

[First Reprint]

## **ASSEMBLY, No. 4690**

# **STATE OF NEW JERSEY**

## **219th LEGISLATURE**

INTRODUCED SEPTEMBER 21, 2020

**Sponsored by:**

**Assemblyman ERIC HOUGHTALING**

**District 11 (Monmouth)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Co-Sponsored by:**

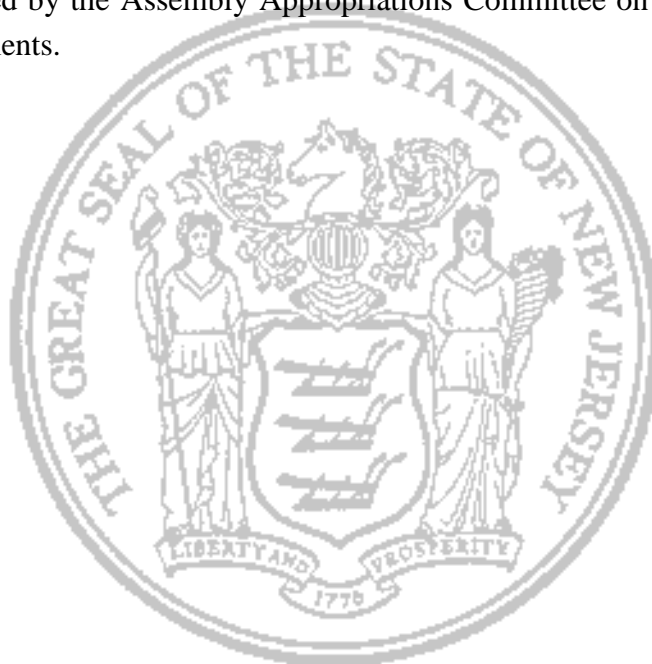
**Assemblyman Karabinchak**

**SYNOPSIS**

Expands eligibility criteria for municipalities wherein projects receiving New Jersey Redevelopment Authority assistance may occur.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Appropriations Committee on May 18, 2021, with amendments.



**(Sponsorship Updated As Of: 6/16/2021)**

1 AN ACT concerning eligibility criteria for municipalities wherein  
 2 projects receiving New Jersey Redevelopment Authority  
 3 assistance may occur and amending P.L.1996, c.62.

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

7  
 8 1. Section 3 of P.L.1996, c.62 (C.55:19-22) is amended to read as  
 9 follows:

10 3. As used in P.L.1996, c.62 (C.55:19-20 et al.), except as  
 11 otherwise clearly required by the context:

12 "Authority" means the New Jersey Redevelopment Authority  
 13 established pursuant to section 4 of P.L.1996, c.62 (C.55:19-23).

14 "Council" means the Urban Coordinating Council established  
 15 pursuant to section 45 of P.L.1996, c.62 (C.55:19-60).

16 "Department" means the Department of Commerce and Economic  
 17 Development.

18 "Project" means a specific work or improvement, including lands,  
 19 buildings, improvements, real and personal property or any interest  
 20 therein, including lands under water, riparian rights, space rights and  
 21 air rights, acquired, owned, constructed, reconstructed, rehabilitated or  
 22 improved by the authority or a subsidiary, or by any other person, firm  
 23 or corporation under agreement with the authority or subsidiary  
 24 pursuant to the provisions of P.L.1996, c.62 (C.55:19-20 et al.) in a  
 25 qualified municipality, and which falls within any of the following  
 26 classifications:

27 (1) "Industrial project"--a project designed and intended to provide  
 28 facilities for manufacturing, industrial, commercial, wholesale, retail,  
 29 warehousing, or research and development purposes, including but not  
 30 limited to machinery and equipment deemed necessary for the  
 31 operation thereof, when the authority finds that there is a compelling  
 32 public need to undertake such project.

33 (2) "Land-use improvement project"--a project for the clearance,  
 34 replanning, reconstruction, rehabilitation, renewal, redevelopment,  
 35 conservation, restoration or improvement of an area, in cooperation or  
 36 under agreement with a qualified municipality which has designated  
 37 the area in need of redevelopment.

38 (3) "Civil project"--a project designed and intended to provide  
 39 facilities for educational, cultural, health, recreational, community or  
 40 other civic purposes.

41 (4) "Utility project"--a project designed and intended to provide  
 42 facilities for provision of water, sewerage, solid waste disposal,  
 43 transportation, utility or other public services necessary for the  
 44 accommodation of a project of another classification undertaken  
 45 pursuant to P.L.1996, c.62 (C.55:19-20 et al.), but accommodation of  
 46 needs greater than those of the other project may be encompassed.

**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>Assembly AAP committee amendments adopted May 18, 2021.

1 (5) "Mixed-use project"--a project consisting of housing  
2 development and commercial development, in which the prorated cost  
3 of the housing development is equivalent to no more than one-third of  
4 the cost of the total project.

5 (6) "Multi-purpose project"--a project combining the purposes of  
6 two or more of the foregoing classifications.

7 "Qualified municipality" means any municipality which, at the  
8 time of the initiation of a project:

9 (1) was **either** eligible to receive aid under the "Special  
10 Municipal Aid Act," P.L.1987, c.75 (C.52:27D-118.24 et seq.) **or**;

11 (2) was coextensive with a school district which qualified for  
12 designation as a "special needs district" pursuant to the "Quality  
13 Education Act of 1990," P.L.1990, c.52 (C.18A:7D-1 et seq.); or **if**

14 (3) had established within the municipality a special improvement  
15 district, as defined in section 2 of P.L.1972, c.134 (C.40:56-66), and  
16 operated <sup>1,1</sup> pursuant to P.L.1972, c.134 (C.40:56-65 et seq.) <sup>1</sup>, the  
17 special improvement district prior to the date of enactment of P.L. ,  
18 c. (C. ) (pending before the Legislature as this bill)<sup>1</sup>.

19 If no municipality in a county meets **these** either of the first two  
20 requirements above, the Commissioner of Community Affairs may  
21 nominate one municipality in that county for inclusion. The  
22 nominated municipality must have a rank in the top 20% of the current  
23 Municipal Distress Index (MDI), as promulgated by the Division of  
24 Housing and Community Resources in the Department of Community  
25 Affairs, and be approved by the New Jersey Redevelopment Authority  
26 Board. If approved, the municipality shall be eligible to participate in  
27 the program for a period of five years and may, thereafter, be re-  
28 nominated by the commissioner every five years.

29 "Subsidiary" means a subsidiary corporation formed by the  
30 authority pursuant to section 8 of P.L.1996, c.62 (C.55:19-27).  
31 (cf: P.L.2015, c.56, s.1)

32  
33 2. This act shall take effect immediately.