ASSEMBLY, No. 3239

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Assemblyman ERIK PETERSON
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Requires builders of new homes to provide owners with building plans.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning new homes and supplementing P.L.1977, c.467 (C.46:3B-1 et seq.)

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

1. A builder of a new home shall provide the owner or the owner's agent with one free copy of the building plans for the new home, which bears the seal of a licensed professional engineer or a licensed architect of the State, or in lieu thereof, an affidavit sworn to by the person who drew or prepared the same, on the first or title sheet of the building plans and any additional supportive information submitted, no more than 15 days prior to the commencement of construction of the new home. Failure to provide the building plans by the prescribed deadline is a violation of P.L.1977, c.467 (C.46:3B-1 et seq.), for which the builder shall be held liable under section 6 of P.L.1977, c.467 (C.46:3B-6). If the owner is required to enforce this provision by filing a complaint with the commissioner, then the commissioner may order the builder to provide the plans and reimburse the owner reasonable costs. The building plans shall not be subject to change without a written agreement signed by both the owner and the builder. The builder may charge the owner no more than the actual copying cost for a copy of any plan amended at the request of the owner following delivery of the initial copy of the building plans.

2. This act shall take effect immediately.

STATEMENT

This bill is based on recommendations contained in the report issued by the State Commission of Investigation in March, 2005 entitled "The Good, the Bad, and the Ugly: New Home Construction."

The bill requires a builder of a new home to provide the owner or the owner's agent with one free copy of the building plans for the new home, which bears the seal of a licensed professional engineer or a licensed architect of the State, or an affidavit sworn to by the person who drew or prepared the plans, on the first or title sheet of the building plans and any additional supportive information submitted, no more than 15 days prior to the commencement of construction of the new home. Failure to provide the building plans by the prescribed deadline is a violation of "The New Home Warranty and Builders' Registration Act," P.L.1977, c.467 (C.46:3B-1 et seq.), for which the builder shall be held liable under section 6 of P.L.1977, c.467 (C.46:3B-6), which may result in the suspension or revocation of the builder's certificate of registration.

If the owner is required to enforce this provision by filing a complaint with the commissioner, then the commissioner may order the builder to provide the plans and reimburse the owner reasonable costs. The building plans shall not be subject to change without a written agreement signed by both the owner and the builder. The builder may charge the owner no more than the actual copying cost for a copy of any plan amended at the request of the owner following delivery of the initial copy of the building plans.