

[First Reprint]

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:

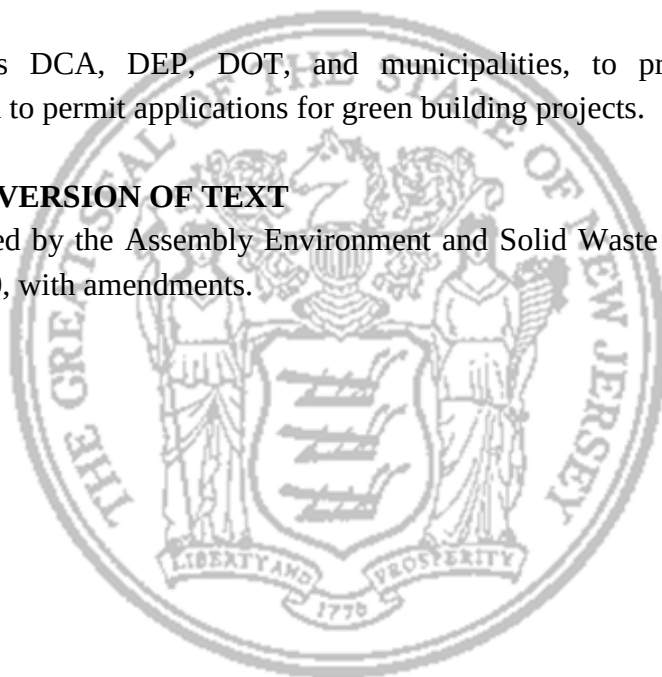
Assemblymen Benson, McKeon, Coughlin, Assemblywomen Chaparro and Reynolds-Jackson

SYNOPSIS

Authorizes DCA, DEP, DOT, and municipalities, to provide priority consideration to permit applications for green building projects.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on July 20, 2020, with amendments.



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

1 AN ACT ¹**【providing for】** concerning¹ priority consideration of
 2 permit applications for green building projects and
 3 supplementing P.L.1975, c.291 and Titles 13, 27, and 52 of the
 4 Revised Statutes.

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

8
 9 1. a. A ¹governing body of a municipality may enact an
 10 ordinance requiring a¹ municipal agency ¹**【shall】** to¹ provide
 11 priority consideration to any application for development associated
 12 with a green building project submitted to the municipal agency for
 13 review pursuant to the "Municipal Land Use Law," P.L.1975, c.291
 14 (C.40:55D-1 et seq.), provided the application includes a letter from
 15 a licensed architect or engineer pursuant to subsection c. of this
 16 section.

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

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

42
 43 2. a. The Department of Environmental Protection ¹**【shall】**
 44 may adopt, pursuant to the provisions of the "Administrative

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted July 20, 2020.

1 Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.), rules and
2 regulations that¹ provide priority consideration to any application
3 for a permit, approval, or other authorization issued by the
4 department associated with a green building project, provided the
5 application includes a letter from a licensed architect or engineer
6 pursuant to subsection c. of this section.

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

24 c. An application receiving priority pursuant to subsection a. of
25 this section shall include a letter from a licensed architect or
26 engineer describing how the project qualifies as a green building
27 project pursuant to subsection b. of this section. The letter shall
28 include documentation demonstrating how the project qualifies as a
29 green building project and a narrative outlining the sustainable
30 attributes of the project in accordance with the rating systems and
31 standards set forth in subsection b. of this section.

32
33 3. a. The Department of Transportation **'[shall] may adopt,**
34 pursuant to the provisions of the "Administrative Procedure Act,"
35 P.L. 1968, c. 410 (C. 52:14B-1 et seq.), rules and regulations that¹
36 provide priority consideration to any application for a permit,
37 approval, or other authorization issued by the department associated
38 with a green building project, provided the application includes a
39 letter from a licensed architect or engineer pursuant to subsection c.
40 of this section.

41 b. A project shall qualify as a "green building project" if the
42 project has documented incorporation of site, water, energy, and
43 resource efficiency measures and demonstrable practices to promote
44 the health and well-being of the building occupants.
45 Documentation shall be submitted pursuant to subsection c. of this
46 section demonstrating that the project has been registered for
47 certification under the Leadership in Energy and Environmental
48 Design (LEED) Green Building Rating System as adopted by the

1 United States Green Building Council, or an alternative compliance
2 path in accordance with the American Society of Heating,
3 Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard
4 189 minimum requirements, compliance with American National
5 Standards Institute (ANSI) 700 National Green Building Standard,
6 or compliance with minimum performance requirements of the
7 International Green Construction Code. The term “green building”
8 is reserved for projects which take a holistic approach and do not
9 focus on single measures, such as only energy performance.

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

18
19 4. a. The Department of Community Affairs ¹~~shall~~ may
20 adopt, pursuant to the provisions of the "Administrative Procedure
21 Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.), rules and regulations
22 that¹ provide priority consideration to any application for a permit,
23 approval, or other authorization issued by the department associated
24 with a green building project, provided the application includes a
25 letter from a licensed architect or engineer pursuant c.
26 of this section.

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

44 c. An application receiving priority pursuant to subsection a. of
45 this section shall include a letter from a licensed architect or
46 engineer describing how the project qualifies as a green building
47 project pursuant to subsection b. of this section. The letter shall
48 include documentation demonstrating how the project qualifies as a

1 green building project and a narrative outlining the sustainable
2 attributes of the project in accordance with the rating systems and
3 standards set forth in subsection b. of this section.

4

5 5. This act shall take effect immediately.