SENATE, No. 149

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Senator HOLLY T. SCHEPISI
District 39 (Bergen and Passaic)
Senator GERALD CARDINALE
District 39 (Bergen and Passaic)

SYNOPSIS

Establishes “Affordable Housing Obligation Study Commission.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 3/25/2021)

AN ACT establishing the "Affordable Housing Obligation Study Commission."

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

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

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

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

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

e. The duties of the commission shall be to:

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

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

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

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

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

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

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

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

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

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

STATEMENT

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

The commission would be required to:

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

(2) analyze past guidance from State agencies and advocacy groups to municipalities with respect to methods of satisfying existing and future affordable housing obligations to determine whether such guidance has been effective.

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

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

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

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

Under the bill, the publication of the report by the commission would trigger the immediate expiration of the commission.