SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4126

STATE OF NEW JERSEY

DATED: JUNE 10, 2020

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 4126 (1R).

This bill would permit local units and authorities to waive interest and lien enforcement for certain delinquent water and sewer utility payments during emergency circumstances.

Whenever the Governor declares a public health emergency or a state of emergency, or both, this bill would authorize that, for the duration of one or both of the emergency declarations and for a period up to 90 days thereafter, a sewerage authority, a county or municipal utilities authority, or a county or municipality responsible for the administration of a sewerage or water utility may, in its discretion, refrain from any combination of the following actions:

(1) charging interest on a delinquent payment;

(2) placing a lien on a parcel of real property for the unpaid balance for any service charge and all interest accruing thereon; or

(3) as applicable, discontinuing the service of any property for the failure to pay any amount owing.

The bill requires that the discretionary authority provided to local units and authorities would be applied consistently to all properties, or to all properties of the same use type or other appropriate category. In order for the discretionary authority provided by the bill to be available, the emergency would have to emerge in response to a flood, hurricane, superstorm, tornado, natural or other disaster, or public health emergency.

The bill would take effect immediately and would be retroactive to March 9, 2020.