

ASSEMBLY, No. 5134

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Assemblywoman Pintor Marin

SYNOPSIS

Establishes small hospitality business winter preparation purchase or reimbursement program in EDA; appropriates \$50 million to EDA from federal funds.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/23/2021)

1 AN ACT concerning assistance to certain small hospitality
2 businesses, supplementing P.L.1974, c.80 (C.34:1B-1 et seq.),
3 and making an appropriation.
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 “Major public health emergency” means a health emergency that
14 has resulted in the Governor declaring a public health emergency,
15 pursuant to section 3 of P.L.2005, c.222 (C.26:13-3), and a state of
16 emergency, pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.),
17 within this State.

18 “Qualified small hospitality business” means a business owning
19 a restaurant or dining establishment, or any bar, brewery, brewpub,
20 winery, or other establishment serving alcoholic beverages on its
21 premises at which 100 or fewer workers are employed at a location
22 in this State and where the business has applied for and has been
23 approved by the authority for participation in the program
24 established pursuant to section 2 of P.L. , c. (C.) (pending
25 before the Legislature as this bill).
26

27 2. a. The New Jersey Economic Development Authority shall
28 establish a program that provides grant funding to a qualified small
29 hospitality business for the purchase or reimbursement of its costs
30 of barriers, blankets, heaters, and tents used for the preparation and
31 outdoor operation of an establishment of the qualified small
32 hospitality business during periods of cold and other inclement
33 weather.

34 b. The authority shall establish the terms and conditions by
35 which a small hospitality business may apply and receive approval
36 for participation in the program. The authority shall enter into an
37 agreement with a qualified small hospitality business concerning
38 the authority's provision of grant funding to a qualified small
39 hospitality business for this purpose. The authority shall provide no
40 more than \$10,000 in grant funding to each qualified small
41 hospitality business approved by the authority for participation in
42 the program.
43

44 3. The authority shall establish and maintain within the
45 program a fund to provide grant funding to a qualified small
46 hospitality business that participates in the program and to
47 administer the program. The fund shall be credited with
48 \$50,000,000 from an appropriation made to the authority pursuant

1 to section 6 of P.L. , c. (C.) (pending before the Legislature
2 as this bill). The fund may be credited with moneys made available
3 by the authority for the purpose of the fund and moneys received by
4 the authority from any other public or private donations. The
5 authority is authorized to seek and accept gifts, grants, or donations
6 from private or public sources for deposit in the fund, except that
7 the authority may not accept a gift, grant, or donation that is subject
8 to conditions that are inconsistent with any other law of this State.

9
10 4. a. In administering the program and the fund established
11 pursuant to P.L. , c. (C.) (pending before the Legislature as
12 this bill), the authority shall establish:

- 13 (1) procedures and timelines for applications for the program;
14 (2) criteria for determining grant funding to be disbursed from
15 the fund to a qualified small hospitality business;
16 (3) reporting requirements for a qualified small hospitality
17 business accepted into the program and its receiving grant funding
18 from the fund; and
19 (4) any other policies deemed necessary by the authority for the
20 administration of the program and the fund. The authority, in its
21 sole discretion, may amend these policies at any time if the policies
22 are established or amended in a manner consistent with the
23 provisions of P.L. , c. (C.) (pending before the Legislature
24 as this bill).

25 b. The reporting requirements established pursuant to
26 paragraph (3) of subsection a. of this section shall require a
27 qualified small hospitality business receiving grant funding under
28 the program to report to the authority, in a form and manner
29 determined by the authority, while the qualified small hospitality
30 business participates in the program. The report shall include:

- 31 (1) proof that the qualified small hospitality business used grant
32 funding to purchase barriers, blankets, heaters, and tents at an
33 establishment of the qualified small hospitality business; and
34 (2) any other information the authority requires in a form and
35 manner determined by the authority.

36
37 5. There is appropriated from the General Fund to the New
38 Jersey Economic Development Authority the sum of \$50,000,000
39 from a portion of those federal block grant funds allocated to the
40 State from the federal “Coronavirus Relief Fund,” established
41 pursuant to the federal Coronavirus Aid, Relief, and Economic
42 Security Act,” Pub.L.116-136, or from any other source of funds
43 available to the State pursuant to federal law, for use by the
44 authority to provide grant funding to qualified small hospitality
45 businesses that participate in the program established under
46 P.L. , c. (C.) (pending before the Legislature as this bill)
47 and to administer that program.

1 6. This act shall take effect immediately.

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STATEMENT

5

6 This bill requires the New Jersey Economic Development
7 Authority (EDA) to establish a program that provides grant funding
8 to a qualified small hospitality business for the purchase or
9 reimbursement of its costs of barriers, blankets, heaters, and tents
10 used for the preparation and outdoor operation of at an
11 establishment of the hospitality business during periods of cold and
12 other inclement weather. The bill defines a “qualified small
13 hospitality business” (hospitality business) as a business owning a
14 restaurant or dining establishment, or any bar, brewery, brewpub,
15 winery, or other establishment serving alcoholic beverages on its
16 premises at which 100 or fewer workers are employed at a location
17 in this State and where the business has applied for and has been
18 approved by the EDA for participation in the program. The EDA is
19 to establish the terms and conditions by which a hospitality business
20 may apply and receive approval for participation in the program.

21 The EDA is to enter into an agreement with a hospitality
22 business concerning the EDA's provision of grant funding to a
23 hospitality business for this purpose. The bill prohibits the EDA
24 from providing more than \$10,000 in grant funding to each
25 hospitality business approved by the EDA for participation in the
26 program.

27 The bill requires the EDA to establish and maintain a fund to
28 provide grant funding to a hospitality business that participates in
29 the program and to administer the program. The fund is to be
30 credited with \$50,000,000 from an appropriation made to the EDA.
31 The fund may be credited with moneys made available by the EDA
32 for the purpose of the fund and moneys received by the EDA from
33 any other public or private donations.

34 In administering the program and the fund, the EDA is to
35 establish: 1) procedures and timelines for applications for the
36 program; 2) criteria for determining grant funding to be disbursed
37 from the fund to a hospitality business; 3) reporting requirements
38 for a hospitality business accepted into the program and its
39 receiving grant funding from the fund; and 4) any other policies
40 deemed necessary by the EDA for the administration of the program
41 and the fund. The EDA, in its sole discretion, may amend these
42 policies at any time if the policies are established or amended in a
43 manner consistent with the provisions of the bill. The reporting
44 requirements require a hospitality business receiving grant funding
45 under the program to report to the EDA, in a form and manner
46 determined by the EDA, while the hospitality business participates
47 in the program. The report is to include: 1) proof that the
48 hospitality business used grant funding to purchase barriers,

1 blankets, heaters, and tents at the hospitality business; and 2) any
2 other information the EDA requires in a form and manner
3 determined by the EDA.

4 The bill appropriates from the General Fund to the EDA
5 \$50,000,000 from a portion of those federal block grant funds
6 allocated to the State from the federal “Coronavirus Relief Fund,”
7 established pursuant to the federal Coronavirus Aid, Relief, and
8 Economic Security Act,” Pub.L.116-136, or from any other source
9 of funds available to the State pursuant to federal law, for use by
10 the EDA to provide grant funding to hospitality businesses that
11 participate in the program and to administer the program.