

ASSEMBLY, No. 5646

STATE OF NEW JERSEY 222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:

Assemblyman ANDREW MACURDY

District 21 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

Requires data centers to submit certain information to DEP; requires DEP to establish Data Center Transparency Dashboard.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning data center development and supplementing
2 Title 48 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. As used in this act:

8 “Community advisory board” means a coalition of organizations,
9 residents, and local government officials charged with negotiating,
10 monitoring, and enforcing a community benefits agreement with the
11 developer of a data center. A majority of members of the community
12 advisory board shall be residents, workers, and community-based
13 nonprofit organizations from the impacted community. A
14 community advisory board shall not include a data center developer
15 or an employee of a data center developer.

16 “Community benefits agreement” means a legally binding and
17 enforceable agreement between a community advisory board or a
18 community coalition and the developer of a data center for the
19 purpose of ensuring that the developer provides measurable
20 enforceable benefits to host communities, protects environmental and
21 cultural resources, and advances equity and justice.

22 “Community coalition” means a group of two or more community-
23 based organizations, such as workforce development and training
24 organizations, labor unions, environmental and social justice
25 advocates, local governmental entities, other organizations that
26 represent community interests and residents of the political
27 subdivision where a proposed data center will be located. The term
28 “community coalition” shall include residents of the municipality in
29 which the data center will be located. The term “community
30 coalition” shall not include a data center developer or management
31 employees employed by a data center developer.

32 “Data center” means a facility: (1) whose primary services are the
33 storage, management, and processing of digital data; and (2) that is
34 used to house computer and network systems, including associated
35 components such as servers, network equipment and appliances,
36 telecommunications, and data storage systems, systems for
37 monitoring and managing infrastructure performance, Internet-
38 related equipment and services, data communications connections,
39 environmental controls, fire protection systems, and security systems
40 and services.

41 “Data Center Transparency Dashboard” or “dashboard” means the
42 online dashboard established by the department pursuant to section 3
43 of this act.

44 “Department” means the Department of Environmental
45 Protection.

46
47 2. a. The owner or operator of a data center that has obtained all
48 necessary federal, State, and local permits, is fully constructed, and

1 is operating in the State shall submit to the department on an annual
2 basis, in a form and manner determined by the department, a report
3 that contains the following information, at a minimum:

- 4 (1) basic information relating to the data center, including:
5 (a) the name of the data center;
6 (b) the owner or operator of the data center;
7 (c) the address of the data center; and
8 (d) the month and year that the data center commenced operation;
9 (2) a copy of any community benefit agreements entered into on
10 behalf of the data center;
11 (3) the total direct greenhouse gas emissions that stem from the
12 data center and indirect greenhouse gas emissions from consumed
13 electricity, steam, heating, or cooling purchased or acquired by the
14 data center;
15 (4) a detailed assessment of the data center's energy demands and
16 if data center demands more than 50 megawatts of electricity per
17 year;
18 (5) a detailed assessment of all violations at the data center
19 concerning water quality standards, if any; and
20 (6) a copy of any other reports the data center has submitted to the
21 department that are required by State law, rule, or regulation.

22 b. The owner or operator of a data center that is proposed for
23 construction in the State or has commenced construction and
24 obtained all necessary federal, State, and local permits but is not
25 operational shall submit to the department on an annual basis, in a
26 form and manner determined by the department, a report that contains
27 the following information, at a minimum:

- 28 (1) basic information relating to the data center, including:
29 (a) the name of the data center;
30 (b) the owner or operator of the data center;
31 (c) the address of the data center; and
32 (d) the month and year that the data center plans to commence
33 operations;
34 (2) the status of any permits required for the data center, including,
35 but not limited to, any permits related to the siting, zoning, and
36 construction of the data center and its affiliated projects;
37 (3) a detailed assessment of the data center's proposed energy
38 demands and if data center plans to demand more than 50 megawatts
39 of electricity per year; and
40 (4) any other information as deemed necessary by the department.

41 c. Each report submitted pursuant to this section shall be
42 accompanied by a fee, determined by the department, in an amount
43 that does not exceed the costs necessary to establish and maintain the
44 Data Center Transparency Dashboard.

45 d. (1) The owner or operator of a data center that has obtained all
46 necessary federal, State, and local permits, is fully constructed, and
47 is operating in the State after the effective date of this section shall

1 submit the report required pursuant to subsection a. of this section,
2 no later than 90 days after the data center is operational.

3 (2) The owner or operator of a data center that is proposed for
4 construction in the State after the effective date of this section shall
5 submit the report required pursuant to subsection b. of this section,
6 within 90 days of proposed construction.

7 (3) The owner or operator of a data center that is operational,
8 proposed for construction, or has commenced construction by the
9 effective date of this section shall submit the report required pursuant
10 to subsection a. or subsection b. of this section, as applicable, within
11 90 days of the effective date of this section.

12
13 3. a. No later than 90 days after the effective date of this section,
14 the department shall design and implement an online dashboard
15 accessible to the public, to be known as the “Data Center
16 Transparency Dashboard.” Through the dashboard, the department
17 shall publish the reports submitted pursuant to section 2 of this act,
18 inclusive of any redactions for the purposes of confidentiality or
19 privacy as required by federal or State law. The department shall
20 design the dashboard to display data in a manner that is easily
21 understandable and accessible to residents of the State. All data sets
22 published on the dashboard shall be available in electronic format for
23 access and use by the public.

24 b. The department shall provide public notice to all State residents
25 that are located within a five-mile radius of a data center that is
26 reported in the dashboard. The public notice shall be provided on an
27 annual basis and contain information concerning how to access the
28 dashboard.

29
30 4. This act shall take effect immediately, except that section 2
31 shall take effect on the 90th day after the date of enactment.

32 33 34 STATEMENT

35
36 This bill would require data centers that are operational in the
37 State or proposed for construction to submit certain information in a
38 report to the Department of Environmental Protection (DEP) on an
39 annual basis. Additionally, the bill would require the DEP to
40 establish a publicly accessible online dashboard to be known as the
41 Data Center Transparency Dashboard (dashboard).

42 Under the bill, data centers that have obtained all necessary
43 federal, State, and local permits, are fully constructed, and
44 operational would be required submit the following in a report: (1)
45 basic information concerning the data center; (2) a copy of any
46 community benefit agreements entered into on behalf of the data
47 center; (3) the total direct greenhouse gas emissions that stem from
48 the data center and indirect greenhouse gas emissions from consumed

1 electricity, steam, heating, or cooling purchased or acquired by the
2 data center; (4) a detailed assessment of the data center's energy
3 demands and if data center demands more than 50 megawatts of
4 electricity per year; (5) a detailed assessment of all violations at the
5 data center concerning water quality standards, if any; and (6) a copy
6 of any other reports the data center has submitted to the department
7 that are required by State law, rule, or regulation. The bill would
8 require for proposed data centers or data centers that have
9 commenced construction and have obtained all necessary federal,
10 State, and local operating permits but are not operational to include
11 the following in a report: (1) basic information concerning the data
12 center; (2) the status of any permits required for the operation of the
13 data center, including, but not limited to, any permits related to the
14 siting, zoning, and construction of the data center and its affiliated
15 projects; (3) a detailed assessment of the data center's energy
16 demands and if data center plans to or currently demands more than
17 50 megawatts of electricity per year; and (4) any other information
18 as deemed necessary by the DEP.

19 As enumerated in the bill, the data centers would be required to
20 submit the report within a certain timeframe. The DEP would assess
21 a fee associated with the submission of the report which would cover
22 the costs to implement and maintain the dashboard.

23 The DEP would have no later than 90 days after the bill's effective
24 date to establish the dashboard. The bill would require the DEP to
25 publish the reports submitted pursuant to the bill to the dashboard.
26 Finally, the bill would require the DEP to provide public notice to
27 State residents located within a five-mile radius of a data center
28 reported in the dashboard with information concerning how to access
29 the dashboard.