

STATEMENT TO
[First Reprint]
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4496

with Assembly Floor Amendments
(Proposed by Assemblyman COUGHLIN)

ADOPTED: DECEMBER 7, 2023

The committee substitute for Assembly Bill No. 4496 (1R) revises the laws governing construction of school facilities projects and the operations of the New Jersey Schools Development Authority and establishes a loan program in the Economic Development Authority for school facilities projects of charter and renaissance schools.

These Assembly floor amendments to the committee substitute:

- Modify what is to be included in the capital improvement plan submitted by a district to the Commissioner of Education, as part of the district's submittal of its long-range facilities plan, after the effective date of the bill to remove enrollment projections;
- Provide that in order to qualify for a district aid percentage (DAP) increase under the provisions of the bill, a district is required to submit to the Schools Development Authority and Department of Education a certification, along with evidential documentation, attesting that the project's design incorporates the implementation of energy efficiency improvements or the installation of energy efficient features or equipment;
- Remove language that permitted on SDA district to which the development authority has delegated management of a school facilities project to enter into a contract for work with a person or firm that was previously debarred, suspended, or disqualified from State, development authority, or federal government contracting;
- Modify the percentage of payments in lieu of taxes that a municipality would remit to a board of education for the repayment of certain school facilities project bonds, from 60 percent to a portion of the payments in lieu of taxes that is sufficient for the full repayment of the bonds;
- Clarify that the pool of contractors available to address emergent conditions in SDA districts under a standing retainer agreement subject to the development authority's project labor agreement is for emergent projects and to add a reference to applicable law concerning project labor agreements;
- Provide that, in the event that the aggregate amount of a loan provided under the bill exceeds \$5 million for a school

facilities project, the Economic Development Authority is to require that the school facilities project be subject to the Schools Development Authority's project labor agreement;

- Modify the reversion process provided for in the Charter School and Renaissance School Project Facilities Loan Program; and
- Provide that a charter school or renaissance school project located in an SDA district may construct a facility with public funds other than federal funds, including loan funds received under the Charter School and Renaissance School Project Facilities Loan Program established under the bill, and be subject to the provisions of the "Public School Contracts Law," provided that the public funds are provided for a school facilities project approved under the provisions of the loan program;
- Make technical changes.