

EXECUTIVE ORDER NO. 7

WHEREAS, numerous regulations and rules proposed by administrative agencies within the last 18 months remain pending, as they have yet to be adopted or expire pursuant to N.J.A.C. 1:30-6.2(c); and

WHEREAS, my Administration should be afforded sufficient opportunity to examine the proposed rules and regulations prior to their adoption to ensure they are not inconsistent with the policies and priorities of this Administration; and

WHEREAS, this review of proposed administrative rules is especially necessary to address the current economic and affordability crisis in New Jersey, and to ensure that the regulatory processes of state government do not have the effect of impeding the creation, growth, or expansion of business enterprises, hindering job creation, or undermining this Administration's commitment to making government effective, accountable, transparent, and user-friendly; and

WHEREAS, this review will help facilitate the work of the Regulatory Simplification Team under the Office of the Chief Operating Officer, which I established via Executive Order No. 5 (2026); and

WHEREAS, this review of pending rule proposals, nevertheless, should not lead to any actions that would compromise the public health, safety, welfare, or security; obstruct or impair essential operations or functions of any administrative agencies or authorities; adversely impact compliance with any court order or statutory deadline; or prejudice the State of New Jersey with respect to the receipt of funding or assistance from the federal government or the ability to obtain any certifications from the federal government;

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. The following definitions shall apply in this Order:

- a. "State agency" or "agency" incorporates the definition provided in the Administrative Procedure Act, N.J.S.A. 52:14B-2, and means "each of the principal departments in the Executive Branch of State government, and all boards, divisions, commissions, agencies, departments, councils, authorities, offices, or officers within any such departments now existing or hereafter established and authorized by statute to make, adopt or promulgate rules or adjudicate contested cases, except the office of the Governor."
- b. "Rule" incorporates the definition provided in N.J.S.A. 52:14B-2, and means "each agency statement of general applicability and continuing effect that implements or interprets law or policy, or describes the organization, procedure or practice requirements of any agency," subject to the exceptions set forth in N.J.S.A. 52:14B-2.
- c. "Proposed rule" means a rule proposed by publication in the New Jersey Register within the past 12 months, or within the past 18 months if the relevant agency has issued a notice of substantial change to the proposed rule, which has neither been adopted nor expired, or a proposal filed with the Office of Administrative Law ("OAL") for

publication but not yet published in the New Jersey Register.

2. No agency shall propose or adopt any rule, except as provided in Paragraph 5 of this Order, for a period of 90 days.

3. With respect to any proposed rule that may have been filed with OAL but has not been published in the New Jersey Register, the head of the State agency proposing the rule shall withdraw the proposed rule in a manner consistent with the Rules for Agency Rulemaking and the practices and procedures of the OAL.

4. No later than February 2, 2026, and earlier to the extent practicable, the head of any State agency that has proposed any rule shall transmit to the Governor a memorandum or notification identifying the rules proposed by the agency whose non-adoption will:

- a. adversely impact public health, safety, welfare, or security;
- b. obstruct or impair essential operations or functions of the State agency in question;
- c. adversely impact compliance with any court order or statutory deadline; or
- d. prejudice the State of New Jersey with respect to the receipt of monies or financial assistance from the federal government, including but not limited to grants, contracts, loans, guarantees, cooperative agreements, non-cash contributions or donations of property, services, training, direct appropriations, or other assistance, or the ability to obtain any certifications or approvals from the federal government.

5. The Governor's Office, including the Office of the Chief Operating Officer, will thereafter review the agency memoranda and notifications identified in Paragraph 4 of this Order and the Governor will determine, in her discretion, whether to rescind the 90-day bar on rule proposals and rule adoptions set forth in Paragraph 2 for any proposed rule. To effectuate the rescission of the 90-day bar for any rule proposal or rule adoption, the Governor shall notify the agency and OAL that OAL shall proceed with publication of the notice of proposal or adoption for the proposed rule.

6. This Order is not intended to, and does not, confer any legal rights upon businesses or others whose activities are regulated by New Jersey's agencies and shall not be used as a basis for legal challenges to regulations, rules, approvals, permits, licenses or other actions, or to any inaction of the governmental entity subject to it.

7. This Order shall take effect immediately.

GIVEN, under my hand and seal this
23rd 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