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LAW/KR

P.L.2011, CHAPTER 123, *approved September 1, 2011*  
Assembly, No. 3195 (*First Reprint*)

1 **AN ACT** concerning the creation of a uniform application form for  
2 small businesses' eligibility for financial assistance and  
3 supplementing Title 52 of the Revised 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 this act:

9 "Department" means the Department of <sup>1</sup>**【the Treasury】 State**<sup>1</sup>.

10 "Financial assistance program" or "program" means any program  
11 offered by a State agency to a small business that allows a small  
12 business to be deemed eligible to receive a grant or loan of monies  
13 pursuant to State law.

14 "Small business" or "business" means a business entity that  
15 employs not more than 50 full-time employees or the equivalent  
16 thereof and qualifies as a small business concern within the  
17 meaning of the federal "Small Business Act," Pub.L. 85-536 (15  
18 U.S.C. s.631 et seq.).

19 "State agency" means any of the principal departments in the  
20 Executive Branch of State Government, and any division, board,  
21 bureau, office, commission, or other instrumentality within or  
22 created by such principal department, and any independent State  
23 authority, commission, instrumentality, or agency.

24

25 2. The department shall, in consultation with the New Jersey  
26 Economic Development Authority, 'establish and maintain a  
27 program to assist small businesses in identifying financial  
28 assistance programs, offered by any State agency, for which the  
29 business may be eligible. The department shall<sup>1</sup> create, modify,  
30 <sup>1</sup>**【update, and maintain】** and update, as necessary,<sup>1</sup> a uniform  
31 application form for the purpose of <sup>1</sup>**【allowing a small business to**  
32 **apply for eligibility under any financial assistance program offered**  
33 **to any small business by any State agency in a manner that shall be**  
34 **used by every State agency when considering a small business's**  
35 **eligibility to receive any grant or loan administered by any State**  
36 **agency】** gathering basic operational and financial information, and

**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 amendments adopted in accordance with Governor's recommendations June 27, 2011.

1 any additional information as deemed necessary by the department,  
2 from small businesses seeking assistance under this program<sup>1</sup>. The  
3 application form shall be created, modified, <sup>1</sup>**[updated, and**  
4 **maintained]** and updated, as necessary,<sup>1</sup> in a manner that requires a  
5 small business to provide the business's basic operational and  
6 financial information on the form <sup>1</sup>**[while enabling the small**  
7 **business to apply under more than one program and reducing any**  
8 **redundancies and duplication of effort by those businesses seeking**  
9 **to apply for eligibility to any such financial assistance program]**<sup>1</sup>.

10

11 3. The department <sup>1</sup>**[shall]** may<sup>1</sup> adopt, pursuant to the  
12 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
13 seq.), rules and regulations to effectuate the purposes of this act  
14 <sup>1</sup>**[which shall allow the department to require a small business to**  
15 **provide a minimum amount of basic operational and financial**  
16 **information about the business on the application form and any**  
17 **additional information as deemed necessary by the department]**<sup>1</sup>.

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19 4. This act shall take effect immediately.

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24 \_\_\_\_\_  
25 Requires Department of State to create uniform application form  
26 for use by small businesses to apply for certain State financial  
assistance programs.

# ASSEMBLY, No. 3195

## STATE OF NEW JERSEY

### 214th LEGISLATURE

INTRODUCED SEPTEMBER 16, 2010

**Sponsored by:**

**Assemblywoman LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Mercer)**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Camden)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington and Camden)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Assemblymen Fuentes, Ramos, Coughlin, Milam, Caputo, Johnson,**

**Assemblywoman Quijano, Assemblyman Schaer, Assemblywoman Riley,**

**Assemblyman Greenwald, Assemblywomen Pou, Voss, Spencer,**

**Assemblymen Wisniewski, Chivukula, Giblin, Burzichelli,**

**Assemblywomen Quigley, Wagner, Assemblymen Connors, Diegnan,**

**Senators Greenstein, Beach, Whelan, Gordon and Norcross**

**SYNOPSIS**

Requires State Treasurer to create uniform application form for use by small businesses to apply for certain State financial assistance programs.

**CURRENT VERSION OF TEXT**

As introduced.

(Sponsorship Updated As Of: 1/11/2011)

1 AN ACT concerning the creation of a uniform application form for  
2 small businesses' eligibility for financial assistance and  
3 supplementing Title 52 of the Revised 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 this act:

9 "Department" means the Department of the Treasury.

10 "Financial assistance program" or "program" means any program  
11 offered by a State agency to a small business that allows a small  
12 business to be deemed eligible to receive a grant or loan of monies  
13 pursuant to State law.

14 "Small business" or "business" means a business entity that  
15 employs not more than 50 full-time employees or the equivalent  
16 thereof and qualifies as a small business concern within the  
17 meaning of the federal "Small Business Act," Pub.L. 85-536 (15  
18 U.S.C. s.631 et seq.).

19 "State agency" means any of the principal departments in the  
20 Executive Branch of State Government, and any division, board,  
21 bureau, office, commission, or other instrumentality within or  
22 created by such principal department, and any independent State  
23 authority, commission, instrumentality, or agency.

24

25 2. The department shall, in consultation with the New Jersey  
26 Economic Development Authority, create, modify, update, and  
27 maintain a uniform application form for the purpose of allowing a  
28 small business to apply for eligibility under any financial assistance  
29 program offered to any small business by any State agency in a  
30 manner that shall be used by every State agency when considering a  
31 small business's eligibility to receive any grant or loan administered  
32 by any State agency. The application form shall be created,  
33 modified, updated, and maintained in a manner that requires a small  
34 business to provide the business's basic operational and financial  
35 information on the form while enabling the small business to apply  
36 under more than one program and reducing any redundancies and  
37 duplication of effort by those businesses seeking to apply for  
38 eligibility to any such financial assistance program.

39

40 3. The department shall adopt, pursuant to the "Administrative  
41 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
42 regulations to effectuate the purposes of this act which shall allow  
43 the department to require a small business to provide a minimum  
44 amount of basic operational and financial information about the  
45 business on the application form and any additional information as  
46 deemed necessary by the department.

47

48 4. This act shall take effect immediately.

STATEMENT

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3       This bill requires the Department of the Treasury (“department”),  
4 in consultation with the New Jersey Economic Development  
5 Authority, to create, modify, update, and maintain a uniform  
6 application form for the purpose of allowing a small business to  
7 apply for eligibility under any financial assistance program offered  
8 to any small business by any State agency pursuant to State law in a  
9 manner that shall be used by every State agency when considering a  
10 small business’s eligibility for any grant or loan administered by  
11 any State agency. The application form shall be created, modified,  
12 updated, and maintained in a manner that requires a small business  
13 to provide the business’s basic operational and financial  
14 information on the form while enabling the business to apply under  
15 more than one program and reducing any redundancies and  
16 duplication of effort by those businesses seeking to apply for  
17 eligibility to any program. The bill allows the department to require  
18 a small business to provide a minimum amount of basic operational  
19 and financial information about the business on the application form  
20 and any additional information as deemed necessary by the  
21 department.

22       In creating a “universal” application form for small businesses to  
23 apply for eligibility under State financial assistance programs, the  
24 bill eliminates a sometimes time-consuming duplicative process  
25 those small businesses face when required to complete individual  
26 applications for each State financial assistance program that often  
27 requires the same information about the small business.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3195**

**STATE OF NEW JERSEY**

DATED: OCTOBER 18, 2010

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 3195.

This bill requires the Department of the Treasury (“department”), in consultation with the New Jersey Economic Development Authority, to create, modify, update, and maintain a uniform application form for the purpose of allowing a small business to apply for eligibility under any financial assistance program offered to any small business by any State agency pursuant to State law in a manner that shall be used by every State agency when considering a small business’s eligibility for any grant or loan administered by any State agency. The application form shall be created, modified, updated, and maintained in a manner that requires a small business to provide the business’s basic operational and financial information on the form while enabling the business to apply under more than one program and reducing any redundancies and duplication of effort by those businesses seeking to apply for eligibility to any program. The bill allows the department to require a small business to provide a minimum amount of basic operational and financial information about the business on the application form and any additional information as deemed necessary by the department.

In creating a “universal” application form for small businesses to apply for eligibility under State financial assistance programs, the bill eliminates a sometimes time-consuming duplicative process those small businesses face when required to complete individual applications for each State financial assistance program that often requires the same information about the small business.



**ASSEMBLY BILL NO. 3195**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3195 with my recommendations for reconsideration.

This legislation directs the Department of the Treasury to create a uniform application allowing small businesses to apply for eligibility under any State financial assistance program. I applaud the sponsors' efforts to streamline the process for small businesses to apply for financial assistance from the State, which has been a major priority of my Administration.

The sponsors' goals are consistent with the efforts already undertaken by my Administration to assist the business community. I have consolidated all State economic development activities under the leadership of the Lieutenant Governor, which has resulted in the creation of the New Jersey Business Action Center in the Department of State. The New Jersey Business Action Center serves as a "one-stop shop" for business and plays a key role in helping grow, retain, and attract business to the State. Specifically, the New Jersey Business Action Center provides counseling services to businesses to identify all of the specific financial assistance programs that a business may be eligible to receive and to identify what resources may best serve their individual needs. Accordingly, given the significant role the Department of State is playing in economic development under the leadership of the Lieutenant Governor, I believe the legislation should be amended to allocate its responsibilities to the Department of State.

I am also concerned that this legislation is unworkable in its current form. While the idea of a single uniform application sounds appealing, I do not believe that a uniform

application that would allow for a determination of eligibility for all of the State's financial assistance programs will improve the application process for small businesses.

The State maintains more than 50 grant and incentive programs. Each of these programs has different criteria. In order to allow a business to apply for eligibility under any financial assistance program in a single application, the application would need to gather information to cover the requirements in every program. Given the major differences in criteria in these grant and incentive programs, the information required for one program varies widely from the information required under another program. As a result, I am concerned that any effort to combine all of these divergent requirements into a single uniform application for purposes of determining eligibility to all of the State's programs would likely be counterproductive to the sponsors' goals and result in an unnecessarily long and burdensome application. Therefore, I am also returning this legislation with my recommendation that the contemplated uniform application gather only basic operational and financial information, which shall be utilized to provide guidance on potential eligibility for financial assistance programs, rather than as a final determination of eligibility for all of the State's financial assistance programs.

Accordingly, I herewith return Assembly Bill No. 3195 and recommend that it be amended as follows:

Page 2, Section 1, Line 9:

Delete "the Treasury" and insert "State"

Page 2, Section 2, Line 26:

After "Authority," insert "establish and maintain a program to assist small businesses in identifying financial assistance programs, offered by any State agency, for which the

business may be eligible.  
The department shall"

Page 2, Section 2, Lines 26-27:

Delete "update, and  
maintain" and insert "and  
update, as necessary,"

Page 2, Section 2, Lines 27-32:

Delete "allowing a small  
business to apply for  
eligibility under any  
financial assistance  
program offered to any  
small business by any State  
agency in a manner that  
shall be used by every  
State agency when  
considering a small  
business's eligibility to  
receive any grant or loan  
administered by any State  
agency" and insert  
"gathering basic  
operational and financial  
information, and any  
additional information as  
deemed necessary by the  
department, from small  
businesses seeking  
assistance under this  
program"

Page 2, Section 2, Line 33:

Delete "updated, and  
maintained" and insert "and  
updated, as necessary,"

Page 2, Section 2, Lines 35-38:

Delete "while enabling the  
small business to apply  
under more than one program  
and reducing any  
redundancies and  
duplication of effort by  
those businesses seeking to  
apply for eligibility to  
any such financial  
assistance program"

Page 2, Section 3, Line 40:

Delete "shall" and insert  
"may"

Page 2, Section 3, Lines 42-46:

Delete "which shall allow the department to require a small business to provide a minimum amount of basic operational and financial information about the business on the application form and any additional information as deemed necessary by the department"

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Jeffrey S. Chiesa

Chief Counsel to the Governor

# SENATE, No. 2480

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED DECEMBER 9, 2010

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator JAMES BEACH**

**District 6 (Camden)**

**Senator JIM WHELAN**

**District 2 (Atlantic)**

**Co-Sponsored by:**

**Senators Gordon and Norcross**

**SYNOPSIS**

Requires State Treasurer to create uniform application form for use by small businesses to apply for certain State financial assistance programs.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/11/2011)**

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20 Executive Branch of State Government, and any division, board,  
21 bureau, office, commission, or other instrumentality within or  
22 created by such principal department, and any independent State  
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26 Economic Development Authority, create, modify, update, and  
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35 information on the form while enabling the small business to apply  
36 under more than one program and reducing any redundancies and  
37 duplication of effort by those businesses seeking to apply for  
38 eligibility to any such financial assistance program.

39  
40 3. The department shall adopt, pursuant to the "Administrative  
41 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
42 regulations to effectuate the purposes of this act which shall allow  
43 the department to require a small business to provide a minimum  
44 amount of basic operational and financial information about the  
45 business on the application form and any additional information as  
46 deemed necessary by the department.

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48 4. This act shall take effect immediately.

STATEMENT

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This bill requires the Department of the Treasury (“department”), in consultation with the New Jersey Economic Development Authority, to create, modify, update, and maintain a uniform application form for the purpose of allowing a small business to apply for eligibility under any financial assistance program offered to any small business by any State agency pursuant to State law in a manner that shall be used by every State agency when considering a small business’s eligibility for any grant or loan administered by any State agency. The application form shall be created, modified, updated, and maintained in a manner that requires a small business to provide the business’s basic operational and financial information on the form while enabling the business to apply under more than one program and reducing any redundancies and duplication of effort by those businesses seeking to apply for eligibility to any program. The bill allows the department to require a small business to provide a minimum amount of basic operational and financial information about the business on the application form and any additional information as deemed necessary by the department.

In creating a “universal” application form for small businesses to apply for eligibility under State financial assistance programs, the bill eliminates a sometimes time-consuming duplicative process those small businesses face when required to complete individual applications for each State financial assistance program that often requires the same information about the small business.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 2480

# STATE OF NEW JERSEY

DATED: DECEMBER 15, 2010

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2480.

This bill requires the Department of the Treasury (“department”), in consultation with the New Jersey Economic Development Authority, to create, modify, update, and maintain a uniform application form for the purpose of allowing a small business to apply for eligibility under any financial assistance program offered to any small business by any State agency pursuant to State law in a manner that shall be used by every State agency when considering a small business’s eligibility for any grant or loan administered by any State agency. The application form shall be created, modified, updated, and maintained in a manner that requires a small business to provide the business’s basic operational and financial information on the form while enabling the business to apply under more than one program and reducing any redundancies and duplication of effort by those businesses seeking to apply for eligibility to any program. The bill allows the department to require a small business to provide a minimum amount of basic operational and financial information about the business on the application form and any additional information as deemed necessary by the department.

In creating a “universal” application form for small businesses to apply for eligibility under State financial assistance programs, the bill eliminates a sometimes time-consuming duplicative process those small businesses face when required to complete individual applications for each State financial assistance program that often requires the same information about the small business.

#### FISCAL IMPACT:

This bill is not certified for a fiscal note.