

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 2347 and 1106

STATE OF NEW JERSEY
221st LEGISLATURE

ADOPTED FEBRUARY 25, 2025

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator BRITNEE N. TIMBERLAKE

District 34 (Essex)

SYNOPSIS

Concerns development of accessory dwelling units and related regulations.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate.



1 **AN ACT** concerning accessory dwelling units, supplementing
2 P.L.1975, c.291 (C.40:55D-1 et seq.), and amending P.1985,
3 c.222 (C.52:27D-301 et seq.).
4

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

8 1. (New section) a. The Legislature finds and declares that:

9 (1) The State of New Jersey faces a significant housing shortage
10 that has negatively impacted opportunities for homeownership and
11 housing across generations and income levels. To meet its
12 residents' housing needs, the State has an interest in providing a
13 variety of housing options that are versatile and suitable for persons
14 of differing incomes, including young-adult and senior family
15 members, persons with disabilities, veterans, students, and workers.

16 (2) Accessory dwelling units are an underused housing option
17 that may help the State meet its housing needs in a manner that is
18 cost-effective for residents and municipalities and consistent with
19 smart planning and sustainability principles.

20 (3) Accessory dwelling units often provide housing at below-
21 market prices within existing neighborhoods.

22 (4) Accessory dwelling units may serve as a source of income
23 for homeowners or an opportunity for them to provide housing for
24 family members without compromising privacy.

25 (5) Accessory dwelling units may offer a lower-cost option to
26 increase housing availability on developed land within a community
27 while maintaining the architectural character of a community.

28 b. It is the intent of the Legislature that municipal land use
29 regulations authorize, not prohibit or restrict, the development of
30 accessory dwelling units, which comply with the provisions of
31 P.L. , c. (C.) (pending before the Legislature as this bill).
32

33 2. (New section) As used in P.L. , c. (C.) (pending
34 before the Legislature as this bill):

35 "Accessory dwelling unit" means a residential dwelling unit that
36 provides complete independent living facilities for one or more
37 persons on the same lot as a primary dwelling. An "accessory
38 dwelling unit" may be: located within a primary dwelling; located
39 within an accessory structure; constructed in whole or part as an
40 extension to a primary dwelling; or constructed as a separate,
41 detached structure on the same lot as a primary dwelling.

42 "Accessory structure" means a structure that is accessory, and
43 incidental to, a primary dwelling.

44 "Buildable area" means that area within the rear yard of a lot on
45 which a primary dwelling is located that is beyond a five-foot
46 setback line from the side and rear property lines.

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.

1 "Commissioner" means the Commissioner of Community
2 Affairs.

3 "Complete application" means a description of the proposed
4 accessory dwelling unit, a floor plan, and, for any proposed
5 accessory dwelling unit that requires the construction of a detached
6 unit or addition to a preexisting dwelling, a property survey.

7 "Complete independent living facilities" means space in a
8 dwelling intended for human habitation, including living, sleeping,
9 eating, cooking, or sanitation.

10 "Department" means the Department of Community Affairs.

11 "Dwelling" means a building or structure or part thereof
12 containing one or more dwelling units.

13 "Dwelling unit" means a room or group of rooms, or any part
14 thereof, located within a building and forming a single habitable
15 unit with facilities, which are used, or designed to be used, for
16 living, sleeping, cooking, and eating.

17 "Lot" means a designated parcel, tract, or area of land,
18 established by a plat or otherwise, as permitted by law, to be used,
19 developed, or built upon as a dwelling unit.

20 "Personal purpose" means occupancy of an accessory dwelling
21 unit by the property owner, family members, or non-paying guests,
22 and excludes the use of the accessory dwelling unit as a rental
23 property for compensation.

24 "Primary dwelling" means a single-family or two-family
25 dwelling proposed or existing on a lot in an area in which single-
26 family and two-family dwellings are permitted uses.

27 "Single-family dwelling" means a dwelling that is detached or
28 semi-detached, including a row house or townhouse, which contains
29 a dwelling unit designed for residential use by one family on an
30 individual lot in an area in which single-family dwellings are
31 permitted uses.

32 "Two-family dwelling" means a dwelling that contains two
33 separate dwelling units, whether separated horizontally or
34 vertically, which are designed for residential use by two families on
35 an individual lot in an area in which two-family dwellings are
36 permitted uses.

37

38 3. (New section) a. No municipal ordinance or resolution shall
39 prohibit or restrict the development of an accessory dwelling unit
40 that complies with the requirements of P.L. , c. (C.)
41 (pending before the Legislature as this bill). The proposed or actual
42 use of an accessory dwelling unit shall be a permitted use as of right
43 if the accessory dwelling unit is used or intended to be used for
44 personal purposes.

45 b. Within 90 days of the effective date of P.L. , c. (C.)
46 (pending before the Legislature as this bill), a municipality shall
47 adopt a municipal ordinance incorporating the provisions of

1 P.L. , c. (C.) (pending before the Legislature as this bill)
2 and shall follow the requirements of the ordinance in approving or
3 denying an application for development of an accessory dwelling
4 unit.

5 c. A municipal ordinance adopted pursuant to subsection b. of
6 this section shall provide that:

7 (1) An accessory dwelling unit may only be developed on a lot
8 upon which a single-family dwelling or two-family dwelling is a
9 permitted use, unless the applicable municipal zoning ordinance
10 permits development of an accessory dwelling unit at other
11 locations;

12 (2) An accessory dwelling unit shall contain at least 300 square
13 feet of complete independent living facilities per unit;

14 (3) The height of a proposed accessory dwelling unit shall not
15 exceed the height of the primary dwelling;

16 (4) An accessory dwelling unit shall not be located closer than
17 five feet from the lot line;

18 (5) An accessory dwelling unit may provide direct exterior
19 access that is separate from the direct exterior access for the
20 primary dwelling;

21 (6) Additional off-street parking for an accessory dwelling unit
22 shall not be required; and

23 (7) The installation of fire sprinklers shall not be required in an
24 accessory dwelling unit that is within, or an extension to, a
25 preexisting primary dwelling that is not required to install fire
26 sprinklers.

27 d. A municipal land use ordinance may include one or more of
28 the following provisions:

29 (1) reasonable landscaping standards for detached accessory
30 dwelling units;

31 (2) architectural review requirements for an application for
32 development of an accessory dwelling unit within an area
33 designated as a historic district, if the development requires either
34 new construction or exterior modification of an existing structure;

35 (3) an accessory dwelling unit shall not be rented for a period of
36 less than 30 days and may set forth penalties that may be imposed
37 upon the owner of an accessory dwelling unit that violates this
38 paragraph;

39 (4) an accessory dwelling unit is a permitted use in addition to
40 those types of zoning districts identified in P.L. , c. (C.)
41 (pending before the Legislature as this bill); or

42 (5) the maximum size of an accessory dwelling unit that is
43 constructed separately from a primary dwelling shall be limited to a
44 square footage that is not in excess of 60 percent of the lot's
45 buildable area.

1 4. (New section) A homeowner may file an application for
2 development of an accessory dwelling unit with a municipal agency
3 on a lot zoned for residential single-family or two-family dwellings.
4

5 5. (New section) A municipal agency shall not approve an
6 application for development of an accessory dwelling unit if:

7 a. the proposed development site is located within an area in
8 which there exists insufficient public sewer or water service, and
9 within which there exists severe constraints on the use of wells or
10 septic tanks, as determined by a competent authority, so to render
11 the addition of a dwelling unit hazardous to the public health; or

12 b. the proposed site is located on a lot that cannot
13 accommodate a 300 square foot structure without violating the
14 minimum sideyard or rearyard setback requirements of paragraph
15 (4) of subsection c. of section 3 of P.L. , c. (C.) (pending
16 before the Legislature as this bill).
17

18 6. (New section) a. (1) A municipal agency shall consider and
19 approve an application for development of an accessory dwelling
20 unit as a ministerial action without a public hearing or review
21 beyond that which is necessary to determine an applicant's
22 compliance with the provisions of P.L. , c. (C.) (pending
23 before the Legislature as this bill). A municipal agency may charge
24 an applicant a reasonable fee for submitting an application for
25 development of an accessory dwelling unit, which fee may cover
26 the costs associated with reviewing and approving the application
27 for development, and may, for any development application, impose
28 a surcharge in an amount necessary to cover the anticipated costs
29 the municipality may incur complying with P.L. , c. (C.)
30 (pending before the Legislature as this bill). .

31 (2) A municipal agency shall provide a written decision on an
32 application for development of an accessory dwelling unit to the
33 applicant within 60 days of the date on which the applicant
34 submitted a complete application. If the municipal agency does not
35 act upon a complete application within the 60-day time period, the
36 application shall be deemed approved, unless an applicant agrees to
37 extend the deadline. If the municipality or municipal agency denies
38 an application, the written decision shall explain in detail the reason
39 for the denial and provide recommendations to correct any
40 application deficiencies.

41 (3) If a property owner submits an application for development
42 of an accessory dwelling unit to a municipal agency together with
43 an application to develop a new single-family or two-family
44 dwelling on the same lot, upon the applicant's request, the
45 municipal agency shall consider and act upon both applications
46 within the timeframe that governs single-family or two-family
47 dwellings respectively. A municipal agency that approves an

1 application for development of an accessory dwelling unit that is
2 submitted together with an application for development of a new
3 single-family dwelling on the same lot, shall not impose conditions
4 or requirements on development of the accessory dwelling unit
5 beyond those set forth in P.L. , c. (C.) (pending before the
6 Legislature as this bill).

7 b. A municipality shall not interpret or apply a provision of any
8 other municipal ordinance, policy, or regulation so as to delay or
9 deny approval of an application for development of an accessory
10 dwelling unit.

11 c. A municipality shall not condition approval of an application
12 for development of an accessory dwelling unit upon the correction
13 of a nonconforming zoning condition.

14 d. (1) For an accessory dwelling unit created within an
15 existing primary dwelling, or as an extension of an existing primary
16 dwelling, the municipal agency shall not require installation of a
17 new or separate utility connection directly between the accessory
18 dwelling unit and the utility or impose a related connection fee or
19 capacity charge, unless the accessory dwelling unit is constructed
20 together with a new single-family dwelling.

21 (2) For an accessory dwelling unit that is created as a separate
22 structure that is not part of an existing primary dwelling, the
23 municipal agency may require installation of a new or separate
24 utility connection directly between the accessory dwelling unit and
25 the utility, in which case the connection may be subject to a
26 connection fee or capacity charge that shall be no more than half the
27 fee charged for a new primary dwelling and shall not exceed the
28 reasonable cost of providing this service.

29 e. Nothing contained in this section shall supersede provisions
30 of the State Uniform Construction Code, promulgated pursuant to
31 the "State Uniform Construction Code Act," P.L.1975, c.217
32 (C.52:27D-119 et seq.), applicable to the construction of an
33 accessory dwelling unit; provided, however, that with respect to an
34 accessory dwelling unit or part thereof being constructed within an
35 existing primary dwelling, the provisions of the rehabilitation
36 subcode adopted pursuant to subsection b. of section 5 of P.L.1975,
37 c.217 (C.52:27D-123) shall apply.

38 f. An enforcing agency shall not issue a certificate of
39 occupancy for an accessory dwelling unit prior to issuing a
40 certificate of occupancy for the primary dwelling.

41
42 7. (New section) A municipality shall certify its compliance
43 with the provisions of P.L. , c. (C.) (pending before the
44 Legislature as this bill) to the department within 60 days of the date
45 that the municipality adopts a municipal ordinance incorporating
46 the provisions of P.L. , c. (C.) (pending before the
47 Legislature as this bill). A municipality that does not comply with

1 the provisions of P.L. , c. (C.) (pending before the
2 Legislature as this bill) may be subject to penalties or other action
3 as deemed appropriate by the department.
4

5 8. Section 4 of P.L.1985, c.222 (C.52:27D-304) is amended to
6 read as follows:

7 4. As used in P.L.1985, c.222 (C.52:27D-301 et al.):

8 a. "Council" means the Council on Affordable Housing
9 established in P.L.1985, c.222 (C.52:27D-301 et al.), abolished
10 pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1).

11 b. "Housing region" means a geographic area established
12 pursuant to subsection b. of section 6 of P.L.2024, c.2 (C.52:27D-
13 304.2).

14 c. "Low-income housing" means housing affordable according
15 to federal Department of Housing and Urban Development or other
16 recognized standards for home ownership and rental costs and
17 occupied or reserved for occupancy by households with a gross
18 household income equal to 50 percent or less of the median gross
19 household income for households of the same size within the
20 housing region in which the housing is located.

21 d. "Moderate-income housing" means housing affordable
22 according to federal Department of Housing and Urban
23 Development or other recognized standards for home ownership
24 and rental costs and occupied or reserved for occupancy by
25 households with a gross household income equal to more than 50
26 percent but less than 80 percent of the median gross household
27 income for households of the same size within the housing region in
28 which the housing is located.

29 e. (Deleted by amendment, P.L.2024, c.2)

30 f. "Inclusionary development" means a residential housing
31 development in which a substantial percentage of the housing units
32 are provided for a reasonable income range of low- and moderate-
33 income households.

34 g. "Conversion" means the conversion of existing commercial,
35 industrial, or residential structures for low- and moderate-income
36 housing purposes where a substantial percentage of the housing
37 units are provided for a reasonable income range of low- and
38 moderate-income households.

39 h. "Development" means any development for which
40 permission may be required pursuant to the "Municipal Land Use
41 Law," P.L.1975, c.291 (C.40:55D-1 et seq.).

42 i. "Agency" means the New Jersey Housing and Mortgage
43 Finance Agency established by P.L.1983, c.530 (C.55:14K-1 et
44 seq.).

45 j. "Prospective need" means a projection of housing needs
46 based on development and growth which is reasonably likely to
47 occur in a region or a municipality, as the case may be, as a result

1 of actual determination of public and private entities. Prospective
2 need shall be determined by the methodology set forth pursuant to
3 sections 6 and 7 of P.L.2024, c.2 (C.52:27D-304.2 and C.52:27D-
4 304.3) for the fourth round and all future rounds of housing
5 obligations.

6 k. "Person with a disability" means a person with a physical
7 disability, infirmity, malformation, or disfigurement which is
8 caused by bodily injury, birth defect, aging, or illness including
9 epilepsy and other seizure disorders, and which shall include, but
10 not be limited to, any degree of paralysis, amputation, lack of
11 physical coordination, blindness or visual impairment, deafness or
12 hearing impairment, the inability to speak or a speech impairment,
13 or physical reliance on a service animal, wheelchair, or other
14 remedial appliance or device.

15 l. "Adaptable" means constructed in compliance with the
16 technical design standards of the barrier free subcode adopted by
17 the Commissioner of Community Affairs pursuant to the "State
18 Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119
19 et seq.) and in accordance with the provisions of section 5 of
20 P.L.2005, c.350 (C.52:27D-123.15).

21 m. "Very low-income housing" means housing affordable
22 according to federal Department of Housing and Urban
23 Development or other recognized standards for home ownership
24 and rental costs and occupied or reserved for occupancy by
25 households with a gross household income equal to 30 percent or
26 less of the median gross household income for households of the
27 same size within the housing region in which the housing is located.

28 n. "Accessory dwelling unit" means a residential dwelling unit
29 that provides complete independent living facilities **[with a private**
30 **entrance]** , as the term is defined pursuant to section 2 of
31 P.L. , c. (C.) (pending before the Legislature as this bill),
32 for one or more persons [, consisting of provisions for living,
33 sleeping, eating, sanitation, and cooking, including a stove and
34 refrigerator, and is] on the same lot as the primary dwelling. An
35 "accessory dwelling unit" may be: located within a **[proposed or**
36 **existing]** primary dwelling **[.] ; located** within an **[existing or**
37 **proposed]** accessory structure **[that is accessory to a dwelling on**
38 **the same lot,]** ; constructed in whole or part as an extension to a
39 **[proposed or existing]** primary dwelling **[.] ; or constructed as a**
40 **separate, detached structure on the same lot as [the existing or**
41 **proposed]** a primary dwelling.

42 o. "Builder's remedy" means court-imposed, site-specific relief
43 for a litigant who seeks to build affordable housing for which the
44 court requires a municipality to utilize zoning techniques, such as
45 mandatory set-asides or density bonuses, including techniques
46 which provide for the economic viability of a residential

- 1 development by including housing that is not for low- and
2 moderate-income households.
- 3 p. "Commissioner" means the Commissioner of Community
4 Affairs.
- 5 q. "Compliance certification" means the certification obtained
6 by a municipality pursuant to section 3 of P.L.2024, c.2 (C.52:27D-
7 304.1), that protects the municipality from exclusionary zoning
8 litigation during the current round of present and prospective need
9 and through July 1 of the year the next round begins, which is also
10 known as a "judgment of compliance" or "judgment of repose."
11 The term "compliance certification" shall include a judgment of
12 repose granted in an action filed pursuant to section 13 of P.L.1985,
13 c.222 (C.52:27D-313).
- 14 r. "County-level housing judge" means a judge appointed
15 pursuant to section 5 of P.L.2024, c.2 (C.52:27D-313.2), to resolve
16 disputes over the compliance of municipal fair share affordable
17 housing obligations and municipal fair share plans and housing
18 elements, with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-
19 301 et al.).
- 20 s. "Deficient housing unit" means housing that: (1) is over fifty
21 years old and overcrowded; (2) lacks complete plumbing; or (3)
22 lacks complete kitchen facilities.
- 23 t. "Department" means the Department of Community Affairs.
- 24 u. "Exclusionary zoning litigation" means litigation to
25 challenge the fair share plan, housing element, or ordinances or
26 resolutions implementing the fair share plan or housing element of a
27 municipality based on alleged noncompliance with the "Fair
28 Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) or the Mount
29 Laurel doctrine, which litigation shall include, but shall not be
30 limited to, litigation seeking a builder's remedy.
- 31 v. "Fair share plan" means the plan or proposal that is in a form
32 which may readily be adopted, with accompanying ordinances and
33 resolutions, pursuant to subsection f. of section 3 of P.L.2024, c.2
34 (C.52:27D-304.1), by which a municipality proposes to satisfy its
35 obligation to create a realistic opportunity to meet its fair share of
36 low- and moderate-income housing needs of its region and which
37 details the affirmative measures the municipality proposes to
38 undertake to achieve its fair share of low- and moderate-income
39 housing, as provided in the municipal housing element, and
40 addresses the development regulations necessary to implement the
41 housing element, including, but not limited to, inclusionary
42 requirements and development fees, and the elimination of
43 unnecessary housing cost-generating features from the municipal
44 land use regulations.
- 45 w. "Highlands-conforming municipality" means a municipality
46 that has adopted a land development ordinance implementing the
47 municipality's plan conformance petition and which land

1 development ordinance has been certified by the Highlands Water
2 Protection and Planning Council as consistent with the "Highlands
3 Water Protection and Planning Act," P.L.2004, c.120 (C.13:20-1 et
4 seq.), the Highlands regional master plan, and the municipality's
5 plan conformance approval. The term "land development
6 ordinance" shall be inclusive of any amendment to the
7 municipality's land development ordinances that is adopted to
8 further the municipality's petition of plan conformance.

9 x. "Housing element" means that portion of a municipality's
10 master plan consisting of reports, statements, proposals, maps,
11 diagrams, and text designed to meet the municipality's fair share of
12 its region's present and prospective housing needs, particularly with
13 regard to low- and moderate-income housing, and which shall
14 contain the municipal present and prospective obligation for
15 affordable housing, determined pursuant to subsection f. of section
16 3 of P.L.2024, c.2 (C.52:27D-304.1).

17 y. "Program" means the Affordable Housing Dispute
18 Resolution Program, established pursuant to section 5 of P.L.2024,
19 c.2 (C.52:27D-313.2).

20 z. "State Development and Redevelopment Plan" or "State
21 Plan" means the plan prepared pursuant to sections 1 through 12 of
22 the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.),
23 designed to represent a balance of development and conservation
24 objectives best suited to meet the needs of the State, and for the
25 purpose of coordinating planning activities and establishing
26 Statewide planning objectives in the areas of land use, housing,
27 economic development, transportation, natural resource
28 conservation, agriculture and farmland retention, recreation, urban
29 and suburban redevelopment, historic preservation, public facilities
30 and services, and intergovernmental coordination pursuant to
31 subsection f. of section 5 of P.L.1985, c.398 (C.52:18A-200).

32 aa. "Transitional housing" means temporary housing that:

33 (1) includes, but is not limited to, single-room occupancy
34 housing or shared living and supportive living arrangements;

35 (2) provides access to on-site or off-site supportive services for
36 very low-income households who have recently been homeless or
37 lack stable housing;

38 (3) is licensed by the department; and

39 (4) allows households to remain for a minimum of six months.

40 (cf: P.L.2024, c.2, s.2)

41

42 9. The Commissioner of Community Affairs shall, in
43 accordance with the "Administrative Procedure Act," P.L.1968,
44 c.410 (C.52:14B-1 et seq.), adopt rules and regulations as necessary
45 to implement the provisions of P.L. , c. (C.) (pending
46 before the Legislature as this bill).

1 10. This act shall take effect immediately.

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3

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STATEMENT

5

6 This bill establishes certain criteria for, and prohibits municipal
7 actions restricting, the development of an accessory dwelling unit
8 (ADU) under certain circumstances.

9 Specifically, the bill: requires that a municipal ordinance or
10 resolution not prohibit or restrict the development of an ADU that
11 complies with the bill; requires a municipality to adopt a municipal
12 ordinance incorporating the provisions of the bill; and requires a
13 municipality to follow the requirements of the ordinance in
14 approving or denying an application for development of an
15 accessory dwelling unit (application). The bill specifies that the
16 proposed or actual use of an ADU is to be a permitted use as of
17 right if the ADU is used or intended to be used for personal
18 purposes. The bill sets forth requirements for the contents of the
19 municipal ordinance concerning location, square footage, height,
20 setback distance, exterior access, parking, and fire sprinklers. A
21 municipal land use ordinance is permitted by the bill to: establish
22 reasonable landscaping standards for ADUs; impose certain
23 architectural review requirements for an ADU located within a
24 historic district; provide certain ADU rental period requirements;
25 provide that an ADU is a permitted use in zoning districts other
26 than residential districts identified in the bill; and limit the
27 maximum size of an ADU to a certain square footage specified in
28 the bill.

29 The bill permits a homeowner to file an application with a
30 municipal agency to develop an ADU on a lot zoned for residential
31 single-family or two-family dwellings, and authorizes a
32 municipality to deny an application under limited circumstances
33 described in the bill.

34 The bill requires a municipality to consider and approve an
35 application as a ministerial action. The bill permits a municipality
36 to charge a reasonable application fee and certain application
37 surcharges to cover the anticipated costs of the municipality's
38 compliance with the bill. A municipality is required to provide a
39 written decision on an application within 60 days of submission,
40 which, if not acted-upon in that timeframe, is to be deemed
41 approved unless the applicant agrees to extend the deadline. If an
42 application is denied, the bill requires the municipality to explain in
43 detail the reason for the denial and provide recommendations to
44 correct any application deficiencies.

45 An application submitted together with an application for
46 development of a new single-family or two-family dwelling on the
47 same lot, upon the applicant's request, is to be considered and acted

1 upon as a single application within the timeframe that governs
2 single-family or two-family dwellings respectively, in which case a
3 municipality is prohibited from imposing any conditions or
4 requirements on the development of the ADU beyond those set
5 forth in the bill. The bill prohibits a municipality from interpreting
6 or applying a provision of any other municipal ordinance, policy, or
7 regulation so as to delay or deny approval of an application. A
8 municipality is prohibited from conditioning approval of an
9 application upon the correction of a nonconforming zoning
10 condition.

11 The bill prescribes certain requirements for utility connections
12 and related fees; provides that certain sections of the bill are not to
13 supersede specified provisions of the State Uniform Construction
14 Code, which relate to the construction of an ADU; and prohibits a
15 municipality from issuing a certificate of occupancy (certificate) for
16 an ADU prior to issuing a certificate for the primary dwelling. The
17 bill also requires a municipality to certify its compliance with the
18 provisions of the bill to the Department of Community Affairs
19 (department) within 60 days of adoption of the municipal ordinance
20 incorporating the provisions of the bill, and specifies that a
21 noncompliant municipality may be subject to penalties or other
22 action as deemed appropriate by the department.

23 The bill also amends the definition of an "accessory dwelling
24 unit" provided in the "Fair Housing Act," P.L.1985, c.222
25 (C.52:27D-301 et al.) to conform to the definition provided in the
26 bill.