

[First Reprint]

ASSEMBLY, No. 4881

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED OCTOBER 26, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Co-Sponsored by:

Assemblywoman Chaparro and Assemblyman Calabrese

SYNOPSIS

Prohibits appeal of land use decision related to holding meeting electronically.

CURRENT VERSION OF TEXT

As reported by the Assembly State and Local Government Committee on March 17, 2021, with amendments.



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

1 AN ACT concerning appeals of electronic meetings held under the
2 “Municipal Land Use Law” during ¹**[a declared]** the¹ emergency
3 ¹**[**, and supplementing P.L.1975, c.291 (C.40:55D-1 et seq.)**]**
4 declared in response to the COVID-19 pandemic¹.

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

8
9 ¹**[**1. Notwithstanding any provision of law, rule, or regulation to
10 the contrary, a decision of a municipal agency based, in whole or in
11 part, on a meeting held by means of communication or other
12 electronic equipment, in a manner consistent with section 1 of
13 P.L.2020, c.11 (C.10:4-9.3), shall not be appealable on grounds
14 attributable to convening the meeting by means of communication
15 or other electronic equipment, including but not limited to, lack of a
16 physical quorum, lack of proper notice, or lack of a reasonable
17 opportunity to be heard, provided that reasonable public notice and
18 provision for public input were made under the circumstances,
19 consistent with: section 8 of P.L.2020, c.34 (C.52:27D-18.11); and
20 with guidance documents issued by the Division of Local
21 Government Services in the Department of Community Affairs and
22 published on the division’s website on or before the date of the
23 meeting.**]**¹

24
25 ¹1. Notwithstanding any provision of law, rule, or regulation to
26 the contrary, a decision of a municipal agency based, in whole or in
27 part, on a meeting held by means of communication or other
28 electronic equipment shall not be appealable on grounds attributable
29 to convening the meeting by means of communication or other
30 electronic equipment, including but not limited to, lack of a
31 physical quorum, lack of proper notice, conduct of the meeting, or
32 lack of a reasonable opportunity to be heard or otherwise participate
33 in the meeting, provided that notice of the meeting, and the conduct
34 of the meeting, is consistent with this section, and with guidance
35 documents issued by, or rules or regulation promulgated by, the
36 Department of Community Affairs and published on the
37 department’s Internet website on the date the applicant requested
38 the list pursuant to subsection c. of section 7.1 of P.L.1975, c.291
39 (C. 40:55D-12). All notices required by the "Municipal Land Use
40 Law," P.L.1975, c.291 (C.40:55D-1 et seq.) shall include directions
41 for remote access by the public as provided to the applicant by the
42 municipal agency.¹

43
44 2. This act shall take effect immediately and shall be applicable
45 to a meeting conducted by a municipal agency on or after March 9,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASL committee amendments adopted March 17, 2021.

1 2020 and during a period declared ¹, in response to the COVID-19
2 pandemic.¹ pursuant to the laws of this State as a state of
3 emergency, public health emergency, or both, or for a reasonable
4 period of time following cessation of a declared emergency, if so
5 provided by executive order.