

**ASSEMBLY, No. 2390**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Co-Sponsored by:**

**Assemblyman Allen, Assemblywoman Donlon, Assemblyman Wimberly,**

**Assemblywomen Bagolie, Speight, Collazos-Gill and Hall**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Assembly Housing Committee with technical review.



**(Sponsorship Updated As Of: 2/12/2024)**

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

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

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

25       b.   For the purposes of this section:

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

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

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

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

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

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

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