

ASSEMBLY, No. 1864

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROBERT AUTH

District 39 (Bergen and Passaic)

Assemblyman KEVIN J. ROONEY

District 40 (Bergen, Essex, Morris and Passaic)

Co-Sponsored by:

Assemblywoman B.DeCroce, Assemblymen McGuckin and Giblin

SYNOPSIS

Establishes “Affordable Housing Obligation Study Commission.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing the “Affordable Housing Obligation Study
2 Commission.”

3

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

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7 1 a. The Affordable Housing Obligation Study Commission is
8 created in, but not of, the Department of Community Affairs. The
9 commission shall be independent of any supervision or control by
10 the department except as expressly authorized under this act.

11 b. The commission shall consist of seven members as follows:
12 the Executive Director of the New Jersey Housing and Mortgage
13 and Finance Agency, ex officio, and six public members. Of the six
14 public members, one shall be appointed by the President of the
15 Senate, one shall be appointed by the Speaker of the General
16 Assembly, one shall be appointed by the Minority Leader of the
17 Senate, one shall be appointed by the Minority Leader of the
18 Assembly, and two shall be appointed by the Governor, one from a
19 list submitted by the League of Municipalities, and one from a list
20 submitted by the Fair Share Housing Center. A vacancy occurring
21 shall be filled in the same manner as the original appointment, but
22 for the unexpired term only.

23 c. The commission shall organize as soon as may be practicable
24 following the appointment of a quorum of its members, to elect a
25 chairperson, and to select a secretary, who need not be a member of
26 the commission. The commission may formulate and adopt rules of
27 procedure and operation in furtherance of its responsibilities. The
28 commission may divide itself into such subcommittees and task
29 forces, which task forces may include persons other than members
30 of the commission such as academics, government officers or
31 professionals, and may enter into such cooperative arrangements
32 with academic or research institutions, as it deems necessary to
33 accomplish its purposes. Persons serving on task forces other than
34 members of the commission shall serve at the appointment of the
35 chairperson and shall be non-voting participants in the task forces.
36 The commission may meet and hold hearings at such places and
37 times as it shall designate.

38 d. The members of the commission shall serve without
39 compensation, but shall be entitled to reimbursement for all
40 necessary expenses incurred in the performance of their duties.
41 Each member of the commission may be removed from office by
42 the Governor, for cause, upon notice and opportunity to be heard.

43 e. The duties of the commission shall be to:

44 (1) examine and study the history of affordable housing in New
45 Jersey and how past practices at the State and local level have
46 resulted in the State’s current legal framework.

47 (2) analyze past guidance from State agencies and advocacy
48 groups to municipalities with respect to methods of satisfying

1 existing and future affordable housing obligations to determine
2 whether such guidance has been effective.

3 (3) Analyze the actual and projected population increases in the
4 State, the number of affordable housing units actually needed to
5 serve the needs of residents.

6 (4) hold such public hearings and other activities as may be
7 desirable, at the discretion of the commission, to ensure adequate
8 public input into the preparation of a report.

9 (5) gather and disseminate such information on housing needs
10 and strategies as may be useful for the work of the commission and
11 informative to the public.

12 (6) prepare, adopt, and publish a report, not later than the 365th
13 day next following the organization of the commission, that
14 provides recommendations to municipalities regarding strategies
15 which could be utilized to meet affordable housing obligations, and
16 to State agencies on how best to assist municipalities in meeting
17 affordable housing obligations.

18 f. Upon the publication of the report by the commission
19 pursuant to this section, the commission shall immediately expire.

20 g. The Department of Community Affairs shall provide such
21 staff services as may be needed for the commission to carry out its
22 responsibilities, including assembly of necessary information and
23 statistics, preparation of draft reports and analyses, and preparation
24 of the report for review by the members of the commission.

25

26 2. This act shall take effect immediately and shall expire upon
27 the publication of the report by the commission pursuant to
28 subsection f. of section 1 of this act.

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31 STATEMENT

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33 This bill establishes the Affordable Housing Obligation Study
34 Commission. The commission would consist of seven members as
35 follows: the Executive Director of the New Jersey Housing and
36 Mortgage and Finance Agency, ex officio, and six public members.
37 Of the six public members, one would be appointed by the President
38 of the Senate, one appointed by the Speaker of the General
39 Assembly, one appointed by the Minority Leader of the Senate, one
40 appointed by the Minority Leader of the Assembly, and two
41 appointed by the Governor, one from a list submitted by the League
42 of Municipalities, and one from a list submitted by the Fair Share
43 Housing Center.

44 The commission would be required to:

45 (1) examine and study the history of affordable housing in New
46 Jersey and how past practices at the State and local level have
47 resulted in the State's current legal framework.

- 1 (2) analyze past guidance from State agencies and advocacy
2 groups to municipalities with respect to methods of satisfying
3 existing and future affordable housing obligations to determine
4 whether such guidance has been effective.
- 5 (3) Analyze the actual and projected population increases in the
6 State, the number of affordable housing units actually needed to
7 serve the needs of residents.
- 8 (4) hold such public hearings and other activities as may be
9 desirable, at the discretion of the commission, to ensure adequate
10 public input into the preparation of a report.
- 11 (5) gather and disseminate such information on housing needs
12 and strategies as may be useful for the work of the commission and
13 informative to the public.
- 14 (6) prepare, adopt, and publish a report, not later than the 365th
15 day next following the organization of the commission, that
16 provides recommendations to municipalities regarding strategies
17 which could be utilized to meet affordable housing obligations, and
18 to State agencies on how best to assist municipalities in meeting
19 affordable housing obligations.
- 20 Under the bill, the publication of the report by the commission
21 would trigger the immediate expiration of the commission.