

EXECUTIVE ORDER NO. 5

WHEREAS, this Administration is committed to saving New Jerseyans time and money, including by ensuring state government processes are efficient, accountable, and affordable, and that taxpayer dollars are invested wisely; and

WHEREAS, this Administration is focused on improving affordability and economic opportunity by making it easier, faster, and less expensive to build major projects such as housing developments, clean energy generation infrastructure, and manufacturing facilities in New Jersey, while still protecting our natural resources; and

WHEREAS, an effective and innovative state government is essential to lowering costs and creating good-paying jobs in New Jersey; and

WHEREAS, New Jerseyans deserve excellent, transparent, and accountable customer service from their government agencies; and

WHEREAS, a lack of communication, clarity, and deadlines in permitting processes can cost business owners and families time and money, slow economic growth and worsen affordability, harm New Jersey's economic competitiveness, and drive businesses to other States; and

WHEREAS, streamlining permitting processes is critical to reducing costs, boosting innovation, creating good jobs, and growing the economy; and

WHEREAS, creating a gold standard of transparency in the state budget process will build public trust and foster civic engagement in New Jersey; and

WHEREAS, simplifying and modernizing the State's regulatory processes will reduce project costs and delays and improve affordability statewide; and

WHEREAS, successfully delivering on these goals requires reimagining how our government works for our residents and the entities doing business in our State;

NOW, THEREFORE, I, MIKIE SHERRILL, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. **Cross-Agency Permitting Team.** A Cross-Agency Permitting Team shall be established under the Strategic Initiatives & Economic Opportunity Office within the Office of the Chief Operating Officer to

streamline the State of New Jersey's permitting processes in order to reduce project delays and costs and to improve customer service, transparency, and accountability for permit applicants.

a. The Cross-Agency Permitting Team shall aim to streamline and expedite the state agency permitting process working in partnership with the agencies and impacted stakeholders. To do so, it shall, at a minimum, and to the extent not inconsistent with any statute, regulation, or other legal mandate:

- i. Collect data from Executive Branch departments and agencies on permitting processing times, identify bottlenecks, and coordinate solutions to increase efficiency;
- ii. Develop and implement standardized permitting frameworks, timelines, and best practices across departments and agencies, consistent with applicable law, that reduce delays and costs;
- iii. Create and manage a permitting dashboard that gives applicants transparency about the status of their applications;
- iv. Evaluate permitting process costs and determine where permit process reforms may result in improved affordability;
- v. Work with local governments to integrate and streamline local permitting processes and state permitting processes where possible;
- vi. Identify and propose legislative fixes to New Jersey's permitting processes that would make them more efficient, accountable and affordable; and
- vii. Act as a one-stop shop to answer permit applicant questions, coordinate across agencies, and help resolve issues that delay project approvals.

- b. Nothing in this Order shall be interpreted as creating a private right to have a project included in the permitting dashboard, nor to create legally binding permitting timelines for projects listed on the dashboard, nor to give preference to any pending permit application over any other.

3. **Permit Catalog.** Every Executive Branch department or agency shall, within 90 days of the effective date of this Order, catalog all types of permits it issues and submit that catalog to the Cross-Agency Permitting Team. The catalog shall include:

- a. A description of all types of permits issued by the agency;
- b. Any legal authority governing the timeline by which the agency must process an application for each type of permit;
- c. A description of the methods by which the agency accepts application materials for each type of permit (e.g., paper or electronic);
- d. A detailed description of all stages of the approval process, including: (i) each distinct step in the process; (ii) the individual or unit responsible for each step; (iii) the expected timeline for completion of each step; (iv) any involvement of other federal, state, or local government entities in the approval process; and (v) documentation of hand-offs between departments, agencies, or individuals;
- e. Any fees or charges associated with the approval;
- f. An analysis and recommendation regarding what constitutes a "complete application" for the purpose of an application for each type of permit;
- g. An analysis and recommendation of the appropriate deadlines by which the Executive Branch department or agency must notify applicants of incomplete applications and process completed applications for each type of permit; and

- h. An analysis and recommendation of strategies to improve permitting review times, transparency, and communication with permit applicants, including any existing statutory, regulatory, technological, or operational barriers to faster processing and recommendations for how to address them.

4. **Permitting Shot Clocks.** Following receipt and analysis of permit catalogs from Executive Branch departments and agencies, the Cross-Agency Permitting Team shall formulate presumptive permitting application process timeframes ("shot clocks") consistent with applicable statutory and regulatory requirements. These shot clocks shall not be construed to create new legally enforceable standards for the processing of permit applications or to create any legally enforceable rights or duties.

5. **Permitting Dashboard.** The Cross-Agency Permitting Team shall develop a Permitting Dashboard, an interactive, online portal displaying the status and progress of state permit applications for projects in the State of New Jersey. The Permitting Dashboard shall allow for the transparent tracking of permit applications, to improve accountability and reduce delays within the state permitting process. The Permitting Dashboard shall display information in a manner consistent with all applicable federal and state statutory and regulatory requirements.

6. **Procurement.** To support the Cross-Agency Permitting Team's mission, the Chief Operating Officer is authorized to expedite procurement processes to the maximum extent permitted by law, including by waiving competitive bidding requirements where authorized by statute to acquire technology systems, consulting services, and other resources necessary to establish and maintain the Permitting Dashboard and implement the streamlined permitting processes required by this Order.

7. **Coordination.** All Executive Branch departments and agencies issuing permits or contributing to permitting processes shall coordinate with the Cross-Agency Permitting Team to support the Permitting Dashboard, including by submitting timely data to the Cross-Agency Permitting Team as requested. The Cross-Agency Permitting Team shall also coordinate with and encourage the participation of local governments

and other state agencies in submitting data, materials, and process updates related to the Permitting Dashboard.

8. **Regulatory Simplification Team Establishment.** There is hereby created a Regulatory Simplification Team, which shall be established under the Operational Performance Office within the Office of the Chief Operating Officer. Consistent with all applicable law, the Regulatory Simplification Team shall develop proposals and implement reforms to state regulatory structures to reduce project delays and costs.

a. The Regulatory Simplification Team shall aim to identify ways to streamline and modernize the state's regulatory processes. To do so, it shall:

- i. identify outdated or burdensome regulations and recommend ways to modernize or streamline those regulations;
- ii. examine where new technology such as artificial intelligence or review models, such as third-party certification, could be used to streamline and expedite regulatory review while still protecting residents and the environment; and
- iii. study where existing regulations impose significant delays or costs on new projects and issue recommendations for making those regulations less costly where possible.

9. **New Jersey Report Card.** The Strategic Initiatives & Economic Opportunity Office shall create the New Jersey Report Card to increase public transparency and accountability regarding New Jersey state government spending and service delivery.

a. The New Jersey Report Card shall be an interactive, public-facing online portal housed within the Office of the Governor that displays to the public, at the discretion of the Office of the Governor:

- i. Information on select state government-funded programs and what those programs deliver to New Jerseyans;
 - ii. An interactive state budget analysis tool that displays:
 - 1. a breakdown of the State's spending and revenue for the fiscal year;
 - 2. notable differences between the enacted budget and the Governor's proposed budget; and
 - 3. changes in state revenue and state spending over time; and
 - iii. Evaluations of select state government-funded programs that describe the impact of these programs on outcomes for New Jerseyans.
- b. Executive Branch departments and agencies shall cooperate with the Strategic Initiatives & Economic Opportunity Office in providing data necessary to support the New Jersey Report Card.

10. **Definitions.** The following definitions shall apply for purposes of this Order.

- a. "Executive Branch departments and agencies" shall mean any of the principal departments of the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.
- b. "Permit" shall mean any permit, license, certification, formal approval, or other authorization issued in connection with construction; manufacturing; energy generation, transmission, or distribution; real estate development; operation of a business; or the provision

of goods or services by an Executive Branch department or agency of the State of New Jersey. The Chief Operating Officer shall have the authority to exercise discretion to modify this definition as determined to be appropriate. Nothing in this Order shall be construed to apply to professional and occupational licenses.

11. Nothing in this Order shall be construed to create a private right of action to enforce any provision of this Order or any rule, guidance, recommendation, or agency action developed pursuant thereto; nor shall this Order be construed to supersede any federal, State, or local law.

12. This Order shall not be construed to require the disclosure of any record or information that is confidential, privileged, advisory, deliberative, or otherwise protected from disclosure by law.

13. This Order shall take effect immediately.

GIVEN, under my hand and seal this
20th day of January,
Two Thousand and Twenty-Six, and
of the Independence of the
United States, the Two Hundred
and Fiftieth.

[seal]

/s/ Mikie Sherrill

Governor

Attest:

/s/ Timothy P. Lydon

Chief Counsel to the Governor