

[First Reprint]

ASSEMBLY, No. 996

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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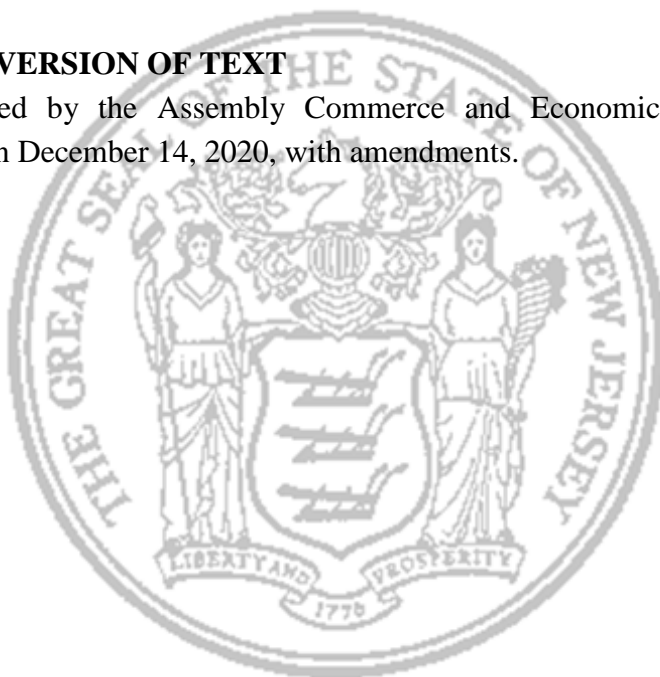
Assemblywoman Mosquera

SYNOPSIS

Creates “Economic Gardening Program” in Department of State to provide customized services to certain businesses.

CURRENT VERSION OF TEXT

As reported by the Assembly Commerce and Economic Development Committee on December 14, 2020, with amendments.



1 AN ACT establishing an “Economic Gardening Program” in the
2 Department of State and supplementing Title 52 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 “Authority” means the New Jersey Economic Development
11 Authority established pursuant to section 4 of P.L.1974, c.80
12 (C.34:1B-4).

13 “Center” means the Business Action Center, created in the
14 Department of State pursuant to Reorganization Plan No. 003-2011.

15 “Department” means the Department of State.

16 “Program” means the “Economic Gardening Program”
17 established pursuant to section 2 of P.L. , c. (C.) (pending
18 before the Legislature as this bill).

19 “Qualified second-stage growth business” means a business that:

20 a. has maintained its principal place of business in the State for
21 at least the last two years;

22 b. has annual revenues totaling ¹**between \$600,000 and** not
23 more than¹ \$50,000,000;

24 c. employs at least five but not more than 100 full-time
25 employees in this State;

26 d. demonstrates growth in annual revenue or jobs, or both, in
27 two of the last five years;

28 e. delivers products or services to customers outside the
29 business's local market area or demonstrates the capacity to do so;

30 f. is in a target industry as identified by the center; and

31 g. is organized for profit to perform a lawful, commercial
32 function.

33
34 2. a. The Business Action Center shall establish an “Economic
35 Gardening Program.” The program shall consist of customized
36 services provided by the center, pursuant to subsection b. of this
37 section, to a qualified second-stage growth business deemed eligible
38 by the center upon application by a business in a manner established
39 by the center. The center shall work in conjunction with the
40 authority and State, local, and private business assistance entities to
41 develop and promote the program.

42 b. (1) Through the program, the center shall, upon request and
43 free of charge, provide to a qualified second-stage growth business

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACE committee amendments adopted December 14, 2020.

1 customized services tailored to the needs of the qualified second-
2 stage growth business, including, but not limited to:

3 (a) a review of the qualified second-stage growth business's
4 core strategies, including threats and opportunities, business
5 strategy, and niche markets;

6 (b) qualified second-stage growth business development
7 opportunities through market research and qualified sales leads,
8 including, but not limited to, information about competitors and
9 their strategies, industry trends and forecasts, market size and sales,
10 financial analysis, business planning, strategic planning, market
11 demographics, market research reports, potential market niches,
12 prospective partners and resources, and marketing lists; and

13 (c) guidance to the qualified second-stage growth business on
14 increasing its visibility and credibility within the market with an
15 improved Internet presence, and advice on how to best use
16 technology to connect with customers.

17 (2) The Business Action center may provide customized
18 services addressing the needs of a requesting qualified second-stage
19 growth business, pursuant to paragraph (1) of this subsection, in the
20 form of personalized counseling or management consulting. The
21 center may partner with business assistance organizations in the
22 State to provide customized services pursuant to paragraph (1) of
23 this subsection.

24 (3) The center, or any organization that is partnered with the
25 center to provide customized services pursuant to paragraph (2) of
26 this subsection, shall not disclose any non-public proprietary
27 information about the requesting qualified second-stage growth
28 business that is obtained while assisting that business to any other
29 business or private entity. Both the center and any organization that
30 is partnered with the center to provide customized services pursuant
31 to paragraph (2) of this subsection shall not provide any non-public
32 proprietary information to a qualified second-stage growth business
33 requesting customized services. No action may be brought against
34 the State, or any agency or instrumentality thereof, for relief in
35 connection with the center's provision of customized services under
36 this subsection.

37 c. (1) There is appropriated from the General Fund to the
38 department monies as shall be necessary to effectuate the purposes
39 of P.L. , c. (C.) (pending before the Legislature as this
40 bill).

41 (2) The center may to seek and accept gifts, grants, or donations
42 from private or public sources for funding the costs of the
43 customized services provided pursuant to subsection b. of this
44 section, except that the center may not accept a gift, grant, or
45 donation that is subject to conditions that are inconsistent with any
46 other law of this State.

47 d. The center shall report annually to the Governor and,
48 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the

1 Legislature on the functioning of the program and meeting the
2 needs of qualified second-stage growth businesses. The report shall
3 include, but not be limited to, the number and locations of
4 participating qualified second-stage growth businesses, the number
5 of jobs created or maintained by participating qualified second-
6 stage growth businesses, the amount of any capital investment made
7 by participating qualified second-stage growth businesses as a result
8 of participation in the program, and the type and amount of any
9 financial assistance given to participating qualified second-stage
10 growth businesses.

11

12 3. This act shall take effect immediately.