ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5901

STATE OF NEW JERSEY

DATED: NOVEMBER 24, 2025

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably Assembly Bill No. 5901.

This bill would amend current law to authorize, in limited circumstances, the construction, installation, and operation of energy project transmission and distribution components, facilities, structures, equipment, and improvements on preserved farmland.

Under the bill, a person or entity would be authorized to construct, install, or operate energy project transmission and distribution components, facilities, structures, equipment, and improvements on preserved farmland, so long as: (1) the owner of the preserved farmland has granted rights or otherwise approved such components, facilities, equipment and improvements; (2) generating facilities are not located on the farm and the facilities are to be limited to those associated with the transmission and distribution of energy, along with access to such facilities; (3) the components, facilities, structures, and equipment for any single project are located within a right-of-way not to exceed fifty feet in width located as close as reasonably practical, based on applicable constraints, to the edge of the preserved portion of the farm and are installed in a manner subject to the limitations outlined in the bill; and (4) any improvements or use, including roadway improvements, that require access outside of the right-of-way are limited to an additional right-of-way not to exceed fifty feet in width and are allowed only when no other access route is reasonably practical.

Any use of preserved farmland that is consistent with the bill's provisions would be automatically allowed without approval required from the State Agricultural Development Committee (committee). However, for any use of preserved farmland that is associated with energy project transmission or distribution, but that is not consistent with the bill's provisions, the person or entity would be required to submit an application to the committee to seek approval before constructing, installing, and operating any energy project components, facilities, structures, or equipment on the farm.

The committee would be required to provide the holder of any development easement on the farm with a copy of the application, and the holder of the development easement would have 30 days to

provide comments to the committee on the application. The committee would be required, within 90 days of receipt, to approve, disapprove, or approve with conditions the application. The committee may suspend or revoke an approval issued for a violation of any term or condition of the approval or any of the bill's provisions.