

ASSEMBLY, No. 2046

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex and Hudson)

SYNOPSIS

Prohibits sewerage authority from imposing connection fee in certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certain sewerage authority connection fees and
2 supplementing P.L.1946, c.138 (C.40:14A-1 et seq.).

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

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7 1. a. Notwithstanding the provisions of section 8 of P.L.1946,
8 c.138 (C.40:14A-8) or any other provision of law, rule, or
9 regulation to the contrary, a sewerage authority shall not impose a
10 new connection fee or tapping fee upon the owner or occupant of
11 property that is being redeveloped if the property has been
12 connected to the sewerage system for 20 or more years. This
13 exclusion shall apply regardless of whether:

14 (1) the property has not been in active use for a period of time
15 since initial connection to the sewerage system; or

16 (2) redevelopment of the property proposes an addition,
17 alteration, or change of use to the property, even if the proposed
18 addition, alteration, or change of use requires a modification and
19 relocation of an existing connection to the sewerage system.

20 b. As used in this section, the terms "redeveloped" and
21 "redevelopment" shall not be limited to redevelopment projects
22 authorized under the "Local Redevelopment and Housing Law,"
23 P.L.1992, c.79 (C.40A:12A-1 et seq.).

24 c. If prior to the date of enactment of this act a sewerage
25 authority imposed a new connection fee or tapping fee that is not
26 authorized under this section, and the owner or occupant of the
27 property paid the fee under protest, the authority shall reimburse the
28 amount paid to the owner or occupant.

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30 2. This act shall take effect immediately.

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STATEMENT

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35 This bill would encourage redevelopment of obsolete or vacant
36 property by prohibiting a sewerage authority from imposing a new
37 connection fee if the property being redeveloped was previously
38 connected to the sewerage system for 20 or more years. This
39 exclusion would apply although:

40 • the property has not been in active use for a period of time
41 since initial connection to the sewerage system, or

42 • the redevelopment project proposes an addition, alteration,
43 or change of use to the property, even if the proposed
44 addition, alteration, or change of use requires a modification
45 and relocation of an existing connection to the sewerage
46 system.

47 The bill would also require a sewage authority to reimburse the
48 fee for a new connection, paid in protest by the owner or occupant

1 of the property, that was imposed by the authority prior to the
2 effective date of the bill.

3 The Legislature has, in the past, recognized, and continues to
4 recognize, the value and benefit to the public of redeveloping
5 obsolete properties and vacant properties. The policy of the State
6 encourages redevelopment of obsolete properties and vacant
7 properties. Many redevelopment sites have been connected to
8 public sewerage systems for years. In some instances, past and
9 present owners of such sites have already contributed economically
10 to the sewerage systems either through direct cash payments, past
11 connection fees, or past service fees. In these instances, requiring
12 the redeveloper of obsolete or vacant property to pay a new
13 connection fee, which may reach into the millions of dollars, is
14 inequitable, even if a new connection, or modification of an existing
15 connection, is required, because the new connection fee inhibits
16 redevelopment efforts.