

ASSEMBLY, No. 387

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman EDWARD H. THOMSON

District 30 (Monmouth and Ocean)

SYNOPSIS

Allows planning and zoning board members to satisfy training requirements on Internet.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the training of planning and zoning board
2 members and amending P.L.2005, c.133.

3

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

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7 1. Section 2 of P.L.2005, c.133 (C.40:55D-23.3) is amended to
8 read as follows:

9 2. a. The Commissioner of Community Affairs shall cause to
10 be prepared and offered a basic course in land use law and planning
11 within six months from the effective date of P.L.2005, c.133
12 (C.40:55D-23.3 et al.) for current and prospective members and
13 alternate members of local planning boards pursuant to section 14
14 of P.L.1975, c.291 (C.40:55D-23) and section 13 of P.L.1979, c.216
15 (C.40:55D-23.1), zoning boards of adjustment pursuant to section
16 56 of P.L.1975, c.291 (C.40:55D-69) and combined boards as
17 authorized under law. The basic course to be prepared and offered
18 pursuant to this section shall consist of no more than five hours of
19 scheduled instruction and shall be structured so that a member may
20 satisfy this requirement within one calendar day. The commissioner
21 shall make the course available through its Internet site within one
22 year of the effective date of P.L. , c. (pending before the
23 Legislature as this bill). The commissioner shall work in
24 conjunction with the New Jersey Planning Officials in establishing
25 standards for curriculum and administration of the course of study.

26 b. On or after the first date on which a course in land use law
27 and planning is offered, except as otherwise provided in section 3 of
28 P.L.2005, c.133 (C.40:55D-23.4), a person shall not be seated as a
29 first-term member or alternate member of a local planning board
30 pursuant to section 14 of P.L.1975, c.291 (C.40:55D-23) or section
31 13 of P.L.1979, c.216 (C.40:55D-23.1), a zoning board of
32 adjustment pursuant to section 56 of P.L.1975, c.291 (C.40:55D-69)
33 or a combined board as authorized under law, unless the person
34 agrees to take the basic course required to be offered under
35 subsection a. of this section, which the person shall successfully
36 complete within 18 months of assuming board membership in order
37 to retain board membership.

38 c. Except as otherwise provided in section 3 of P.L.2005, c.133
39 (C.40:55D-23.4), any person who is serving as a member or
40 alternate member of a planning board or zoning board of adjustment
41 or combined board as authorized under law on the first date on
42 which a course in land use law and planning is offered shall be
43 required to complete that course within 18 months of the date upon
44 which the course is first offered in order to retain membership on
45 that board.

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 d. A hearing or proceeding held, or decision or
2 recommendation made, by a planning board or zoning board of
3 adjustment shall not be invalidated if a member has participated in
4 the hearing or proceeding or in the decision making or
5 recommendation and that member is subsequently found not to have
6 completed the basic course in land use law and planning required
7 pursuant to P.L.2005, c.133 (C.40:55D-23.3 et al.).
8 (cf: P.L.2005, c.133, s.2)

9
10 2. This act shall take effect immediately.

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13 STATEMENT

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15 This bill would require the Commissioner of Community Affairs
16 to offer an on-line internet training course for members of planning
17 boards and zoning boards of adjustment who are currently required
18 to attend such training classes in person. Other mandatory training
19 programs, such as the training requirement imposed on campaign
20 treasurers pursuant to N.J.S.A. 19:44A-6, can be satisfied by
21 completing an on-line training program. This bill will allow board
22 members to become better trained without requiring them to take
23 time out of a work day or a weekend.