

P.L. 2020, CHAPTER 60, *approved July 16, 2020*  
Assembly, No. 4175 (*First Reprint*)

1 AN ACT authorizing the creation of a debt of the State of New Jersey  
2 by the issuance of bonds of the State in the aggregate principal  
3 amount of <sup>1</sup>["\$5,000,000,000"] up to \$9,900,000,000<sup>1</sup> for the  
4 purpose of responding to the fiscal exigencies caused by the  
5 COVID-19 Pandemic; authorizing the Governor to apply for and  
6 receive federal stimulus loans for the benefit of the State;  
7 <sup>1</sup>["authorizing the Governor to apply for and receive federal  
8 stimulus loans for the benefit of local government units;"]<sup>1</sup>  
9 authorizing the issuance of refunding bonds <sup>1</sup>["and emergency  
10 liquidity notes"]<sup>1</sup>; and providing the ways and means to pay and  
11 discharge the principal of and interest on the bonds.  
12

13 **BE IT ENACTED** by the Senate and General Assembly of the State  
14 of New Jersey:

15  
16 1. This act shall be known and may be cited as the "New Jersey  
17 COVID-19 Emergency Bond Act."  
18

19 2. The Legislature finds and declares that:

20 a. Due to the increase in the number of SARS-CoV-2 novel  
21 coronavirus ("COVID-19") cases in New Jersey, the surrounding  
22 region and across the globe, the Governor of the State of New Jersey  
23 (the "Governor") issued Executive Order No. 103 declaring a public  
24 health emergency and a state of emergency in the State of New Jersey  
25 (the "State") on March 9, 2020. The declaration allows for certain  
26 executive actions to respond to the increasing number of COVID-19  
27 cases in the State.

28 b. On March 11, 2020, the World Health Organization declared  
29 the COVID-19 outbreak a pandemic, and on March 13, 2020, the  
30 President of the United States proclaimed that the COVID-19 outbreak  
31 constituted a national emergency.

32 c. On March 16, 2020, the Governor issued Executive Order No.  
33 104, whereby the Governor ordered restrictions, including that all K-  
34 12 schools be closed (with limited exceptions); all universities and  
35 colleges in the State cease in-person instruction; casinos, racetracks,  
36 in-person sports wagering, gyms and fitness centers, and entertainment  
37 centers be closed; non-essential businesses cease operations from 8:00  
38 p.m. to 5:00 a.m., and when open, adhere to limited occupancy  
39 restrictions; and all restaurants and bars close except for delivery or  
40 take-out services.

**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:

<sup>1</sup>Senate SBA committee amendments adopted July 14, 2020.

- 1           d. On March 19, 2020, the Governor issued Executive Order No.  
2 105, whereby the Governor, among other things, ordered that certain  
3 local elections scheduled during the rest of March and in April be  
4 moved to May 12, 2020, and that all elections on May 12, 2020, take  
5 place via mail-in ballot only.
- 6           e. On March 19, 2020, the Governor issued Executive Order No.  
7 106, whereby the Governor, among other things, ordered that no  
8 lessee, tenant, homeowner or any other person shall be removed from  
9 a residential property by foreclosure or eviction; and that enforcement  
10 of all judgments for possession, warrants for removal, and writs of  
11 possession are stayed while Executive Order No. 106 is in effect,  
12 unless the court hearing the matter determines that enforcement is  
13 necessary in the interests of justice.
- 14          f. On March 21, 2020, the Governor issued Executive Order No.  
15 107, which superseded the operative paragraphs of Executive Order  
16 No. 104 and whereby the Governor ordered that for the most part all  
17 State residents remain home or at their place of residence except for  
18 certain very limited exceptions. The Governor also ordered that all  
19 non-essential retail businesses be closed to the public.
- 20          g. On March 21, 2020, the Governor issued Executive Order No.  
21 108, whereby the Governor ordered that any county or municipal  
22 restriction imposed in response to COVID-19 that in any way conflicts  
23 with the provisions of Executive Order No. 107 is invalidated; and no  
24 municipality, county or any agency or political subdivision of the State  
25 may enact any order, rule, regulation, ordinance, or resolution which  
26 would conflict with Executive Order No. 107.
- 27          h. On March 23, 2020, the Governor issued Executive Order No.  
28 109, whereby the Governor ordered all elective surgeries suspended as  
29 of March 27, 2020.
- 30          i. On March 25, 2020, the Governor issued Executive Order No.  
31 110, whereby the Governor ordered all child care centers to close,  
32 except those certified to care for the children of essential persons,  
33 including essential government employees; health care workers; law  
34 enforcement personnel; fire and emergency services personnel; staff at  
35 correctional facilities; individuals employed at emergency child care  
36 centers operating on or after April 1, 2020; group home and shelter  
37 staff; essential government employees who are unable to work from  
38 home, including child protection services workers, child welfare  
39 workers, foster care workers, unemployment compensation processing  
40 staff, and public health employees; and certain critical workers at  
41 essential retail business.
- 42          j. On March 28, 2020, the Governor issued Executive Order No.  
43 111, whereby the Governor ordered health care facilities to report data  
44 concerning their capacity and supplies on a daily basis.
- 45          k. On April 1, 2020, the Governor issued Executive Order No.  
46 112, whereby the Governor ordered the removal of various statutory  
47 barriers applicable to various health care professionals and provided

1 immunity to health care professionals and health care facilities aiding  
2 in the response by the State to the COVID-19 Pandemic.

3 1. On April 2, 2020, the Governor issued Executive Order No.  
4 113, whereby the Governor authorized the State Director of  
5 Emergency Management, who is the Superintendent of State Police, to  
6 use the Governor's full authority to reallocate medical resources to the  
7 regions and health care facilities affected by COVID-19, to take or  
8 use, subject to the compensation provisions of the New Jersey Civilian  
9 Defense and Disaster Control Act, personal services and/or real or  
10 personal property, including medical resources, for the purpose of  
11 protecting or promoting the public health, safety, or welfare.

12 m. On April 3, 2020, the Governor issued Executive Order No.  
13 114, whereby the Governor ordered that the flags of the United States  
14 of America and of New Jersey shall be flown at half-staff at all State  
15 buildings in recognition and mourning of all those who have lost their  
16 lives and have been affected by COVID-19.

17 n. On April 6, 2020, the Governor issued Executive Order No.  
18 115, whereby the Governor authorized, for the duration of the public  
19 health emergency and the state of emergency, the return by retirees of  
20 government agencies to employment without having to re-enroll in any  
21 retirement system.

22 o. On April 7, 2020, the Governor issued Executive Order No.  
23 116, whereby the Governor extended the deadline to June 9, 2020, for  
24 the governing body of each municipality, after consultation with the  
25 school board of education, to present and to certify a tax levy to the  
26 county board of taxation; school districts that were scheduled to have  
27 their annual board of education elections on April 21, 2020, but which  
28 were postponed to May 12, 2020, have until June 5, 2020 to provide  
29 notice to non-tenured teaching staff members as to whether they will  
30 be employed for the next succeeding year and such non-tenured  
31 teaching staff members have until June 22, 2020 to accept such  
32 employment offers by such school districts; the terms of school board  
33 of education members whose terms were set to expire at the first  
34 organizational meeting following the postponed April 21, 2020  
35 election shall be extended to the first organizational meeting following  
36 the May 12, 2020 election; and the terms of such school board of  
37 education members elected at the May 12, 2020 election shall run as  
38 though they had taken office at the first organizational meeting  
39 following the originally scheduled April 21, 2020 election.

40 p. On April 7, 2020, the Governor issued Executive Order No.  
41 117, whereby the Governor, among other things, waived and cancelled  
42 the eighth-grade student assessment for the 2019-2020 school year;  
43 waived and cancelled the twelfth-grade student assessment for any  
44 student who is expected to graduate in the class of 2020, but who had  
45 not, as of March 18, 2020, met such graduation assessment  
46 requirement; waived the requirement that student growth data be used  
47 as a measure of educator effectiveness in the overall evaluation of any  
48 educator; and waived the requirement of three observations and

1 evaluations for all non-tenured teaching staff for the 2019-2020 school  
2 year.

3 q. On April 7, 2020, the Governor issued Executive Order No.  
4 118, whereby the Governor ordered that all State parks and forests and  
5 all county parks be closed to the public.

6 r. On April 7, 2020, the Governor issued Executive Order No.  
7 119, whereby the Governor ordered that all executive orders, and all  
8 Executive Branch department and agency actions, including any  
9 administrative orders adopted in whole or in part based on the  
10 authority under the Emergency Health Powers Act, P.L.2005, c.222  
11 (C.26:13-1, et seq.), remain in full force in effect.

12 s. On April 8, 2020, the Governor issued Executive Order No.  
13 120, whereby the Governor ordered the federal and State primary  
14 elections scheduled for June 2, 2020, be postponed and rescheduled for  
15 July 7, 2020; and any other election scheduled for a date on or between  
16 May 13, 2020, and July 7, 2020, be postponed and rescheduled for  
17 July 7, 2020.

18 t. On April 8, 2020, the Governor issued Executive Order No.  
19 121, whereby the Governor authorized motor vehicles transporting  
20 relief supplies necessary for the response to the COVID-19 Pandemic  
21 public health emergency and state of emergency via certain interstate  
22 highways and toll roads in the State to receive special permits from the  
23 Department of Transportation to increase the maximum motor vehicle  
24 weight on a vehicle with a minimum of five axles.

25 u. On April 8, 2020, the Governor issued Executive Order No.  
26 122, whereby the Governor ordered: (1) essential retail businesses that  
27 are permitted to maintain in-person operations pursuant to Executive  
28 Order No. 107, to limit occupancy to fifty percent of the stated  
29 maximum store capacity, establish hours of operation that permit  
30 access solely to high-risk individuals as defined by the Centers for  
31 Disease Control and Prevention, install physical barriers between  
32 customers and cashiers/baggers to ensure six feet of distance between  
33 those individuals, require infection control practices for employees and  
34 provide employees break time for repeated handwashing throughout  
35 the workday, arrange for contactless pay, pickup and delivery options,  
36 provide sanitization materials to staff and customers, require frequent  
37 sanitization of high-touch areas such as restrooms, credit card  
38 machines, keypads, counters and shopping carts, demarcate six feet of  
39 spacing in check-out lines, and require employees and customers to  
40 wear cloth face coverings while on premises; (2) all non-essential  
41 construction projects to cease; (3) all manufacturing businesses,  
42 warehousing businesses and businesses engaged in essential  
43 construction projects (as defined in the Executive Order) to limit the  
44 number of persons at the worksite concurrently and to adopt social  
45 distancing and infection control, mitigation and sanitization policies to  
46 prevent the spread of COVID-19; (4) all manufacturing businesses,  
47 warehousing businesses and businesses engaged in essential  
48 construction projects to adopt policies to address situations where an

1 employee appears to demonstrate COVID-19 symptoms during the  
2 work day, to notify employees of potential exposure to COVID-19, to  
3 clean and disinfect worksite areas, and to maintain a clean and safe  
4 workplace environment; and (5) businesses authorized to maintain in-  
5 person operations pursuant to Executive Order No. 107, to adopt  
6 certain cleaning protocols where operations are conducted.

7 v. On April 9, 2020, the Governor issued Executive Order No.  
8 123, whereby the Governor ordered certain insurance companies not to  
9 cancel policies during the emergency grace periods as a result of  
10 nonpayment of premiums; and authorized the Commissioner of  
11 Banking and Insurance to extend the emergency grace periods further  
12 as necessary to protect the interests of policyholders, beneficiaries and  
13 the public.

14 w. On April 10, 2020, the Governor issued Executive Order No.  
15 124, whereby the Governor authorized a process for the release of  
16 inmates by means of parole or temporary emergency medical home  
17 confinement to reduce the threat to inmates posed by COVID-19 in a  
18 correctional setting.

19 x. On April 11, 2020, the Governor issued Executive Order No.  
20 125, whereby the Governor ordered New Jersey Transit, private New  
21 Jersey Transit-affiliated motor carriers, private unaffiliated motor  
22 carriers, and private paratransit carriers to establish infection control,  
23 mitigation and sanitization policies to prevent the spread of COVID-  
24 19; restaurants, cafeterias, dining establishments, food courts, bars,  
25 and other holders of liquor licenses with retail consumption privileges  
26 that are continuing to offer food delivery and/or take-out services  
27 pursuant to Executive Order No. 107 to adopt social distancing and  
28 infection control, mitigation and sanitization policies to prevent the  
29 spread of COVID-19.

30 y. On April 13, 2020, the Legislature passed P.L.2020, c.19,  
31 whereby the Legislature: (1) extended the due date for the filing of  
32 quarterly and annual returns and the payment of tax due pursuant to  
33 the “New Jersey Gross Income Tax Act,” N.J.S.54A:1-1 et seq., or the  
34 “Corporation Business Tax Act (1945),” P.L.1945, c.162 (C.54:10A-1  
35 et seq.), from April 15, 2020 to July 15, 2020; and (2) for purposes of  
36 the State’s general appropriation law, provided that the State fiscal  
37 year scheduled to end on June 30, 2020, shall end on September 30,  
38 2020, and the subsequent fiscal year shall begin on October 1, 2020,  
39 and shall end on June 30, 2021.

40 z. On April 13, 2020, the Governor issued Executive Order No.  
41 126, whereby the Governor ordered that no cable or  
42 telecommunications provider that provides residential internet and  
43 voice services to State residents shall terminate such internet and voice  
44 services due to nonpayment during the public health emergency and  
45 state of emergency; authorized a cable or telecommunications provider  
46 to State residents to downgrade or reduce the quality of residential  
47 internet or voice services due to nonpayment only if acting according  
48 to a policy approved in writing by the New Jersey Board of Public

1 Utilities; authorized a cable or telecommunications provider to State  
2 residents to collect a fee or charge imposed for late payments relating  
3 to residential internet service or imposed for reconnection of voice  
4 services only if acting according to a policy approved in writing by the  
5 New Jersey Board of Public Utilities; and authorized reconnection of  
6 residential internet or voice services which were discontinued due to  
7 nonpayment after March 16, 2020, including where the disconnection  
8 was for unpaid bills incurred prior to March 16, 2020, at no cost to the  
9 customer beyond the actual costs incurred by the provider.

10 aa. On April 14, 2020, the Governor issued Executive Order No.  
11 127, whereby the Governor ordered an extension of deadlines in  
12 contested cases and for filing of any recommended report or decision  
13 under the “Administrative Procedure Act,” P.L.1968, c.410  
14 (C.52:14B-1, et seq.), unless the contested case is proceeding as  
15 emergent or is on appeal to the Civil Service Commission from certain  
16 adverse actions; ordered an extension of the deadline for notices of  
17 rule proposal if the rule proposal was published in the New Jersey  
18 Register on or after April 15, 2019, and the notice of rule proposal  
19 would otherwise expire without the benefit of such an extension;  
20 ordered an extension of the deadline for any Executive Branch  
21 department or agency to act on any currently pending petition for  
22 rulemaking or on any petition for rulemaking filed during the public  
23 health emergency, or any Executive Branch department or agency rule  
24 prescribing procedures for the consideration and disposition of  
25 petitions for rulemaking; ordered an extension of the expiration date of  
26 any rule scheduled to expire during the public health emergency;  
27 authorized the further extension of any deadline or expiration date  
28 upon request of the Executive Branch department or agency and upon  
29 written approval of the Governor; and extended the deadline by which  
30 any State officer or employee is required to file a financial disclosure  
31 statement pursuant to Executive Order No. 2 (Murphy 2018 ) or a  
32 conflict of interest form pursuant to Executive Order No. 14 (Corzine  
33 2006) to July 31, 2020.

34 bb. On April 24, 2020, the Governor issued Executive Order No.  
35 128, whereby the Governor authorized the use of security deposits,  
36 upon the request from a tenant, to pay or be credited against rent  
37 payments due or to become due from the tenant during the public  
38 health emergency or up to sixty days after the public health emergency  
39 terminates.

40 cc. On April 27, 2020, the Governor issued Executive Order No.  
41 129, whereby the Governor ordered the extension of all retired officer  
42 carry permits that expire during the public health emergency for a  
43 period of 90 days after the end of the public health emergency,  
44 provided that the permit holder submits a renewal application prior to  
45 the expiration of their existing permit or prior to May 4, 2020, which is  
46 later, and the permit holder submits proof of qualification on the use of  
47 their weapon.

1 dd. On April 28, 2020, the Governor issued Executive Order No.  
2 130, whereby the Governor authorized the governing body of any  
3 municipality in the State to adopt a resolution instituting a grace period  
4 concluding on a date no later than June 1, 2020, for the payment of  
5 second-quarter property taxes for municipalities on a calendar year  
6 budget cycle and for the payment of fourth-quarter property taxes for  
7 municipalities on a State fiscal year (July 1 to June 30) budget cycle.

8 ee. On April 28, 2020, the Governor issued Executive Order No.  
9 131, whereby the Governor established the Governor's Restart and  
10 Recovery Commission to provide advice and guidance to the Governor  
11 for reopening the State economy in a way that is consistent with the  
12 State's public health efforts to slow the spread of COVID-19.

13 ff. On April 29, 2020, the Governor issued Executive Order No.  
14 132, whereby the Governor authorized electronic submission of  
15 initiative and referendum petitions to county clerks and municipal  
16 clerks in addition to hand delivery of such petitions; authorized county  
17 clerks and municipal clerks to also accept electronic signatures on such  
18 petitions via an online form; and suspended the statutory requirement  
19 for a notarized affidavit to be submitted attesting to the validity of  
20 signatures on such petitions.

21 gg. On April 29, 2020, the Governor issued Executive Order No.  
22 133, whereby the Governor ordered the reopening of State parks and  
23 forests for passive recreational activities in which social distancing can  
24 be readily achieved but ordered that certain other activities remain  
25 closed; set forth restrictions, recommendations and policies for social  
26 distancing at State parks and forests; ordered the opening of county  
27 parks; and ordered that social distancing restrictions, recommendations  
28 and policies be followed at county and municipal parks, and at golf  
29 courses that are opened to the public.

30 hh. The COVID-19 Pandemic has had a severe impact on the  
31 State's economy. The long-term and short-term capital markets have  
32 experienced significant deterioration in value and increased volatility,  
33 which can affect the liquidity and results of operations of businesses in  
34 the State and the State economy as a whole and which has significantly  
35 and materially adversely affected and continues to significantly and  
36 materially adversely affect the State's financial resources for Fiscal  
37 Year 2020 and Fiscal Year 2021.

38 ii. The impact of COVID-19 on the State, its economy, budget  
39 and finances is unpredictable and rapidly changing, but events  
40 surrounding COVID-19 will severely and negatively impact the State's  
41 economy and financial condition. Some of the negative impacts that  
42 the State has currently identified include:

43 (1) The State expects precipitous declines in revenues in Fiscal  
44 Year 2020 and Fiscal Year 2021, which include significant reductions  
45 in gross income tax revenues, corporation business tax revenues, and  
46 sales and use tax revenues due to required business shutdowns; motor  
47 fuels taxes due to mandated "stay-at home" orders; casino-related

1 taxes due to casino closures; and lottery sales which have already  
2 started to decline;

3 (2) The State expects that it will need to significantly revise the  
4 estimated revenues and projected appropriations for Fiscal Years 2020  
5 and 2021 contained in the Governor's Budget Message for Fiscal Year  
6 2021 on February 25, 2020, which was delivered before the outbreak  
7 of COVID-19 within the State; and

8 (3) The State may encounter future increases in the State's  
9 actuarially recommended contributions to the State's pension plans to  
10 the extent that the valuation of pension plans is affected by the  
11 deterioration in value in the investment markets.

12 jj. <sup>1</sup>Events surrounding COVID-19 have caused and will  
13 continue to cause severe and negative impacts on the economy and  
14 financial condition of the State's local government units and has  
15 increased and will continue to increase volatility in long-term and  
16 short-term capital markets on which local government units rely to  
17 meet operating expenses.

18 kk.<sup>1</sup> From April 29, 2020 to the present, the Legislature and the  
19 Governor have continued to seek ways to restart the State economy  
20 and recover from the financial problems resulting from the COVID-19  
21 Pandemic.

22 <sup>1</sup>ll kk<sup>1</sup>. It is necessary for the State to take action to ensure the  
23 continued viability of the State's <sup>1</sup>and local government units'<sup>1</sup>  
24 financial condition and to assist the State's population in dealing with  
25 the financial and economic problems resulting from the COVID-19  
26 Pandemic through the issuance of general obligations bonds, and  
27 borrowings from the federal government pursuant to this act to provide  
28 financial resources for the State budget <sup>1</sup>and for local government  
29 units' budgets<sup>1</sup>.

30 <sup>1</sup>mm ll<sup>1</sup>. This act authorizes the issuance of bonds, and  
31 borrowing from the federal government in accordance with Article  
32 VIII, Section II, paragraph 3, subparagraph e. of the Constitution of  
33 the State to respond to the fiscal exigencies caused by the COVID-19  
34 Pandemic and to maintain and preserve the fiscal integrity of the State  
35 <sup>1</sup>and its local government units<sup>1</sup>.

36  
37 3. The following words or terms as used in this act shall have the  
38 following meanings unless a different meaning clearly appears from  
39 the context:

40 "Bonds" means any bonds, notes or other obligations authorized to  
41 be issued under this act.

42 "COVID-19" means the SARS-CoV-2 novel coronavirus.

43 "COVID-19 Pandemic" means the outbreak of COVID-19  
44 throughout the world, declared to be a pandemic by the World Health  
45 Organization on March 11, 2020.

46 <sup>1</sup>"Director" means the Director of the Division of Local  
47 Government Services in the Department of Community Affairs.



1 “Emergency Liquidity Notes” means bonds authorized to be issued  
2 pursuant to subsection d. of section 4 of this act.】<sup>1</sup>

3 “Federal <sup>1</sup>【Government】 government<sup>1</sup>” means the United States of  
4 America, any agency or instrumentality of the United States of  
5 America and any other entity, including, without limitation, any  
6 facility or special purpose vehicle, that is authorized to make loans to  
7 the State <sup>1</sup>【or to the State on behalf of local government units】<sup>1</sup>  
8 pursuant to any federal stimulus law. The term “<sup>1</sup>【Federal  
9 Government】 federal government<sup>1</sup>” is to be interpreted broadly with  
10 the intent that the State shall be authorized to borrow from such  
11 lenders as may be necessary or desirable to enable the State to receive  
12 loans under or pursuant to federal stimulus laws to the fullest extent  
13 possible.

14 “Federal stimulus laws” means any federal laws enacted to address  
15 the fiscal and economic crisis resulting from the COVID-19 Pandemic,  
16 including but not limited to the Coronavirus Aid, Relief and Economic  
17 Security Act (“CARES Act”), Pub.L.116-136, codified at 134 Stat.  
18 281 or any other federal stimulus law related to the COVID-19  
19 Pandemic, and any other federal laws that may authorize or support  
20 lending to the State <sup>1</sup>【or to the State on behalf of its local government  
21 units】<sup>1</sup>, including, but not limited to, <sup>1</sup>【Section】 section<sup>1</sup> 13(3) of the  
22 Federal Reserve Act, <sup>1</sup>12 U.S.C. s.343,<sup>1</sup> which laws, among other  
23 things, provide for loans or grants to the State <sup>1</sup>【and to the State on  
24 behalf of its local government units】<sup>1</sup> to address the economic crisis.

25 <sup>1</sup>【“Financial assistance” means the provision of any loans to or the  
26 purchase of any local government securities from local government  
27 units for the purpose of providing monetary relief to local government  
28 units to address adverse fiscal impacts resulting from the COVID-19  
29 Pandemic.】<sup>1</sup>

30 “Government securities” means any bonds or other obligations  
31 which as to principal and interest constitute direct obligations of, or are  
32 unconditionally guaranteed by, the United States of America,  
33 including obligations of any federal agency, to the extent those  
34 obligations are unconditionally guaranteed by the United States of  
35 America, and any certificates or any other evidences of an ownership  
36 interest in those obligations of, or unconditionally guaranteed by, the  
37 United States of America or in specified portions which may consist of  
38 the principal of, or the interest on, such obligations. <sup>1</sup>【Except for  
39 purposes of Sections 20 and 21 of this act, the term “government  
40 securities” shall also include local government securities.

41 “Local government unit” means a county, municipality, or other  
42 political subdivision of the State or any agency, authority, or other  
43 governmental entity thereof.

44 “Local government securities” means, securities, notes, warrants,  
45 bond anticipation notes, commercial paper, certificates of  
46 indebtedness, certificates of participation in any lease or sale, or any  
47 other evidence of indebtedness that is a general obligation of, or an

1 obligation guaranteed as to principal and interest by, an investment  
2 grade local government unit.】<sup>1</sup>

3 “New Jersey COVID-19 State Emergency Fund” means the fund  
4 by that name created and established pursuant to section 13 of this act.

5 <sup>1</sup>【“New Jersey COVID-19 State Emergency Liquidity Fund”  
6 means the fund by that name created and established pursuant to  
7 section 13 of this act.

8 “New Jersey COVID-19 State Stimulus Fund” means the fund by  
9 that name created and established pursuant to section 13 of this act.

10 “New Jersey COVID-19 Local Government Unit Emergency  
11 Fund” means the fund by that name created and established pursuant  
12 to section 13 of this act.】<sup>1</sup>

13 “Refund” or “<sup>1</sup>【Refunding】 refunding<sup>1</sup>” means providing for the  
14 payment of a bond on or prior to its maturity or upon redemption or  
15 prepayment prior to maturity, as authorized in this act.

16 “Refunding bonds” means any bonds issued under this act to  
17 refund bonds previously issued pursuant to this act.

18 “State” means the State of New Jersey.

19

20 4. a. Bonds of the State of New Jersey are authorized to be issued  
21 to address the State’s financial problems that have arisen as a  
22 consequence of the COVID-19 Pandemic. The bonds authorized  
23 pursuant to this <sup>1</sup>【subsection a. of section 4 of this act are authorized  
24 to be issued in the aggregate principal amount of \$5,000,000,000.

25 b. In addition to bonds authorized pursuant to subsection a. of this  
26 section 4, notwithstanding any other law to the contrary, the **】** section  
27 are authorized to be issued either to the federal government pursuant to  
28 any federal stimulus law as set forth in this subsection or at a public or  
29 private sale pursuant to section 11 of this act in the aggregate principal  
30 amount of up to \$2,700,000,000 for the period that began July 1, 2019  
31 and ends September 30, 2020 and in the aggregate principal amount of  
32 up to \$7,200,000,000 for the period that begins October 1, 2020 and  
33 ends June 30, 2021, for a total combined aggregate principal amount  
34 of up to \$9,900,000,000 issued over the two State fiscal periods. No  
35 additional borrowing is authorized. The<sup>1</sup> State, acting through the  
36 Governor or through the State Treasurer with the consent of the  
37 <sup>1</sup>【Governor】 issuing officials, in accordance with section 6 of this  
38 act<sup>1</sup>, is hereby authorized to borrow from the federal government for  
39 the benefit of the State in such amounts and on such terms as the  
40 federal government sets forth in or pursuant to any federal stimulus  
41 law <sup>1</sup>, subject to the limitations of this subsection<sup>1</sup>. Any such monies  
42 received <sup>1</sup>, as specifically authorized pursuant to this subsection,<sup>1</sup>  
43 shall be considered monies deposited with the State by the government  
44 of the United States for purposes of Article VIII, Section II, paragraph  
45 3, subparagraph e. of the Constitution of the State. Any such  
46 borrowing shall be treated as a bond for the purposes of sections <sup>1</sup>6,<sup>1</sup>  
47 7, <sup>1</sup>【23】 22<sup>1</sup>, and <sup>1</sup>【24】 23<sup>1</sup> of this act.

1       <sup>1</sup>[c. In addition to bonds authorized pursuant to subsections a. and  
2 b. of this section 4, the State, acting through the Governor or through  
3 the State Treasurer with the consent of the Governor, is hereby  
4 authorized to borrow from the federal government in such amounts  
5 and on such terms as the federal government sets forth in or pursuant  
6 to any federal stimulus law for the purpose of providing financial  
7 assistance to local government units, provided, however, that the State  
8 shall not borrow from the federal government pursuant to this  
9 subsection c. for the purpose of providing financial assistance to local  
10 government units that are eligible on their own behalf to borrow from  
11 the federal government pursuant to any federal stimulus law.

12       Any such monies received shall be considered monies deposited  
13 with the State by the government of the United States for purposes of  
14 Article VIII, Section II, paragraph 3, subparagraph e. of the  
15 Constitution of the State. Any such borrowing shall be treated as a  
16 bond for the purposes of sections 7, 23 and 24 of this act. Applications  
17 from local government units for financial assistance shall be received  
18 by the Director. Such financial assistance shall be allocated where  
19 needed to assist a local government unit suffering from serious fiscal  
20 distress due to the COVID-19 Pandemic to meet immediate budgetary  
21 needs and regain financial stability. Evidence of severe financial  
22 distress may include, but shall not be limited to: limited ability to raise  
23 supplemental non-property tax revenues, extraordinary demands for  
24 public safety appropriations, difficulties making payments of debt  
25 service on obligations of the local government unit, and other factors  
26 indicating a constrained ability to raise sufficient revenues to meet  
27 budgetary requirements that substantially jeopardizes the fiscal  
28 integrity of the local government unit. The Director shall promulgate  
29 rules and regulations pursuant to the “Administrative Procedure Act,”  
30 P.L.1968, c.410 (C.52:14B-1, et seq.), setting forth the application  
31 process, the criteria by which applications shall be considered, the  
32 terms of securing local government repayment obligations, and the  
33 terms and conditions of the financial assistance. These rules and  
34 regulations shall be adopted on an emergency basis by the Director in  
35 consultation with the State Treasurer.

36       d. In addition to bonds authorized pursuant to subsections a., b.,  
37 and c. of this section 4, bonds are authorized to be issued in the form  
38 of short term notes to provide effective cash flow management for  
39 revenues and expenditures of the General Fund and the Property Tax  
40 Relief Fund in the implementation of the annual appropriations acts for  
41 Fiscal Year 2020 and Fiscal Year 2021. Such short-term notes shall be  
42 issued in such amounts and at such times as the issuing officials herein  
43 named shall deem necessary for the above stated purposes and for the  
44 payment of related costs.

45       e.] b.<sup>1</sup> Refunding bonds are authorized to be issued <sup>1</sup>but only<sup>1</sup> to  
46 refund bonds previously issued <sup>1</sup>as specifically authorized<sup>1</sup> under this  
47 act in whole or in part. Refunding bonds shall be issued in an amount  
48 not to exceed the amount necessary to pay or to provide for the

1 payment of the principal of the outstanding bonds <sup>1</sup>specifically  
2 authorized to be issued pursuant to this act<sup>1</sup> to be refunded, together  
3 with any redemption premium on the outstanding bonds, any interest  
4 accrued or to accrue on the outstanding bonds to be refunded to the  
5 date of payment of those outstanding bonds, the expenses of issuing  
6 the refunding bonds and the expenses, if any, of paying the  
7 outstanding bonds to be refunded. Refunding bonds may be issued  
8 hereunder without regard to the “Refunding Bond Act of 1985,”  
9 P.L.1985, c.74, as amended by P.L.1992, c.182 (C.49:2B-1 et seq.) <sup>1</sup>,  
10 but only to the extent necessary for the purposes of refunding bonds  
11 issued under this act pursuant to section 4 of this act<sup>1</sup>.  
12

13 5. The bonds authorized under this act shall be serial bonds, term  
14 bonds, notes, or a combination thereof. The bonds authorized under  
15 <sup>1</sup>~~subsections a., b., and c. of section 4 of~~<sup>1</sup> this act shall be known as  
16 “New Jersey COVID-19 General Obligation Emergency Bonds.” The  
17 bonds <sup>1</sup>~~authorized under subsections b. and c. of~~ issued to the  
18 federal government under<sup>1</sup> section 4 of this act shall bear such  
19 additional designation as may be required by the federal government  
20 pursuant to the applicable federal stimulus laws. <sup>1</sup>~~The bonds~~  
21 authorized under subsection d. of section 4 of this act shall be known  
22 as “New Jersey COVID-19 General Obligation Emergency Liquidity  
23 Notes.” The bonds authorized under subsection e. of section 4 of this  
24 act shall be known as “New Jersey COVID-19 General Obligation  
25 Emergency Refunding Bonds.”<sup>1</sup> All bonds shall be issued from time  
26 to time as the issuing officials shall determine, shall be issued in  
27 fully-registered form and may be certificated or in book-entry form.  
28 The bonds may be subject to redemption prior to maturity and shall  
29 mature and be paid not later than 35 years from the respective dates of  
30 their issuance. Bonds issued under this Act are authorized by and shall  
31 be issued under and in compliance with Article VIII, Section II,  
32 paragraph 3, subparagraph e. of the Constitution of the State<sup>1</sup>.  
33

34 6. The Governor, the State Treasurer, and the Director of the  
35 Division of Budget and Accounting in the Department of the Treasury,  
36 or any two of these officials, herein referred to as the “issuing  
37 officials,” are authorized to carry out the provisions of this act relating  
38 to the issuance of bonds, and shall determine all matters in connection  
39 therewith, subject to the provisions of this act. If an issuing official is  
40 absent from the State or incapable of acting for any reason, the powers  
41 and duties of that issuing official shall be exercised and performed by  
42 the person authorized by law to act in an official capacity in the place  
43 of that issuing official.

44 <sup>1</sup>Upon the decision by the issuing officials to issue bonds  
45 pursuant to subsection a. of section 4 of this act, and prior to the  
46 sale of those bonds, the issuing officials shall transmit a report that  
47 a decision has been made and describing the bonds proposed to be

1 issued to the Select Commission on Emergency COVID-19  
2 Borrowing, which shall be comprised of two members of the Senate  
3 selected by the Senate President and two members of the General  
4 Assembly selected by the Speaker of the General Assembly. The  
5 membership of the Commission shall be selected on or before the  
6 seventh day next following the effective date of this act. No bonds  
7 shall be issued unless the report of the issuing officials is approved  
8 by the Commission. The Commission shall schedule a vote to  
9 approve the report of the issuing officials following submission of  
10 the report to the Commission, which vote shall be held within six  
11 calendar days of the date of submission of the report of the issuing  
12 officials. The Commission may use any technology or electronic  
13 means to vote to approve the report of the issuing officials or to  
14 otherwise conduct its business or carry out its purposes. Approval  
15 by three or more of the members of the Commission shall constitute  
16 approval of the report. Failure of the Commission to meet or act  
17 within six days of submission of the report or to approve the report  
18 by an affirmative vote of three or more members of the Commission  
19 shall constitute disapproval. A meeting of the Commission shall  
20 require the presence of at least three members.<sup>1</sup>

21

22 7. Bonds issued in accordance with the provisions of this act  
23 shall be a direct obligation of the State, and the faith and credit of  
24 the State are pledged for the payment of the interest and redemption  
25 premium, if any, thereon when due, and for the payment of the  
26 principal thereof at maturity or earlier redemption date. The  
27 principal of and interest on the bonds shall be exempt from taxation  
28 by the State or by any county, municipality, or other taxing district  
29 of the State.

30

31 8. The bonds shall be signed in the name of the State by means  
32 of the manual or facsimile signature of the Governor, and attested  
33 by the manual or facsimile signature of the Secretary of State or an  
34 Assistant Secretary of State, and shall be countersigned by the  
35 facsimile signature of the Director of the Division of Budget and  
36 Accounting in the Department of the Treasury and may be manually  
37 authenticated by an authenticating agent or bond registrar, as the  
38 issuing officials shall determine. The bonds may be issued  
39 notwithstanding that an official signing them or whose manual or  
40 facsimile signature appears on the bonds has ceased to hold office  
41 at the time of issuance, or at the time of the delivery of the bonds to  
42 the purchasers thereof. The bonds may also be executed,  
43 authenticated, and delivered by electronic means.

44

45 9. a. The bonds shall recite that they are issued for the purposes  
46 set forth in section 4 of this act, and that they are issued pursuant to  
47 this act. This recital shall be conclusive evidence of the authority of  
48 the State to issue the bonds and their validity. Any bonds

1 containing this recital shall, in any suit, action, or proceeding  
2 involving their validity, be conclusively deemed to be fully  
3 authorized by this act and to have been issued, sold, executed, and  
4 delivered in conformity herewith and with all other provisions of  
5 laws applicable hereto, and shall be incontestable for any cause.

6 b. The bonds shall be issued in those denominations and in  
7 fully-registered form, and may be certificated or in book-entry  
8 form, and with or without provisions for interchangeability thereof,  
9 as may be determined by the issuing officials.

10  
11 10. When the bonds are issued from time to time, the bonds of  
12 each issue shall constitute a separate series to be designated by the  
13 issuing officials. Each series of bonds shall bear such rate or rates  
14 of interest as may be determined by the issuing officials, which  
15 interest shall be payable semiannually, except that the first and last  
16 interest periods may be longer or shorter, in order that intervening  
17 semiannual payments may be at convenient dates, or as otherwise  
18 may be required by the applicable federal stimulus law.

19  
20 11. a. The issuing officials may sell the bonds at a private sale,  
21 without advertisement, at such price or prices and under such terms  
22 and conditions as the issuing officials may prescribe. The issuing  
23 officials may also sell all or part of the bonds of any series to the  
24 federal government at a private sale, without advertisement. The  
25 bonds may also be issued and sold at public sale at the price or  
26 prices and under the terms, conditions and regulations as the issuing  
27 officials may prescribe, after notice of the sale, published at least  
28 once in at least three newspapers published in this State, the first  
29 notice to appear at least two days prior to the day of bidding. The  
30 notice of sale may contain a provision to the effect that any bid in  
31 pursuance thereof may be rejected.

32 b. In the event of any private sale of the bonds, the issuing  
33 officials are further authorized to enter into such loan agreements or  
34 similar documents as the purchaser may require. To the extent  
35 specified in any such loan or similar agreements, the terms and  
36 provisions thereof shall constitute additional provisions of the  
37 bonds and shall be entitled to the benefits of this act.

38  
39 12. Until permanent bonds are prepared, the issuing officials  
40 may issue temporary bonds in the form and with those privileges as  
41 to their registration and exchange for permanent bonds as may be  
42 determined by the issuing officials.

43  
44 13. The proceeds from the sale of bonds as set forth in subsection  
45 a. of section 4 of this act shall be paid to the State Treasurer, shall be  
46 held by the State Treasurer in a separate fund, which fund shall be  
47 known as the "New Jersey COVID-19 State Emergency Fund," and

1 shall be deposited in such depositories as may be selected by the State  
2 Treasurer to the credit of the fund.

3 <sup>1</sup>【The proceeds of any loan by the federal government pursuant to  
4 a federal stimulus law as set forth in subsection b. of section 4 of this  
5 act shall be paid to the State Treasurer, shall be held by the State  
6 Treasurer in a separate fund, which fund shall be known as the “New  
7 Jersey COVID-19 State Stimulus Fund,” and shall be deposited in  
8 such depositories as may be selected by the State Treasurer to the  
9 credit of the fund.

10 The proceeds from the sale of emergency liquidity notes as set  
11 forth in subsection d. of section 4 of this act shall be paid to the State  
12 Treasurer, shall be held by the State Treasurer in a separate fund,  
13 which fund shall be known as the “New Jersey COVID-19 State  
14 Emergency Liquidity Fund,” and shall be deposited in such  
15 depositories as may be selected by the State Treasurer to the credit of  
16 the fund.

17 The proceeds of any loan by the federal government pursuant to a  
18 federal stimulus law to provide financial assistance to the State for the  
19 benefit of local government units as set forth in subsection c. of  
20 section 4 of this act shall be paid to the State Treasurer, shall be held  
21 by the State Treasurer in a separate fund, which fund shall be known  
22 as the “New Jersey COVID-19 Local Government Unit Emergency  
23 Fund,” and shall be deposited in such depositories as may be selected  
24 by the State Treasurer to the credit of the fund.】<sup>1</sup>

25

26 14. Amounts on deposit in the New Jersey COVID-19 State  
27 Emergency Fund <sup>1</sup>【and in the New Jersey COVID-19 State Stimulus  
28 Fund】<sup>1</sup> shall be withdrawn by the State Treasurer <sup>1</sup>【from time to time  
29 and are appropriated】<sup>1</sup> for deposit into the General Fund <sup>1</sup>【of the  
30 State】 or the Property Tax Relief Fund as needed to support  
31 appropriations made by the Legislature in the Fiscal Year 2021  
32 Appropriations Act, and such amounts shall constitute State  
33 revenues. The balance of amounts on deposit in the New Jersey  
34 COVID-19 State Emergency Fund shall be subject to appropriation  
35 by the Legislature<sup>1</sup>. <sup>1</sup>【Amounts on deposit in the New Jersey  
36 COVID-19 State Emergency Liquidity Fund shall be withdrawn by the  
37 State Treasurer from time to time for deposit into the General Fund or  
38 the Property Tax Relief Fund of the State.】<sup>1</sup> However, no moneys in  
39 the New Jersey COVID-19 State Emergency Fund <sup>1</sup>【, the New Jersey  
40 COVID-19 State Stimulus Fund or the New Jersey COVID-19 State  
41 Emergency Liquidity Fund】<sup>1</sup> shall be expended <sup>1</sup>【from the New  
42 Jersey COVID-19 State Emergency Fund, the New Jersey COVID-19  
43 State Stimulus Fund or the New Jersey COVID-19 State Emergency  
44 Liquidity Fund】<sup>1</sup> except as otherwise authorized by this act.

45

46 <sup>1</sup>【15. Amounts on deposit in the New Jersey COVID-19 Local  
47 Government Unit Emergency Fund shall be withdrawn by the State

1 Treasurer from time to time and are appropriated, and shall be  
2 applied to the provision of financial assistance to local government  
3 units as set forth in subsection c. of section 4 of this act. However,  
4 no moneys in the New Jersey COVID-19 Local Government Unit  
5 Emergency Fund shall be expended from the New Jersey COVID-  
6 19 Local Government Unit Emergency Fund except as authorized  
7 by this act.】<sup>1</sup>

8  
9 <sup>1</sup>【16.】 15.<sup>1</sup> a. At any time prior to the issuance and sale of bonds  
10 under this act, or borrowings from the federal government under this  
11 act, the State Treasurer is authorized to transfer from any available  
12 moneys in any fund of the treasury of the State to the credit of the New  
13 Jersey COVID-19 State Emergency Fund <sup>1</sup>【, the New Jersey COVID-  
14 19 State Stimulus Fund, the New Jersey COVID-19 State Emergency  
15 Liquidity Fund or the New Jersey COVID-19 Local Government Unit  
16 Emergency Fund】<sup>1</sup> those sums as the State Treasurer may deem  
17 necessary. The sums so transferred shall be returned to the same fund  
18 of the treasury of the State by the State Treasurer from the proceeds of  
19 the sale of bonds, <sup>1</sup>or<sup>1</sup> a loan or loans by the federal government  
20 pursuant to a federal stimulus law as set forth in <sup>1</sup>【subsections b. and  
21 c. of】<sup>1</sup> section 4 of this act <sup>1</sup>【, or the sale of emergency liquidity notes,  
22 as the case may be】<sup>1</sup>.

23 b. Pending their application to the purposes provided in this act,  
24 the moneys in the New Jersey COVID-19 State Emergency Fund <sup>1</sup>【,  
25 the New Jersey COVID-19 State Stimulus Fund, the New Jersey  
26 COVID-19 State Emergency Liquidity Fund, and the New Jersey  
27 COVID-19 Local Government Unit Emergency Fund】<sup>1</sup> may be  
28 invested and reinvested as are other trust funds in the custody of the  
29 State Treasurer, in the manner provided by law <sup>1</sup>【and may be invested  
30 or reinvested in local government securities】<sup>1</sup>. Net earnings received  
31 from the investment, reinvestment, or deposit of moneys in the New  
32 Jersey COVID-19 State Emergency Fund <sup>1</sup>【, the New Jersey COVID-  
33 19 State Stimulus Fund, the New Jersey COVID-19 State Emergency  
34 Liquidity Fund, and the New Jersey COVID-19 Local Government  
35 Unit Emergency Fund】<sup>1</sup> shall be paid into the General Fund.

36  
37 <sup>1</sup>【17.】 16.<sup>1</sup> If any bond is lost, mutilated, or destroyed, a new  
38 bond shall be executed and delivered of like tenor, in substitution  
39 for the lost, mutilated, or destroyed bond, upon the owner  
40 furnishing to the issuing officials evidence satisfactory to them of  
41 the loss, mutilation, or destruction of the bond, the ownership  
42 thereof, and security, indemnity, and reimbursement for expenses  
43 connected therewith, as the issuing officials may require.

44  
45 <sup>1</sup>【18.】 17.<sup>1</sup> The accrued interest, if any, received upon the sale  
46 of the bonds shall be applied to the discharge of a like amount of



1 interest upon the bonds when due. Any expense incurred by the  
2 issuing officials for advertising, engraving, printing, clerical,  
3 authenticating, registering, legal, or other services necessary to  
4 carry out the duties imposed upon them by the provisions of this act  
5 shall be paid from the proceeds of the sale of the bonds by the State  
6 Treasurer, upon the warrant of the Director of the Division of  
7 Budget and Accounting in the Department of the Treasury, in the  
8 same manner as other obligations of the State are paid.

9  
10 <sup>1</sup>**[19.]** 18.<sup>1</sup> Bonds of each series issued hereunder shall mature,  
11 including any sinking fund redemptions, not later than the 35th year  
12 from the date of issue of that series, and in amounts as shall be  
13 determined by the issuing officials. The issuing officials may  
14 reserve to the State by appropriate provision in the bonds of any  
15 series the power to redeem any of the bonds prior to maturity at the  
16 price or prices and upon the terms and conditions as may be  
17 provided in the bonds.

18  
19 <sup>1</sup>**[20.]** 19.<sup>1</sup> a. Proceeds derived from the sale of each series of  
20 refunding bonds shall be applied, together with any other moneys  
21 legally available therefor, to the payment of the expenses authorized  
22 by this act and to the immediate payment of the principal of,  
23 redemption premium, if any, and interest due on any outstanding  
24 bonds to be refunded by the refunding bonds, or, to the extent not  
25 required for that immediate payment, shall be deposited, together with  
26 any other moneys legally available therefor, in trust with the State  
27 Treasurer, to be held separate and apart from all other funds of the  
28 State, or, at the direction of the issuing officials, in trust with one or  
29 more trustees or escrow agents, which trustees or escrow agents shall  
30 be trust companies or national or state banks having powers of a trust  
31 company, located either within or without the State. Proceeds or  
32 moneys deposited in trust with the State Treasurer or with one or more  
33 trustees or escrow agents shall be applied solely to the payment when  
34 due of the principal of, redemption premium, if any, and interest due  
35 and to become due on those outstanding bonds to be refunded on or  
36 prior to the redemption date or maturity date of the outstanding bonds,  
37 as the case may be. Proceeds or moneys so held by the State Treasurer  
38 or deposited with trustees or escrow agents may be invested in  
39 government securities (including government securities issued or held  
40 in book-entry form on the books of the Department of the Treasury of  
41 the United States); except that those government securities shall not be  
42 subject to redemption prior to their maturity other than at the option of  
43 the holder thereof. Except as provided in subsection b. of this section  
44 <sup>1</sup>**[20]** 19<sup>1</sup>, neither government securities nor moneys so deposited  
45 with the State Treasurer or with trustees or escrow agents shall be  
46 withdrawn or used for any purpose other than, and shall be held in  
47 trust for, the payment of the principal of, redemption premium, if any,  
48 and interest on the outstanding bonds to be refunded by the refunding

1 bonds; except that any cash received from principal or interest  
2 payments on government securities deposited with the State Treasurer  
3 or with trustees or escrow agents: (1) to the extent that the cash will  
4 not be required at any time for that purpose, shall be paid over to the  
5 State as received by the State Treasurer or by the trustees or escrow  
6 agents, and (2) to the extent that cash will be required for that purpose  
7 at a later date, shall, to the extent practicable and legally permissible,  
8 be reinvested in government securities maturing at times and in  
9 amounts sufficient to pay when due the principal of, redemption  
10 premium, if any, and interest to become due on the outstanding bonds  
11 on and prior to the redemption date or maturity date of the outstanding  
12 bonds, as the case may be, and interest earned from those  
13 reinvestments to the extent not required for the payment of bonds shall  
14 be paid over to the State, as received by the State Treasurer or by the  
15 trustees or escrow agents.

16 b. Notwithstanding anything to the contrary contained in this  
17 section: (1) the State Treasurer or trustees or escrow agents shall, if so  
18 directed by the issuing officials, apply moneys on deposit with the  
19 State Treasurer or the trustees or escrow agents pursuant to the  
20 provisions of this section and redeem or sell government securities so  
21 deposited with the State Treasurer or the trustees or escrow agents and  
22 apply the proceeds thereof to: (a) the purchase of the outstanding  
23 bonds which were refunded by the deposit with the State Treasurer or  
24 the trustees or escrow agents of the moneys and government securities  
25 and immediately thereafter cancel all outstanding bonds so purchased  
26 or (b) the purchase of different government securities; except that the  
27 moneys and government securities on deposit with the State Treasurer  
28 or the trustees or escrow agents after the purchase and cancellation of  
29 the outstanding bonds or the purchase of different government  
30 securities shall be sufficient to pay, when due, the principal of,  
31 redemption premium, if any, and interest on all other outstanding  
32 bonds in respect of which the moneys and government securities were  
33 deposited with the State Treasurer or the trustees or escrow agents on  
34 or prior to the redemption date or maturity date of the outstanding  
35 bonds, as the case may be; and (2) if on any date, as a result of any  
36 purchases and cancellations of outstanding bonds or any purchases of  
37 different government securities as provided in this subsection, the total  
38 amount of moneys and government securities remaining on deposit  
39 with the State Treasurer or the trustees or escrow agents is in excess of  
40 the total amount which would have been required to be deposited with  
41 the State Treasurer or the trustees or escrow agents on that date in  
42 respect of the remaining outstanding bonds for which the deposit was  
43 made in order to pay when due the principal of, redemption premium,  
44 if any, and interest on those remaining outstanding bonds, the State  
45 Treasurer or the trustees or escrow agents shall, if so directed by the  
46 issuing officials, pay the amount of that excess to the State.

47 c. Any amounts held by the State Treasurer in a separate fund for  
48 the payment of the principal of and interest on outstanding bonds to be

1 refunded, as provided in this section, shall, if so directed by the issuing  
2 officials, be transferred by the State Treasurer for deposit with one or  
3 more trustees or escrow agents as provided in this section, to be  
4 applied to the payment when due of the principal of, redemption  
5 premium, if any, and interest to become due on those outstanding  
6 bonds, as provided in this section.

7 d. The State Treasurer is authorized, upon direction of the issuing  
8 officials, to enter into contracts with one or more trust companies or  
9 national or state banks, to act as trustees or escrow agents as provided  
10 in this section, on terms and conditions as shall be approved by the  
11 issuing officials.

12

13 <sup>1</sup>~~21.~~ 20.<sup>1</sup> Any bond or bonds issued hereunder that have been  
14 refunded shall no longer be deemed to be outstanding, shall no  
15 longer constitute a direct obligation of the State of New Jersey, and  
16 the faith and credit of the State shall no longer be pledged to the  
17 payment of the principal of, redemption premium, if any, and  
18 interest on such bonds, and such bonds shall be secured solely by  
19 and payable solely from moneys and government securities  
20 deposited in trust with one or more trustees or escrow agents, which  
21 trustees and escrow agents shall be trust companies or national or  
22 state banks having powers of a trust company, located either within  
23 or without the State, as provided herein, whenever there shall be  
24 deposited in trust with the trustees or escrow agents, as provided  
25 herein, either moneys or government securities, including  
26 government securities issued or held in book-entry form on the  
27 books of the Department of Treasury of the United States, the  
28 principal of and interest on which when due will provide money  
29 which, together with the moneys, if any, deposited with the trustees  
30 or escrow agents at the same time, shall be sufficient to pay when  
31 due the principal of, redemption premium, if any, and interest due  
32 and to become due on the bonds on or prior to the redemption date  
33 or maturity date thereof, as the case may be; provided the  
34 government securities shall not be subject to redemption prior to  
35 their maturity other than at the option of the holder thereof. The  
36 State of New Jersey hereby covenants with the holders of any bonds  
37 for which government securities or moneys shall have been  
38 deposited in trust with the trustees or escrow agents as provided in  
39 this section that, except as otherwise provided in this section,  
40 neither the government securities nor moneys so deposited with the  
41 trustees or escrow agents shall be withdrawn or used by the State  
42 for any purpose other than, and shall be held in trust for, the  
43 payment of the principal of, redemption premium, if any, and  
44 interest to become due on the bonds; provided that any cash  
45 received from the principal or interest payments on the government  
46 securities deposited with the trustees or escrow agents, to the extent  
47 such cash will not be required at any time for that purpose, shall be  
48 paid over to the State, as received by the trustees or escrow agents,

1 free and clear of any trust, lien, pledge, or assignment securing the  
2 bonds; and to the extent the cash will be required for that purpose at  
3 a later date, shall, to the extent practicable and legally permissible,  
4 be reinvested in government securities maturing at times and in  
5 amounts sufficient to pay when due the principal of, redemption  
6 premium, if any, and interest to become due on the bonds on and  
7 prior to the redemption date or maturity date thereof, as the case  
8 may be, and interest earned from the reinvestments shall be paid  
9 over to the State, as received by the trustees or escrow agents, free  
10 and clear of any trust, lien, or pledge securing the bonds.  
11 Notwithstanding anything to the contrary contained herein: a. the  
12 trustees or escrow agents shall, if so directed by the issuing  
13 officials, apply moneys on deposit with the trustees or escrow  
14 agents pursuant to the provisions of this section, and redeem or sell  
15 government securities so deposited with the trustees or escrow  
16 agents, and apply the proceeds thereof to (1) the purchase of the  
17 bonds which were refunded by the deposit with the trustees or  
18 escrow agents of the moneys and government securities and  
19 immediately thereafter cancel all bonds so purchased, or (2) the  
20 purchase of different government securities; provided however, that  
21 the moneys and government securities on deposit with the trustees  
22 or escrow agents after the purchase and cancellation of the bonds or  
23 the purchase of different government securities shall be sufficient to  
24 pay when due the principal of, redemption premium, if any, and  
25 interest on all other bonds in respect of which the moneys and  
26 government securities were deposited with the trustees or escrow  
27 agents on or prior to the redemption date or maturity date thereof,  
28 as the case may be; and b. in the event that on any date, as a result  
29 of any purchases and cancellations of bonds or any purchases of  
30 different government securities, as provided in this sentence, the  
31 total amount of moneys and government securities remaining on  
32 deposit with the trustees or escrow agents is in excess of the total  
33 amount then required to be on deposit with the trustees or escrow  
34 agents on that date in respect of the remaining bonds for which the  
35 deposit was made in order to pay when due the principal of,  
36 redemption premium, if any, and interest on the remaining bonds,  
37 the trustees or escrow agents shall, if so directed by the issuing  
38 officials, pay the amount of the excess to the State, free and clear of  
39 any trust, lien, pledge, or assignment securing the refunding bonds.

40

41 <sup>1</sup>[22.] 21.<sup>1</sup> Refunding bonds issued pursuant to this act may be  
42 consolidated with other bonds issued pursuant to section 4 of this  
43 act or with bonds or refunding general obligation bonds issued  
44 pursuant to any other act for purposes of sale.

45

46 <sup>1</sup>[23.] 22.<sup>1</sup> To provide funds to meet the interest and principal  
47 payment requirements for the bonds, including refunding bonds,

1 issued under this act and outstanding, there is appropriated in the  
2 order following:

3 a. Revenue derived from the collection of taxes under the  
4 “Sales and Use Tax Act,” P.L.1966, c.30 (C.54:32B-1 et seq.), or so  
5 much thereof as may be required; and

6 b. If, at any time, funds necessary to meet the interest,  
7 redemption premium, if any, and principal payments on outstanding  
8 bonds issued under this act are insufficient or not available, there  
9 shall be assessed, levied, and collected annually in each of the  
10 municipalities of the counties of this State, a tax on the real and  
11 personal property upon which municipal taxes are or shall be  
12 assessed, levied, and collected, sufficient to meet the interest on all  
13 outstanding bonds issued hereunder and on the bonds proposed to  
14 be issued under this act in the calendar year in which the tax is to be  
15 raised and for the payment of bonds falling due in the year  
16 following the year for which the tax is levied. The tax shall be  
17 assessed, levied, and collected in the same manner and at the same  
18 time as are other taxes upon real and personal property. The  
19 governing body of each municipality shall cause to be paid to the  
20 county treasurer of the county in which the municipality is located,  
21 on or before December 15 in each year, the amount of tax herein  
22 directed to be assessed and levied, and the county treasurer shall  
23 pay the amount of the tax to the State Treasurer on or before  
24 December 20 in each year.

25 If on or before December 31 in any year, the issuing officials, by  
26 resolution, determine that there are moneys in the General Fund  
27 beyond the needs of the State, sufficient to pay the principal of  
28 bonds falling due and all interest and redemption premium, if any,  
29 payable in the ensuing calendar year, the issuing officials shall file  
30 the resolution in the office of the State Treasurer, whereupon the  
31 State Treasurer shall transfer the moneys to a separate fund to be  
32 designated by the State Treasurer, and shall pay the principal,  
33 redemption premium, if any, and interest out of that fund as the  
34 same shall become due and payable, and the other sources of  
35 payment of the principal, redemption premium, if any, and interest  
36 provided for in this section shall not then be available, and the  
37 receipts for the year from the tax specified in subsection a. of this  
38 section shall be considered and treated as part of the General Fund,  
39 available for general purposes.

40

41 <sup>1</sup>[24.] 23.<sup>1</sup> Should the State Treasurer, by December 31 of any  
42 year, deem it necessary, because of the insufficiency of funds  
43 collected from the sources of revenues as provided in this act, to  
44 meet the interest and principal payments for the year after the  
45 ensuing year, then the State Treasurer shall certify to the Director of  
46 the Division of Budget and Accounting in the Department of the  
47 Treasury the amount necessary to be raised by taxation for those  
48 purposes, the same to be assessed, levied, and collected for and in

1 the ensuing calendar year. The director shall, on or before March 1  
2 following, calculate the amount in dollars to be assessed, levied,  
3 and collected in each county as herein set forth. This calculation  
4 shall be based upon the corrected assessed valuation of each county  
5 for the year preceding the year in which the tax is to be assessed,  
6 but the tax shall be assessed, levied, and collected upon the assessed  
7 valuation of the year in which the tax is assessed and levied. The  
8 director shall certify the amount to the county board of taxation and  
9 the treasurer of each county. The county board of taxation shall  
10 include the proper amount in the current tax levy of the several  
11 taxing districts of the county in proportion to the ratables as  
12 ascertained for the current year.

13

14 <sup>1</sup>~~25.~~ 24.<sup>1</sup> This act shall take effect immediately.

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18

19 “New Jersey COVID-19 Emergency Bond Act,” authorizes  
20 issuance of State bonds totaling up to \$9.9 billion.