

ASSEMBLY, No. 2763

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Concerns prevailing wage payments in residential construction projects.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/27/2024)

1 AN ACT concerning the payment of the prevailing wage in certain
2 residential construction projects and supplementing P.L.1963,
3 c.150 (C.34:11-56.25 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. For the purposes of this act:

9 "Commissioner" means the Commissioner of Labor and
10 Workforce Development or duly authorized representatives of the
11 commissioner.

12 "Financial assistance" means any tax exemption, abatement or
13 other incentive or any rebate, credit, loan, loan guarantee,
14 expenditure, investment, grant, incentive, or other financial
15 assistance which is approved, funded, authorized, facilitated, or
16 administered directly or indirectly by any public body or undertaken
17 to fulfill any condition of receiving any of the assistance, or
18 provided by the public body to any entity before, during or after
19 completion of a project.

20 "Public body" means the State of New Jersey, any of its political
21 subdivisions, and any authority, instrumentality, or agency of the
22 State of New Jersey or of any of its political subdivisions.

23 "Residential construction project" means a construction project
24 involving the construction, alteration or repair of townhouses,
25 single family houses, or apartment buildings of not more than four
26 stories in height, including, all incidental items such as site work,
27 parking areas, utilities, streets and sidewalks, unless there is an
28 established area practice to the contrary.
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30 2. If an entity undertakes a residential construction project that
31 receives financial assistance but the entity is not required by any
32 State statute to pay the prevailing wage rate determined by the
33 commissioner pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.),
34 the entity shall pay the workers employed in the construction the
35 prevailing wage determined by the Secretary of the United States
36 Department of Labor in accordance with the Davis-Bacon Act as
37 amended (40 U.S.C. 3141 et seq.), as if the financial assistance
38 included federal funds.
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40 3. This act shall take effect immediately.
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43 STATEMENT
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45 This bill provides that if an entity undertakes a residential
46 construction project that receives financial assistance from a State

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1 or local public body but the entity is not required by any State
2 statute to pay the State prevailing wage rate determined by the
3 Commissioner of Labor and Workforce Development, the entity is
4 required to pay the workers employed in the construction the
5 prevailing wage determined by the Secretary of the United States
6 Department of Labor in accordance with the federal prevailing
7 wage law, the Davis-Bacon Act, as if the financial assistance
8 included federal funds.