a result of that inspection.

20 If the commissioner finds that (1) a building has been thoroughly
21 inspected prior to resale since the most recent inspection in
22 accordance with this section, (2) the inspection prior to resale was
23 conducted by the municipality in accordance with the maintenance
24 standards established by the commissioner under P.L.1967, c.76
25 (C.55:13A-1 et seq.), and (3) a municipal certificate of occupancy
26 was issued as a result of that inspection, the commissioner may
27 accept the inspection done prior to resale in lieu of a current
28 inspection under this section. If the commissioner accepts an
29 inspection prior to resale in lieu of a current inspection, no fee shall
30 be charged for any inspection done by the commissioner within the
31 years remaining in the applicable inspection cycle after the date of
32 the inspection so accepted.

33 (c) If the commissioner determines, as a result of the most
34 recent inspection of any hotel or multiple dwelling as required by
35 subsection (a) of this section, that any hotel or multiple dwelling
36 complies with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
37 and regulations promulgated hereunder, then the commissioner shall
38 issue to the owner thereof, upon receipt of the application and fee as
39 required by subsection (b) of this section, a certificate of inspection.
40 Any owner to whom a certificate of inspection is issued shall keep
41 said certificate posted in a conspicuous location in the hotel or
42 multiple dwelling to which the certificate applies. The certificate of
43 inspection shall be in such form as may be prescribed by the
44 commissioner.

45 The commissioner may, upon finding a consistent pattern of
46 compliance with the maintenance standards established under
47 P.L.1967, c.76 (C.55:13A-1 et seq.) in at least 20 percent of the
48 units in a building or project, issue a certificate of inspection for the

1 building or project, in which case the inspection fee shall be
2 charged on the basis of the number of units inspected.

3 The commissioner may by rule establish standards for self-
4 inspection by condominium associations exercising control over
5 buildings of not more than three stories, constructed after 1976, and
6 certified by the local enforcing agency having jurisdiction as being
7 in compliance with the Uniform Fire Code promulgated pursuant to
8 P.L.1983, c.383 (C.52:27D-192 et seq.), in which at least 80 percent
9 of the dwelling units are occupied by the unit owners. The
10 commissioner shall issue a certificate of acceptance, which shall be
11 in lieu of a certificate of inspection, upon acceptance of any such
12 self-inspection and upon payment of a fee of \$25.

13 (d) (1) If the commissioner determines, as a result of the most
14 recent inspection of any hotel or multiple dwelling as required by
15 subsection (a) of this section, that any hotel or multiple dwelling
16 does not comply with the provisions of P.L.1967, c.76 (C.55:13A-1
17 et seq.) and regulations promulgated thereunder, then the
18 commissioner shall issue to the owner thereof a written notice
19 stating the manner in which any such hotel or multiple dwelling
20 does not comply with P.L.1967, c.76 (C.55:13A-1 et seq.) or
21 regulations promulgated thereunder. Said notice shall fix such date,
22 not less than 60 days nor more than 180 days, on or before which
23 any such hotel or multiple dwelling must comply with the
24 provisions of P.L.1967, c.76 (C.55:13A-1 et seq.) and regulations
25 promulgated thereunder. If any such hotel or multiple dwelling is
26 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
27 et seq.) and regulations promulgated thereunder on or before the
28 date fixed in said notice, then the commissioner shall issue to the
29 owner thereof a certificate of inspection as described in subsection
30 (c) of this section. If any such hotel or multiple dwelling is not
31 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
32 et seq.) and regulations promulgated thereunder on or before the
33 date fixed in said notice, then the commissioner shall not issue to
34 the owner thereof a certificate of inspection as described in
35 subsection (c) of this section, and shall enforce the provisions of
36 P.L.1967, c.76 (C.55:13A-1 et seq.) against the owner thereof.

37 (2) In addition to complying with the requirements of paragraph
38 (1) of this subsection, if the commissioner determines that a
39 violation of P.L.1967, c.76 (C.55:13A-1 et seq.) is a potentially
40 hazardous violation, then the commissioner shall comply with this
41 paragraph, and shall immediately send, by certified or ordinary
42 mail, and by electronic mail, a written notice, stating the manner in
43 which the hotel or multiple dwelling does not comply with
44 P.L.1967, c.76 (C.55:13A-1 et seq.) or regulations promulgated
45 thereunder and setting a date upon which the owner shall be
46 required to address the potentially hazardous violation. Such notice
47 shall be sent to:

- 1 (i) The mayor of the municipality in which the hotel or multiple
2 dwelling is located;
- 3 (ii) The administrator, business administrator, city manager,
4 township manager, municipal manager, or other municipal official
5 with executive authority not vested in the mayor of the municipality
6 in which the hotel or multiple dwelling is located, as is applicable to
7 the municipality;
- 8 (iii) All members of the governing body of the municipality in
9 which the hotel or multiple dwelling is located;
- 10 (iv) The clerk, public information officer, or other municipal
11 official responsible for the distribution of communications to the
12 residents of the municipality, as applicable to the municipality; and
- 13 (v) The owner and operator of the hotel or multiple dwelling,
14 including, if applicable, to the property owner's last known address,
15 as determined through a review of local property tax and other
16 available records.
- 17 (3) If a notice issued by the commissioner pursuant to this
18 subsection concerns a potentially hazardous violation, then, in
19 addition to complying with paragraphs (1) and (2) of this
20 subsection, the commissioner and the owner and operator of a hotel
21 or multiple dwelling shall comply with this paragraph, and the
22 commissioner shall include as a part of the notice, a mailing
23 notification, which shall contain large, easily readable text, clearly
24 include the date by which the owner shall be required to address the
25 potentially hazardous violation, and be presented on distinctly
26 colored paper or other paper that is easily distinguishable from
27 other notices or communications otherwise sent by the
28 commissioner.
- 29 (4) The owner or operator of the hotel or multiple dwelling shall
30 address the potentially hazardous violation prior to the date required
31 by the commissioner in the notice issued pursuant to paragraphs (2)
32 and (3) of this subsection, and shall notify the municipality and the
33 department who may conduct an inspection, in the case of the
34 municipality, or a reinspection, in the case of the department, of the
35 hotel or multiple dwelling to determine whether the potentially
36 hazardous violation has been abated.
- 37 (5) If the owner or operator of the multiple dwelling fails to
38 abate the potentially hazardous violation by the date ordered by the
39 commissioner, then the owner or operator of the multiple dwelling
40 shall provide a hard copy of said mailing notification to each
41 existing resident of the multiple dwelling. The owner or operator of
42 the multiple dwelling shall additionally post a copy of the
43 notification in a conspicuous location in the lobby or common area
44 of the multiple dwelling, in which the information is most likely to
45 be viewed by residents or guests; and within 10 feet of the elevator
46 on each floor of the multiple dwelling, or, if the multiple dwelling
47 does not have an elevator, within 10 feet of, or in, the main
48 stairwell of each floor. A notification posted in a common area of

1 the multiple dwelling, pursuant to this subsection, may be removed
2 only after the commissioner issues to the owner and operator a
3 certificate of inspection as described in subsection (c) of this
4 section. For a hotel room or dwelling unit impacted by a potentially
5 hazardous violation, the owner or operator of any hotel or multiple
6 dwelling shall not enter a new lease for non-owner occupancy, or
7 make available for the same, such unit for such time as the hotel or
8 multiple dwelling is made to comply with the provisions of
9 P.L.1967, c.76 (C.55:13A-1 et seq.) and regulations promulgated
10 thereunder and the commissioner has issued to the owner and
11 operator thereof a certificate of inspection as described in
12 subsection (c) of this section. An administrator, business
13 administrator, city manager, township manager, municipal manager,
14 or other appropriate municipal official of the municipality in which
15 the hotel or multiple dwelling is located may, in their discretion,
16 verify that the owner or operator of the multiple dwelling has
17 posted the notification in compliance with this subsection.

18 (6) Once the owner or operator of the multiple dwelling abates
19 the potentially hazardous violation, then the owner or operator of
20 the multiple dwelling shall provide a notification to each existing
21 resident of the multiple dwelling describing the violation and the
22 steps taken to address it. The owner or operator of the multiple
23 dwelling shall additionally post a copy of the notification in a
24 conspicuous location in the lobby or common area of the multiple
25 dwelling, in which the information is most likely to be viewed by
26 residents or guests; and within 10 feet of the elevator on each floor
27 of the multiple dwelling, or, if the multiple dwelling does not have
28 an elevator, within 10 feet of, or in, the main stairwell of each floor.
29 An administrator, business administrator, city manager, township
30 manager, municipal manager, or other appropriate municipal
31 official of the municipality in which the multiple dwelling is located
32 may, in their discretion, verify that the owner or operator of the
33 multiple dwelling has posted the notification in compliance with
34 this subsection.

35 (e) The commissioner shall annually review the cost of
36 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.),
37 including the cost to municipalities of carrying out inspections
38 pursuant to section 21 of P.L.1967, c.76 (C.55:13A-21), and shall
39 establish by rule, not more frequently than once every three years,
40 such fees as may be necessary to cover the costs of such
41 implementation and enforcement; provided, however, that any
42 increase or decrease shall be applied as a uniform percentage to
43 each category of fee established herein, and provided, further, that
44 the percentage amount of any increase shall not exceed the
45 percentage increase in salaries paid to State employees since the
46 then current fee schedule was established. The commissioner shall
47 provide by rule to owners the option of paying inspection fees in
48 installments in the form of an annual fee. The commissioner shall

1 annually prepare and file with the presiding officers of the Senate
2 and General Assembly and the legislative committees having
3 jurisdiction in housing matters a report setting forth the amounts of
4 fees and penalties received by the Bureau of Housing Inspection,
5 the cost to the bureau of enforcing P.L.1967, c.76 (C.55:13A-1 et
6 seq.), and information concerning the productivity of the bureau.
7 Copies of the report shall also be submitted to the Office of
8 Administrative Law for publication in the New Jersey Register. If
9 in any State fiscal year the fee revenue received by the bureau
10 exceeds the cost of enforcement of P.L.1967, c.76 (C.55:13A-1 et
11 seq.), the excess revenue shall be distributed pro rata to persons
12 who paid inspection fees during that fiscal year. Such distribution
13 shall be made within three months after the end of the fiscal year.

14 (f) Except as otherwise provided in section 2 of P.L.1991,
15 c.179 (C.55:13A-26.1), the fees established by or pursuant to the
16 provisions of this section are dedicated to meeting the costs of
17 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.)
18 and shall not be used for any other purpose. All receipts in excess
19 of \$2,200,000 are hereby appropriated for the purposes of P.L.1967,
20 c.76 (C.55:13A-1 et seq.).³
21 (cf: P.L.2019, c.202, s.2)

22

23 3. Section 20 of P.L.1967, c.76 (C.55:13A-20) is amended to
24 read as follows:

25 20. (a) Notices, rules, decisions, and orders required or
26 permitted to be issued and served pursuant to P.L.1967, c.76
27 (C.55:13A-1 et seq.), except as otherwise provided for a notice of
28 noncompliance issued for a potentially hazardous violation pursuant
29 to paragraph (2) or (3) of subsection (d) of section 13 of P.L.1967,
30 c.76 (C.55:13A-13), shall be served as follows:

31 (1) On the owner:

32 (i) By mailing same by certified or ordinary mail to the person
33 designated as owner or agent on the certificate of registration or in
34 the municipal tax records or in the records of the Department of the
35 Treasury; or

36 (ii) By serving same on the owner, or upon a person authorized
37 to accept service on behalf of the owner in a civil matter, in
38 accordance with the Rules of Court.

39 (2) On the occupant:

40 (i) By mailing same by certified or ordinary mail to said
41 occupant;

42 (ii) By serving same on the Department of the Treasury, who
43 shall be deemed the owner's agent for service of process, provided
44 however, that reasonable efforts have first been made to serve the
45 owner or his agent by certified mail and that a copy of such notice
46 is posted in a conspicuous location on the premises. "Conspicuous
47 location" shall include the walls of the front vestibule or in any

1 common foyer or hallway immediately inside the main front
2 entrance; or

3 (iii) By leaving same at the dwelling unit of the occupant with a
4 competent member of the household of the age of 14 or over.

5 (b) The date of service shall be considered the date of personal
6 service, the date of other method of service authorized under this
7 section, or the date of the third day after mailing, whichever occurs
8 first.

9 (cf: P.L.2019, c.202, s.3)

10

11 4. On or before the first day of the third month next following
12 the enactment of P.L. , c. (C.) (pending before the
13 Legislature as this bill), the Commissioner of Community Affairs
14 shall adopt, pursuant to the "Administrative Procedures Act,"
15 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as
16 necessary for the implementation of P.L. , c. (C.) (pending
17 before the Legislature as this bill).

18

19 5. This act shall take effect on the first day of the third month
20 next following enactment, except that the Commissioner of
21 Community Affairs may take such anticipatory action as may be
22 necessary to effectuate the provisions of P.L. , c. (C.)
23 (pending before the Legislature as this bill).

24

25

26

27

28 _____
29 Enhances notice requirements and occupancy restrictions for
30 hotels and multiple dwellings following determination of potentially
hazardous condition.

ASSEMBLY, No. 5755

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED NOVEMBER 30, 2023

Sponsored by:

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/30/2023)

A5755 CARTER, SUMTER

2

1 AN ACT enhancing certain requirements related to hotel and
2 multiple dwelling violations, including notice requirements and
3 occupancy restrictions, and amending P.L.1967, c.76.

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

7
8 1. Section 3 of P.L.1967, c.76 (C.55:13A-3) is amended to read
9 as follows:

10 3. The following terms whenever used or referred to in
11 P.L.1967, c.76 (C.55:13A-1 et seq.) shall have the following
12 respective meanings for the purposes thereof, except in those
13 instances where the context clearly indicates otherwise:

14 (a) The term "act" shall mean P.L.1967, c.76 (C.55:13A-1 et
15 seq.), any amendments or supplements thereto, and any rules and
16 regulations promulgated thereunder.

17 (b) The term "accessory building" shall mean any building
18 which is used in conjunction with the main building of a hotel,
19 whether separate therefrom or adjoining thereto.

20 (c) (Deleted by amendment, P.L.2013, c.253.)

21 (d) The term "bureau" shall mean the Bureau of Housing
22 Inspection in the Department of Community Affairs.

23 (e) (Deleted by amendment.)

24 (f) The term "commissioner" shall mean the Commissioner of
25 Community Affairs.

26 (g) The term "department" shall mean the Department of
27 Community Affairs.

28 (h) The term "unit of dwelling space" or the term "dwelling
29 unit" shall mean any room or rooms, or suite or apartment thereof,
30 whether furnished or unfurnished, which is occupied, or intended,
31 arranged or designed to be occupied, for sleeping or dwelling
32 purposes by one or more persons, including but not limited to the
33 owner thereof, or any of the person's or persons' servants, agents or
34 employees, and shall include all privileges, services, furnishings,
35 furniture, equipment, facilities and improvements connected with
36 the use or occupancy thereof.

37 (i) The term "protective equipment" shall mean any equipment,
38 device, system or apparatus, whether manual, mechanical, electrical
39 or otherwise, permitted or required by the commissioner to be
40 constructed or installed in any hotel or multiple dwelling for the
41 protection of the occupants or intended occupants thereof, or of the
42 public generally.

43 (j) The term "hotel" shall mean any building, including but not
44 limited to any related structure, accessory building, and land
45 appurtenant thereto, and any part thereof, which contains 10 or

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 more units of dwelling space or has sleeping facilities for 25 or
2 more persons and is kept, used, maintained, advertised as, or held
3 out to be, a place where sleeping or dwelling accommodations are
4 available to transient or permanent guests.

5 This definition shall also mean and include any hotel, motor
6 hotel, motel, or established guesthouse, which is commonly
7 regarded as a hotel, motor hotel, motel, or established guesthouse,
8 as the case may be, in the community in which it is located;
9 provided, that this definition shall not be construed to include any
10 building or structure defined as a multiple dwelling in P.L.1967,
11 c.76 (C.55:13A-1 et seq.), registered as a multiple dwelling with the
12 Commissioner of Community Affairs as hereinafter provided, and
13 occupied or intended to be occupied as such nor shall this definition
14 be construed to include a rooming house or a boarding house as
15 defined in the "Rooming and Boarding House Act of 1979,"
16 P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth
17 in P.L.1987, c.270 (C.55:13A-7.5, 55:13A-7.6, 55:13A-12.1,
18 55:13A-13.2), any retreat lodging facility, as defined in this section.

19 (k) The term "multiple dwelling" shall mean any building or
20 structure of one or more stories and any land appurtenant thereto,
21 and any portion thereof, in which three or more units of dwelling
22 space are occupied, or are intended to be occupied by three or more
23 persons who live independently of each other. This definition shall
24 also mean any group of ten or more buildings on a single parcel of
25 land or on contiguous parcels under common ownership, in each of
26 which two units of dwelling space are occupied or intended to be
27 occupied by two persons or households living independently of
28 each other, and any land appurtenant thereto, and any portion
29 thereof. This definition shall not include:

30 (1) any building or structure defined as a hotel in P.L.1967, c.76
31 (C.55:13A-1 et seq.), or registered as a hotel with the Commissioner
32 of Community Affairs as hereinafter provided, or occupied or
33 intended to be occupied exclusively as such;

34 (2) a building section containing not more than four dwelling
35 units, provided the building has at least two exterior walls
36 unattached to any adjoining building section and the dwelling units
37 are separated exclusively by walls of such fire-resistant rating as
38 comports with the "State Uniform Construction Code Act,"
39 P.L.1975, c.217 (C.52:27D-119 et seq.) at the time of their
40 construction or with a rating as shall be established by the bureau in
41 conformity with recognized standards and the building is held under
42 a condominium or cooperative form of ownership, or by a mutual
43 housing corporation, provided that if any units within such a
44 building section are not occupied by an owner of the unit, then that
45 unit and the common areas within that building section shall not be
46 exempted from the definition of a multiple dwelling for the
47 purposes of P.L.1967, c.76 (C.55:13A-1 et seq.). A condominium
48 association, or a cooperative or mutual housing corporation shall

1 provide the bureau with any information necessary to justify an
2 exemption for a dwelling unit pursuant to this paragraph; or

3 (3) any building of three stories or less, owned or controlled by
4 a nonprofit corporation organized under any law of this State for the
5 primary purpose to provide for its shareholders or members housing
6 in a retirement community as same is defined under the provisions
7 of the "Retirement Community Full Disclosure Act," P.L.1969,
8 c.215 (C.45:22A-1 et seq.), provided that the corporation meets the
9 requirements of section 2 of P.L.1983, c.154 (C.55:13A-13.1).

10 (l) The term "owner" shall mean the person who owns, purports
11 to own, or exercises control of any hotel or multiple dwelling. The
12 term "owner" shall also mean and include any person who owns,
13 purports to own, or exercises control over three or more dwelling
14 units within a multiple dwelling.

15 (m) The term "person" shall mean any individual, corporation,
16 association, or other entity, as defined in R.S.1:1-2.

17 (n) The term "continuing violation" shall mean any violation of
18 P.L.1967, c.76 (C.55:13A-1 et seq.) or any regulation promulgated
19 thereunder, where notice is served within two years of the date of
20 service of a previous notice and where violation, premise and
21 person cited in both notices are substantially identical.

22 (o) The term "project" shall mean a group of buildings subject to
23 the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.), which are or
24 are represented to be under common or substantially common
25 ownership and which stand on a single parcel of land or parcels of
26 land which are contiguous and which group of buildings is named,
27 designated or advertised as a common entity. The contiguity of
28 such parcels shall not be adversely affected by public rights-of-way
29 incidental to such buildings.

30 (p) The term "mutual housing corporation" means a corporation
31 not-for-profit incorporated under the laws of New Jersey on a
32 mutual or cooperative basis within the scope of Title VI, s.607 of
33 the "Lanham Public War Housing Act," 54 Stat. 1125, 42 U.S.C.
34 s.1501 et seq., as amended, which acquired a National Defense
35 Housing Project pursuant to said act.

36 (q) "Condominium" means the form of ownership so defined in
37 the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.).

38 (r) "Cooperative" means a housing corporation or association
39 which entitles the holder of a share or membership interest thereof
40 to possess and occupy for dwelling purposes a house, apartment or
41 other structure owned or leased by said corporation or association,
42 or to lease or purchase a dwelling constructed or to be constructed
43 by said corporation or association.

44 (s) "Retreat lodging facility" means a building or structure,
45 including but not limited to any related structure, accessory
46 building, and land appurtenant thereto, and any part thereof, owned
47 by a nonprofit corporation or association which has tax-exempt
48 charitable status under the federal Internal Revenue Code and which

1 has sleeping facilities used exclusively on a transient basis by
2 persons participating in programs of a religious, cultural or
3 educational nature, conducted under the sole auspices of one or
4 more corporations or associations having tax-exempt charitable
5 status under the federal Internal Revenue Code, which are made
6 available without any mandatory charge to such participants.

7 (t) "Potentially hazardous violation" means an imminent hazard
8 to the health, safety, or welfare of the occupants or intended
9 occupants thereof, or of the public generally, or a deteriorating
10 structural, sanitary, or other condition that, if unaddressed, may
11 result in an imminent hazard prior to the next scheduled inspection
12 conducted pursuant to P.L.1967, c.76 (C.55:13A-1 et seq.).
13 (cf: P.L.2013, c.253, s.53)

14

15 2. Section 13 of P.L.1967, c.76 (C.55:13A-13) is amended to
16 read as follows:

17 13. (a) Each multiple dwelling and each hotel shall be inspected
18 for the purpose of determining the extent to which each hotel or
19 multiple dwelling complies with the provisions of P.L.1967, c.76
20 (C.55:13A-1 et seq.) and regulations promulgated hereunder. The
21 commissioner shall establish by regulation the frequency of
22 inspections, which shall be conducted as follows:

23 (1) each hotel shall be inspected at least once every five years;
24 and

25 (2) each multiple dwelling shall be categorized into the
26 following tiers based upon the number of reinspections required to
27 abate the violations that were served upon the owner following an
28 initial inspection:

29 (i) a multiple dwelling in which no violations are found or all
30 violations have been abated by the first reinspection shall be placed
31 in the highest tier and shall next be inspected in seven years, and
32 the inspection fee shall be due at that time;

33 (ii) a multiple dwelling in which all violations have been abated
34 by the second or third reinspection shall be placed in the middle tier
35 and shall next be inspected in five years, and the inspection fee
36 shall be due at that time;

37 (iii) a multiple dwelling in which all violations have not been
38 abated by the third reinspection shall be placed in the lowest tier
39 and shall next be inspected in two years, and the inspection fee shall
40 be due at that time.

41 (3) notwithstanding the provisions of paragraph (2) of this
42 section to the contrary, if the commissioner determines that tiered
43 inspection schedules do not adequately protect the health and safety
44 of residents of multiple dwellings, the commissioner may, by
45 regulation, require that cyclical inspections for multiple dwellings
46 occur once every five years.

47 (b) Within 30 days of the most recent inspection, the owner of
48 each hotel shall file with the commissioner, upon forms provided by

1 the commissioner, an application for a certificate of inspection.
2 Said application shall include such information as the commissioner
3 shall prescribe to enforce the provisions of this law. Said
4 application shall be accompanied by a fee as follows: \$15 per unit
5 of dwelling space for the first 20 units of dwelling space in any
6 building or project, \$12 per unit of dwelling space for the 21st
7 through 100th unit in any building or project, \$8 per unit of
8 dwelling space for the 101st through 250th unit in any building or
9 project, and \$5 per unit of dwelling space for all units over 250 in
10 any building or project, except that in the case of hotels open and
11 operating less than six months in each year the fee shall be one-half
12 that which would otherwise be required, or, as the case may be, the
13 fees established by rule for each of the foregoing pursuant to
14 subsection (e) of this section. A certificate of inspection and the
15 fees therefor shall not be required more often than once each
16 inspection cycle.

17 Additionally, there shall be reinspection fees for hotels in the
18 amount of \$10 for each dwelling unit reinspected or, as the case
19 may be, the fees established by rule for each of the foregoing
20 pursuant to subsection (e) of this section.

21 Within 30 days of the most recent inspection of any multiple
22 dwelling occupied or intended to be occupied by three or more
23 persons living independently of each other, the owner of each such
24 multiple dwelling shall file with the commissioner, upon forms
25 provided by the commissioner, an application for a certificate of
26 inspection. Said application shall include such information as the
27 commissioner shall prescribe to enforce the provisions of this law.
28 Said application shall be accompanied by a fee of \$33 per unit of
29 dwelling space for the first 7 units in any building or project, \$21
30 per unit of dwelling space for the 8th through the 24th unit in any
31 building or project, \$18 per unit for the 25th through the 48th unit
32 in any building or project, and \$12 per unit of dwelling space for all
33 units of dwelling space over 48 in any building or project, provided
34 that the maximum total fee for owner-occupied three-unit multiple
35 dwellings shall be limited to \$65 for owners having a household
36 income that is less than 80 percent of the median income for
37 households of similar size in the county in which the multiple
38 dwelling is located, and the maximum total fee for owner-occupied
39 four-unit multiple dwellings shall be limited to \$80 for owners
40 having a household income that is less than 80 percent of the
41 median income for households of similar size in the county in
42 which the multiple dwelling is located, or, as the case may be, the
43 fees established by rule for each of the foregoing pursuant to
44 subsection (e) of this section. A certificate of inspection and the
45 fees therefor shall not be required more often than once each
46 inspection cycle.

47 Additionally, there shall be reinspection fees for multiple
48 dwellings in the amount of \$40 for each dwelling unit reinspected,

1 or, as the case may be, the fees established by rule pursuant to
2 subsection (e) of this section, but only after the first reinspection.

3 The commissioner may waive the inspection fee for any unit
4 upon a finding that the unit has been thoroughly inspected within
5 the previous 12-month period under a municipal ordinance
6 requiring inspection upon change of occupancy in accordance with
7 the maintenance standards established by the commissioner under
8 P.L.1967, c.76 (C.55:13A-1 et seq.), and has received a municipal
9 certificate of occupancy as a result of that inspection.

10 If the commissioner finds that (1) a building has been thoroughly
11 inspected prior to resale since the most recent inspection in
12 accordance with this section, (2) the inspection prior to resale was
13 conducted by the municipality in accordance with the maintenance
14 standards established by the commissioner under P.L.1967, c.76
15 (C.55:13A-1 et seq.), and (3) a municipal certificate of occupancy
16 was issued as a result of that inspection, the commissioner may
17 accept the inspection done prior to resale in lieu of a current
18 inspection under this section. If the commissioner accepts an
19 inspection prior to resale in lieu of a current inspection, no fee shall
20 be charged for any inspection done by the commissioner within the
21 years remaining in the applicable inspection cycle after the date of
22 the inspection so accepted.

23 (c) If the commissioner determines, as a result of the most
24 recent inspection of any hotel or multiple dwelling as required by
25 subsection (a) of this section, that any hotel or multiple dwelling
26 complies with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
27 and regulations promulgated hereunder, then the commissioner shall
28 issue to the owner thereof, upon receipt of the application and fee as
29 required by subsection (b) of this section, a certificate of inspection.
30 Any owner to whom a certificate of inspection is issued shall keep
31 said certificate posted in a conspicuous location in the hotel or
32 multiple dwelling to which the certificate applies. The certificate of
33 inspection shall be in such form as may be prescribed by the
34 commissioner.

35 The commissioner may, upon finding a consistent pattern of
36 compliance with the maintenance standards established under
37 P.L.1967, c.76 (C.55:13A-1 et seq.) in at least 20 percent of the
38 units in a building or project, issue a certificate of inspection for the
39 building or project, in which case the inspection fee shall be
40 charged on the basis of the number of units inspected.

41 The commissioner may by rule establish standards for self-
42 inspection by condominium associations exercising control over
43 buildings of not more than three stories, constructed after 1976, and
44 certified by the local enforcing agency having jurisdiction as being
45 in compliance with the Uniform Fire Code promulgated pursuant to
46 P.L.1983, c.383 (C.52:27D-192 et seq.), in which at least 80 percent
47 of the dwelling units are occupied by the unit owners. The
48 commissioner shall issue a certificate of acceptance, which shall be

1 in lieu of a certificate of inspection, upon acceptance of any such
2 self-inspection and upon payment of a fee of \$25.

3 (d) (1) If the commissioner determines, as a result of the most
4 recent inspection of any hotel or multiple dwelling as required by
5 subsection (a) of this section, that any hotel or multiple dwelling
6 does not comply with the provisions of P.L.1967, c.76 (C.55:13A-1
7 et seq.) and regulations promulgated thereunder, then the
8 commissioner shall issue to the owner thereof a written notice
9 stating the manner in which any such hotel or multiple dwelling
10 does not comply with P.L.1967, c.76 (C.55:13A-1 et seq.) or
11 regulations promulgated thereunder. Said notice shall fix such date,
12 not less than 60 days nor more than 180 days, on or before which
13 any such hotel or multiple dwelling must comply with the
14 provisions of P.L.1967, c.76 (C.55:13A-1 et seq.) and regulations
15 promulgated thereunder. If any such hotel or multiple dwelling is
16 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
17 et seq.) and regulations promulgated thereunder on or before the
18 date fixed in said notice, then the commissioner shall issue to the
19 owner thereof a certificate of inspection as described in subsection
20 (c) of this section. If any such hotel or multiple dwelling is not
21 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
22 et seq.) and regulations promulgated thereunder on or before the
23 date fixed in said notice, then the commissioner shall not issue to
24 the owner thereof a certificate of inspection as described in
25 subsection (c) of this section, and shall enforce the provisions of
26 P.L.1967, c.76 (C.55:13A-1 et seq.) against the owner thereof.

27 (2) In addition to complying with the requirements of paragraph
28 (1) of this subsection, if the commissioner determines that a
29 violation of P.L.1967, c.76 (C.55:13A-1 et seq.) is a potentially
30 hazardous violation, then the commissioner shall comply with this
31 paragraph, and shall immediately send, by certified or ordinary
32 mail, and by electronic mail, a written notice, stating the manner in
33 which the hotel or multiple dwelling does not comply with
34 P.L.1967, c.76 (C.55:13A-1 et seq.) or regulations promulgated
35 thereunder, to:

36 (i) The mayor of the municipality in which the hotel or multiple
37 dwelling is located;

38 (ii) The administrator, business administrator, city manager,
39 township manager, municipal manager, or other municipal official
40 with executive authority not vested in the mayor of the municipality
41 in which the hotel or multiple dwelling is located, as is applicable to
42 the municipality;

43 (iii) All members of the governing body of the municipality in
44 which the hotel or multiple dwelling is located;

45 (iv) The clerk, public information officer, or other municipal
46 official responsible for the distribution of communications to the
47 residents of the municipality, as applicable to the municipality; and

1 (v) The owner and operator of the hotel or multiple dwelling,
2 including, if applicable, to the property owner's last known address,
3 as determined through a review of local property tax and other
4 available records.

5 (3) If a notice issued by the commissioner pursuant to this
6 subsection concerns a potentially hazardous violation, then, in
7 addition to complying with paragraphs (1) and (2) of this
8 subsection, the commissioner and the owner and operator of a hotel
9 or multiple dwelling shall comply with this paragraph, and the
10 commissioner shall include as a part of the notice a mailing
11 notification that shall contain large, easily readable text and be
12 presented on distinctly colored paper or other paper that is easily
13 distinguishable from other notices or communications otherwise
14 sent by the commissioner. The owner or operator of the hotel or
15 multiple dwelling shall provide a hard copy of said mailing
16 notification to each existing resident or guest of the hotel or
17 multiple dwelling. The owner or operator of the hotel or multiple
18 dwelling shall additionally post a copy of the notification in a
19 conspicuous location in the lobby or common area of the hotel or
20 multiple dwelling, in which the information is most likely to be
21 viewed by residents or guests; and within ten feet of the elevator on
22 each floor of the hotel or multiple dwelling, or, if the hotel or
23 multiple dwelling does not have an elevator, within ten feet of, or
24 in, the main stairwell of each floor. A notification posted in a
25 common area of the hotel or multiple dwelling, pursuant to this
26 subsection, may be removed only after the commissioner issues to
27 the owner and operator a certificate of inspection as described in
28 subsection (c) of this section. For a hotel room or dwelling unit
29 impacted by a potentially hazardous violation, the owner or
30 operator of any hotel or multiple dwelling shall not enter a new
31 lease for non-owner occupancy, or make available for the same,
32 such unit for such time as the hotel or multiple dwelling is made to
33 comply with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
34 and regulations promulgated thereunder and the commissioner has
35 issued to the owner and operator thereof a certificate of inspection
36 as described in subsection (c) of this section.

37 (e) The commissioner shall annually review the cost of
38 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.),
39 including the cost to municipalities of carrying out inspections
40 pursuant to section 21 of P.L.1967, c.76 (C.55:13A-21), and shall
41 establish by rule, not more frequently than once every three years,
42 such fees as may be necessary to cover the costs of such
43 implementation and enforcement; provided, however, that any
44 increase or decrease shall be applied as a uniform percentage to
45 each category of fee established herein, and provided, further, that
46 the percentage amount of any increase shall not exceed the
47 percentage increase in salaries paid to State employees since the
48 then current fee schedule was established. The commissioner shall

1 provide by rule to owners the option of paying inspection fees in
2 installments in the form of an annual fee. The commissioner shall
3 annually prepare and file with the presiding officers of the Senate
4 and General Assembly and the legislative committees having
5 jurisdiction in housing matters a report setting forth the amounts of
6 fees and penalties received by the Bureau of Housing Inspection,
7 the cost to the bureau of enforcing P.L.1967, c.76 (C.55:13A-1 et
8 seq.), and information concerning the productivity of the bureau.
9 Copies of the report shall also be submitted to the Office of
10 Administrative Law for publication in the New Jersey Register. If
11 in any State fiscal year the fee revenue received by the bureau
12 exceeds the cost of enforcement of P.L.1967, c.76 (C.55:13A-1 et
13 seq.), the excess revenue shall be distributed pro rata to persons
14 who paid inspection fees during that fiscal year. Such distribution
15 shall be made within three months after the end of the fiscal year.

16 (f) Except as otherwise provided in section 2 of P.L.1991, c.179
17 (C.55:13A-26.1), the fees established by or pursuant to the
18 provisions of this section are dedicated to meeting the costs of
19 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.)
20 and shall not be used for any other purpose. All receipts in excess
21 of \$2,200,000 are hereby appropriated for the purposes of P.L.1967,
22 c.76 (C.55:13A-1 et seq.).
23 (cf: P.L.2019, c.202, s.2)

24

25 3. Section 20 of P.L.1967, c.76 (C.55:13A-20) is amended to
26 read as follows:

27 20. (a) Notices, rules, decisions, and orders required or
28 permitted to be issued and served pursuant to P.L.1967, c.76
29 (C.55:13A-1 et seq.), except as otherwise provided for a notice of
30 noncompliance issued for a potentially hazardous violation pursuant
31 to paragraph (2) or (3) of subsection (d) of section 13 of P.L.1967,
32 c.76 (C.55:13A-13), shall be served as follows:

33 (1) On the owner:

34 (i) By mailing same by certified or ordinary mail to the person
35 designated as owner or agent on the certificate of registration or in
36 the municipal tax records or in the records of the Department of the
37 Treasury; or

38 (ii) By serving same on the owner, or upon a person authorized
39 to accept service on behalf of the owner in a civil matter, in
40 accordance with the Rules of Court.

41 (2) On the occupant:

42 (i) By mailing same by certified or ordinary mail to said
43 occupant;

44 (ii) By serving same on the Department of the Treasury, who
45 shall be deemed the owner's agent for service of process, provided
46 however, that reasonable efforts have first been made to serve the
47 owner or his agent by certified mail and that a copy of such notice
48 is posted in a conspicuous location on the premises. "Conspicuous

1 location" shall include the walls of the front vestibule or in any
2 common foyer or hallway immediately inside the main front
3 entrance; or

4 (iii) By leaving same at the dwelling unit of the occupant with a
5 competent member of the household of the age of 14 or over.

6 (b) The date of service shall be considered the date of personal
7 service, the date of other method of service authorized under this
8 section, or the date of the third day after mailing, whichever occurs
9 first.

10 (cf: P.L.2019, c.202, s.3)

11

12 4. On or before the first day of the third month next following
13 the enactment of P.L. , c. (C.) (pending before the
14 Legislature as this bill), the Commissioner of Community Affairs
15 shall adopt, pursuant to the "Administrative Procedures Act,"
16 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as
17 necessary for the implementation of P.L. , c. (C.) (pending
18 before the Legislature as this bill).

19

20 5. This act shall take effect on the first day of the third month
21 next following enactment, except that the Commissioner of
22 Community Affairs may take such anticipatory action as may be
23 necessary to effectuate the provisions of P.L. , c. (C.)
24 (pending before the Legislature as this bill).

25

26

27

STATEMENT

28

29 This bill would enhance notice requirements and occupancy
30 restrictions for hotels and multiple dwellings following a
31 determination of a potentially hazardous condition through an
32 inspection conducted pursuant to the "Hotel and Multiple Dwelling
33 Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL). As used in the
34 bill, potentially hazardous conditions would consist of imminent
35 hazards to health, safety or welfare, or a deteriorating structural,
36 sanitary, or other condition that, if unaddressed, may result in an
37 imminent hazard prior to the next scheduled inspection conducted
38 pursuant to the HMDL.

39 The bill provides that, if the Commissioner of Community
40 Affairs (commissioner) determines that a violation of the HMDL is
41 a potentially hazardous violation, then the commissioner would be
42 required to immediately send, by certified or ordinary mail, and by
43 electronic mail, a written notice, stating the manner in which the
44 hotel or multiple dwelling is out of compliance, to:

- 45 • The mayor of the municipality;
- 46 • The administrator, business administrator, city manager,
47 township manager, municipal manager, or other municipal

- 1 official with executive authority not vested in the mayor of
2 the municipality;
- 3 • All members of the governing body of the municipality in
4 which the hotel or multiple dwelling is located;
 - 5 • The clerk, public information officer, or other municipal
6 official responsible for the distribution of communications to
7 the residents of the municipality; and
 - 8 • The owner and operator of the hotel or multiple dwelling,
9 including, if applicable, to the property owner's last known
10 address.

11 Concerning a potentially hazardous violation, the bill requires
12 the commissioner to include the notice in a mailing with large,
13 easily readable text, presented on paper that is easily
14 distinguishable from other notices or communications. The bill
15 requires the owner or operator of the hotel or multiple dwelling to
16 provide a hard copy of the notice to each existing resident or guest
17 of the hotel or multiple dwelling. The bill also requires the owner
18 or operator of the hotel or multiple dwelling to additionally post a
19 copy of the notice in a conspicuous location in the lobby or
20 common area of the hotel or multiple dwelling, in which the
21 information is most likely to be viewed by residents or guests, and
22 within ten feet of the elevator on each floor of the hotel or multiple
23 dwelling, or, if the hotel or multiple dwelling does not have an
24 elevator, within ten feet of, or in, the main stairwell of each floor.
25 The bill permits a notice posted in a common area pursuant to this
26 bill to be removed only after the commissioner issues the owner and
27 operator a certificate of inspection. For a hotel room or dwelling
28 unit impacted by a potentially hazardous violation, the bill restricts
29 the owner or operator of any hotel or multiple dwelling from
30 entering a new lease for non-owner occupancy, or make available
31 for a new lease, for such time as the hotel or multiple dwelling is
32 made to comply with the HMDL.

33 The bill would take effect on the first day of the third month next
34 following enactment to provide time for the Commissioner of
35 Community Affairs to adopt rules and regulations to implement the
36 provisions of this bill.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5755

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2023

The Assembly Housing Committee reports favorably and with committee amendments Assembly Bill No. 5755.

As amended, this bill would enhance notice requirements and occupancy restrictions for hotels and multiple dwellings following a determination of a potentially hazardous condition through an inspection conducted pursuant to the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL). As used in the bill, potentially hazardous conditions would consist of imminent hazards to health, safety or welfare, or a deteriorating structural, sanitary, or other condition that, if unaddressed, may result in an imminent hazard prior to the next scheduled inspection conducted pursuant to the HMDL.

The bill provides that, if the Commissioner of Community Affairs (commissioner) determines that a violation of the HMDL is a potentially hazardous violation, then the commissioner would be required to immediately send, by certified or ordinary mail, and by electronic mail, a written notice, stating the manner in which the hotel or multiple dwelling is out of compliance, and setting a date by which the owner would be required to address the violation. The bill requires the notice to be sent, to:

- The mayor of the municipality;
- The administrator, business administrator, city manager, township manager, municipal manager, or other municipal official with executive authority not vested in the mayor of the municipality;
- All members of the governing body of the municipality in which the hotel or multiple dwelling is located;
- The clerk, public information officer, or other municipal official responsible for the distribution of communications to the residents of the municipality; and
- The owner and operator of the hotel or multiple dwelling, including, if applicable, to the property owner's last known address.

Concerning a potentially hazardous violation, the bill requires the commissioner to include the notice in a mailing with large, easily readable text, presented on paper that is easily distinguishable from

other notices or communications. The bill requires the owner or operator of the hotel or multiple dwelling to provide a hard copy of the notice to each existing resident or guest of the hotel or multiple dwelling. The bill also requires the owner or operator of the hotel or multiple dwelling to additionally post a copy of the notice in a conspicuous location in the lobby or common area of the hotel or multiple dwelling, in which the information is most likely to be viewed by residents or guests, and within ten feet of the elevator on each floor of the hotel or multiple dwelling, or, if the hotel or multiple dwelling does not have an elevator, within ten feet of, or in, the main stairwell of each floor. The bill permits a notice posted in a common area pursuant to this bill to be removed only after the commissioner issues the owner and operator a certificate of inspection. For a hotel room or dwelling unit impacted by a potentially hazardous violation, the bill restricts the owner or operator of any hotel or multiple dwelling from entering a new lease for non-owner occupancy, or making available for a new lease, for such time as the hotel or multiple dwelling is made to comply with the HMDL.

The bill would take effect on the first day of the third month next following enactment to provide time for the Commissioner of Community Affairs to adopt rules and regulations to implement the provisions of this bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to require the notice that the bill requires to be sent, concerning the manner in which a hotel or multiple dwelling is out of compliance with the requirements of the HMDL, also set a date by which the owner would be required to address the violation.

The committee amendments also expressly permit a municipal official to verify that the owner or operator of the hotel or multiple dwelling has posted the violation notification in compliance with the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5755

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 18, 2023

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 5755 (1R).

As amended, this bill would enhance notice requirements and occupancy restrictions for hotels and multiple dwellings following a determination of a potentially hazardous condition through an inspection conducted pursuant to the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL). As used in the bill, potentially hazardous conditions would consist of imminent hazards to health, safety or welfare, or a deteriorating structural, sanitary, or other condition that, if unaddressed, may result in an imminent hazard prior to the next scheduled inspection conducted pursuant to the HMDL.

The bill provides that, if the Commissioner of Community Affairs (commissioner) determines that a violation of the HMDL is a potentially hazardous violation, then the commissioner would be required to immediately send, by certified or ordinary mail, and by electronic mail, a written notice, stating the manner in which the hotel or multiple dwelling is out of compliance, and setting a date by which the owner would be required to address the violation. The bill requires the notice to be sent, to:

- The mayor of the municipality;
- The administrator, business administrator, city manager, township manager, municipal manager, or other municipal official with executive authority not vested in the mayor of the municipality;
- All members of the governing body of the municipality in which the hotel or multiple dwelling is located;
- The clerk, public information officer, or other municipal official responsible for the distribution of communications to the residents of the municipality; and
- The owner and operator of the hotel or multiple dwelling, including, if applicable, to the property owner's last known address.

Concerning a potentially hazardous violation, the bill requires the commissioner to include, as part of the notice, a mailing notification with large, easily readable text, presented on paper that is easily distinguishable from other notices or communications, and which provides the date by which the owner would be required to address the violation. The bill requires the owner or operator of the hotel or multiple dwelling to provide a hard copy of the notice to each existing resident or guest of the hotel or multiple dwelling if the violation is not addressed by the date required by the commissioner. If the violation is not addressed by the date required by the commissioner, the bill also requires the owner or operator of the hotel or multiple dwelling to post notice of the violation in a conspicuous location in the lobby or common area of the hotel or multiple dwelling, in which the information is most likely to be viewed by residents or guests, and within 10 feet of the elevator on each floor of the hotel or multiple dwelling, or, if the hotel or multiple dwelling does not have an elevator, within 10 feet of, or in, the main stairwell of each floor. The bill permits a notice posted in a common area pursuant to this bill to be removed only after the commissioner issues the owner and operator a certificate of inspection. After the potentially hazardous condition violation is addressed, the bill also requires the owner or operator to post information about the violation, and measures taken to address it in a conspicuous location in the building.

The bill would authorize a municipal official to verify that the owner or operator of a hotel or multiple dwelling has posted notifications for residents and guests concerning potentially hazardous condition violations, and efforts to address those violations, when required.

For a hotel room or dwelling unit impacted by a potentially hazardous violation, the bill restricts the owner or operator of any hotel or multiple dwelling from entering a new lease for non-owner occupancy, or making available for a new lease, for such time as the hotel or multiple dwelling is made to comply with the HMDL.

The bill would take effect on the first day of the third month next following enactment to provide time for the Commissioner of Community Affairs to adopt rules and regulations to implement the provisions of this bill.

COMMITTEE AMENDMENTS:

The committee amendments to the bill would:

- Require the commissioner to inform an owner or operator of a hotel and multiple dwelling of the date by which a potentially hazardous violation must be addressed when providing notice of the violation, in a mailing notification included as part of the notice, as specified in the bill;
- Require an owner or operator of a hotel or multiple dwelling to notify residents and guests of a potentially hazardous condition

violation individually, only if the violation is not addressed by the date required by the commissioner;

- Require an owner or operator of a hotel or multiple dwelling, after a potentially hazardous condition violation is addressed, to post information about the violation, and measures taken to address it, in a conspicuous location in the building;
- Authorize a municipal official to verify that the owner or operator of a hotel or multiple dwelling has posted notifications for residents and guests concerning potentially hazardous condition violations, and efforts to address those violations, when required; and
- Make technical changes.

FISCAL IMPACT:

This bill has not been certified for a fiscal note.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

[Second Reprint] **ASSEMBLY, No. 5755**

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 4, 2024

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Assembly Bill No. 5755 (2R).

As amended and reported, this bill enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following a determination of a potentially hazardous condition, as defined in the bill, through an inspection conducted pursuant to the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL).

The bill provides that, if the Commissioner of Community Affairs (commissioner) determines that a violation of the HMDL is a potentially hazardous violation, then the commissioner is to be required to immediately send, by certified or ordinary mail, and by electronic mail, a written notice, stating the manner in which the hotel or multiple dwelling is out of compliance, and setting a date by which the owner is to be required to address the violation. The bill requires the notice to be sent, to:

- the mayor of the municipality;
- the administrator, business administrator, city manager, township manager, municipal manager, or other municipal official with executive authority not vested in the mayor of the municipality;
- all members of the governing body of the municipality in which the hotel or multiple dwelling is located;
- the clerk, public information officer, or other municipal official responsible for the distribution of communications to the residents of the municipality; and
- the owner and operator of the hotel or multiple dwelling, including, if applicable, to the property owner's last known address.

Concerning a potentially hazardous violation, the bill requires the commissioner to include, as part of the notice, a mailing notification with large, easily readable text, presented on paper that is easily distinguishable from other notices or communications, and which

provides the date by which the owner is to be required to address the violation. The bill requires the owner or operator of multiple dwellings to provide a hard copy of the notice to each existing resident of the multiple dwelling if the violation is not addressed by the date required by the commissioner. If the violation is not addressed by the date required by the commissioner, the bill also requires the owner or operator of the multiple dwelling to post notice of the violation in a conspicuous location in the lobby or common area of the multiple dwelling, in which the information is most likely to be viewed by residents or guests, and within 10 feet of the elevator on each floor of the multiple dwelling, or, if the multiple dwelling does not have an elevator, within 10 feet of, or in, the main stairwell of each floor. The bill permits a notice posted in a common area pursuant to this bill to be removed only after the commissioner issues the owner and operator a certificate of inspection. After the potentially hazardous condition violation is addressed, the bill also requires the owner or operator to post information about the violation, and measures taken to address it in a conspicuous location in the building.

The bill authorizes a municipal official to verify that the owner or operator of a multiple dwelling has posted notifications for residents concerning potentially hazardous condition violations, and efforts to address those violations, when required.

For a hotel room or dwelling unit impacted by a potentially hazardous violation, the bill restricts the owner or operator of any hotel or multiple dwelling from entering a new lease for non-owner occupancy, or making available for a new lease, for such time as the hotel or multiple dwelling is made to comply with the HMDL.

As amended and reported by the committee, this bill is identical to Senate Bill No. 4183, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to make technical changes to correctly incorporate two prior amendments to section 13 of P.L.1967, c.76 (C.55:13A-13) into a single operation, and to restrict certain notification requirements for owners and operators to just owners or operators of multiple dwellings and not to owners or operators of hotels, in conformance with the committee's amendments to Senate Bill No. 4183.

SENATE, No. 4183

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED DECEMBER 4, 2023

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator TROY SINGLETON

District 7 (Burlington)

SYNOPSIS

Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/7/2023)

S4183 SCUTARI, SINGLETON

2

1 AN ACT enhancing certain requirements related to hotel and
2 multiple dwelling violations, including notice requirements and
3 occupancy restrictions, and amending P.L.1967, c.76.

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

7
8 1. Section 3 of P.L.1967, c.76 (C.55:13A-3) is amended to read
9 as follows:

10 3. The following terms whenever used or referred to in
11 P.L.1967, c.76 (C.55:13A-1 et seq.) shall have the following
12 respective meanings for the purposes thereof, except in those
13 instances where the context clearly indicates otherwise:

14 (a) The term "act" shall mean P.L.1967, c.76 (C.55:13A-1 et
15 seq.), any amendments or supplements thereto, and any rules and
16 regulations promulgated thereunder.

17 (b) The term "accessory building" shall mean any building
18 which is used in conjunction with the main building of a hotel,
19 whether separate therefrom or adjoining thereto.

20 (c) (Deleted by amendment, P.L.2013, c.253.)

21 (d) The term "bureau" shall mean the Bureau of Housing
22 Inspection in the Department of Community Affairs.

23 (e) (Deleted by amendment.)

24 (f) The term "commissioner" shall mean the Commissioner of
25 Community Affairs.

26 (g) The term "department" shall mean the Department of
27 Community Affairs.

28 (h) The term "unit of dwelling space" or the term "dwelling
29 unit" shall mean any room or rooms, or suite or apartment thereof,
30 whether furnished or unfurnished, which is occupied, or intended,
31 arranged or designed to be occupied, for sleeping or dwelling
32 purposes by one or more persons, including but not limited to the
33 owner thereof, or any of the person's or persons' servants, agents or
34 employees, and shall include all privileges, services, furnishings,
35 furniture, equipment, facilities and improvements connected with
36 the use or occupancy thereof.

37 (i) The term "protective equipment" shall mean any equipment,
38 device, system or apparatus, whether manual, mechanical, electrical
39 or otherwise, permitted or required by the commissioner to be
40 constructed or installed in any hotel or multiple dwelling for the
41 protection of the occupants or intended occupants thereof, or of the
42 public generally.

43 (j) The term "hotel" shall mean any building, including but not
44 limited to any related structure, accessory building, and land
45 appurtenant thereto, and any part thereof, which contains 10 or

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 more units of dwelling space or has sleeping facilities for 25 or
2 more persons and is kept, used, maintained, advertised as, or held
3 out to be, a place where sleeping or dwelling accommodations are
4 available to transient or permanent guests.

5 This definition shall also mean and include any hotel, motor
6 hotel, motel, or established guesthouse, which is commonly
7 regarded as a hotel, motor hotel, motel, or established guesthouse,
8 as the case may be, in the community in which it is located;
9 provided, that this definition shall not be construed to include any
10 building or structure defined as a multiple dwelling in P.L.1967,
11 c.76 (C.55:13A-1 et seq.), registered as a multiple dwelling with the
12 Commissioner of Community Affairs as hereinafter provided, and
13 occupied or intended to be occupied as such nor shall this definition
14 be construed to include a rooming house or a boarding house as
15 defined in the "Rooming and Boarding House Act of 1979,"
16 P.L.1979, c.496 (C.55:13B-1 et al.) or, except as otherwise set forth
17 in P.L.1987, c.270 (C.55:13A-7.5, 55:13A-7.6, 55:13A-12.1,
18 55:13A-13.2), any retreat lodging facility, as defined in this section.

19 (k) The term "multiple dwelling" shall mean any building or
20 structure of one or more stories and any land appurtenant thereto,
21 and any portion thereof, in which three or more units of dwelling
22 space are occupied, or are intended to be occupied by three or more
23 persons who live independently of each other. This definition shall
24 also mean any group of ten or more buildings on a single parcel of
25 land or on contiguous parcels under common ownership, in each of
26 which two units of dwelling space are occupied or intended to be
27 occupied by two persons or households living independently of
28 each other, and any land appurtenant thereto, and any portion
29 thereof. This definition shall not include:

30 (1) any building or structure defined as a hotel in P.L.1967, c.76
31 (C.55:13A-1 et seq.), or registered as a hotel with the Commissioner
32 of Community Affairs as hereinafter provided, or occupied or
33 intended to be occupied exclusively as such;

34 (2) a building section containing not more than four dwelling
35 units, provided the building has at least two exterior walls
36 unattached to any adjoining building section and the dwelling units
37 are separated exclusively by walls of such fire-resistant rating as
38 comports with the "State Uniform Construction Code Act,"
39 P.L.1975, c.217 (C.52:27D-119 et seq.) at the time of their
40 construction or with a rating as shall be established by the bureau in
41 conformity with recognized standards and the building is held under
42 a condominium or cooperative form of ownership, or by a mutual
43 housing corporation, provided that if any units within such a
44 building section are not occupied by an owner of the unit, then that
45 unit and the common areas within that building section shall not be
46 exempted from the definition of a multiple dwelling for the
47 purposes of P.L.1967, c.76 (C.55:13A-1 et seq.). A condominium
48 association, or a cooperative or mutual housing corporation shall

1 provide the bureau with any information necessary to justify an
2 exemption for a dwelling unit pursuant to this paragraph; or

3 (3) any building of three stories or less, owned or controlled by
4 a nonprofit corporation organized under any law of this State for the
5 primary purpose to provide for its shareholders or members housing
6 in a retirement community as same is defined under the provisions
7 of the "Retirement Community Full Disclosure Act," P.L.1969,
8 c.215 (C.45:22A-1 et seq.), provided that the corporation meets the
9 requirements of section 2 of P.L.1983, c.154 (C.55:13A-13.1).

10 (l) The term "owner" shall mean the person who owns, purports
11 to own, or exercises control of any hotel or multiple dwelling. The
12 term "owner" shall also mean and include any person who owns,
13 purports to own, or exercises control over three or more dwelling
14 units within a multiple dwelling.

15 (m) The term "person" shall mean any individual, corporation,
16 association, or other entity, as defined in R.S.1:1-2.

17 (n) The term "continuing violation" shall mean any violation of
18 P.L.1967, c.76 (C.55:13A-1 et seq.) or any regulation promulgated
19 thereunder, where notice is served within two years of the date of
20 service of a previous notice and where violation, premise and
21 person cited in both notices are substantially identical.

22 (o) The term "project" shall mean a group of buildings subject to
23 the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.), which are or
24 are represented to be under common or substantially common
25 ownership and which stand on a single parcel of land or parcels of
26 land which are contiguous and which group of buildings is named,
27 designated or advertised as a common entity. The contiguity of
28 such parcels shall not be adversely affected by public rights-of-way
29 incidental to such buildings.

30 (p) The term "mutual housing corporation" means a corporation
31 not-for-profit incorporated under the laws of New Jersey on a
32 mutual or cooperative basis within the scope of Title VI, s.607 of
33 the "Lanham Public War Housing Act," 54 Stat. 1125, 42 U.S.C.
34 s.1501 et seq., as amended, which acquired a National Defense
35 Housing Project pursuant to said act.

36 (q) "Condominium" means the form of ownership so defined in
37 the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.).

38 (r) "Cooperative" means a housing corporation or association
39 which entitles the holder of a share or membership interest thereof
40 to possess and occupy for dwelling purposes a house, apartment or
41 other structure owned or leased by said corporation or association,
42 or to lease or purchase a dwelling constructed or to be constructed
43 by said corporation or association.

44 (s) "Retreat lodging facility" means a building or structure,
45 including but not limited to any related structure, accessory
46 building, and land appurtenant thereto, and any part thereof, owned
47 by a nonprofit corporation or association which has tax-exempt
48 charitable status under the federal Internal Revenue Code and which

1 has sleeping facilities used exclusively on a transient basis by
2 persons participating in programs of a religious, cultural or
3 educational nature, conducted under the sole auspices of one or
4 more corporations or associations having tax-exempt charitable
5 status under the federal Internal Revenue Code, which are made
6 available without any mandatory charge to such participants.

7 (t) “Potentially hazardous violation” means an imminent hazard
8 to the health, safety, or welfare of the occupants or intended
9 occupants thereof, or of the public generally, or a deteriorating
10 structural, sanitary, or other condition that, if unaddressed, may
11 result in an imminent hazard prior to the next scheduled inspection
12 conducted pursuant to P.L.1967, c.76 (C.55:13A-1 et seq.).
13 (cf: P.L.2013, c.253, s.53)

14

15 2. Section 13 of P.L.1967, c.76 (C.55:13A-13) is amended to
16 read as follows:

17 13. (a) Each multiple dwelling and each hotel shall be inspected
18 for the purpose of determining the extent to which each hotel or
19 multiple dwelling complies with the provisions of P.L.1967, c.76
20 (C.55:13A-1 et seq.) and regulations promulgated hereunder. The
21 commissioner shall establish by regulation the frequency of
22 inspections, which shall be conducted as follows:

23 (1) each hotel shall be inspected at least once every five years;
24 and

25 (2) each multiple dwelling shall be categorized into the
26 following tiers based upon the number of reinspections required to
27 abate the violations that were served upon the owner following an
28 initial inspection:

29 (i) a multiple dwelling in which no violations are found or all
30 violations have been abated by the first reinspection shall be placed
31 in the highest tier and shall next be inspected in seven years, and
32 the inspection fee shall be due at that time;

33 (ii) a multiple dwelling in which all violations have been abated
34 by the second or third reinspection shall be placed in the middle tier
35 and shall next be inspected in five years, and the inspection fee
36 shall be due at that time;

37 (iii) a multiple dwelling in which all violations have not been
38 abated by the third reinspection shall be placed in the lowest tier
39 and shall next be inspected in two years, and the inspection fee shall
40 be due at that time.

41 (3) notwithstanding the provisions of paragraph (2) of this
42 section to the contrary, if the commissioner determines that tiered
43 inspection schedules do not adequately protect the health and safety
44 of residents of multiple dwellings, the commissioner may, by
45 regulation, require that cyclical inspections for multiple dwellings
46 occur once every five years.

47 (b) Within 30 days of the most recent inspection, the owner of
48 each hotel shall file with the commissioner, upon forms provided by

1 the commissioner, an application for a certificate of inspection.
2 Said application shall include such information as the commissioner
3 shall prescribe to enforce the provisions of this law. Said
4 application shall be accompanied by a fee as follows: \$15 per unit
5 of dwelling space for the first 20 units of dwelling space in any
6 building or project, \$12 per unit of dwelling space for the 21st
7 through 100th unit in any building or project, \$8 per unit of
8 dwelling space for the 101st through 250th unit in any building or
9 project, and \$5 per unit of dwelling space for all units over 250 in
10 any building or project, except that in the case of hotels open and
11 operating less than six months in each year the fee shall be one-half
12 that which would otherwise be required, or, as the case may be, the
13 fees established by rule for each of the foregoing pursuant to
14 subsection (e) of this section. A certificate of inspection and the
15 fees therefor shall not be required more often than once each
16 inspection cycle.

17 Additionally, there shall be reinspection fees for hotels in the
18 amount of \$10 for each dwelling unit reinspected or, as the case
19 may be, the fees established by rule for each of the foregoing
20 pursuant to subsection (e) of this section.

21 Within 30 days of the most recent inspection of any multiple
22 dwelling occupied or intended to be occupied by three or more
23 persons living independently of each other, the owner of each such
24 multiple dwelling shall file with the commissioner, upon forms
25 provided by the commissioner, an application for a certificate of
26 inspection. Said application shall include such information as the
27 commissioner shall prescribe to enforce the provisions of this law.
28 Said application shall be accompanied by a fee of \$33 per unit of
29 dwelling space for the first 7 units in any building or project, \$21
30 per unit of dwelling space for the 8th through the 24th unit in any
31 building or project, \$18 per unit for the 25th through the 48th unit
32 in any building or project, and \$12 per unit of dwelling space for all
33 units of dwelling space over 48 in any building or project, provided
34 that the maximum total fee for owner-occupied three-unit multiple
35 dwellings shall be limited to \$65 for owners having a household
36 income that is less than 80 percent of the median income for
37 households of similar size in the county in which the multiple
38 dwelling is located, and the maximum total fee for owner-occupied
39 four-unit multiple dwellings shall be limited to \$80 for owners
40 having a household income that is less than 80 percent of the
41 median income for households of similar size in the county in
42 which the multiple dwelling is located, or, as the case may be, the
43 fees established by rule for each of the foregoing pursuant to
44 subsection (e) of this section. A certificate of inspection and the
45 fees therefor shall not be required more often than once each
46 inspection cycle.

47 Additionally, there shall be reinspection fees for multiple
48 dwellings in the amount of \$40 for each dwelling unit reinspected,

1 or, as the case may be, the fees established by rule pursuant to
2 subsection (e) of this section, but only after the first reinspection.

3 The commissioner may waive the inspection fee for any unit
4 upon a finding that the unit has been thoroughly inspected within
5 the previous 12-month period under a municipal ordinance
6 requiring inspection upon change of occupancy in accordance with
7 the maintenance standards established by the commissioner under
8 P.L.1967, c.76 (C.55:13A-1 et seq.), and has received a municipal
9 certificate of occupancy as a result of that inspection.

10 If the commissioner finds that (1) a building has been thoroughly
11 inspected prior to resale since the most recent inspection in
12 accordance with this section, (2) the inspection prior to resale was
13 conducted by the municipality in accordance with the maintenance
14 standards established by the commissioner under P.L.1967, c.76
15 (C.55:13A-1 et seq.), and (3) a municipal certificate of occupancy
16 was issued as a result of that inspection, the commissioner may
17 accept the inspection done prior to resale in lieu of a current
18 inspection under this section. If the commissioner accepts an
19 inspection prior to resale in lieu of a current inspection, no fee shall
20 be charged for any inspection done by the commissioner within the
21 years remaining in the applicable inspection cycle after the date of
22 the inspection so accepted.

23 (c) If the commissioner determines, as a result of the most
24 recent inspection of any hotel or multiple dwelling as required by
25 subsection (a) of this section, that any hotel or multiple dwelling
26 complies with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
27 and regulations promulgated hereunder, then the commissioner shall
28 issue to the owner thereof, upon receipt of the application and fee as
29 required by subsection (b) of this section, a certificate of inspection.
30 Any owner to whom a certificate of inspection is issued shall keep
31 said certificate posted in a conspicuous location in the hotel or
32 multiple dwelling to which the certificate applies. The certificate of
33 inspection shall be in such form as may be prescribed by the
34 commissioner.

35 The commissioner may, upon finding a consistent pattern of
36 compliance with the maintenance standards established under
37 P.L.1967, c.76 (C.55:13A-1 et seq.) in at least 20 percent of the
38 units in a building or project, issue a certificate of inspection for the
39 building or project, in which case the inspection fee shall be
40 charged on the basis of the number of units inspected.

41 The commissioner may by rule establish standards for self-
42 inspection by condominium associations exercising control over
43 buildings of not more than three stories, constructed after 1976, and
44 certified by the local enforcing agency having jurisdiction as being
45 in compliance with the Uniform Fire Code promulgated pursuant to
46 P.L.1983, c.383 (C.52:27D-192 et seq.), in which at least 80 percent
47 of the dwelling units are occupied by the unit owners. The
48 commissioner shall issue a certificate of acceptance, which shall be

1 in lieu of a certificate of inspection, upon acceptance of any such
2 self-inspection and upon payment of a fee of \$25.

3 (d) (1) If the commissioner determines, as a result of the most
4 recent inspection of any hotel or multiple dwelling as required by
5 subsection (a) of this section, that any hotel or multiple dwelling
6 does not comply with the provisions of P.L.1967, c.76 (C.55:13A-1
7 et seq.) and regulations promulgated thereunder, then the
8 commissioner shall issue to the owner thereof a written notice
9 stating the manner in which any such hotel or multiple dwelling
10 does not comply with P.L.1967, c.76 (C.55:13A-1 et seq.) or
11 regulations promulgated thereunder. Said notice shall fix such date,
12 not less than 60 days nor more than 180 days, on or before which
13 any such hotel or multiple dwelling must comply with the
14 provisions of P.L.1967, c.76 (C.55:13A-1 et seq.) and regulations
15 promulgated thereunder. If any such hotel or multiple dwelling is
16 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
17 et seq.) and regulations promulgated thereunder on or before the
18 date fixed in said notice, then the commissioner shall issue to the
19 owner thereof a certificate of inspection as described in subsection
20 (c) of this section. If any such hotel or multiple dwelling is not
21 made to comply with the provisions of P.L.1967, c.76 (C.55:13A-1
22 et seq.) and regulations promulgated thereunder on or before the
23 date fixed in said notice, then the commissioner shall not issue to
24 the owner thereof a certificate of inspection as described in
25 subsection (c) of this section, and shall enforce the provisions of
26 P.L.1967, c.76 (C.55:13A-1 et seq.) against the owner thereof.

27 (2) In addition to complying with the requirements of paragraph
28 (1) of this subsection, if the commissioner determines that a
29 violation of P.L.1967, c.76 (C.55:13A-1 et seq.) is a potentially
30 hazardous violation, then the commissioner shall comply with this
31 paragraph, and shall immediately send, by certified or ordinary
32 mail, and by electronic mail, a written notice, stating the manner in
33 which the hotel or multiple dwelling does not comply with
34 P.L.1967, c.76 (C.55:13A-1 et seq.) or regulations promulgated
35 thereunder, to:

36 (i) The mayor of the municipality in which the hotel or multiple
37 dwelling is located;

38 (ii) The administrator, business administrator, city manager,
39 township manager, municipal manager, or other municipal official
40 with executive authority not vested in the mayor of the municipality
41 in which the hotel or multiple dwelling is located, as is applicable to
42 the municipality;

43 (iii) All members of the governing body of the municipality in
44 which the hotel or multiple dwelling is located;

45 (iv) The clerk, public information officer, or other municipal
46 official responsible for the distribution of communications to the
47 residents of the municipality, as applicable to the municipality; and

1 (v) The owner and operator of the hotel or multiple dwelling,
2 including, if applicable, to the property owner's last known address,
3 as determined through a review of local property tax and other
4 available records.

5 (3) If a notice issued by the commissioner pursuant to this
6 subsection concerns a potentially hazardous violation, then, in
7 addition to complying with paragraphs (1) and (2) of this
8 subsection, the commissioner and the owner and operator of a hotel
9 or multiple dwelling shall comply with this paragraph, and the
10 commissioner shall include as a part of the notice a mailing
11 notification that shall contain large, easily readable text and be
12 presented on distinctly colored paper or other paper that is easily
13 distinguishable from other notices or communications otherwise
14 sent by the commissioner. The owner or operator of the hotel or
15 multiple dwelling shall provide a hard copy of said mailing
16 notification to each existing resident or guest of the hotel or
17 multiple dwelling. The owner or operator of the hotel or multiple
18 dwelling shall additionally post a copy of the notification in a
19 conspicuous location in the lobby or common area of the hotel or
20 multiple dwelling, in which the information is most likely to be
21 viewed by residents or guests; and within ten feet of the elevator on
22 each floor of the hotel or multiple dwelling, or, if the hotel or
23 multiple dwelling does not have an elevator, within ten feet of, or
24 in, the main stairwell of each floor. A notification posted in a
25 common area of the hotel or multiple dwelling, pursuant to this
26 subsection, may be removed only after the commissioner issues to
27 the owner and operator a certificate of inspection as described in
28 subsection (c) of this section. For a hotel room or dwelling unit
29 impacted by a potentially hazardous violation, the owner or
30 operator of any hotel or multiple dwelling shall not enter a new
31 lease for non-owner occupancy, or make available for the same,
32 such unit for such time as the hotel or multiple dwelling is made to
33 comply with the provisions of P.L.1967, c.76 (C.55:13A-1 et seq.)
34 and regulations promulgated thereunder and the commissioner has
35 issued to the owner and operator thereof a certificate of inspection
36 as described in subsection (c) of this section.

37 (e) The commissioner shall annually review the cost of
38 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.),
39 including the cost to municipalities of carrying out inspections
40 pursuant to section 21 of P.L.1967, c.76 (C.55:13A-21), and shall
41 establish by rule, not more frequently than once every three years,
42 such fees as may be necessary to cover the costs of such
43 implementation and enforcement; provided, however, that any
44 increase or decrease shall be applied as a uniform percentage to
45 each category of fee established herein, and provided, further, that
46 the percentage amount of any increase shall not exceed the
47 percentage increase in salaries paid to State employees since the
48 then current fee schedule was established. The commissioner shall

1 provide by rule to owners the option of paying inspection fees in
2 installments in the form of an annual fee. The commissioner shall
3 annually prepare and file with the presiding officers of the Senate
4 and General Assembly and the legislative committees having
5 jurisdiction in housing matters a report setting forth the amounts of
6 fees and penalties received by the Bureau of Housing Inspection,
7 the cost to the bureau of enforcing P.L.1967, c.76 (C.55:13A-1 et
8 seq.), and information concerning the productivity of the bureau.
9 Copies of the report shall also be submitted to the Office of
10 Administrative Law for publication in the New Jersey Register. If
11 in any State fiscal year the fee revenue received by the bureau
12 exceeds the cost of enforcement of P.L.1967, c.76 (C.55:13A-1 et
13 seq.), the excess revenue shall be distributed pro rata to persons
14 who paid inspection fees during that fiscal year. Such distribution
15 shall be made within three months after the end of the fiscal year.

16 (f) Except as otherwise provided in section 2 of P.L.1991, c.179
17 (C.55:13A-26.1), the fees established by or pursuant to the
18 provisions of this section are dedicated to meeting the costs of
19 implementing and enforcing P.L.1967, c.76 (C.55:13A-1 et seq.)
20 and shall not be used for any other purpose. All receipts in excess
21 of \$2,200,000 are hereby appropriated for the purposes of P.L.1967,
22 c.76 (C.55:13A-1 et seq.).
23 (cf: P.L.2019, c.202, s.2)

24
25 3. Section 20 of P.L.1967, c.76 (C.55:13A-20) is amended to
26 read as follows:

27 20. (a) Notices, rules, decisions, and orders required or
28 permitted to be issued and served pursuant to P.L.1967, c.76
29 (C.55:13A-1 et seq.), except as otherwise provided for a notice of
30 noncompliance issued for a potentially hazardous violation pursuant
31 to paragraph (2) or (3) of subsection (d) of section 13 of P.L.1967,
32 c.76 (C.55:13A-13), shall be served as follows:

33 (1) On the owner:

34 (i) By mailing same by certified or ordinary mail to the person
35 designated as owner or agent on the certificate of registration or in
36 the municipal tax records or in the records of the Department of the
37 Treasury; or

38 (ii) By serving same on the owner, or upon a person authorized
39 to accept service on behalf of the owner in a civil matter, in
40 accordance with the Rules of Court.

41 (2) On the occupant:

42 (i) By mailing same by certified or ordinary mail to said
43 occupant;

44 (ii) By serving same on the Department of the Treasury, who
45 shall be deemed the owner's agent for service of process, provided
46 however, that reasonable efforts have first been made to serve the
47 owner or his agent by certified mail and that a copy of such notice
48 is posted in a conspicuous location on the premises. "Conspicuous

1 location" shall include the walls of the front vestibule or in any
2 common foyer or hallway immediately inside the main front
3 entrance; or

4 (iii) By leaving same at the dwelling unit of the occupant with a
5 competent member of the household of the age of 14 or over.

6 (b) The date of service shall be considered the date of personal
7 service, the date of other method of service authorized under this
8 section, or the date of the third day after mailing, whichever occurs
9 first.

10 (cf: P.L.2019, c.202, s.3)

11

12 4. On or before the first day of the third month next following
13 the enactment of P.L. , c. (C.) (pending before the
14 Legislature as this bill), the Commissioner of Community Affairs
15 shall adopt, pursuant to the "Administrative Procedures Act,"
16 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as
17 necessary for the implementation of P.L. , c. (C.) (pending
18 before the Legislature as this bill).

19

20 5. This act shall take effect on the first day of the third month
21 next following enactment, except that the Commissioner of
22 Community Affairs may take such anticipatory action as may be
23 necessary to effectuate the provisions of P.L. , c. (C.)
24 (pending before the Legislature as this bill).

25

26

27

STATEMENT

28

29 This bill would enhance notice requirements and occupancy
30 restrictions for hotels and multiple dwellings following a
31 determination of a potentially hazardous condition through an
32 inspection conducted pursuant to the "Hotel and Multiple Dwelling
33 Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL). As used in the
34 bill, potentially hazardous conditions would consist of imminent
35 hazards to health, safety or welfare, or a deteriorating structural,
36 sanitary, or other condition that, if unaddressed, may result in an
37 imminent hazard prior to the next scheduled inspection conducted
38 pursuant to the HMDL.

39 The bill provides that, if the Commissioner of Community
40 Affairs (commissioner) determines that a violation of the HMDL is
41 a potentially hazardous violation, then the commissioner would be
42 required to immediately send, by certified or ordinary mail, and by
43 electronic mail, a written notice, stating the manner in which the
44 hotel or multiple dwelling is out of compliance, to:

- 45 • The mayor of the municipality;
- 46 • The administrator, business administrator, city manager,
47 township manager, municipal manager, or other municipal

- 1 official with executive authority not vested in the mayor of
2 the municipality;
- 3 • All members of the governing body of the municipality in
4 which the hotel or multiple dwelling is located;
 - 5 • The clerk, public information officer, or other municipal
6 official responsible for the distribution of communications to
7 the residents of the municipality; and
 - 8 • The owner and operator of the hotel or multiple dwelling,
9 including, if applicable, to the property owner's last known
10 address.

11 Concerning a potentially hazardous violation, the bill requires
12 the commissioner to include the notice in a mailing with large,
13 easily readable text, presented on paper that is easily
14 distinguishable from other notices or communications. The bill
15 requires the owner or operator of the hotel or multiple dwelling to
16 provide a hard copy of the notice to each existing resident or guest
17 of the hotel or multiple dwelling. The bill also requires the owner
18 or operator of the hotel or multiple dwelling to additionally post a
19 copy of the notice in a conspicuous location in the lobby or
20 common area of the hotel or multiple dwelling, in which the
21 information is most likely to be viewed by residents or guests, and
22 within ten feet of the elevator on each floor of the hotel or multiple
23 dwelling, or, if the hotel or multiple dwelling does not have an
24 elevator, within ten feet of, or in, the main stairwell of each floor.
25 The bill permits a notice posted in a common area pursuant to this
26 bill to be removed only after the commissioner issues the owner and
27 operator a certificate of inspection. For a hotel room or dwelling
28 unit impacted by a potentially hazardous violation, the bill restricts
29 the owner or operator of any hotel or multiple dwelling from
30 entering a new lease for non-owner occupancy, or make available
31 for a new lease, for such time as the hotel or multiple dwelling is
32 made to comply with the HMDL.

33 The bill would take effect on the first day of the third month next
34 following enactment to provide time for the Commissioner of
35 Community Affairs to adopt rules and regulations to implement the
36 provisions of this bill.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 4183

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 4, 2024

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Senate Bill No. 4183.

As amended and reported, this bill enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following a determination of a potentially hazardous condition, as defined in the bill, through an inspection conducted pursuant to the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.) (HMDL).

The bill provides that, if the Commissioner of Community Affairs (commissioner) determines that a violation of the HMDL is a potentially hazardous violation, then the commissioner is to be required to immediately send, by certified or ordinary mail, and by electronic mail, a written notice, stating the manner in which the hotel or multiple dwelling is out of compliance, and setting a date by which the owner is to be required to address the violation. The bill requires the notice to be sent, to:

- the mayor of the municipality;
- the administrator, business administrator, city manager, township manager, municipal manager, or other municipal official with executive authority not vested in the mayor of the municipality;
- all members of the governing body of the municipality in which the hotel or multiple dwelling is located;
- the clerk, public information officer, or other municipal official responsible for the distribution of communications to the residents of the municipality; and
- the owner and operator of the hotel or multiple dwelling, including, if applicable, to the property owner's last known address.

Concerning a potentially hazardous violation, the bill requires the commissioner to include, as part of the notice, a mailing notification with large, easily readable text, presented on paper that is easily distinguishable from other notices or communications, and which provides the date by which the owner is to be required to address the violation. The bill requires the owner or operator of multiple dwellings to provide a hard copy of the notice to each existing resident

of the multiple dwelling if the violation is not addressed by the date required by the commissioner. If the violation is not addressed by the date required by the commissioner, the bill also requires the owner or operator of the multiple dwelling to post notice of the violation in a conspicuous location in the lobby or common area of the multiple dwelling, in which the information is most likely to be viewed by residents or guests, and within 10 feet of the elevator on each floor of the multiple dwelling, or, if the multiple dwelling does not have an elevator, within 10 feet of, or in, the main stairwell of each floor. The bill permits a notice posted in a common area pursuant to this bill to be removed only after the commissioner issues the owner and operator a certificate of inspection. After the potentially hazardous condition violation is addressed, the bill also requires the owner or operator to post information about the violation, and measures taken to address it in a conspicuous location in the building.

The bill authorizes a municipal official to verify that the owner or operator of a multiple dwelling has posted notifications for residents concerning potentially hazardous condition violations, and efforts to address those violations, when required.

For a hotel room or dwelling unit impacted by a potentially hazardous violation, the bill restricts the owner or operator of any hotel or multiple dwelling from entering a new lease for non-owner occupancy, or making available for a new lease, for such time as the hotel or multiple dwelling is made to comply with the HMDL.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 5755 (2R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- require the commissioner to inform an owner or operator of a hotel and multiple dwelling of the date by which a potentially hazardous violation must be addressed when providing notice of the violation, in a mailing notification included as part of the notice, as specified in the bill;
- require an owner or operator of a multiple dwelling to notify residents of a potentially hazardous condition violation individually, only if the violation is not addressed by the date required by the commissioner;
- require an owner or operator of a multiple dwelling, after a potentially hazardous condition violation is addressed, to post information about the violation, and measures taken to address it, in a conspicuous location in the building;

- authorize a municipal official to verify that the owner or operator of a multiple dwelling has posted notifications for residents and guests concerning potentially hazardous condition violations, and efforts to address those violations, when required; and
- make technical changes.

Governor Murphy Takes Action on Legislation

01/16/2024

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

SCS for S-281/ACS for A-3791 (Greenstein, Turner/Sumter, Reynolds-Jackson) – w/STATEMENT - Concerns automatic fire sprinkler systems within newly constructed townhouses

[Copy of Statement](#)

S-539wGR/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - Permits online purchase of eligible foods using WIC funds and use of WIC funds for grocery delivery charges

S-659/A-2014 (Oroho, Greenstein/Conaway, Wirths, Umba) - “Manufacturing in Higher Education Act”; requires various State entities to promote manufacturing career pathways for students and provides assistance to manufacturing industry

S-1110/A-3936 (Polistina, Singleton/Guardian, Swift, McClellan) - Authorizes CRDA to finance transportation projects between Atlantic City Airport and Atlantic City Tourism District

S-1662/A-3526 (Ruiz, Codey/Lampitt, Benson, Saucikie) - Requires NJ Youth Suicide Prevention Advisory Council to prepare report regarding suicide prevention instruction in public schools

S-1680wGR/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - Designates each community college in State as provider of allowable services under SNAP employment and training program

S-2076/ACS for A-3319 (Zwicker, Greenstein/McKnight, Lampitt) - Establishes “Twelfth Grade Postsecondary Transition Year Pilot Program” in Department of Education

S-2535wGR/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - Requires health benefits coverage of hearing aids and cochlear implants

S-2841/A-4292 (Scutari, Bramnick/Carter) - Raises minimum amount of liability coverage for commercial motor vehicles and autocabs

SCS for S-3080/ACS for-398 (Ruiz, Burgess/Caputo, Giblin, Tucker) - Establishes position of Youth Disconnection Prevention and Recovery Ombudsperson; establishes “School Disconnection Prevention Task Force”; appropriates \$200,000

S-3102/A-4715 (Smith, Singleton/Stanley, Benson) - Establishes uptime requirement for electric vehicle charging station incentive programs

S-3176/A-4760 (Greenstein, Smith/Swain, Haider, Tully) - Requires DEP and Drinking Water Quality Institute to perform study concerning regulation and treatment of perfluoroalkyl and polyfluoroalkyl substances

SCS for S-3632 and 3649w/GR/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - Requires labeling of non-flushable disposable wipes

S-3758/A-5343 (Cryan/Karabinchak) - Changes deadline for unaffiliated mail-in voters to declare their political party before primary election

S-3837/A-5438 (Pou, Cruz-Perez/Pintor Marin, Wimberly) - Clarifies process for administrative appropriations to UEZs

S-3897/A-5578 (Ruiz, Sarlo/Jasey, Carter, Reynolds-Jackson) - Authorizes Higher Education Student Assistance Authority to award annual summer tuition aid grants

S-4040/A-5881 (Polistina, Lagana/Tully, Guardian, Swift) - Concerns jurisdiction and operations of regional municipal courts

S-4084/A-5851 (Ruiz, Cruz-Perez/Moriarty, Calabrese, Moen) - Concerns temporary registration certificates and license plates

S-4130/A-5849 (Codey/Jasey, Tucker) - Special legislation to change name of “Township of South Orange Village” to “South Orange Village”; changes titles of certain municipal officials; permits nonpartisan municipal elections to be moved to November; permits stipend for governing body members

S-4206/A-5856 (Sarlo/Calabrese) - Changes number of signatures required on primary election petition to nominate certain municipal candidates in certain municipalities

S-4209/A-5879 (Sarlo/Pintor Marin) - Eliminates vote on school budgets for Type II school districts in April elections, except for separate proposals to spend above cap

S-4268/A-5911 (Scutari/Danielsen) - Permits certain special State officers to represent cannabis businesses

A-203/S-2884 (Rooney, Benson, Caputo/A.M. Bucco) - Authorizes creation of special license plates commemorating horse as State animal

A-1100/S-995 (Calabrese, Mukherji, McKnight/Ruiz, Stack) - Requires entities to remove abandoned lines and mark information on certain lines

A-1107/S-770 (Chaparro, Murphy, Mukherji/Pou, Beach) - Directs Chief Technology Officer to conduct study on impacts of redacting handwritten signatures published on State websites; allows for protocols for such redactions to be established by rules and regulations

ACS for A-1255/SS for S-1794 (Stanley, Conaway, Benson/Gopal, Singer) - Updates requirements and standards for authorization and prior authorization of health care services

A-1727/S-3300 (Speight, Reynolds-Jackson, Verrelli/Stanfield, Ruiz) - Requires Attorney General to perform outreach and provide services to victims of human trafficking under certain circumstances

A-1729/S-3550 (Speight, Reynolds-Jackson, McKnight/Greenstein, Ruiz) - Requires AG to address human trafficking in underserved communities

A-1755/S-2505 (McKeon, Calabrese, Conaway/Smith, Greenstein) - Requires installation of operational automatic rain sensor or smart sprinkler as condition of sale of certain real properties, and on certain commercial, retail, and industrial properties and common interest communities within specified timeframes

A-2146wGR/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - Creates State business assistance program to establish contracting agency procurement goals for socially and economically disadvantaged business enterprises

A-2581/S-2503 (Lampitt, Park/Beach) - Provides that certain cosmetology and hairstyling courses may be taught using distance learning technology

A-3142/S-1564 (Moen, Moriarty, Benson/Singleton, Corrado) - Authorizes grants to purchase and rehabilitate abandoned homes for homeless veterans

A-3211/S-2302 (Speight, Haider, Swain/Gopal, Ruiz) - Establishes “New Jersey Feminine Hygiene Products for the Homeless Act”

A-3980/S-2706 (Speight, McKnight, Atkins/Zwicker, Turner) - Grants child placed in resource family care and resource family parents the right to be notified when case manager or supervisor is assigned to child; grants child in resource family care right to be notified of certain property and benefits

A-4033wGR/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - Extends deadline for completion of school district’s annual audit

A-4049/S-3495 (McKnight, Reynolds-Jackson, Benson/Vitale, Johnson) - Provides for presumptive eligibility for home and community-based services and services provided through program of all-inclusive care for the elderly under Medicaid

A-4105/S-4202 (Lopez, Jimenez, Quijano/Vitale, Turner) - Establishes Interagency Council on Homelessness

A-4183/S-4264 (Haider/Singleton) - Concerns local unit filing requirement for certain shared services agreements

A-4212/S-2762 (Pintor Marin, Reynolds-Jackson, Verrelli/Ruiz, Cunningham) - Establishes Center for Career Relevant Education and Talent Evaluation of New Jersey at Thomas Edison State University

A-4337/S-4156 (Conaway, Atkins, Rooney/Singleton, Pou) - Requires Department of Health to provide information to Statewide 2-1-1 telephone system regarding the location of safe disposal sites for hypodermic syringes and needles and prescription drugs

ACS for A-4496/SCS for S-3247 (Coughlin, Lampitt, Karabinchak, Wimberly/Zwicker, Greenstein) - Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority; establishes "Charter School and Renaissance School Project Facilities Loan Program" in EDA

A-4522/S-3234 (Moen, McKnight, Quijano/Singer, Singleton) - Requires certain disclosures by sellers of single-family homes with solar panels installed

A-4691/S-1530 (Swain, DeAngelo, Speight/Greenstein, Zwicker) - Requires hazard mitigation plans to include climate change-related threat assessments and hazard prevention and mitigation strategies

A-4723/S-2740 (McKeon, Moriarty, Rooney/Codey, Scutari) - Requires motor vehicle dealer to offer to delete personal information in motor vehicles in certain situations

A-4791/S-3184 (Kennedy, Haider, McKeon/Diegnan, Sarlo) - Establishes "Resiliency and Environmental System Investment Charge Program"

ACS for A-4794/S-3224 (Benson, Mukherji/Singleton, Turner) - Requires request for proposal to establish demonstration projects to develop electric vehicle charging depots serviced by distributed energy resource charging centers for certain electric vehicle use

A-4814/S-1023 (Moen, Wimberly/Singleton, Gopal) - Removes expected family contribution from calculation of financial need under circumstances in which public institutions of higher education may reduce student's institutional financial aid

ACS for A-4821 and 4823wGR/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

A-4955/S-3531 (S. Kean, Thomson/Singer, Gopal) - Designates portion of State Highway Route 71 as "John Tarantino Highway"

A-5094/S-3476 (Spearman/Beach, Greenstein) - Concerns licensing of security officer companies

A-5227/S-3662 (Danielsen, Space/Smith, Oroho) - Expands eligibility for "fishing buddy license" fee

A-5285/SCS for S-3708 (Greenwald, Haider, Lopez/Greenstein, A.M. Bucco) - Requires copies of certain law enforcement records to be provided to victims of domestic violence upon request

A-5293/S-3746 (Greenwald, McKnight, Rooney/Gopal, Ruiz) - Concerns New Jersey Civic Information Consortium

A-5311/S-3061 (Verrelli, McKnight, Matsikoudis/Stanfield, Turner) - Enters New Jersey into Counseling Compact

A-5391/S-3765 (DeAngelo/Diegnan, Corrado) - Imposes conditions on drivers approaching disabled vehicles

A-5412/S-3850 (Greenwald, Swain, Jasey/Gopal, Singer) - Establishes nonpublic school transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for mandated nonpublic school busing

A-5416wGR/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - Requires State Board of Education to authorize alternate route to expedite teacher certification of persons employed as paraprofessionals in school districts

A-5442/S-3793 (Karabinchak, Conaway, McKeon/Smith, Greenstein) - Directs BPU to conduct study to determine feasibility, marketability, and costs of implementing large-scale geothermal heat pump systems in State

A-5462/S-3867 (Coughlin, McKnight, Speight/Vitale, Turner) - Revises law establishing Office of Food Security Advocate, and establishes certain conditions for use of monies appropriated to emergency food organizations

ACS for A-5495/SCS for S-3846 (Danielsen/Scutari, A.M. Bucco) - Clarifies types of firearms allowed to be carried or transported while hunting

A-5516/S-4047 (Reynolds-Jackson, Verrelli, Conaway/Burgess, Turner) - Requires certain health care professionals to undergo bias training

A-5565/S-3971 (S. Kean, Thomson/Gopal) - Provides that 10-year term does not apply to lease of certain municipal properties unless they are waterfront properties or related to waterfront concessions

A-5567/S-3807 (Torrissi, Calabrese/A.M. Bucco, Sarlo) - Extends period of usefulness of fire engines for bonding purposes from 10 to 20 years; eliminates exclusion of passenger cars and station wagons

A-5582/S-3781 (Swain, Simonsen/Lagana, Cryan) - Establishes grant program for NJ YouthBuild programs through DOLWD; makes appropriation

A-5610wGR/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - Revises penalties for possession or consumption of alcoholic beverages by underage persons

A-5748/S-4166 (Spearman, Moen, Moriarty/Cruz-Perez, Madden) - Amends definition of "participating county" under County Option Hospital Fee Program

A-5755/S-4183 (Carter, Sumter, Wimberly, Quijano/Scutari, Singleton) - Enhances notice requirements and occupancy restrictions for hotels and multiple dwellings following determination of potentially hazardous condition

A-5799/S-1472 (Moen, Moriarty/Beach, Stack) - Authorizes DOT to establish and administer toll collection and enforcement system on behalf of NJ toll authorities and to enter into reciprocal agreements for enforcement of toll violations with toll authorities from other states

A-5806/S-4165 (Moriarty, Sauickie/Greenstein, Oroho) - Appropriates \$48 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-5807/S-4138 (Freiman/Johnson, Schepisi) - Appropriates \$58 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-5808/S-4135 (Park, Freiman, Lopez/Beach, Turner) - Appropriates \$15,564,293 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

A-5809/S-4097 (Swain, Lopez, Sauickie/Zwicker, Gopal) - Amends lists of projects eligible to receive loans for environmental infrastructure projects from NJ Infrastructure Bank for FY 2024

A-5810/S-4098 (Sampson, Sauickie, Lopez/Greenstein, Stanfield) - Amends lists of environmental infrastructure projects approved for long-term funding by DEP under FY 2024 environmental infrastructure funding program

A-5828/S-4201 (Lopez/Vitale) - Authorizes State Treasurer to sell as surplus certain real property and improvements in Township of Woodbridge in Middlesex County

A-5835/S-4134 (Greenwald, Lampitt/Beach, Turner) - Authorizes regional authority to develop and operate regional rehabilitation and reentry center

A-5836/S-4212 (DeAngelo, Sumter, Wimberly/Gopal, Greenstein) - Makes supplemental appropriation of \$650,000 to New Jersey Division of State Police for trooper recruitment and retention

A-5910/S-4266 (Egan/Codey) - Increases annual salary of certain public employees and officers

AJR-200/SJR-138 (Park, Freiman, Calabrese/Lagana) - Designates November 22 of each year as Kimchi Day

Governor Murphy pocket vetoed the following bills:

S-2989/A-1739 (Pou, Singer/McKeon, Quijano, Flynn) - Makes certain for-profit debt adjusters eligible for licensing to conduct business in State

S-3172/A-4689 (Gopal, Turner/Lampitt, Matsikoudis, McKnight) - Establishes teacher certification route for candidates with Montessori teaching credentials

- S-3287/ACS for A-4852 and 1170 (Turner/Reynolds-Jackson, Jasey, Dunn, Wimberly, Calabrese, Spearman, Verrilli)** - Requires institutions of higher education to maintain supply and develop policy governing use of naloxone hydrochloride nasal spray for opioid overdose emergencies
- A-1476/S-930 (Benson, Dancer/Holzapfel, Diegnan)** - Exempts certain motor vehicles that are owned by certain nutrition programs and certain nonprofit organizations that offer social services from motor vehicle registration fees
- A-3642/S-665 (Wirths, Murphy, Benson, Oroho/Greenstein)** - Requires MVC to place designation on motor vehicle's registration information indicating registrant is deaf
- A-3945/S-1660 (Quijano, Reynolds-Jackson, Carter/Ruiz, Singleton)** - Establishes "Male Teachers of Color Mentorship Pilot Program"; appropriates \$95,000
- A-4177/S-2478 (Mosquera, Swain, McKnight, Tucker, Dunn/Ruiz, Vitale)** - Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment
- A-4396/S-2927 (Lampitt, Jasey, Caputo/Codey)** - Establishes timelines for review and approval by Commissioner of Education of annual certified audits submitted by approved private schools for students with disabilities
- A-4621/S-3156 (Mosquera, Greenwald, Swain/Madden)** - Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.
- A-4740/S-2970 (Mukherji, DeAngelo, McKnight/Cruz-Perez, Turner)** - Provides employee access to employee's employment records on file with DOLWD
- A-5294/S-1825 (Greenwald, Swain, Rooney/Steinhardt, Sarlo, Doherty)** - Exempts sales of investment metal bullion and investment coins from sales and use tax
- A-5893/S-4228 (Karabinchak, Calabrese, Sauckie/Gopal, Sarlo)** - Extends annual horse racing purse subsidies through State fiscal year 2029