

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 386

STATE OF NEW JERSEY

DATED: OCTOBER 1, 2026

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 386.

As reported, this bill requires all qualified residential buildings to have fire barriers in common attic areas over and above the separations between adjoining dwelling units. The bill requires that three-hour rated fire barriers be installed in these common attic areas to slow the spread of fires, which would provide more time for residents to safely evacuate and limit the scope of any fires that firefighters have to combat, while also limiting property damage.

The bill defines a “qualified residential building” as any building or structure of three or more stories with two or more dwelling units.

The bill requires the Commissioner of Community Affairs to adopt common attic area fire barrier regulations, on or before the first day of the sixth month next following the bill’s effective date, for both new construction and existing buildings that would require a retrofit. For early stage new construction, an application for a construction permit cannot be declared complete without providing for fire barriers if the application is not yet declared complete on or before the adoption of regulations. All other qualified residential buildings have to comply with the fire barrier requirements within 180 days of the adoption of regulations.

The bill makes the common attic area fire barrier requirement a part of the “Hotel and Multiple Dwelling Law,” P.L.1967, c.76 (C.55:13A-1 et seq.). Accordingly, a multiple dwelling that meets the definition of a “qualified residential building” is to be inspected for compliance with this requirement as a part of the regular inspections under that law. A qualified residential building that does not meet the “multiple dwelling” definition is subject to these inspections for the limited purpose of ensuring compliance with this requirement.

This bill was prefiled for introduction in the 2026-2027 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.