

“New Jersey First Act”

Residency Requirement for NJ Public-Sector Employees-P.L. 2011,c.70 (N.J.S.A.52:14-7)

Per the Department of Education, effective September 1, 2011 in accordance with the “New Jersey First Act,” all employees of State and local government, including school districts must reside in the State of New Jersey unless exempted under the law. Employees who already work for State or local government including school districts or an authority, board, body agency, commission or instrumentality of he district, as of August 31, 2011 but do not live in New Jersey are NOT required to move to New Jersey.

However employees hired on or after September 1, 2011 must reside in New Jersey. A newly hired employee who does not reside in New Jersey will have one year after the date of employment begins to relocate residency to New Jersey. An employee who does not do so is subject to removal from office, position or employment. *The statute allows an employee to request an exemption from the provisions of the residency law "on the basis of critical need or hardship."*

Employees, regardless of the office, employment, or position shall be subject to the residency requirements of the state of New Jersey. In accordance with the statute, [P.L. 2011, c.70 (N.J.S.A. 52:14-7), [May 17, 2011], "... a person may have only one principal residence and state of a person's residence means the state (1) where the person spends the majority of his or her nonworking time, and (2) which is most clearly the center of his or her domestic life and (3) which is designated as his or her legal address and legal residence for voting. The fact that a person is domiciled in this State shall not by itself satisfy the requirement of principal residency."