



**HUMAN RESOURCES DEPARTMENT
LEGISLATIVE ADVISORY
NEW JERSEY FIRST ACT**

**IMPORTANT NEW JERSEY RESIDENCY REQUIREMENT LAW
EFFECTIVE SEPTEMBER 1, 2011**

In May 2011, Governor Christie signed into law New Jersey Senate Bill No. 1730 commonly known as the New Jersey First Act. This law mandates that public employees obtain a principal residence in the State of New Jersey within one year of beginning their public employment.

Impact on the New Jersey First Act for Essex County College employees:

• ***WHO DOES THE LAW AFFECT:***

The principal residency requirement applies to **all regular and temporary employees**, unless otherwise exempt. The law defines principal residency as: 1) where the individual spends the majority of his or her nonworking time 2) the location which is most clearly the center of his or her domestic life and 3) the location which is designated as his or her legal address and legal residence for voting.

• ***IF YOU ARE A NEW JERSEY STATE RESIDENT:***

And you relocate outside of New Jersey, after August 31, 2011, you forfeit your position unless the position is approved by the State of New Jersey as an exemption or you file an appeal based on critical need or hardship. Appeals are filed directly to the State of New Jersey.

• ***IF YOU ARE NOT CURRENTLY A NEW JERSEY RESIDENT:***

- ✓ Any employee living outside New Jersey on the effective date of the law (September 1, 2011) is EXEMPT (grandfathered in) from the residency requirement
- ✓ As long as you remain an ECC employee you are not required to move to the State of New Jersey
- ✓ You may move within the State of your current residence or to another state without jeopardizing your position

• ***NEW EMPLOYEES:***

- ✓ Employees hired after September 1, 2011 will be required to abide by law
- ✓ Any new employee not residing in the State of New Jersey employee will have 365 days to establish residence. Failure to comply with this requirement shall render the individual unqualified to continue employment
- ✓ Applications for exemption on the basis of critical need or hardship may be submitted to a committee established to consider such applications.

HOW THIS LAW MAY AFFECT YOU: http://www.njleg.state.nj.us/2010/Bills/PL11/70_.PDF

LIVE WHERE YOU WORK PROGRAM (LWYW) - The LWYW program is a home mortgage incentive program that provides low-interest mortgage loans to homebuyers purchasing homes in towns where they are employed: <http://www.state.nj.us/dca/hmfa/consu/buyers/close/live.html>