

ASSEMBLY, No. 2152

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Co-Sponsored by:

Assemblymen Benson, McKeon, Coughlin, Assemblywomen Chaparro and Reynolds-Jackson

SYNOPSIS

Provides for priority consideration, by DCA, DEP, DOT, and municipalities, of permit applications for green building projects.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 7/20/2020)

1 AN ACT providing for priority consideration of permit applications
2 for green building projects and supplementing P.L.1975, c.291
3 and Titles 13, 27, and 52 of the Revised Statutes.
4

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

8 1. a. A municipal agency shall provide priority consideration
9 to any application for development associated with a green building
10 project submitted to the municipal agency for review pursuant to
11 the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et
12 seq.), provided the application includes a letter from a licensed
13 architect or engineer pursuant to subsection c. of this section.

14 b. A project shall qualify as a "green building project" if the
15 project has documented incorporation of site, water, energy, and
16 resource efficiency measures and demonstrable practices to promote
17 the health and well-being of the building occupants.
18 Documentation shall be submitted pursuant to subsection c. of this
19 section demonstrating that the project has been registered for
20 certification under the Leadership in Energy and Environmental
21 Design (LEED) Green Building Rating System as adopted by the
22 United States Green Building Council, or an alternative compliance
23 path in accordance with the American Society of Heating,
24 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard
25 189 minimum requirements, compliance with American National
26 Standards Institute (ANSI) 700 National Green Building Standard,
27 or compliance with minimum performance requirements of the
28 International Green Construction Code. The term "green building"
29 is reserved for projects which take a holistic approach and do not
30 focus on single measures, such as only energy performance.

31 c. An application receiving priority pursuant to subsection a. of
32 this section shall include a letter from a licensed architect or
33 engineer describing how the project qualifies as a green building
34 project pursuant to subsection b. of this section. The letter shall
35 include documentation demonstrating how the project qualifies as a
36 green building project and a narrative outlining the sustainable
37 attributes of the project in accordance with the rating systems and
38 standards set forth in subsection b. of this section.
39

40 2. a. The Department of Environmental Protection shall
41 provide priority consideration to any application for a permit,
42 approval, or other authorization issued by the department associated
43 with a green building project, provided the application includes a
44 letter from a licensed architect or engineer pursuant to subsection c.
45 of this section.

46 b. A project shall qualify as a "green building project" if the
47 project has documented incorporation of site, water, energy, and
48 resource efficiency measures and demonstrable practices to promote

1 the health and well-being of the building occupants.
2 Documentation shall be submitted pursuant to subsection c. of this
3 section demonstrating that the project has been registered for
4 certification under the Leadership in Energy and Environmental
5 Design (LEED) Green Building Rating System as adopted by the
6 United States Green Building Council, or an alternative compliance
7 path in accordance with the American Society of Heating,
8 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard
9 189 minimum requirements, compliance with American National
10 Standards Institute (ANSI) 700 National Green Building Standard,
11 or compliance with minimum performance requirements of the
12 International Green Construction Code. The term “green building”
13 is reserved for projects which take a holistic approach and do not
14 focus on single measures, such as only energy performance.

15 c. An application receiving priority pursuant to subsection a. of
16 this section shall include a letter from a licensed architect or
17 engineer describing how the project qualifies as a green building
18 project pursuant to subsection b. of this section. The letter shall
19 include documentation demonstrating how the project qualifies as a
20 green building project and a narrative outlining the sustainable
21 attributes of the project in accordance with the rating systems and
22 standards set forth in subsection b. of this section.

23
24 3. a. The Department of Transportation shall provide priority
25 consideration to any application for a permit, approval, or other
26 authorization issued by the department associated with a green
27 building project, provided the application includes a letter from a
28 licensed architect or engineer pursuant to subsection c. of this
29 section.

30 b. A project shall qualify as a “green building project” if the
31 project has documented incorporation of site, water, energy, and
32 resource efficiency measures and demonstrable practices to promote
33 the health and well-being of the building occupants.
34 Documentation shall be submitted pursuant to subsection c. of this
35 section demonstrating that the project has been registered for
36 certification under the Leadership in Energy and Environmental
37 Design (LEED) Green Building Rating System as adopted by the
38 United States Green Building Council, or an alternative compliance
39 path in accordance with the American Society of Heating,
40 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard
41 189 minimum requirements, compliance with American National
42 Standards Institute (ANSI) 700 National Green Building Standard,
43 or compliance with minimum performance requirements of the
44 International Green Construction Code. The term “green building”
45 is reserved for projects which take a holistic approach and do not
46 focus on single measures, such as only energy performance.

47 c. An application receiving priority pursuant to subsection a. of
48 this section shall include a letter from a licensed architect or

1 engineer describing how the project qualifies as a green building
2 project pursuant to subsection b. of this section. The letter shall
3 include documentation demonstrating how the project qualifies as a
4 green building project and a narrative outlining the sustainable
5 attributes of the project in accordance with the rating systems and
6 standards set forth in subsection b. of this section.

7
8 4. a. The Department of Community Affairs shall provide
9 priority consideration to any application for a permit, approval, or
10 other authorization issued by the department associated with a green
11 building project, provided the application includes a letter from a
12 licensed architect or engineer pursuant to subsection c. of this
13 section.

14 b. A project shall qualify as a “green building project” if the
15 project has documented incorporation of site, water, energy, and
16 resource efficiency measures and demonstrable practices to promote
17 the health and well-being of the building occupants.
18 Documentation shall be submitted pursuant to subsection c. of this
19 section demonstrating that the project has been registered for
20 certification under the Leadership in Energy and Environmental
21 Design (LEED) Green Building Rating System as adopted by the
22 United States Green Building Council, or an alternative compliance
23 path in accordance with the American Society of Heating,
24 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard
25 189 minimum requirements, compliance with American National
26 Standards Institute (ANSI) 700 National Green Building Standard,
27 or compliance with minimum performance requirements of the
28 International Green Construction Code. The term “green building”
29 is reserved for projects which take a holistic approach and do not
30 focus on single measures, such as only energy performance.

31 c. An application receiving priority pursuant to subsection a. of
32 this section shall include a letter from a licensed architect or
33 engineer describing how the project qualifies as a green building
34 project pursuant to subsection b. of this section. The letter shall
35 include documentation demonstrating how the project qualifies as a
36 green building project and a narrative outlining the sustainable
37 attributes of the project in accordance with the rating systems and
38 standards set forth in subsection b. of this section.

39
40 5. This act shall take effect immediately.

41
42

43 STATEMENT

44

45 This bill directs the Department of Community Affairs, the
46 Department of Environmental Protection, the Department of
47 Transportation, and municipal agencies to give priority consideration
48 to permit applications for green building projects.

1 Under the bill, a project would qualify as a “green building
2 project” if the project has documented incorporation of site, water,
3 energy, and resource efficiency measures and demonstrable practices
4 to promote the health and well-being of the building occupants. The
5 bill requires an application receiving priority consideration to include a
6 letter from a licensed architect or engineer describing how the project
7 qualifies as a green building project.