

[First Reprint]

**ASSEMBLY, No. 5136**

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**STATE OF NEW JERSEY**  
**222nd LEGISLATURE**

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INTRODUCED MAY 28, 2026

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblyman KEVIN P. EGAN**

**District 17 (Middlesex and Somerset)**

**SYNOPSIS**

Requires certain new residential construction to have pre-installed sufficient raceways to allow post-construction broadband cable deployment.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Telecommunications and Utilities Committee on October 5, 2026, with amendments.



**(Sponsorship Updated As Of: 10/5/2026)**

1 AN ACT providing for <sup>1</sup>certain<sup>1</sup> new residential construction  
 2 standards to permit post-construction cable deployment and  
 3 supplementing P.L.1975, c.217 (C.52:27D-119 et seq.).  
 4

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

8 1. a. As used in this section:

9 <sup>1</sup>["Pathway"] "Communications distribution point" means the  
 10 nearest existing joint use utility pole, handhole, vault, pedestal,  
 11 cabinet, or other above ground or underground communications  
 12 infrastructure from which multiple broadband service providers  
 13 may reasonably be extended to serve the property.

14 "Pathway"<sup>1</sup> means a physical route or supporting structure to  
 15 carry or guide electrical wiring or cables.

16 <sup>1</sup>["Raceway"] "Raceway"<sup>1</sup> means a channel, conduit, or track  
 17 designed to hold and protect a pathway or other wiring system, and  
 18 shall <sup>1</sup>["be four inches and design to accommodate not less than two  
 19 broadband providers"] consist of a minimum three-inch conduit  
 20 schedule 40, or a larger size schedule 40 conduit, which conduit is  
 21 installed in a manner that provides an unobstructed pathway  
 22 suitable for the future installation, replacement, and maintenance of  
 23 broadband communications facilities<sup>1</sup>.

24 b. A developer of any new residential construction <sup>1</sup>that falls  
 25 under Occupancy Group R-2 within the Building Subcode under the  
 26 State Uniform Construction Code,<sup>1</sup> for which an application for a  
 27 construction permit has not been declared complete by the  
 28 enforcing agency before the effective date of P.L. , c. (C. )  
 29 (pending before the Legislature as this bill), shall <sup>1</sup>["be required to  
 30 provide notice to the majority incumbent local exchange carrier of  
 31 the area requesting installation of raceways to be available for  
 32 deployment of cables to allow for physical broadband connections  
 33 to the new residential construction"] install a continuous raceway,  
 34 drag line, and end cap from the building's designated  
 35 communications utility room or telecommunications entrance  
 36 facility to the nearest existing communications distribution point  
 37 capable of providing broadband service to the property<sup>1</sup>.  
 38 Installation of raceways shall occur during the normal course of  
 39 trenching or utility installation associated with the development.  
 40 <sup>1</sup>The raceway shall be dedicated solely for broadband service  
 41 providers' use and shall remain accessible to broadband service  
 42 providers on a non-discriminatory basis.<sup>1</sup>

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:

<sup>1</sup>Assembly ATU committee amendments adopted October 5, 2026.

1       c. A developer of any new residential construction may enter  
2 into an agreement with any other party, including <sup>1</sup><sub>1</sub> but not limited  
3 to <sup>1</sup><sub>1</sub> any telecommunications utility, to lease or purchase a  
4 preexisting raceway in order to meet the requirements of this  
5 section, provided, however, that no <sup>1</sup>**[such]**<sup>1</sup> agreement shall grant  
6 exclusive use or control of the raceway in a manner that would  
7 prevent access by at least two broadband <sup>1</sup>service<sup>1</sup> providers in a  
8 non-discriminatory manner.

9       d. The Commissioner of Community Affairs shall adopt,  
10 pursuant to section 5 of the "State Uniform Construction Code Act,"  
11 P.L.1975, c.217 (C.52:27D-123) and the "Administrative Procedure  
12 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations  
13 establishing standards for the design, installation, and adequacy of  
14 raceways for new residential construction, including minimum  
15 sizing and access requirements sufficient to support multiple  
16 broadband <sup>1</sup>service<sup>1</sup> providers.

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18       2. This act shall take effect immediately.