

[First Reprint]

SENATE, No. 4133

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

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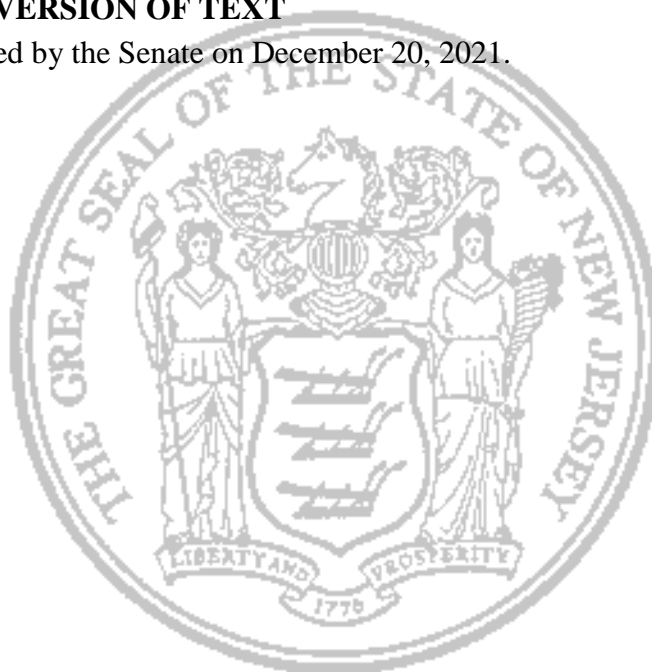
Senators Ruiz, O'Scanlon and Connors

SYNOPSIS

Prohibits State from mandating electric heating or water heating systems.

CURRENT VERSION OF TEXT

As amended by the Senate on December 20, 2021.



(Sponsorship Updated As Of: 12/6/2021)

1 AN ACT concerning certain electric heating and water heating
2 systems and supplementing Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Notwithstanding ¹the provisions of¹ any other law, or rule
8 or regulation adopted pursuant thereto, to the contrary, the Department
9 of Community Affairs, the Department of Environmental Protection,
10 the Board of Public Utilities, ¹**[and]** ¹or¹ any other State agency shall
11 not adopt rules or regulations that mandate the use of an electric
12 heating system as the sole or primary means of heating buildings in the
13 State, including but not limited to, residences or commercial buildings
14 ¹, until the Department of Community Affairs issues the report
15 required by section 2 of this act¹.

16 b. Notwithstanding ¹the provisions of¹ any other law, or rule or
17 regulation adopted pursuant thereto, to the contrary, the Department of
18 Community Affairs, the Department of Environmental Protection, the
19 Board of Public Utilities, or any other State agency shall not adopt
20 rules or regulations that mandate the use of an electric water heating
21 system as the sole or primary means of providing hot water to
22 buildings in the State, including but not limited to, residences or
23 commercial buildings ¹, until the Department of Community Affairs
24 issues the report required by section 2 of this act¹.

25 c. Nothing in this section shall be construed to abrogate or modify
26 the ability of a State agency or a private entity to implement a program
27 to incentivize the voluntary installation or use of electric heating
28 systems or electric water heating systems.

29 d. Nothing in this section shall be construed to abrogate or modify
30 the ability of a person to utilize an electric heating system as the sole
31 or primary means of heating a building, or to utilize an electric water
32 heating system as the sole or primary means of providing hot water to
33 a building.

34
35 ¹2. a. No later than 24 months after the effective date of this act,
36 the Department of Community Affairs, in cooperation with the
37 Department of Environmental Protection and the Board of Public
38 Utilities, shall hold a minimum of six public hearings, at least one of
39 which shall be located in the each of the northern, central, and
40 southern regions of the State, on the electrification of space and water
41 heating in residences and commercial buildings. The hearings shall
42 solicit input, at a minimum, on the following:

43 (1) the cost of retrofitting an existing building to use solely
44 electric heating systems and electric water heating systems;

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:

¹Senate floor amendments adopted December 20, 2021.

1 (2) the increased cost, if any, for the construction of a new
2 building that uses solely electric heating systems and electric water
3 heating systems, versus that of a new building that includes natural gas
4 heating systems;

5 (3) the cost of operating a building that uses solely electric heating
6 systems and electric water heating systems, including any applicable
7 demand charges for electricity;

8 (4) the impact on ratepayers to modify the State's electric
9 distribution system to accommodate residential and commercial
10 buildings that use solely electric heating systems and electric water
11 heating systems, as well as the increased use of electric vehicles;

12 (5) the impact on low-income ratepayers of the modifications
13 described in paragraph (4) of this subsection;

14 (6) the potential for meeting the State's greenhouse gas emissions
15 reduction goals established by the "Global Warming Response Act,"
16 P.L.2007, c.112 (C.26:2C-37 et al.) by using low- and zero-emission
17 alternatives to existing fossil fuels;

18 (7) the potential reduction in air pollution and increase in public
19 health benefits that may result from an electrified residential and
20 commercial building sector;

21 (8) the impact a mandate for the use of electric heating systems
22 and electric water heating systems in residential and commercial
23 buildings would have on workers in the fossil fuel industry and what
24 jobs with comparable compensation and lifestyles are available as a
25 replacement;

26 (9) the environmental and economic impacts of using low- and
27 zero-emission alternatives to existing fossil fuels in existing residential
28 and commercial buildings, versus a mandate for the use of electric
29 heating systems and electric water heating systems;

30 (10) the greenhouse gas emission reduction cost, in dollars per ton
31 of greenhouse gas, for both the use of low- and zero-emission
32 alternatives to fossil fuels in existing residential and commercial
33 buildings in the State, and a mandate for the use of electric heating
34 systems and electric water heating systems;

35 (11) an examination of impacts to consumers, utilities, and State
36 and local governments of the costs described in paragraph (10) of this
37 subsection; and

38 (12) the impact of a mandate for the use of electric heating
39 systems and electric water heating systems in residential and
40 commercial buildings on the accessibility to, and eligibility for,
41 government utility assistance programs for residents of the State.

42 b. No later than 30 months after the effective date of this act, the
43 Department of Community Affairs, in consultation with the
44 Department of Environmental Protection and the Board of Public
45 Utilities, shall prepare and submit to the Governor and, pursuant to
46 section 2 of P.L.1991, c.164 (C.52:14-19.1), the Legislature a report
47 that summarizes the information solicited at the public hearings
48 required by subsection a. of this section and recommends legislative

1 and regulatory actions related to greenhouse gas emissions from
2 residential and commercial buildings in the State.¹

3

4 ¹**[2.]** 3.¹ This act shall take effect immediately.