

SENATE, No. 4659

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

Senators Greenstein and McKeon

SYNOPSIS

Requires DEP to conduct study on environmental impacts of data center development in State; prohibits construction of new data centers until study is complete.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/15/2026)

1 AN ACT concerning data center development in the State.

2

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

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6 1. a. As used in this section:

7 “Board” means the Board of Public Utilities.

8 “Data center” means a facility: (1) whose primary services are
9 the storage, management, and processing of digital data; (2) that is
10 used to house computer and network systems, including associated
11 components such as servers, network equipment and appliances,
12 telecommunications, and data storage systems, systems for
13 monitoring and managing infrastructure performance, Internet-
14 related equipment and services, data communications connections,
15 environmental controls, fire protection systems, and security
16 systems and services; and (3) a total aggregate information
17 technology load of 25 megawatts or more.

18 “Department” means the Department of Environmental
19 Protection.

20 “Information technology load” or “IT load” means the electrical
21 load of computing, data storage, and networking equipment within a
22 data center, measured at the point of power delivery to the
23 equipment.

24 “Overburdened community” means the same as the term is
25 defined in section 2 of P.L.2020, c.92 (C.13:1D-158).

26 b. Notwithstanding the provisions of any law, rule, or regulation
27 to the contrary, beginning on the effective date of this section and
28 continuing until 90 days after the submission of the department’s
29 report to the Governor and Legislature pursuant to subsection c. of
30 this section, no data center shall be constructed in the State and no
31 State or local government agency shall issue a permit for the siting,
32 construction, or commencement of operation of a data center in the
33 State. The provisions of this section shall not apply to a data center
34 that has already begun construction or that was approved prior to
35 the effective date of this section.

36 c. The department shall conduct a study concerning the
37 environmental, infrastructural, and financial impacts of data center
38 development in the State and shall prepare and submit a report, no
39 later than 15 months after the effective date of this section, on the
40 study’s findings to the Governor, and to the Legislature pursuant to
41 section 2 of P.L.1991, c.164 (C.52:14-19.1). The report shall
42 include, at a minimum:

43 (1) information concerning the energy consumption and water
44 usage of data centers in the State;

45 (2) information concerning the effect of data center development
46 on the electric grid;

47 (3) information concerning the effect of data center development
48 on air quality and noise pollution in the State;

- 1 (4) an evaluation of land usage by data centers and proposed data
- 2 center projects;
- 3 (5) an evaluation of any potential environmental degradation that
- 4 is caused by the development of data centers, including the
- 5 production of electronic waste from data centers;
- 6 (6) an evaluation of data centers' energy demand, water
- 7 consumption, physical infrastructure and their effect on local power
- 8 grids, local water resources, and local infrastructure;
- 9 (7) information concerning any potential public health impacts
- 10 that may be associated with data center development in the State;
- 11 (8) an evaluation of the adverse fiscal impacts associated with
- 12 data center development in the State, including, but not limited to,
- 13 increased utility rates;
- 14 (9) an evaluation of the energy efficiency of data centers in the
- 15 State, including a review of fossil fuel usage by data centers and a
- 16 review of the effectiveness of using renewable energy at data
- 17 centers;
- 18 (10) an evaluation of whether data center development has a
- 19 disproportionate impact on overburdened communities in the State;
- 20 (11) an overview of the information received from the public
- 21 pursuant to paragraph (2) of subsection d. of this section and of the
- 22 public hearing conducted pursuant to paragraph (3) of subsection d.
- 23 of this section; and
- 24 (12) a list of recommendations for legislative action or the
- 25 promulgation of additional regulations to mitigate the adverse
- 26 impacts of data center development on the environment and
- 27 infrastructure in the State.
- 28 d. In preparing the report required pursuant to subsection c. of
- 29 this section, the department shall:
- 30 (1) consult with the board and the Department of Community
- 31 Affairs, as necessary;
- 32 (2) provide an opportunity for the public to submit comments
- 33 related to data center development to the department; and
- 34 (3) hold at least one public hearing concerning data center
- 35 development in the State.

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37 2. This act shall take effect immediately.

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40 STATEMENT

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42 This bill would require the Department of Environmental

43 Protection (DEP) to conduct a study and submit a report, no later

44 than 15 months after the bill's effective date, to the Governor and

45 the Legislature concerning the environmental impacts of data center

46 development in the State. The bill outlines the requirements that

47 the DEP would be required to include in the report, at a minimum.

48 In conducting the report, the DEP would be required to consult with

1 the Board of Public Utilities and the Department of Community
2 Affairs, as necessary, and to hold at least one public hearing in the
3 State. In addition, from the bill's effective date until 90 days after
4 the report is submitted by the DEP, data centers would be
5 prohibited from being constructed in the State and no State or local
6 government agency would be permitted to issue a permit for the
7 siting, construction, or commencement of operation of a data center
8 in the State. The bill's provisions would not apply to a data center
9 that has already begun construction or that was approved prior to
10 the bill's effective date.