

[First Reprint]

**SENATE, No. 1476**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Economic Growth Committee on March 11, 2021, with amendments.



**(Sponsorship Updated As Of: 2/24/2020)**

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 Legislature as this  
9 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” established  
17 pursuant to section 2 of P.L. , c. (C. ) (pending before the Legislature  
18 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 at  
21 least the last two years;

22 b. has annual revenues totaling <sup>1</sup>**【between \$600,000 and】** not more  
23 than<sup>1</sup> \$50,000,000;

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

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

28 e. delivers products or services to customers outside the business's  
29 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 function.

32  
33 2. a. The Business Action Center shall establish an “Economic  
34 Gardening Program.” The program shall consist of customized  
35 services provided by the center, pursuant to subsection b. of this  
36 section, to a qualified second-stage growth business deemed eligible  
37 by the center upon application by a business in a manner established  
38 by the center. The center shall work in conjunction with the  
39 authority and State, local, and private business assistance entities to  
40 develop and promote the program.

41 b. (1) Through the program, the center shall, upon request and  
42 free of charge, provide to a qualified second-stage growth business  
43 customized services tailored to the needs of the qualified second-  
44 stage growth business, including, but not limited to:

**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 SEG committee amendments adopted March 11, 2021.

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

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

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

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

21 (3) The center, or any organization that is partnered with the  
22 center to provide customized services pursuant to paragraph (1) of  
23 this subsection shall not disclose any non-public proprietary  
24 information about the requesting qualified second-stage growth  
25 business that is obtained while assisting that business to any other  
26 business or private entity. Both the center and any organization that  
27 is partnered with the center to provide customized services pursuant  
28 to paragraph (2) of this subsection shall not provide any non-public  
29 proprietary information to a qualified second-stage growth business  
30 requesting customized services. No action may be brought against  
31 the State, or any agency or instrumentality thereof, for relief in  
32 connection with the center's provision of customized services under  
33 this subsection.

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

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

44 d. The center shall report annually to the Governor and,  
45 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the  
46 Legislature on the functioning of the program and meeting the  
47 needs of qualified second-stage growth businesses. The report shall  
48 include, but not be limited to, the number and locations of

1 participating qualified second-stage growth businesses, the number  
2 of jobs created or maintained by participating qualified second-  
3 stage growth businesses, the amount of any capital investment made  
4 by participating qualified second-stage growth businesses as a result  
5 of participation in the program, and the type and amount of any  
6 financial assistance given to participating qualified second-stage  
7 growth businesses.

8

9 3. This act shall take effect immediately.