

Community Trends®



LEGISLATIVE UPDATE

GEORGE GREATREX, ESQ.
PARTNER, HILL WALLACK LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

In last month's issue of *Community Trends*® I reported to you with high hopes the fact that two important pieces of legislation supported by CAH NJ had been overwhelmingly passed by both houses of the New Jersey Legislature (Assembly and Senate) during the last days of the lame duck session which ended on January 13, 2020, and had been sent on to the Governor's desk for him to sign into law. As we have occasionally learned over the past several years, the fact that a bill is passed by the Legislature does not ensure it will be approved by the Governor. The Governor has various options when reviewing a bill passed by the legislature: sign it into law, affirmatively veto it, conditionally veto it with suggestions on what changes will make it acceptable, or "pocket" veto the bill (meaning the bill goes unsigned and expires at the end of the session). Unfortunately, the latter has occurred again this past session.

For those of us who supported these bills and worked hard to ensure their passage in the legislature, this outcome was most frustrating, especially in light of the fact that there ultimately was little to no opposition to these bills from the various stakeholders who would be affected by them.

These are the bills that were pocket vetoed by the Governor in January, and what the next steps are with regard to each:

- **The NJ Uniform Common Interest Ownership Act: S2425/A3851**

This bill sought to begin the process of consolidating into one omnibus statute the many statutory and regulatory provisions that apply to the various forms of common interest communities

in our State. The intended effects of the bill were to modernize the provisions in these existing laws, some of which were drafted and adopted fifty years ago, and to simplify them for ease of reference and application, thus saving time and reducing costs. While the Governor's office has not formally announced why he did not sign the bill into law, we believe

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it may have been because the Department of Community Affairs (DCA) presented certain non-specific objections to the bill at the end of the session. The sponsors of the bill in the legislature have expressed their intention of re-introducing the bill in their respective chambers in this new legislative session, and of working with the DCA and other stakeholders to ensure any objections are resolved, clearing the path for passage in the legislature and for the Governor's signature into law. The CAI NJAC will be there every step of the way to ensure this is accomplished.

- **Electric Vehicle Charging Stations: S2421/A1030**

Legislative efforts to promote the use of electric vehicles moved quickly during the recent *lame duck* session, and the LAC worked closely with the sponsors and proponents of

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this legislation to ensure that the benefits to the users of such technology don't also unreasonably burden the common interest communities that would be the subject of it. Both the Assembly and Senate overwhelmingly passed this piece of legislation which in its final form contained the protections we believed were necessary to make the process fair to common interest communities affected by it. However, the Governor pocket vetoed the bill, again without announcing his reasons for doing so. We expect the sponsors of the bill in the legislature will quickly reintroduce the bill in this new session, and once the Governor's concerns with the bill are made public, will address those concerns in the new bill, likely resulting in its swift passage into law. We will again

follow this bill to ensure it advances its laudable goals while not unreasonably burdening CICs in our state.

Thanks to all of you who supported our efforts in the past session by following our progress and reaching out to your legislators and the Governor when asked to do so. We couldn't have come this far without your help!

Stay tuned for further updates. In next month's column I will report on some of the various legislative and regulatory issues we will be pursuing and following in this new legislative session. As always, I invite you to share what is important to you in the daily governance of the common interest communities in which you live and work. See you here in April when Spring will be in full swing! ■