

# ASSEMBLY, No. 3075

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

**Sponsored by:**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**SYNOPSIS**

Establishes NJEDA urban farming grant and loan program.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT establishing an urban farming grant and loan program, and  
2 supplementing P.L.1974, c.80 (C.34:1B-1 et seq.).

3

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

6

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

9 “Urban area” means a neighborhood in, or portion of, a city of  
10 the first class, second class, third class, or fourth class in the State  
11 or a neighborhood in, or portion of, a municipality eligible to  
12 receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.).

13 “Urban farming” means farming in an urban area on land or in or  
14 on a building or the rooftop thereof, where fresh produce or other  
15 agricultural products are grown or raised for consumption as food  
16 by traditional agricultural methods, in greenhouses using the  
17 appropriate methods for these structures, or through the use of  
18 aquaponics, hydroponics, or another nontraditional method of  
19 farming. “Urban farming” shall not include the cultivation of  
20 marijuana for medicinal or any other purpose.

21

22 2. a. The New Jersey Economic Development Authority, in  
23 consultation with the Department of Agriculture and the  
24 Department of Education, shall develop and administer an urban  
25 farming grant and loan program to:

26 (1) facilitate the acquisition of sites in urban areas available to  
27 be used for urban farming; and

28 (2) support providing fresh produce and other agricultural  
29 products from these urban farming sites to school districts for use  
30 in public school cafeterias throughout the State.

31 b. (1) An applicant for a grant or loan pursuant to this section  
32 shall apply to the authority, in a form and manner as determined by  
33 the authority, and shall include such information as the authority  
34 determines is necessary in consideration of the provisions of  
35 P.L. , c. (C. ) (pending before the Legislature as this bill).

36 (2) In order to receive a grant or loan from the authority  
37 pursuant to P.L. , c. (C. ) (pending before the Legislature  
38 as this bill), the applicant shall meet the following requirements:

39 (a) the applicant’s urban farming facility shall be located within  
40 the State;

41 (b) the applicant shall demonstrate contractual relationships  
42 with school districts in the State for the use of the fresh produce or  
43 other agricultural products grown or raised by the applicant, or shall  
44 demonstrate to the satisfaction of the authority how such  
45 relationships would be established;

46 (c) the applicant shall have sufficient experience, training, and  
47 education in urban farming to establish and operate an urban  
48 farming facility;

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1 (d) the applicant shall demonstrate to the satisfaction of the  
2 authority that the applicant owns and operates an established urban  
3 farming facility or has access to a site upon which a viable urban  
4 farming facility may be established;

5 (e) the applicant shall materially and substantially participate in  
6 the urban farming and provision of fresh produce and other  
7 agricultural products to public schools in school districts in the  
8 State;

9 (f) the grant or loan shall be used by the applicant for urban  
10 farming only; and

11 (g) the applicant shall comply with any other criteria established  
12 by the authority pursuant to rules and regulations adopted pursuant  
13 to section 3 of P.L. , c. (C. ) (pending before the  
14 Legislature as this bill).

15 (3) The authority shall review each complete application and  
16 approve any application that meets the requirements of this section  
17 and the rules and regulations adopted pursuant to section 3 of  
18 P.L. , c. (C. ) (pending before the Legislature as this bill).

19 c. An urban farming grant under this section shall be made by  
20 the authority in the manner the authority establishes, subject to the  
21 terms and conditions considered appropriate by the authority that  
22 are consistent with the purposes of P.L. , c. (C. ) (pending  
23 before the Legislature as this bill) and with the rules and regulations  
24 adopted by the authority pursuant to section 3 of  
25 P.L. , c. (C. ) (pending before the Legislature as this bill).

26 d. An urban farming loan under this section shall be made  
27 pursuant to a loan agreement between the applicant and the  
28 authority, shall bear interest at rates and terms deemed appropriate  
29 by the authority, and shall contain other terms and conditions  
30 considered appropriate by the authority that are consistent with the  
31 purposes of P.L. , c. (C. ) (pending before the Legislature  
32 as this bill) and with the rules and regulations adopted by the  
33 authority pursuant to section 3 of P.L. , c. (C. ) (pending  
34 before the Legislature as this bill).

35 e. The authority may, in its discretion, require an applicant that  
36 receives a grant or a loan pursuant to P.L. , c. (C. )  
37 (pending before the Legislature as this bill) to submit an audited  
38 financial statement to the authority in order to ensure the applicant  
39 has properly used the grant or loan, the applicant is providing fresh  
40 produce and other agricultural products to public schools in the  
41 State, and the applicant continues to operate a viable urban farming  
42 facility.

43 f. The authority may, either through the adoption of rules and  
44 regulations pursuant to section 3 of P.L. , c. (C. ) (pending  
45 before the Legislature as this bill). , or through the terms of a grant  
46 or loan agreement made pursuant to subsection c. or d. of this  
47 section, establish terms governing the incidence of default by an  
48 applicant that receives a grant or loan under the program, and in the

1 case of a grant applicant, circumstances under which the grant  
2 would be converted to a loan after it is demonstrated that the  
3 applicant improperly used the grant.

4 g. The authority may participate in, and cooperate with,  
5 programs of the Consolidated Farm Service Agency in the United  
6 States Department of Agriculture, any Federal Land Bank, or any  
7 other agency or instrumentality of the federal government, or with  
8 any program of any other State agency, in the administration of the  
9 urban farming grant and loan program.

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11 3. The New Jersey Economic Development Authority, in  
12 consultation with the Department of Agriculture and the  
13 Department of Education, shall adopt, pursuant to the  
14 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
15 seq.), rules and regulations necessary to effectuate the purposes of  
16 P.L. , c. (C. ) (pending before the Legislature as this bill).

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18 4. This act shall take effect immediately.

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#### STATEMENT

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23 This bill directs the New Jersey Economic Development  
24 Authority (NJEDA), in consultation with the Department of  
25 Agriculture and the Department of Education, to develop and  
26 administer an urban farming grant and loan program to:

27 1) facilitate the acquisition of sites in urban areas available to be  
28 used for urban farming; and

29 2) support providing fresh produce and other agricultural  
30 products from these urban farming sites to school districts for use  
31 in public school cafeterias throughout the State.

32 The bill requires demonstration of a contractual relationship with  
33 school districts in the State to provide to public schools fresh  
34 produce or other agricultural products grown or raised through  
35 urban farming. The bill authorizes the NJEDA to establish as it  
36 deems necessary any other eligibility requirements, loan terms, or  
37 terms for receiving a grant or loan pursuant to the program. The bill  
38 also excludes the cultivation of marijuana for medicinal or any  
39 other purpose from any urban farming supported by the NJEDA  
40 grants and loans pursuant to the program established by the bill.