

**Full text** of the adoption follows (additions to proposal indicated in boldface with asterisks **\*thus\***; deletions from proposal indicated in brackets with asterisks **\*[thus]\***):

#### SUBCHAPTER 6. REHABILITATION SUBCODE

##### 5:23-6.26 Basic requirements—Groups R-2 and R-4

(a)-(n) (No change.)

(o) Electrical Equipment and Wiring:

1. All areas shall have receptacle and lighting outlets in accordance with Sections 210.52 and 210.70, respectively, of the electrical subcode.

i. In the event that **\*lighting and receptacle outlets cannot be installed in the required locations without updating the\*** small appliance branch circuits\*,\* **\*[cannot be installed,]\*** kitchen areas shall have a minimum of two duplex receptacle outlets or equivalent and a switch controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.

Recodify existing 6.-8. as 2.-4. (No change in text.)

(p)-(u) (No change.)

##### 5:23-6.27 Basic requirements—Groups R-3 and R-5

(a)-(e) (No change.)

(f) Electrical Equipment and Wiring:

1. All areas shall have receptacle and lighting outlets in accordance with Sections 210.52 and 210.70, respectively, of the electrical subcode.

i. In the event that **\*lighting and receptacle outlets cannot be installed in the required locations without updating the\*** small appliance branch circuits\*,\* **\*[cannot be installed,]\*** kitchen areas shall have a minimum of two duplex receptacle outlets or equivalent and one switch controlled lighting outlet. At least one of the required duplex receptacles shall be provided to serve counter space.

Recodify existing 6.-8. as 2.-4. (No change in text.)

(g)-(h) (No change.)

(a)

## DIVISION OF CODES AND STANDARDS

### Notice of Readoption Uniform Construction Code Readoption: N.J.A.C. 5:23

Authority: N.J.S.A. 52:27D-119 et seq.

Authorized By: Lt. Governor Sheila Y. Oliver, Commissioner,  
Department of Community Affairs.

Effective Date: February 9, 2022.

New Expiration Date: February 9, 2029.

**Take notice** that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:23 were scheduled to expire on March 25, 2022. These rules are intended to encourage innovation and economy in construction and provide requirements for construction and construction materials consistent with nationally recognized standards and ensure adequate maintenance of buildings and structures throughout the State to protect the health, safety, and welfare of the residents of the State pursuant to N.J.S.A. 52:27D-119 et seq., the Uniform Construction Code (UCC) Act.

This chapter contains 16 subchapters. Subchapter 1 contains general provisions and definitions. Subchapter 2 contains the processes for administration and enforcement of the UCC. Subchapter 3 adopts the national model codes for all of the subcodes of the UCC. Subchapter 4 details the requirements related to enforcement agencies and their duties. Subchapters 4A and 4D adopt requirements for industrialized/modular buildings and recreational park trailers, respectively. Subchapters 4B and 4C are reserved. Subchapter 5 contains the requirements for licensing of code enforcement officials. Subchapter 6 details the requirements for rehabilitation of existing buildings and structures. Subchapters 7 and 8 adopt the barrier free and asbestos hazard abatement subcodes, respectively. Subchapter 9 contains code interpretations. Subchapters 10 and 11 adopt the radon hazard and playground safety subcodes,

respectively. Subchapters 12 and 12A adopt requirements for elevator safety and include optional elevator inspection program information.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to P.L. 2011, c. 45, these rules are readopted and shall continue in effect for a seven-year period.

## EDUCATION

(b)

### STATE BOARD OF EDUCATION

#### Notice of Readoption Qualified Zone Academy Bond Program

#### Readoption: N.J.A.C. 6A:25

Authority: N.J.S.A. 18A:4-15, 18A:7G-26, and 18A:36A-18; and 26 U.S.C. § 54E.

Authorized By: New Jersey State Board of Education, Angelica Allen-McMillan, Ed.D., Acting Commissioner, Department of Education, and Acting Secretary, State Board of Education.

Effective Date: February 9, 2022.

New Expiration Date: February 9, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 6A:25 were scheduled to expire on April 6, 2022. The Department of Education (Department) proposes to readopt N.J.A.C. 6A:25, Qualified Zone Academy Bond Program, without amendment, through a notice of readoption. Through the Federal Taxpayer Relief Act of 1997 (Pub. L. 105-34) and codified at 26 U.S.C. § 1397E, Congress created a school financing instrument—the Qualified Zone Academy Bond (QZAB)—to enable state and local governments, such as school districts, to borrow money from financial institutions at no interest, for costs incurred, to rehabilitate and repair schools, train teachers, develop curriculum, and invest in technology for “qualified zone academies” that serve large concentrations of low-income families. Federal code allocates to state education agencies the bond cap, which is the dollar limit on interest-free state bonding capacity that can be used to finance the costs at qualified zone academies; state education agencies, in turn, allocate the state bond cap to qualified zone academies within the state. As New Jersey’s State education agency, the Department is authorized to allocate the QZAB bond cap in New Jersey.

N.J.A.C. 6A:25 implements the Federal QZAB program for New Jersey. The rules include eligibility requirements for the QZAB program, procedures for application submission for school districts and charter schools applying on behalf of qualified zone academies, and criteria used for the Department’s review of applications.

This State’s QZAB program is best understood within the context of the Federal QZAB statutory and regulatory requirements. The Federal government subsidizes QZABs for a period of time, typically up to 15 years, by providing to bondholders tax credits that are approximately equal in value to the interest that state and local government entities would normally pay the holders of taxable bonds. As the Federal government provides the interest payment by means of a tax credit, the borrower, in this case, the debt issuer for a school district or charter school, is responsible only for repaying the QZAB principal. Certain banks, insurance companies, and corporations actively involved in the business of lending money can receive a tax credit as an incentive to hold QZABs.

To participate in the QZAB program, a public school must be designated as a “qualified zone academy” according to Federal requirements. A qualified zone academy must be located in a Federal empowerment zone or enterprise community, or have at least 35 percent of its student body qualify for free or reduced-price lunch under the National School Lunch Act. In collaboration with a private entity, a public school also develops a comprehensive educational program to expand learning opportunities and provide students with skills needed for the rigors of college and the increasingly complex workplace. The