

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3453

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2024

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3453.

This bill would extend and modify certain timelines related to the implementation are requirements of P.L.2023,c.265 in order to provide sufficient time for the Department of Community Affairs (DCA) to adopt necessary rules and regulations, and for developers to prepare to install sprinkler systems in townhouses.

Enacted in January 2024, P.L.2023, c.265 requires the installation of an automatic fire sprinkler system in new townhouses for which a construction permit application has not been declared complete prior to August 1, 2024, the first day of the seventh month following the statute's enactment. This bill would modify this requirement so that a construction permit application for a new townhouse subject to the one-and two-family dwelling subcode, adopted by the Commissioner of Community Affairs pursuant to section 5 of P.L.1975, c.217 (C.52:27D-123), would not be declared complete by the enforcing agency on or after the first day of the 25th month next following the date of enactment of P.L.2023, c.265, unless the construction permit application for the new townhouse contains provisions for the installation of an automatic fire sprinkler system in accordance with the requirements of P.L.2023, c.265.

The bill also specifies that the provisions of P.L.2023, c.265 would not apply to a development for which a developmental site plan or subdivision application has been submitted prior to the first day of the 25th month following the enactment of P.L.2023, c.265, including:

- (1) a preliminary or final approval from a municipal planning or zoning board memorialized by a resolution of approval;
- (2) developer's agreement;
- (3) a redevelopment agreement;
- (4) a payment in lieu of tax agreement;
- (5) a fair share plan or housing element that provides for the development, and is subject to a judgment of repose or compliance, an affordable housing settlement agreement, or other approval provided under the "Fair Housing Act" or Mount Laurel doctrine; or
- (6) a building permit.

P.L.2023, c.265 also requires the Commissioner of Community Affairs to adopt rules and regulations incorporating International Residential Code guidance pertaining to such installations by June 1,

2024, the first day of the fifth month following the date of that statute's enactment. The bill would modify this requirement to allow the commissioner until the first day of the 13th month following the enactment of this bill, instead of the enactment of P.L.2023, c.265, to adopt these rules and regulations.

FISCAL IMPACT:

This bill has not been certified for a fiscal note.