

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

LEGISLATOR STATEMENT: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

CL/MMcB

P.L. 2025, CHAPTER 63, *approved June 30, 2025*
Senate, No. 2788 (*Second Reprint*)

1 AN ACT appropriating \$128.241 million from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.
4

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

7
8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$115,091,000 from corporation
10 business tax revenues dedicated pursuant to Article VIII, Section II,
11 paragraph 6 of the State Constitution and available in the “Preserve
12 New Jersey Farmland Preservation Fund,” established pursuant to
13 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12
14 (C.13:8C-50), to pay the cost of acquisition by the committee of
15 development easements on, or fee simple titles to, farmland, to
16 provide grants to counties and municipalities for up to 80 percent of
17 the cost of acquisition of fee simple titles to farmland, and to
18 provide grants to qualifying tax-exempt non-profit organizations for
19 up to 50 percent of the cost of acquisition of fee simple titles to
20 farmland, for farmland preservation purposes for projects approved
21 as eligible for such funding pursuant to the “Agricultural Retention
22 and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the
23 “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1
24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
26 subsection, the sum of \$7,702,000 is available due to interest
27 earnings on the dedicated corporation business tax revenues
28 pursuant to Article VIII, Section II, paragraph 6 of the State
29 Constitution.

30 b. Any farmland acquired in fee simple with monies
31 appropriated pursuant to this section shall be offered for resale or
32 lease with agricultural deed restrictions approved by the committee.
33

34 2. There is appropriated from the “Preserve New Jersey
35 Farmland Preservation Fund,” established pursuant to section 8 of
36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
37 the “2009 Farmland Preservation Fund,” established pursuant to
38 section 18 of the “Green Acres, Water Supply and Floodplain
39 Protection, and Farmland and Historic Preservation Bond Act of

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:

¹Assembly AAP committee amendments adopted June 24, 2024.

²As amended on December 19, 2024 by the Senate pursuant to the Governor’s recommendations..

1 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
2 Fund,” established pursuant to section 18 of the “Green Acres,
3 Farmland, Blue Acres, and Historic Preservation Bond Act of
4 2007,” P.L.2007, c.119, from the “Garden State Farmland
5 Preservation Trust Fund,” established pursuant to
6 section 20 of P.L.1999, c.152 (C.13:8C-20), from the “1999 Open
7 Space Fund,” established pursuant to the “Open Space – Local
8 Match Program of the Fiscal Year 1999 annual appropriations act,”
9 P.L.1998, c.45, from the “1995 Farmland Preservation Fund,”
10 established pursuant to section 25 of the “Green Acres, Farmland
11 and Historic Preservation, and Blue Acres Bond Act of 1995,”
12 P.L.1995, c.204, from the “1992 Farmland Preservation Fund,”
13 established pursuant to section 24 of the “Green Acres, Clean
14 Water, Farmland and Historic Preservation Bond Act of 1992,”
15 P.L.1992, c.88, from the “1989 Farmland Preservation Fund,”
16 established pursuant to section 22 of the “Open Space Preservation
17 Bond Act of 1989,” P.L.1989, c.183, and from the “Farmland
18 Preservation Fund,” established pursuant to section 5 of the
19 “Farmland Preservation Bond Act of 1981,” P.L.1981, c.276, to the
20 State Agriculture Development Committee, such sums from any
21 additional proceeds which may become available by the effective
22 date of this act due to the lease or conveyance of land or
23 development easements acquired or funded by the committee, for
24 the purpose of providing for the cost of acquisition, by the
25 committee, of development easements and fee simple titles to
26 farmland for farmland preservation purposes pursuant to subsection
27 a. of section 1 of this act.

28 Any farmland acquired in fee simple with monies appropriated
29 pursuant to this section shall be offered for resale or lease with
30 agricultural deed restrictions approved by the committee.

31

32 ¹[3. There is appropriated to the State Agriculture
33 Development Committee the sum of \$13,150,000 from the
34 “Preserve New Jersey Farmland Preservation Fund,” established
35 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
36 c.12 (C.13:8C-50), as follows:

37 a. \$12,000,000 for the purpose of providing funding for
38 organizational, administrative, and other work and services,
39 including salaries, equipment, materials, and services necessary to
40 administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43
41 et seq.);

42 b. \$1,000,000 for the purpose of providing funding for costs
43 associated with the acquisition, by the committee, of development
44 easements on farmland, including, but not limited to, appraisal,
45 survey, and title costs; and

46 c. \$150,000 for the purpose of providing funding for costs
47 associated with legal advice and representation in connection with
48 the committee’s enforcement of development easements acquired

1 for farmland preservation purposes pursuant to P.L.2016, c.12
2 (C.13:8C-43 et seq.).¹

3
4 13. 2 [a. As used in this section, “farmland acquisition”
5 means: the acquisition by the State Agriculture Development
6 Committee of development easements on, or fee simple titles to,
7 farmland; the issuance of grants by the committee to counties and
8 municipalities for the acquisition of development easements on, or fee
9 simple titles to, farmland; and the issuance of grants by the committee
10 to qualifying tax-exempt non-profit organizations for the acquisition of
11 development easements on, or fee simple titles to, farmland for
12 farmland preservation purposes.

13 b. There is appropriated to the State Agriculture Development
14 Committee an amount not to exceed \$13,150,000, subject to the
15 approval of the Director of the Division of Budget and Accounting,
16 from the “Preserve New Jersey Farmland Preservation Fund,”
17 established pursuant to section 8 of the “Preserve New Jersey Act,”
18 P.L.2016, c.12 (C.13:8C-50), as follows:

19 (1) an amount not to exceed \$12,000,000, subject to the approval
20 of the Director of the Division of Budget and Accounting, for the
21 purpose of providing funding for organizational, administrative, and
22 other work and services, including salaries, equipment, materials, and
23 services necessary to administer the applicable provisions of P.L.2016,
24 c.12 (C.13:8C-43 et seq.), a portion of which amount shall be allocated
25 to the committee at the end of the six-month period immediately
26 following the effective date of this act, and each six-month period
27 thereafter, based on the calculation provided pursuant to subsection c.
28 of this section;

29 (2) \$1,000,000 for the purpose of providing funding for costs
30 associated with the acquisition, by the committee, of development
31 easements on farmland, including, but not limited to, appraisal, survey,
32 and title costs; and

33 (3) \$150,000 for the purpose of providing funding for costs
34 associated with legal advice and representation in connection with the
35 committee’s enforcement of development easements acquired for
36 farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-
37 43 et seq.).

38 c. (1) No later than the first day of the seventh month following
39 the effective date of this act, and every six months thereafter, the
40 committee shall submit a written report to the Director of Budget and
41 Accounting, which report shall indicate:

42 (a) the amount expended by the committee for farmland
43 acquisition, from the amounts appropriated pursuant to section 1 of
44 this act, during the immediately preceding six-month period;

45 (b) the amount available for expenditure by the committee for
46 farmland acquisition, from the amounts appropriated pursuant to
47 section 1 of this act, upon the commencement of the immediately
48 preceding six-month period; and

1 (c) the proportional amount expended by the committee for
2 farmland acquisition during the immediately preceding six-month
3 period, which amount shall equal the ratio of the amount reported
4 pursuant to subparagraph (a) of this paragraph, divided by the amount
5 calculated pursuant to subparagraph (b) of this paragraph.

6 (2) The amount appropriated to the committee for each six-month
7 period pursuant to paragraph (1) of subsection b. of this section shall
8 equal the product of:

9 (a) the proportional amount expended by the committee for
10 farmland acquisition during that six-month period, as such amounts
11 shall be verified and determined by the Director of Budget and
12 Accounting; and

13 (b) the sum of \$12,000,000, minus any amounts appropriated to
14 the committee pursuant to paragraph (1) of subsection b. of this section
15 for a previous six-month period.

16 d. Notwithstanding the “Statewide Farmland Preservation
17 Formula” established pursuant to paragraph (2) of subsection e. of
18 section 8 of P.L.2016, c.12 (C.13:8C-50), if the total amount
19 appropriated to the State Agriculture Development Committee
20 pursuant to section 1 of this act is not expended within one calendar
21 year following the effective date of this act, the committee may
22 increase the amount of any offers made by the committee for the
23 purchase of development easements on, or fee simple titles to,
24 agricultural lands for farmland preservation purposes to an amount
25 greater than the value established pursuant to the “Statewide Farmland
26 Preservation Formula” of those lands, subject to such limitations as
27 may be established by the rules and regulations adopted pursuant to
28 section 6 of this act. If the committee increases the amount of an offer
29 pursuant to this subsection, the committee shall: (1) issue a public
30 notice indicating that the committee has increased an offer to an
31 amount greater than the value established pursuant to the “Statewide
32 Farmland Preservation Formula”; and (2) increase the amount of any
33 other outstanding offers in proportion to the increase so made pursuant
34 to this subsection, subject to the availability of monies appropriated to
35 the committee, pursuant to section 1 of this act, for farmland
36 acquisition.¹】 There is appropriated to the State Agriculture
37 Development Committee the sum of \$13,150,000 from the “Preserve
38 New Jersey Farmland Preservation fund,” established pursuant to
39 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-
40 50), as follows:

41 a. \$12,000,000 for the purpose of providing funding for
42 organizational, administrative, and other work and services, including
43 salaries, equipment, materials, and services necessary to administer the
44 applicable provisions of P.L.2016, c.12 (C.13-8C-43 et seq.);

45 b. \$1,000,000 for the purpose of providing funding for costs
46 associated with the acquisition, by the committee, of development
47 easements on farmland, including, but not limited to, appraisal, survey,
48 and title costs; and

1 c. \$150,000 for the purpose of providing funding for costs
2 associated with legal advice and representation in connection with the
3 committee’s enforcement of development easements acquired for
4 farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-
5 43 et seq.).²
6

7 4. There is appropriated from the General Fund to the
8 “Preserve New Jersey Farmland Preservation Fund,” established
9 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
10 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
11 provisions of this act.
12

13 5. The expenditure of the sums approved by this act is subject
14 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
15 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
16 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
17 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
18 appropriate.
19

20 ²**[¹6.** Within 60 days after the effective date of this act, and
21 notwithstanding any provision of the “Administrative Procedure Act,”
22 P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the State
23 Agriculture Development Committee shall, immediately upon filing
24 proper notice with the Office of Administrative Law, adopt rules and
25 regulations to establish limits on the amount of offers that may be
26 made by the committee for the purchase of development easements on,
27 or fee simple title to, agricultural lands for farmland preservation
28 purposes pursuant to subsection d. of section 3 of this act. The rules
29 and regulations adopted pursuant to this section shall be effective until
30 all monies appropriated to the committee, pursuant to section 1 of this
31 act, for the acquisition of development easements on, or fee simple
32 titles to, farmland have been expended.¹²
33

34 ¹**[6.]** ²**[7.]** ^{6.}² This act shall take effect immediately.
35
36
37

38
39 _____
40 Appropriates \$128.241 million from constitutionally dedicated
41 CBT revenues to State Agriculture Development Committee for
42 farmland preservation purposes.

CHAPTER 63

AN ACT appropriating \$128.241 million from various farmland preservation funds to the State Agriculture Development Committee for farmland preservation purposes.

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

1. a. There is appropriated to the State Agriculture Development Committee the sum of \$115,091,000 from corporation business tax revenues dedicated pursuant to Article VIII, Section II, paragraph 6 of the State Constitution and available in the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), to pay the cost of acquisition by the committee of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax-exempt non-profit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to the “Agricultural Retention and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this subsection, the sum of \$7,702,000 is available due to interest earnings on the dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution.

b. Any farmland acquired in fee simple with monies appropriated pursuant to this section shall be offered for resale or lease with agricultural deed restrictions approved by the committee.

2. There is appropriated from the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from the “2009 Farmland Preservation Fund,” established pursuant to section 18 of the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation Fund,” established pursuant to section 18 of the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007,” P.L.2007, c.119, from the “Garden State Farmland Preservation Trust Fund,” established pursuant to section 20 of P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,” established pursuant to the “Open Space – Local Match Program of the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45, from the “1995 Farmland Preservation Fund,” established pursuant to section 25 of the “Green Acres, Farmland and Historic Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204, from the “1992 Farmland Preservation Fund,” established pursuant to section 24 of the “Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the “1989 Farmland Preservation Fund,” established pursuant to section 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989, c.183, and from the “Farmland Preservation Fund,” established pursuant to section 5 of the “Farmland Preservation Bond Act of 1981,” P.L.1981, c.276, to the State Agriculture Development Committee, such sums from any additional proceeds which may become available by the effective date of this act due to the lease or conveyance of land or development easements acquired or funded by the committee, for the purpose of providing for the cost of acquisition, by the committee, of development easements and fee simple titles to farmland for farmland preservation purposes pursuant to subsection a. of section 1 of this act.

Any farmland acquired in fee simple with monies appropriated pursuant to this section shall be offered for resale or lease with agricultural deed restrictions approved by the committee.

3. There is appropriated to the State Agriculture Development Committee the sum of \$13,150,000 from the “Preserve New Jersey Farmland Preservation fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), as follows:

a. \$12,000,000 for the purpose of providing funding for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of P.L.2016, c.12 (C.13-8C-43 et seq.);

b. \$1,000,000 for the purpose of providing funding for costs associated with the acquisition, by the committee, of development easements on farmland, including, but not limited to, appraisal, survey, and title costs; and

c. \$150,000 for the purpose of providing funding for costs associated with legal advice and representation in connection with the committee’s enforcement of development easements acquired for farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.).

4. There is appropriated from the General Fund to the “Preserve New Jersey Farmland Preservation Fund,” established pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the provisions of this act.

5. The expenditure of the sums approved by this act is subject to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as appropriate.

6. This act shall take effect immediately.

Approved June 30, 2025.

SENATE, No. 2788

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED FEBRUARY 15, 2024

Sponsored by:

Senator NILSA I. CRUZ-PEREZ
District 5 (Camden and Gloucester)
Senator SHIRLEY K. TURNER
District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Space and Steinhardt

SYNOPSIS

Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/11/2024)

1 AN ACT appropriating \$128.241 million from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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

7
8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$115,091,000 from corporation
10 business tax revenues dedicated pursuant to Article VIII, Section II,
11 paragraph 6 of the State Constitution and available in the “Preserve
12 New Jersey Farmland Preservation Fund,” established pursuant to
13 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12
14 (C.13:8C-50), to pay the cost of acquisition by the committee of
15 development easements on, or fee simple titles to, farmland, to
16 provide grants to counties and municipalities for up to 80 percent of
17 the cost of acquisition of fee simple titles to farmland, and to
18 provide grants to qualifying tax-exempt non-profit organizations for
19 up to 50 percent of the cost of acquisition of fee simple titles to
20 farmland, for farmland preservation purposes for projects approved
21 as eligible for such funding pursuant to the “Agricultural Retention
22 and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the
23 “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1
24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
26 subsection, the sum of \$7,702,000 is available due to interest
27 earnings on the dedicated corporation business tax revenues
28 pursuant to Article VIII, Section II, paragraph 6 of the State
29 Constitution.

30 b. Any farmland acquired in fee simple with monies
31 appropriated pursuant to this section shall be offered for resale or
32 lease with agricultural deed restrictions approved by the committee.

33
34 2. There is appropriated from the “Preserve New Jersey
35 Farmland Preservation Fund,” established pursuant to section 8 of
36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
37 the “2009 Farmland Preservation Fund,” established pursuant to
38 section 18 of the “Green Acres, Water Supply and Floodplain
39 Protection, and Farmland and Historic Preservation Bond Act of
40 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
41 Fund,” established pursuant to section 18 of the “Green Acres,
42 Farmland, Blue Acres, and Historic Preservation Bond Act of
43 2007,” P.L.2007, c.119, from the “Garden State Farmland
44 Preservation Trust Fund,” established pursuant to section 20 of
45 P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,”
46 established pursuant to the “Open Space – Local Match Program of
47 the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45,
48 from the “1995 Farmland Preservation Fund,” established pursuant

1 to section 25 of the “Green Acres, Farmland and Historic
2 Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204,
3 from the “1992 Farmland Preservation Fund,” established pursuant
4 to section 24 of the “Green Acres, Clean Water, Farmland and
5 Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the
6 “1989 Farmland Preservation Fund,” established pursuant to section
7 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989,
8 c.183, and from the “Farmland Preservation Fund,” established
9 pursuant to section 5 of the “Farmland Preservation Bond Act of
10 1981,” P.L.1981, c.276, to the State Agriculture Development
11 Committee, such sums from any additional proceeds which may
12 become available by the effective date of this act due to the lease or
13 conveyance of land or development easements acquired or funded
14 by the committee, for the purpose of providing for the cost of
15 acquisition, by the committee, of development easements and fee
16 simple titles to farmland for farmland preservation purposes
17 pursuant to subsection a. of section 1 of this act.

18 Any farmland acquired in fee simple with monies appropriated
19 pursuant to this section shall be offered for resale or lease with
20 agricultural deed restrictions approved by the committee.

21

22 3. There is appropriated to the State Agriculture Development
23 Committee the sum of \$13,150,000 from the “Preserve New Jersey
24 Farmland Preservation Fund,” established pursuant to section 8 of
25 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), as
26 follows:

27 a. \$12,000,000 for the purpose of providing funding for
28 organizational, administrative, and other work and services,
29 including salaries, equipment, materials, and services necessary to
30 administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43
31 et seq.);

32 b. \$1,000,000 for the purpose of providing funding for costs
33 associated with the acquisition, by the committee, of development
34 easements on farmland, including, but not limited to, appraisal,
35 survey, and title costs; and

36 c. \$150,000 for the purpose of providing funding for costs
37 associated with legal advice and representation in connection with
38 the committee’s enforcement of development easements acquired
39 for farmland preservation purposes pursuant to P.L.2016, c.12
40 (C.13:8C-43 et seq.).

41

42 4. There is appropriated from the General Fund to the
43 “Preserve New Jersey Farmland Preservation Fund,” established
44 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
45 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
46 provisions of this act.

S2788 CRUZ-PEREZ, TURNER

5

1 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
2 seq.), implements the constitutional dedication of CBT revenues
3 pursuant to Article VIII, Section II, paragraph 6 of the State
4 Constitution, approved by the voters of the State in November
5 2014, for open space, farmland, and historic preservation. The
6 “Preserve New Jersey Farmland Preservation Fund” was established
7 pursuant to section 8 of the “Preserve New Jersey Act.” The
8 funding in this bill is from these constitutionally dedicated CBT
9 revenues.

[First Reprint]

SENATE, No. 2788

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 15, 2024

Sponsored by:

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

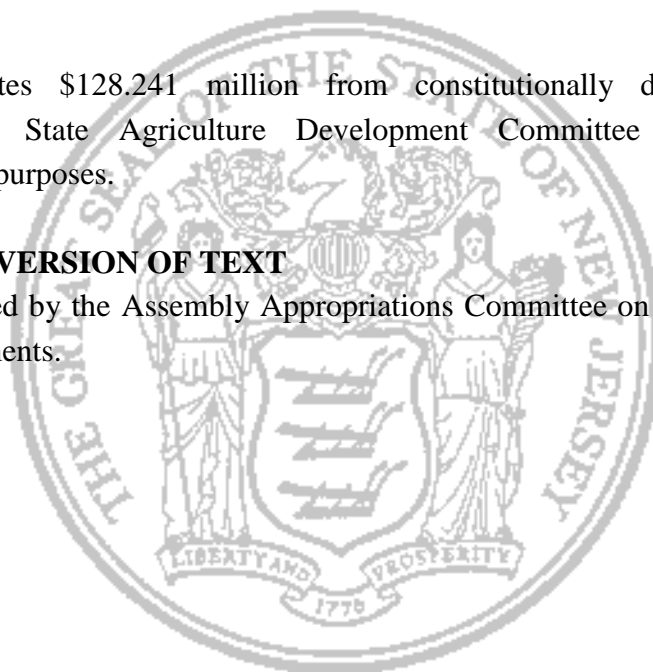
Senators Space, Steinhardt and Assemblywoman Speight

SYNOPSIS

Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 24, 2024, with amendments.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT appropriating \$128.241 million from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
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19 up to 50 percent of the cost of acquisition of fee simple titles to
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24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
26 subsection, the sum of \$7,702,000 is available due to interest
27 earnings on the dedicated corporation business tax revenues
28 pursuant to Article VIII, Section II, paragraph 6 of the State
29 Constitution.

30 b. Any farmland acquired in fee simple with monies
31 appropriated pursuant to this section shall be offered for resale or
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34 2. There is appropriated from the “Preserve New Jersey
35 Farmland Preservation Fund,” established pursuant to section 8 of
36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
37 the “2009 Farmland Preservation Fund,” established pursuant to
38 section 18 of the “Green Acres, Water Supply and Floodplain
39 Protection, and Farmland and Historic Preservation Bond Act of
40 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
41 Fund,” established pursuant to section 18 of the “Green Acres,
42 Farmland, Blue Acres, and Historic Preservation Bond Act of
43 2007,” P.L.2007, c.119, from the “Garden State Farmland
44 Preservation Trust Fund,” established pursuant to section 20 of
45 P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,”

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:

¹Assembly AAP committee amendments adopted June 24, 2024.

1 established pursuant to the “Open Space – Local Match Program of
2 the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45,
3 from the “1995 Farmland Preservation Fund,” established pursuant
4 to section 25 of the “Green Acres, Farmland and Historic
5 Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204,
6 from the “1992 Farmland Preservation Fund,” established pursuant
7 to section 24 of the “Green Acres, Clean Water, Farmland and
8 Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the
9 “1989 Farmland Preservation Fund,” established pursuant to section
10 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989,
11 c.183, and from the “Farmland Preservation Fund,” established
12 pursuant to section 5 of the “Farmland Preservation Bond Act of
13 1981,” P.L.1981, c.276, to the State Agriculture Development
14 Committee, such sums from any additional proceeds which may
15 become available by the effective date of this act due to the lease or
16 conveyance of land or development easements acquired or funded
17 by the committee, for the purpose of providing for the cost of
18 acquisition, by the committee, of development easements and fee
19 simple titles to farmland for farmland preservation purposes
20 pursuant to subsection a. of section 1 of this act.

21 Any farmland acquired in fee simple with monies appropriated
22 pursuant to this section shall be offered for resale or lease with
23 agricultural deed restrictions approved by the committee.
24

25 ¹3. There is appropriated to the State Agriculture Development
26 Committee the sum of \$13,150,000 from the “Preserve New Jersey
27 Farmland Preservation Fund,” established pursuant to section 8 of
28 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), as
29 follows:

30 a. \$12,000,000 for the purpose of providing funding for
31 organizational, administrative, and other work and services,
32 including salaries, equipment, materials, and services necessary to
33 administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43
34 et seq.);

35 b. \$1,000,000 for the purpose of providing funding for costs
36 associated with the acquisition, by the committee, of development
37 easements on farmland, including, but not limited to, appraisal,
38 survey, and title costs; and

39 c. \$150,000 for the purpose of providing funding for costs
40 associated with legal advice and representation in connection with
41 the committee’s enforcement of development easements acquired
42 for farmland preservation purposes pursuant to P.L.2016, c.12
43 (C.13:8C-43 et seq.).¹
44

45 ¹3. a. As used in this section, “farmland acquisition” means: the
46 acquisition by the State Agriculture Development Committee of
47 development easements on, or fee simple titles to, farmland; the
48 issuance of grants by the committee to counties and municipalities for

1 the acquisition of development easements on, or fee simple titles to,
2 farmland; and the issuance of grants by the committee to qualifying
3 tax-exempt non-profit organizations for the acquisition of development
4 easements on, or fee simple titles to, farmland for farmland
5 preservation purposes.

6 b. There is appropriated to the State Agriculture Development
7 Committee an amount not to exceed \$13,150,000, subject to the
8 approval of the Director of the Division of Budget and Accounting,
9 from the “Preserve New Jersey Farmland Preservation Fund,”
10 established pursuant to section 8 of the “Preserve New Jersey Act,”
11 P.L.2016, c.12 (C.13:8C-50), as follows:

12 (1) an amount not to exceed \$12,000,000, subject to the approval
13 of the Director of the Division of Budget and Accounting, for the
14 purpose of providing funding for organizational, administrative, and
15 other work and services, including salaries, equipment, materials, and
16 services necessary to administer the applicable provisions of P.L.2016,
17 c.12 (C.13:8C-43 et seq.), a portion of which amount shall be allocated
18 to the committee at the end of the six-month period immediately
19 following the effective date of this act, and each six-month period
20 thereafter, based on the calculation provided pursuant to subsection c.
21 of this section;

22 (2) \$1,000,000 for the purpose of providing funding for costs
23 associated with the acquisition, by the committee, of development
24 easements on farmland, including, but not limited to, appraisal, survey,
25 and title costs; and

26 (3) \$150,000 for the purpose of providing funding for costs
27 associated with legal advice and representation in connection with the
28 committee’s enforcement of development easements acquired for
29 farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-
30 43 et seq.).

31 c. (1) No later than the first day of the seventh month following
32 the effective date of this act, and every six months thereafter, the
33 committee shall submit a written report to the Director of Budget and
34 Accounting, which report shall indicate:

35 (a) the amount expended by the committee for farmland
36 acquisition, from the amounts appropriated pursuant to section 1 of
37 this act, during the immediately preceding six-month period;

38 (b) the amount available for expenditure by the committee for
39 farmland acquisition, from the amounts appropriated pursuant to
40 section 1 of this act, upon the commencement of the immediately
41 preceding six-month period; and

42 (c) the proportional amount expended by the committee for
43 farmland acquisition during the immediately preceding six-month
44 period, which amount shall equal the ratio of the amount reported
45 pursuant to subparagraph (a) of this paragraph, divided by the amount
46 calculated pursuant to subparagraph (b) of this paragraph.

1 (2) The amount appropriated to the committee for each six-month
2 period pursuant to paragraph (1) of subsection b. of this section shall
3 equal the product of:

4 (a) the proportional amount expended by the committee for
5 farmland acquisition during that six-month period, as such amounts
6 shall be verified and determined by the Director of Budget and
7 Accounting; and

8 (b) the sum of \$12,000,000, minus any amounts appropriated to
9 the committee pursuant to paragraph (1) of subsection b. of this section
10 for a previous six-month period.

11 d. Notwithstanding the “Statewide Farmland Preservation
12 Formula” established pursuant to paragraph (2) of subsection e. of
13 section 8 of P.L.2016, c.12 (C.13:8C-50), if the total amount
14 appropriated to the State Agriculture Development Committee
15 pursuant to section 1 of this act is not expended within one calendar
16 year following the effective date of this act, the committee may
17 increase the amount of any offers made by the committee for the
18 purchase of development easements on, or fee simple titles to,
19 agricultural lands for farmland preservation purposes to an amount
20 greater than the value established pursuant to the “Statewide Farmland
21 Preservation Formula” of those lands, subject to such limitations as
22 may be established by the rules and regulations adopted pursuant to
23 section 6 of this act. If the committee increases the amount of an offer
24 pursuant to this subsection, the committee shall: (1) issue a public
25 notice indicating that the committee has increased an offer to an
26 amount greater than the value established pursuant to the “Statewide
27 Farmland Preservation Formula”; and (2) increase the amount of any
28 other outstanding offers in proportion to the increase so made pursuant
29 to this subsection, subject to the availability of monies appropriated to
30 the committee, pursuant to section 1 of this act, for farmland
31 acquisition.¹

32
33 4. There is appropriated from the General Fund to the
34 “Preserve New Jersey Farmland Preservation Fund,” established
35 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
36 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
37 provisions of this act.

38
39 5. The expenditure of the sums approved by this act is subject
40 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
41 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
42 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
43 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
44 appropriate.

45
46 ¹6. Within 60 days after the effective date of this act, and
47 notwithstanding any provision of the “Administrative Procedure Act,”
48 P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the State

1 Agriculture Development Committee shall, immediately upon filing
2 proper notice with the Office of Administrative Law, adopt rules and
3 regulations to establish limits on the amount of offers that may be
4 made by the committee for the purchase of development easements on,
5 or fee simple title to, agricultural lands for farmland preservation
6 purposes pursuant to subsection d. of section 3 of this act. The rules
7 and regulations adopted pursuant to this section shall be effective until
8 all monies appropriated to the committee, pursuant to section 1 of this
9 act, for the acquisition of development easements on, or fee simple
10 titles to, farmland have been expended.¹

11

12 ¹[6.] 7.¹ This act shall take effect immediately.

[Second Reprint]

SENATE, No. 2788

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 15, 2024

Sponsored by:

Senator NILSA I. CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

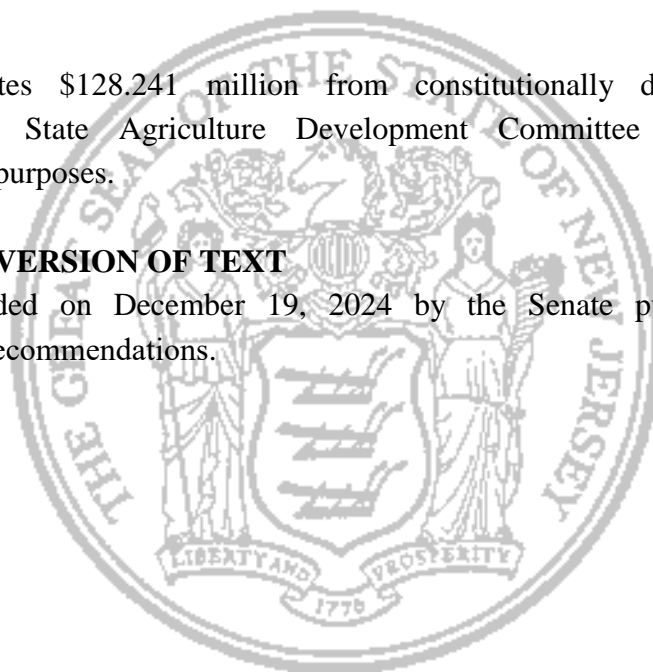
Senators Space, Steinhardt and Assemblywoman Speight

SYNOPSIS

Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As amended on December 19, 2024 by the Senate pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT appropriating \$128.241 million from various farmland
 2 preservation funds to the State Agriculture Development
 3 Committee for farmland preservation purposes.

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

7
 8 1. a. There is appropriated to the State Agriculture
 9 Development Committee the sum of \$115,091,000 from corporation
 10 business tax revenues dedicated pursuant to Article VIII, Section II,
 11 paragraph 6 of the State Constitution and available in the “Preserve
 12 New Jersey Farmland Preservation Fund,” established pursuant to
 13 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12
 14 (C.13:8C-50), to pay the cost of acquisition by the committee of
 15 development easements on, or fee simple titles to, farmland, to
 16 provide grants to counties and municipalities for up to 80 percent of
 17 the cost of acquisition of fee simple titles to farmland, and to
 18 provide grants to qualifying tax-exempt non-profit organizations for
 19 up to 50 percent of the cost of acquisition of fee simple titles to
 20 farmland, for farmland preservation purposes for projects approved
 21 as eligible for such funding pursuant to the “Agricultural Retention
 22 and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the
 23 “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1
 24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
 25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
 26 subsection, the sum of \$7,702,000 is available due to interest
 27 earnings on the dedicated corporation business tax revenues
 28 pursuant to Article VIII, Section II, paragraph 6 of the State
 29 Constitution.

30 b. Any farmland acquired in fee simple with monies
 31 appropriated pursuant to this section shall be offered for resale or
 32 lease with agricultural deed restrictions approved by the committee.

33
 34 2. There is appropriated from the “Preserve New Jersey
 35 Farmland Preservation Fund,” established pursuant to section 8 of
 36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
 37 the “2009 Farmland Preservation Fund,” established pursuant to
 38 section 18 of the “Green Acres, Water Supply and Floodplain
 39 Protection, and Farmland and Historic Preservation Bond Act of
 40 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
 41 Fund,” established pursuant to section 18 of the “Green Acres,
 42 Farmland, Blue Acres, and Historic Preservation Bond Act of
 43 2007,” P.L.2007, c.119, from the “Garden State Farmland
 44 Preservation Trust Fund,” established pursuant 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:

¹Assembly AAP committee amendments adopted June 24, 2024.

²As amended on December 19, 2024 by the Senate pursuant to the Governor’s recommendations..

1 section 20 of P.L.1999, c.152 (C.13:8C-20), from the “1999 Open
2 Space Fund,” established pursuant to the “Open Space – Local
3 Match Program of the Fiscal Year 1999 annual appropriations act,”
4 P.L.1998, c.45, from the “1995 Farmland Preservation Fund,”
5 established pursuant to section 25 of the “Green Acres, Farmland
6 and Historic Preservation, and Blue Acres Bond Act of 1995,”
7 P.L.1995, c.204, from the “1992 Farmland Preservation Fund,”
8 established pursuant to section 24 of the “Green Acres, Clean
9 Water, Farmland and Historic Preservation Bond Act of 1992,”
10 P.L.1992, c.88, from the “1989 Farmland Preservation Fund,”
11 established pursuant to section 22 of the “Open Space Preservation
12 Bond Act of 1989,” P.L.1989, c.183, and from the “Farmland
13 Preservation Fund,” established pursuant to section 5 of the
14 “Farmland Preservation Bond Act of 1981,” P.L.1981, c.276, to the
15 State Agriculture Development Committee, such sums from any
16 additional proceeds which may become available by the effective
17 date of this act due to the lease or conveyance of land or
18 development easements acquired or funded by the committee, for
19 the purpose of providing for the cost of acquisition, by the
20 committee, of development easements and fee simple titles to
21 farmland for farmland preservation purposes pursuant to subsection
22 a. of section 1 of this act.

23 Any farmland acquired in fee simple with monies appropriated
24 pursuant to this section shall be offered for resale or lease with
25 agricultural deed restrictions approved by the committee.

26

27 ¹3. There is appropriated to the State Agriculture Development
28 Committee the sum of \$13,150,000 from the “Preserve New Jersey
29 Farmland Preservation Fund,” established pursuant to section 8 of
30 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), as
31 follows:

32 a. \$12,000,000 for the purpose of providing funding for
33 organizational, administrative, and other work and services,
34 including salaries, equipment, materials, and services necessary to
35 administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43
36 et seq.);

37 b. \$1,000,000 for the purpose of providing funding for costs
38 associated with the acquisition, by the committee, of development
39 easements on farmland, including, but not limited to, appraisal,
40 survey, and title costs; and

41 c. \$150,000 for the purpose of providing funding for costs
42 associated with legal advice and representation in connection with
43 the committee’s enforcement of development easements acquired
44 for farmland preservation purposes pursuant to P.L.2016, c.12
45 (C.13:8C-43 et seq.).¹

46

47 ¹3. ² a. As used in this section, “farmland acquisition”
48 means: the acquisition by the State Agriculture Development

1 Committee of development easements on, or fee simple titles to,
2 farmland; the issuance of grants by the committee to counties and
3 municipalities for the acquisition of development easements on, or fee
4 simple titles to, farmland; and the issuance of grants by the committee
5 to qualifying tax-exempt non-profit organizations for the acquisition of
6 development easements on, or fee simple titles to, farmland for
7 farmland preservation purposes.

8 b. There is appropriated to the State Agriculture Development
9 Committee an amount not to exceed \$13,150,000, subject to the
10 approval of the Director of the Division of Budget and Accounting,
11 from the “Preserve New Jersey Farmland Preservation Fund,”
12 established pursuant to section 8 of the “Preserve New Jersey Act,”
13 P.L.2016, c.12 (C.13:8C-50), as follows:

14 (1) an amount not to exceed \$12,000,000, subject to the approval
15 of the Director of the Division of Budget and Accounting, for the
16 purpose of providing funding for organizational, administrative, and
17 other work and services, including salaries, equipment, materials, and
18 services necessary to administer the applicable provisions of P.L.2016,
19 c.12 (C.13:8C-43 et seq.), a portion of which amount shall be allocated
20 to the committee at the end of the six-month period immediately
21 following the effective date of this act, and each six-month period
22 thereafter, based on the calculation provided pursuant to subsection c.
23 of this section;

24 (2) \$1,000,000 for the purpose of providing funding for costs
25 associated with the acquisition, by the committee, of development
26 easements on farmland, including, but not limited to, appraisal, survey,
27 and title costs; and

28 (3) \$150,000 for the purpose of providing funding for costs
29 associated with legal advice and representation in connection with the
30 committee’s enforcement of development easements acquired for
31 farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-
32 43 et seq.).

33 c. (1) No later than the first day of the seventh month following
34 the effective date of this act, and every six months thereafter, the
35 committee shall submit a written report to the Director of Budget and
36 Accounting, which report shall indicate:

37 (a) the amount expended by the committee for farmland
38 acquisition, from the amounts appropriated pursuant to section 1 of
39 this act, during the immediately preceding six-month period;

40 (b) the amount available for expenditure by the committee for
41 farmland acquisition, from the amounts appropriated pursuant to
42 section 1 of this act, upon the commencement of the immediately
43 preceding six-month period; and

44 (c) the proportional amount expended by the committee for
45 farmland acquisition during the immediately preceding six-month
46 period, which amount shall equal the ratio of the amount reported
47 pursuant to subparagraph (a) of this paragraph, divided by the amount
48 calculated pursuant to subparagraph (b) of this paragraph.

1 (2) The amount appropriated to the committee for each six-month
2 period pursuant to paragraph (1) of subsection b. of this section shall
3 equal the product of:

4 (a) the proportional amount expended by the committee for
5 farmland acquisition during that six-month period, as such amounts
6 shall be verified and determined by the Director of Budget and
7 Accounting; and

8 (b) the sum of \$12,000,000, minus any amounts appropriated to
9 the committee pursuant to paragraph (1) of subsection b. of this section
10 for a previous six-month period.

11 d. Notwithstanding the “Statewide Farmland Preservation
12 Formula” established pursuant to paragraph (2) of subsection e. of
13 section 8 of P.L.2016, c.12 (C.13:8C-50), if the total amount
14 appropriated to the State Agriculture Development Committee
15 pursuant to section 1 of this act is not expended within one calendar
16 year following the effective date of this act, the committee may
17 increase the amount of any offers made by the committee for the
18 purchase of development easements on, or fee simple titles to,
19 agricultural lands for farmland preservation purposes to an amount
20 greater than the value established pursuant to the “Statewide Farmland
21 Preservation Formula” of those lands, subject to such limitations as
22 may be established by the rules and regulations adopted pursuant to
23 section 6 of this act. If the committee increases the amount of an offer
24 pursuant to this subsection, the committee shall: (1) issue a public
25 notice indicating that the committee has increased an offer to an
26 amount greater than the value established pursuant to the “Statewide
27 Farmland Preservation Formula”; and (2) increase the amount of any
28 other outstanding offers in proportion to the increase so made pursuant
29 to this subsection, subject to the availability of monies appropriated to
30 the committee, pursuant to section 1 of this act, for farmland
31 acquisition.¹】 There is appropriated to the State Agriculture
32 Development Committee the sum of \$13,150,000 from the “Preserve
33 New Jersey Farmland Preservation fund,” established pursuant to
34 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-
35 50), as follows:

36 a. \$12,000,000 for the purpose of providing funding for
37 organizational, administrative, and other work and services, including
38 salaries, equipment, materials, and services necessary to administer the
39 applicable provisions of P.L.2016, c.12 (C.13-8C-43 et seq.);

40 b. \$1,000,000 for the purpose of providing funding for costs
41 associated with the acquisition, by the committee, of development
42 easements on farmland, including, but not limited to, appraisal, survey,
43 and title costs; and

44 c. \$150,000 for the purpose of providing funding for costs
45 associated with legal advice and representation in connection with the
46 committee’s enforcement of development easements acquired for
47 farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-
48 43 et seq.).²

1 4. There is appropriated from the General Fund to the
2 “Preserve New Jersey Farmland Preservation Fund,” established
3 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
4 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
5 provisions of this act.

6
7 5. The expenditure of the sums approved by this act is subject
8 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
9 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
10 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
11 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
12 appropriate.

13
14 ²[16. Within 60 days after the effective date of this act, and
15 notwithstanding any provision of the “Administrative Procedure Act,”
16 P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the State
17 Agriculture Development Committee shall, immediately upon filing
18 proper notice with the Office of Administrative Law, adopt rules and
19 regulations to establish limits on the amount of offers that may be
20 made by the committee for the purchase of development easements on,
21 or fee simple title to, agricultural lands for farmland preservation
22 purposes pursuant to subsection d. of section 3 of this act. The rules
23 and regulations adopted pursuant to this section shall be effective until
24 all monies appropriated to the committee, pursuant to section 1 of this
25 act, for the acquisition of development easements on, or fee simple
26 titles to, farmland have been expended.¹²

27
28 ¹[6.] ²[7.1] ^{6.2} This act shall take effect immediately.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2788

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Assembly Appropriations Committee reports favorably and with committee amendments Senate Bill No. 2788.

This bill appropriates \$128.241 million from constitutionally dedicated CBT revenues to the State Agriculture Development Committee (SADC) for certain farmland preservation purposes.

Of the funding provided by the bill, \$115.091 million is appropriated to the SADC to pay the cost of acquisition by the SADC of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to: the “Agricultural Retention and Development Act”; the “Garden State Preservation Trust Act”; and the “Preserve New Jersey Act.”

The bill also appropriates to the SADC such sums from any additional proceeds which may become available, by the effective date of the bill, due to the lease or conveyance of farmland previously acquired in fee simple by the SADC, for the purpose of providing for the cost of acquisition by the SADC of development easements and fee simple titles to farmland for farmland preservation purposes.

The appropriations in this bill for the acquisition of fee simple titles and development easements to farmland have been approved by the SADC and the Garden State Preservation Trust.

This bill also appropriates from the “Preserve New Jersey Farmland Preservation Fund” to the SADC: an amount not to exceed \$12 million for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of the “Preserve New Jersey Act,” a portion of which amount is to be allocated to the committee at the end of the six-month period immediately following the bill’s effective date, and each six-month period thereafter, based on the amounts expended by the committee for farmland acquisition purposes; \$1 million for costs associated with the acquisition of farmland development easements, including appraisal, survey, and title

costs; and \$150,000 for the costs associated with legal advice and representation in connection with the committee's enforcement of development easements acquired for farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.).

The bill also provides that notwithstanding the "Statewide Farmland Preservation Formula" established pursuant P.L.2023, c.245, if the total amount appropriated to the SADC pursuant to the bill is not expended within one calendar year following the bill's enactment, the committee may increase its offers for the purchase of agricultural lands for farmland preservation purposes to an amount greater than the value established pursuant to the "Statewide Farmland Preservation Formula" of those lands, subject to such limitations as may be established by the rules and regulations adopted by the committee pursuant to the provisions of the bill. If the SADC increases the amount of an offer pursuant to this provision, the bill requires the SADC to: (1) issue a public notice indicating that the committee has increased the amount of an offer to an amount greater than the value established pursuant to the "Statewide Farmland Preservation Formula"; and (2) increase the amount of any other outstanding offer in proportion to the increase so made, subject to the availability of monies appropriated to the committee for farmland acquisition.

The "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.), implements the constitutional dedication of CBT revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. The "Preserve New Jersey Farmland Preservation Fund" was established pursuant to section 8 of the "Preserve New Jersey Act." The funding in this bill is from these constitutionally dedicated CBT revenues.

As amended and reported by the committee, Senate Bill No. 2788 is identical to Assembly Bill No. 4569, which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments to the bill would:

(1) delete section 3 of the bill that provides for an appropriation for administrative and other expenses, and replace it with a new section that provides, subject to approval by the Director of the Division of Budget and Accounting, for appropriations for organizational, administrative, and other work and services, necessary to administer the provisions of P.L.2016, c.12 (C.13:8C-43 et seq.); and to allocate portions of the amounts appropriated for these purposes to the SADC in six-month periods, based upon reports by the SADC to the director of amounts expended for farmland acquisition for each six-month period;

(2) authorize the SADC to increase offers made for the purchase of development easements on, or fee simple titles to, agricultural lands

for farmland preservation purposes to an amount greater than the value established pursuant to the “Statewide Farmland Preservation Formula” of those lands, subject to limitations as may be established by rules and regulations;

(3) require the SADC, if an offer is increased, to issue a public notice indicating that the offer was increased to an amount greater than the value established pursuant to the “Statewide Farmland Preservation Formula”; and increase the amount of any other outstanding offers in proportion to the increase so made, subject to the availability of monies for farmland acquisition; and

(4) require the SADC to adopt rules and regulations that would be effective immediately upon filing proper notice with the Office of Administrative Law, to establish limits on the amount of increased offers that may be made by the SADC under the bill, for the purchase of development easements on, or fee simple title to, agricultural lands for farmland preservation purposes.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2788

STATE OF NEW JERSEY

DATED: APRIL 11, 2024

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2788.

This bill appropriates \$128.241 million from constitutionally dedicated CBT revenues to the State Agriculture Development Committee (SADC) for certain farmland preservation purposes.

Of the funding provided by the bill, \$115.091 million is appropriated to the SADC to pay the cost of acquisition by the SADC of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to: the “Agricultural Retention and Development Act”; the “Garden State Preservation Trust Act”; and the “Preserve New Jersey Act.”

The bill also appropriates to the SADC such sums from any additional proceeds which may become available, by the effective date of the bill, due to the lease or conveyance of farmland previously acquired in fee simple by the SADC, for the purpose of providing for the cost of acquisition by the SADC of development easements and fee simple titles to farmland for farmland preservation purposes.

The appropriations in this bill for the acquisition of fee simple titles and development easements to farmland have been approved by the SADC and the Garden State Preservation Trust.

This bill also appropriates from the “Preserve New Jersey Farmland Preservation Fund” to the SADC: \$12 million for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of the “Preserve New Jersey Act”; \$1 million for costs associated with the acquisition of farmland development easements, including appraisal, survey, and title costs; and \$150,000 for the costs associated with legal advice and representation in connection with the committee’s enforcement of development easements acquired for farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.).

The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et seq.), implements the constitutional dedication of CBT revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. The “Preserve New Jersey Farmland Preservation Fund” was established pursuant to section 8 of the “Preserve New Jersey Act.” The funding in this bill is from these constitutionally dedicated CBT revenues.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

ASSEMBLY, No. 4569

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 13, 2024

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT appropriating \$128.241 million from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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

7
8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$115,091,000 from corporation
10 business tax revenues dedicated pursuant to Article VIII, Section II,
11 paragraph 6 of the State Constitution and available in the “Preserve
12 New Jersey Farmland Preservation Fund,” established pursuant to
13 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12
14 (C.13:8C-50), to pay the cost of acquisition by the committee of
15 development easements on, or fee simple titles to, farmland, to
16 provide grants to counties and municipalities for up to 80 percent of
17 the cost of acquisition of fee simple titles to farmland, and to
18 provide grants to qualifying tax-exempt non-profit organizations for
19 up to 50 percent of the cost of acquisition of fee simple titles to
20 farmland, for farmland preservation purposes for projects approved
21 as eligible for such funding pursuant to the “Agricultural Retention
22 and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the
23 “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1
24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
26 subsection, the sum of \$7,702,000 is available due to interest
27 earnings on the dedicated corporation business tax revenues
28 pursuant to Article VIII, Section II, paragraph 6 of the State
29 Constitution.

30 b. Any farmland acquired in fee simple with monies
31 appropriated pursuant to this section shall be offered for resale or
32 lease with agricultural deed restrictions approved by the committee.

33
34 2. There is appropriated from the “Preserve New Jersey
35 Farmland Preservation Fund,” established pursuant to section 8 of
36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
37 the “2009 Farmland Preservation Fund,” established pursuant to
38 section 18 of the “Green Acres, Water Supply and Floodplain
39 Protection, and Farmland and Historic Preservation Bond Act of
40 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
41 Fund,” established pursuant to section 18 of the “Green Acres,
42 Farmland, Blue Acres, and Historic Preservation Bond Act of
43 2007,” P.L.2007, c.119, from the “Garden State Farmland
44 Preservation Trust Fund,” established pursuant to section 20 of
45 P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,”
46 established pursuant to the “Open Space – Local Match Program of
47 the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45,
48 from the “1995 Farmland Preservation Fund,” established pursuant

1 to section 25 of the “Green Acres, Farmland and Historic
2 Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204,
3 from the “1992 Farmland Preservation Fund,” established pursuant
4 to section 24 of the “Green Acres, Clean Water, Farmland and
5 Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the
6 “1989 Farmland Preservation Fund,” established pursuant to section
7 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989,
8 c.183, and from the “Farmland Preservation Fund,” established
9 pursuant to section 5 of the “Farmland Preservation Bond Act of
10 1981,” P.L.1981, c.276, to the State Agriculture Development
11 Committee, such sums from any additional proceeds which may
12 become available by the effective date of this act due to the lease or
13 conveyance of land or development easements acquired or funded
14 by the committee, for the purpose of providing for the cost of
15 acquisition, by the committee, of development easements and fee
16 simple titles to farmland for farmland preservation purposes
17 pursuant to subsection a. of section 1 of this act.

18 Any farmland acquired in fee simple with monies appropriated
19 pursuant to this section shall be offered for resale or lease with
20 agricultural deed restrictions approved by the committee.

21

22 3. a. As used in this section, “farmland acquisition” means: the
23 acquisition by the State Agriculture Development Committee of
24 development easements on, or fee simple titles to, farmland; the
25 issuance of grants by the committee to counties and municipalities
26 for the acquisition of development easements on, or fee simple titles
27 to, farmland; and the issuance of grants by the committee to
28 qualifying tax-exempt non-profit organizations for the acquisition
29 of development easements on, or fee simple titles to, farmland for
30 farmland preservation purposes.

31 b. There is appropriated to the State Agriculture Development
32 Committee an amount not to exceed \$13,150,000, subject to the
33 approval of the Director of the Division of Budget and Accounting,
34 from the “Preserve New Jersey Farmland Preservation Fund,”
35 established pursuant to section 8 of the “Preserve New Jersey Act,”
36 P.L.2016, c.12 (C.13:8C-50), as follows:

37 (1) an amount not to exceed \$12,000,000, subject to the
38 approval of the Director of the Division of Budget and Accounting,
39 for the purpose of providing funding for organizational,
40 administrative, and other work and services, including salaries,
41 equipment, materials, and services necessary to administer the
42 applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.), a
43 portion of which amount shall be allocated to the committee at the
44 end of the six-month period immediately following the effective
45 date of this act, and each six-month period thereafter, based on the
46 calculation provided pursuant to subsection c. of this section;

47 (2) \$1,000,000 for the purpose of providing funding for costs
48 associated with the acquisition, by the committee, of development

1 easements on farmland, including, but not limited to, appraisal,
2 survey, and title costs; and

3 (3) \$150,000 for the purpose of providing funding for costs
4 associated with legal advice and representation in connection with
5 the committee's enforcement of development easements acquired
6 for farmland preservation purposes pursuant to P.L.2016, c.12
7 (C.13:8C-43 et seq.).

8 c. (1) No later than the first day of the seventh month
9 following the effective date of this act, and every six months
10 thereafter, the committee shall submit a written report to the
11 Director of Budget and Accounting, which report shall indicate:

12 (a) the amount expended by the committee for farmland
13 acquisition, from the amounts appropriated pursuant to section 1 of
14 this act, during the immediately preceding six-month period;

15 (b) the amount available for expenditure by the committee for
16 farmland acquisition, from the amounts appropriated pursuant to
17 section 1 of this act, upon the commencement of the immediately
18 preceding six-month period; and

19 (c) the proportional amount expended by the committee for
20 farmland acquisition during the immediately preceding six-month
21 period, which amount shall equal the ratio of the amount reported
22 pursuant to subparagraph (a) of this paragraph, divided by the
23 amount calculated pursuant to subparagraph (b) of this paragraph.

24 (2) The amount appropriated to the committee for each six-
25 month period pursuant to paragraph (1) of subsection b. of this
26 section shall equal the product of:

27 (a) the proportional amount expended by the committee for
28 farmland acquisition during that six-month period, as such amounts
29 shall be verified and determined by the Director of Budget and
30 Accounting; and

31 (b) the sum of \$12,000,000, minus any amounts appropriated to
32 the committee pursuant to paragraph (1) of subsection b. of this
33 section for a previous six-month period.

34 d. Notwithstanding the "Statewide Farmland Preservation
35 Formula" established pursuant to paragraph (2) of subsection e. of
36 section 8 of P.L.2016, c.12 (C.13:8C-50), if the total amount
37 appropriated to the State Agriculture Development Committee
38 pursuant to section 1 of this act is not expended within one calendar
39 year following the effective date of this act, the committee may
40 increase the amount of any offers made by the committee for the
41 purchase of development easements on, or fee simple titles to,
42 agricultural lands for farmland preservation purposes to an amount
43 greater than the value established pursuant to the "Statewide
44 Farmland Preservation Formula" of those lands, subject to such
45 limitations as may be established by the rules and regulations
46 adopted pursuant to section 6 of this act. If the committee increases
47 the amount of an offer pursuant to this subsection, the committee
48 shall: (1) issue a public notice indicating that the committee has

1 increased an offer to an amount greater than the value established
2 pursuant to the “Statewide Farmland Preservation Formula”; and (2)
3 increase the amount of any other outstanding offers in proportion to
4 the increase so made pursuant to this subsection, subject to the
5 availability of monies appropriated to the committee, pursuant to
6 section 1 of this act, for farmland acquisition.

7
8 4. There is appropriated from the General Fund to the
9 “Preserve New Jersey Farmland Preservation Fund,” established
10 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
11 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
12 provisions of this act.

13
14 5. The expenditure of the sums approved by this act is subject
15 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
16 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
17 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
18 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
19 appropriate.

20
21 6. Within 60 days after the effective date of this act, and
22 notwithstanding any provision of the “Administrative Procedure
23 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the State
24 Agriculture Development Committee shall, immediately upon filing
25 proper notice with the Office of Administrative Law, adopt rules
26 and regulations to establish limits on the amount of offers that may
27 be made by the committee for the purchase of development
28 easements on, or fee simple title to, agricultural lands for farmland
29 preservation purposes pursuant to subsection d. of section 3 of this
30 act. The rules and regulations adopted pursuant to this section shall
31 be effective until all monies appropriated to the committee,
32 pursuant to section 1 of this act, for the acquisition of development
33 easements on, or fee simple titles to, farmland have been expended.

34
35 7. This act shall take effect immediately.

36
37
38 STATEMENT

39
40 This bill appropriates up to \$128.241 million from
41 constitutionally dedicated CBT revenues to the State Agriculture
42 Development Committee (SADC) for certain farmland preservation
43 purposes.

44 Of the funding provided by the bill, \$115.091 million is
45 appropriated to the SADC to pay the cost of acquisition by the
46 SADC of development easements on, or fee simple titles to,
47 farmland, to provide grants to counties and municipalities for up to
48 80 percent of the cost of acquisition of fee simple titles to farmland,

1 and to provide grants to qualifying tax exempt nonprofit
2 organizations for up to 50 percent of the cost of acquisition of fee
3 simple titles to farmland, for farmland preservation purposes for
4 projects approved as eligible for such funding pursuant to: the
5 “Agricultural Retention and Development Act”; the “Garden State
6 Preservation Trust Act”; and the “Preserve New Jersey Act.”

7 The bill also appropriates to the SADC such sums from any
8 additional proceeds which may become available, by the effective
9 date of the bill, due to the lease or conveyance of farmland
10 previously acquired in fee simple by the SADC, for the purpose of
11 providing for the cost of acquisition by the SADC of development
12 easements and fee simple titles to farmland for farmland
13 preservation purposes.

14 The appropriations in this bill for the acquisition of fee simple
15 titles and development easements to farmland have been approved
16 by the SADC and the Garden State Preservation Trust.

17 This bill also appropriates from the “Preserve New Jersey
18 Farmland Preservation Fund” to the SADC: an amount not to
19 exceed \$12 million for organizational, administrative, and other
20 work and services, including salaries, equipment, materials, and
21 services necessary to administer the applicable provisions of the
22 “Preserve New Jersey Act,” a portion of which amount is to be
23 allocated to the committee at the end of the six-month period
24 immediately following the bill’s effective date, and each six-month
25 period thereafter, based on the amounts expended by the committee
26 for farmland acquisition purposes; \$1 million for costs associated
27 with the acquisition of farmland development easements, including
28 appraisal, survey, and title costs; and \$150,000 for the costs
29 associated with legal advice and representation in connection with
30 the committee’s enforcement of development easements acquired
31 for farmland preservation purposes pursuant to P.L.2016, c.12
32 (C.13:8C-43 et seq.).

33 The bill provides that notwithstanding the “Statewide Farmland
34 Preservation Formula” established pursuant P.L.2023, c.245, if the
35 total amount appropriated to the SADC pursuant to the bill is not
36 expended within one calendar year following the bill’s enactment,
37 the committee may increase its offers for the purchase of
38 agricultural lands for farmland preservation purposes to an amount
39 greater than the value established pursuant to the “Statewide
40 Farmland Preservation Formula” of those lands, subject to such
41 limitations as may be established by the rules and regulations
42 adopted by the committee pursuant to the provisions of the bill. If
43 the SADC increases the amount of an offer pursuant to this
44 provision, the bill requires the SADC to: (1) issue a public notice
45 indicating that the committee has increased the amount of an offer
46 to an amount greater than the value established pursuant to the
47 “Statewide Farmland Preservation Formula”; and (2) increase the
48 amount of any other outstanding offer in proportion to the increase

1 so made, subject to the availability of monies appropriated to the
2 committee for farmland acquisition.

3 The “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-43 et
4 seq.), implements the constitutional dedication of CBT revenues
5 pursuant to Article VIII, Section II, paragraph 6 of the State
6 Constitution, approved by the voters of the State in November
7 2014, for open space, farmland, and historic preservation. The
8 “Preserve New Jersey Farmland Preservation Fund” was established
9 pursuant to section 8 of the “Preserve New Jersey Act.” The
10 funding in this bill is from these constitutionally dedicated CBT
11 revenues.

[First Reprint]

ASSEMBLY, No. 4569

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED JUNE 13, 2024

Sponsored by:

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman HEATHER SIMMONS

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblywoman Speight

SYNOPSIS

Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 28, 2024.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT appropriating \$128.241 million from various farmland
2 preservation funds to the State Agriculture Development
3 Committee for farmland preservation purposes.

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

7
8 1. a. There is appropriated to the State Agriculture
9 Development Committee the sum of \$115,091,000 from corporation
10 business tax revenues dedicated pursuant to Article VIII, Section II,
11 paragraph 6 of the State Constitution and available in the “Preserve
12 New Jersey Farmland Preservation Fund,” established pursuant to
13 section 8 of the “Preserve New Jersey Act,” P.L.2016, c.12
14 (C.13:8C-50), to pay the cost of acquisition by the committee of
15 development easements on, or fee simple titles to, farmland, to
16 provide grants to counties and municipalities for up to 80 percent of
17 the cost of acquisition of fee simple titles to farmland, and to
18 provide grants to qualifying tax-exempt non-profit organizations for
19 up to 50 percent of the cost of acquisition of fee simple titles to
20 farmland, for farmland preservation purposes for projects approved
21 as eligible for such funding pursuant to the “Agricultural Retention
22 and Development Act,” P.L.1983, c.32 (C.4:1C-11 et seq.), the
23 “Garden State Preservation Trust Act,” P.L.1999, c.152 (C.13:8C-1
24 et seq.), and the “Preserve New Jersey Act,” P.L.2016, c.12
25 (C.13:8C-43 et seq.). Of the amount appropriated pursuant to this
26 subsection, the sum of \$7,702,000 is available due to interest
27 earnings on the dedicated corporation business tax revenues
28 pursuant to Article VIII, Section II, paragraph 6 of the State
29 Constitution.

30 b. Any farmland acquired in fee simple with monies
31 appropriated pursuant to this section shall be offered for resale or
32 lease with agricultural deed restrictions approved by the committee.

33
34 2. There is appropriated from the “Preserve New Jersey
35 Farmland Preservation Fund,” established pursuant to section 8 of
36 the “Preserve New Jersey Act,” P.L.2016, c.12 (C.13:8C-50), from
37 the “2009 Farmland Preservation Fund,” established pursuant to
38 section 18 of the “Green Acres, Water Supply and Floodplain
39 Protection, and Farmland and Historic Preservation Bond Act of
40 2009,” P.L.2009, c.117, from the “2007 Farmland Preservation
41 Fund,” established pursuant to section 18 of the “Green Acres,
42 Farmland, Blue Acres, and Historic Preservation Bond Act of
43 2007,” P.L.2007, c.119, from the “Garden State Farmland
44 Preservation Trust Fund,” established pursuant to section 20 of
45 P.L.1999, c.152 (C.13:8C-20), from the “1999 Open Space Fund,”

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:

¹Assembly floor amendments adopted June 28, 2024.

1 established pursuant to the “Open Space – Local Match Program of
2 the Fiscal Year 1999 annual appropriations act,” P.L.1998, c.45,
3 from the “1995 Farmland Preservation Fund,” established pursuant
4 to section 25 of the “Green Acres, Farmland and Historic
5 Preservation, and Blue Acres Bond Act of 1995,” P.L.1995, c.204,
6 from the “1992 Farmland Preservation Fund,” established pursuant
7 to section 24 of the “Green Acres, Clean Water, Farmland and
8 Historic Preservation Bond Act of 1992,” P.L.1992, c.88, from the
9 “1989 Farmland Preservation Fund,” established pursuant to section
10 22 of the “Open Space Preservation Bond Act of 1989,” P.L.1989,
11 c.183, and from the “Farmland Preservation Fund,” established
12 pursuant to section 5 of the “Farmland Preservation Bond Act of
13 1981,” P.L.1981, c.276, to the State Agriculture Development
14 Committee, such sums from any additional proceeds which may
15 become available by the effective date of this act due to the lease or
16 conveyance of land or development easements acquired or funded
17 by the committee, for the purpose of providing for the cost of
18 acquisition, by the committee, of development easements and fee
19 simple titles to farmland for farmland preservation purposes
20 pursuant to subsection a. of section 1 of this act.

21 Any farmland acquired in fee simple with monies appropriated
22 pursuant to this section shall be offered for resale or lease with
23 agricultural deed restrictions approved by the committee.
24

25 3. a. As used in this section, “farmland acquisition” means: the
26 acquisition by the State Agriculture Development Committee of
27 development easements on, or fee simple titles to, farmland; the
28 issuance of grants by the committee to counties and municipalities
29 for the acquisition of development easements on, or fee simple titles
30 to, farmland; and the issuance of grants by the committee to
31 qualifying tax-exempt non-profit organizations for the acquisition
32 of development easements on, or fee simple titles to, farmland for
33 farmland preservation purposes.

34 b. There is appropriated to the State Agriculture Development
35 Committee an amount not to exceed \$13,150,000, subject to the
36 approval of the Director of the Division of Budget and Accounting,
37 from the “Preserve New Jersey Farmland Preservation Fund,”
38 established pursuant to section 8 of the “Preserve New Jersey Act,”
39 P.L.2016, c.12 (C.13:8C-50), as follows:

40 (1) an amount not to exceed \$12,000,000, subject to the
41 approval of the Director of the Division of Budget and Accounting,
42 for the purpose of providing funding for organizational,
43 administrative, and other work and services, including salaries,
44 equipment, materials, and services necessary to administer the
45 applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.), a
46 portion of which amount shall be allocated to the committee at the
47 end of the six-month period immediately following the effective

1 date of this act, and each six-month period thereafter, based on the
2 calculation provided pursuant to subsection c. of this section;

3 (2) \$1,000,000 for the purpose of providing funding for costs
4 associated with the acquisition, by the committee, of development
5 easements on farmland, including, but not limited to, appraisal,
6 survey, and title costs; and

7 (3) \$150,000 for the purpose of providing funding for costs
8 associated with legal advice and representation in connection with
9 the committee's enforcement of development easements acquired
10 for farmland preservation purposes pursuant to P.L.2016, c.12
11 (C.13:8C-43 et seq.).

12 c. (1) No later than the first day of the seventh month
13 following the effective date of this act, and every six months
14 thereafter, the committee shall submit a written report to the
15 Director of Budget and Accounting, which report shall indicate:

16 (a) the amount expended by the committee for farmland
17 acquisition, from the amounts appropriated pursuant to section 1 of
18 this act, during the immediately preceding six-month period;

19 (b) the amount available for expenditure by the committee for
20 farmland acquisition, from the amounts appropriated pursuant to
21 section 1 of this act, upon the commencement of the immediately
22 preceding six-month period; and

23 (c) the proportional amount expended by the committee for
24 farmland acquisition during the immediately preceding six-month
25 period, which amount shall equal the ratio of the amount reported
26 pursuant to subparagraph (a) of this paragraph, divided by the
27 amount calculated pursuant to subparagraph (b) of this paragraph.

28 (2) The amount appropriated to the committee for each six-
29 month period pursuant to paragraph (1) of subsection b. of this
30 section shall equal the product of:

31 (a) the proportional amount expended by the committee for
32 farmland acquisition during that six-month period, as such amounts
33 shall be verified and determined by the Director of Budget and
34 Accounting; and

35 (b) the sum of \$12,000,000, minus any amounts appropriated to
36 the committee pursuant to paragraph (1) of subsection b. of this
37 section for a previous six-month period.

38 d. Notwithstanding the "Statewide Farmland Preservation
39 Formula" established pursuant to paragraph (2) of subsection e. of
40 section 8 of P.L.2016, c.12 (C.13:8C-50), if the total amount
41 appropriated to the State Agriculture Development Committee
42 pursuant to section 1 of this act is not expended within one calendar
43 year following the effective date of this act, the committee may
44 increase the amount of any offers made by the committee for the
45 purchase of development easements on, or fee simple titles to,
46 agricultural lands for farmland preservation purposes to an amount
47 greater than the value established pursuant to the "Statewide
48 Farmland Preservation Formula" of those lands, subject to such

1 limitations as may be established by the rules and regulations
2 adopted pursuant to section 6 of this act. If the committee increases
3 the amount of an offer pursuant to this subsection, the committee
4 shall: (1) issue a public notice indicating that the committee has
5 increased an offer to an amount greater than the value established
6 pursuant to the “Statewide Farmland Preservation Formula”; and (2)
7 increase the amount of any other outstanding offers in proportion to
8 the increase so made pursuant to this subsection, subject to the
9 availability of monies appropriated to the committee, pursuant to
10 section 1 of this act, for farmland acquisition.

11 ¹e. Within 60 days after the effective date of this act, the
12 Department of Agriculture shall submit, pursuant to section 2 of
13 P.L.1991, c.164 (C.52:14-19.1), a report to the Legislature that
14 provides the average income of preserved farms and the average
15 income of non-preserved farms in the State in calendar years 2022
16 and 2023, and the median income of preserved farms and the
17 median income of non-preserved farms in the State in calendar
18 years 2022 and 2023.¹

19

20 4. There is appropriated from the General Fund to the
21 “Preserve New Jersey Farmland Preservation Fund,” established
22 pursuant to section 8 of the “Preserve New Jersey Act,” P.L.2016,
23 c.12 (C.13:8C-50), the sum of \$120,539,000 to implement the
24 provisions of this act.

25

26 5. The expenditure of the sums approved by this act is subject
27 to the provisions and conditions of P.L.2016, c.12 (C.13:8C-43 et
28 seq.), P.L.2009, c.117, P.L.2007, c.119, P.L.1999, c.152 (C.13:8C-1
29 et seq.), P.L.1998, c.45, P.L.1995, c.204, P.L.1992, c.88, P.L.1989,
30 c.183, P.L.1983, c.32 (C.4:1C-11 et seq.), and P.L.1981, c.276, as
31 appropriate.

32

33 6. Within 60 days after the effective date of this act, and
34 notwithstanding any provision of the “Administrative Procedure
35 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the State
36 Agriculture Development Committee shall, immediately upon filing
37 proper notice with the Office of Administrative Law, adopt rules
38 and regulations to establish limits on the amount of offers that may
39 be made by the committee for the purchase of development
40 easements on, or fee simple title to, agricultural lands for farmland
41 preservation purposes pursuant to subsection d. of section 3 of this
42 act. The rules and regulations adopted pursuant to this section shall
43 be effective until all monies appropriated to the committee,
44 pursuant to section 1 of this act, for the acquisition of development
45 easements on, or fee simple titles to, farmland have been expended.

46

47 7. This act shall take effect immediately.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4569

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4569.

This bill appropriates up to \$128.241 million from constitutionally dedicated CBT revenues to the State Agriculture Development Committee (SADC) for certain farmland preservation purposes.

Of the funding provided by the bill, \$115.091 million is appropriated to the SADC to pay the cost of acquisition by the SADC of development easements on, or fee simple titles to, farmland, to provide grants to counties and municipalities for up to 80 percent of the cost of acquisition of fee simple titles to farmland, and to provide grants to qualifying tax exempt nonprofit organizations for up to 50 percent of the cost of acquisition of fee simple titles to farmland, for farmland preservation purposes for projects approved as eligible for such funding pursuant to: the “Agricultural Retention and Development Act”; the “Garden State Preservation Trust Act”; and the “Preserve New Jersey Act.”

The bill also appropriates to the SADC such sums from any additional proceeds which may become available, by the effective date of the bill, due to the lease or conveyance of farmland previously acquired in fee simple by the SADC, for the purpose of providing for the cost of acquisition by the SADC of development easements and fee simple titles to farmland for farmland preservation purposes.

The appropriations in this bill for the acquisition of fee simple titles and development easements to farmland have been approved by the SADC and the Garden State Preservation Trust.

This bill also appropriates from the “Preserve New Jersey Farmland Preservation Fund” to the SADC: an amount not to exceed \$12 million for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of the “Preserve New Jersey Act,” a portion of which amount is to be allocated to the committee at the end of the six-month period immediately following the bill’s effective date, and each six-month period thereafter, based on the amounts expended by the committee for farmland acquisition purposes; \$1 million for costs associated with the acquisition of farmland development easements, including

appraisal, survey, and title costs; and \$150,000 for the costs associated with legal advice and representation in connection with the committee's enforcement of development easements acquired for farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.).

The bill provides that notwithstanding the "Statewide Farmland Preservation Formula" established pursuant P.L.2023, c.245, if the total amount appropriated to the SADC pursuant to the bill is not expended within one calendar year following the bill's enactment, the committee may increase its offers for the purchase of agricultural lands for farmland preservation purposes to an amount greater than the value established pursuant to the "Statewide Farmland Preservation Formula" of those lands, subject to such limitations as may be established by the rules and regulations adopted by the committee pursuant to the provisions of the bill. If the SADC increases the amount of an offer pursuant to this provision, the bill requires the SADC to: (1) issue a public notice indicating that the committee has increased the amount of an offer to an amount greater than the value established pursuant to the "Statewide Farmland Preservation Formula"; and (2) increase the amount of any other outstanding offer in proportion to the increase so made, subject to the availability of monies appropriated to the committee for farmland acquisition.

The "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.), implements the constitutional dedication of CBT revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution, approved by the voters of the State in November 2014, for open space, farmland, and historic preservation. The "Preserve New Jersey Farmland Preservation Fund" was established pursuant to section 8 of the "Preserve New Jersey Act." The funding in this bill is from these constitutionally dedicated CBT revenues.

As reported by the committee, Assembly Bill No. 4569 is identical to Senate Bill No. 2788 as amended and reported by the committee on this date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

STATEMENT TO
ASSEMBLY, No. 4569

with Assembly Floor Amendments
(Proposed by Assemblyman FREIMAN)

ADOPTED: JUNE 28, 2024

These floor amendments would require, within 60 days after the effective date, the Department of Agriculture to submit, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), a report to the Legislature that provides the average income of preserved farms and the average income of non-preserved farms in the State in calendar years 2022 and 2023, and the median income of preserved farms and the median income of non-preserved farms in the State in calendar years 2022 and 2023.

SENATE BILL NO. 2788
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 2788 (First Reprint) ("S2788") with my recommendations for reconsideration.

This bill appropriates \$128.241 million in constitutionally dedicated funding to the State Agriculture Development Committee ("SADC") for farmland preservation purposes. This critical funding enables SADC to acquire title to, and development easements on, farmland, and provide financial assistance to local governments and non-profits to cover a portion of the cost of acquiring title to farmland. It also appropriates up to an additional \$13.15 million from the Preserve New Jersey Farmland Preservation Fund to the SADC. This funding includes \$1 million for costs associated with farmland acquisition such as appraisals, surveys and title costs, \$150,000 for costs associated with enforcement of development easements, and up to \$12 million for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the Preserve New Jersey Act.

The bill conditions appropriation of the organizational and administrative funding on approval from the Department of Treasury, Office of Management and Budget ("OMB"). The bill requires SADC to submit, within six months of the bill's enactment, and every six months thereafter, a written report to OMB detailing farmland acquisition expenditures for the previous six-month period. The information contained in the reports is then used to calculate and approve the amount of the following six-month's allocation to SADC pursuant to a formula set forth in the bill.

The bill also allows SADC to increase the value of offers it makes to purchase property for farmland preservation beyond the amount established by existing statute in the Statewide Farmland Preservation Formula ("Formula").

The New Jersey Constitution dedicates revenues from the corporate business tax ("CBT") to a variety of open space preservation purposes. Since 1961, New Jersey voters have passed referendums 14 times in support of the dedication of State funds for the purpose of open space preservation. The latest referendum, approved in 2014, constitutionally dedicated a portion of revenues from the CBT to open space, farmland, and historic preservation activities. Preserved open spaces funded by this permanent allocation promote improvements in water quality, reduce impacts through tree coverage, lessen flood damage, sustain biodiversity, and provide residents opportunities to engage with nature and enjoy outdoor recreation throughout New Jersey.

New Jersey is a national leader in farmland preservation, with over one-third of our farmland permanently protected as of 2019, thereby securing an agricultural land base for the industry and enhancing food security and access to locally raised products for the residents of New Jersey. Combined, New Jersey's open space, farmland, and historic preservation programs make up one of the largest state-based land conservation efforts in the United States. The total acreage of protected open space and farmland across New Jersey now totals nearly 1.6 million acres.

The Legislature effectuates the open space constitutional dedication annually, through a package of preservation appropriations bills. Earlier this year, I was pleased to sign two of the three farmland preservation bills in this year's package into law. The third bill, S2788, was separated from the rest of the package and ultimately amended to subject the organizational

and administrative funding to novel reporting and approval requirements, as described above, before it advanced to my desk.

I applaud the sponsors' desire to ensure oversight of the SADC's administrative funds. However, the role this bill assigns to OMB is duplicative and unnecessary. The Garden State Preservation Trust ("Trust"), which is allocated within the Department of Treasury, has financed and monitored the funding for the farmland preservation program since 1999. While the Trust already reviews the corporate business tax appropriations to SADC pursuant to the Preserve New Jersey Act, the Trust is also charged with setting financial strategies, measuring balances, monitoring expenditures, reviewing project recommendations, and ensuring an efficient use of the funds. It is unclear how this new OMB review and allocation process fits within the Trust's existing processes and statutory authority to manage the preservation funds holistically. More importantly, I am concerned that this new paradigm for allocating administrative funding will impede SADC's ability to disburse farmland preservation funds timely and efficiently.

I am also concerned it is premature to increase the value of offers SADC makes beyond the amount established by the Formula before SADC actually adopts the Formula, which is anticipated to occur within the next few months. Furthermore, allowing increased compensation above the amounts established in the Formula once it is adopted has the potential to create accounting issues and inconsistencies among prior, current, and prospective applications for funding.

I am therefore returning the bill with recommended revisions that would remove the provisions subjecting appropriations to OMB approval, requiring SADC to submit biannual reports to OMB, and

allowing SADC to increase the value of offers beyond the amount established by the Formula.

In the absence of administrative funding, the SADC will soon exhaust its administrative funding. I urge my partners in the Legislature to move quickly to accept my recommendations to ensure that SADC can continue to carry out its mission of preserving farmland across the State.

Therefore, I herewith return Senate Bill No. 2788 (First Reprint) and recommend that it be amended as follows:

Page 3, Section 3, Line 45:

After "3." delete "a. As used in this section, "farmland acquisition" means: the" and insert "There is appropriated to the State Agriculture Development Committee the sum of \$13,150,000 from the "Preserve New Jersey Farmland Preservation Fund," established pursuant to section 8 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-50), as follows:

a. \$12,000,000 for the purpose of providing funding for organizational, administrative, and other work and services, including salaries, equipment, materials, and services necessary to administer the applicable provisions of P.L.2016, c.12 (C.13:8C-43 et seq.);

b. \$1,000,000 for the purpose of providing funding for costs associated with the acquisition, by the committee, of development easements on farmland, including, but not limited to, appraisal, survey, and title costs; and

c. \$150,000 for the purpose of providing funding for costs associated with legal advice and representation in connection with the committee's enforcement of development easements acquired for farmland preservation purposes pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.)."

Page 3, Section 3, Lines 46-48:

Delete in their entirety

Page 4, Section 3, Lines 1-46: Delete in their entirety
Page 5, Section 3, Lines 1-31: Delete in their entirety
Page 5, Section 6, Lines 46-48: Delete in their entirety
Page 6, Section 6, Lines 1-10: Delete in their entirety
Page 6, Section 7, Line 12: Delete "7." and insert "6."

[seal]

Respectfully,
/s/ Philip D. Murphy
Governor

Attest:

/s/ Kate E. McDonnell
Chief Counsel to the Governor

Bills Gov Acted On

Posted on - 06/30/2025

The Governor has acted on the following bills:

BILL SIGNINGS:

S-4620/A-5879 (McKnight, Mukherji/McCann Stamato) - Amends Fiscal Year 2025 annual appropriations act to assign distribution of Old Courthouse asbestos remediation funding from Hudson County to Jersey City

S-2788wGR/A-4569 (Cruz-Perez, Turner/Freiman, Katz, Simmons) - Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-5100/S-3991 (Rodriguez/Stack) - Re-appropriates unexpended balance of FY 2024 appropriation for Town of West New York to support recreation center; appropriates \$3 million for Town of West New York – Recreation Center to restore lapsed FY 2024 funding

A-5807/S-4655 (Pintor Marin/Sarlo) - Makes FY2025 supplemental appropriations of \$142,615,000; adds various language provisions to FY2025 Appropriations Act

A-5803/SCS for S-3064 (Bagolie/McKeon, Turner) - Modifies tax on certain forms of online gaming and wagering

ACS for A-4455/SCS for S-4503 (Freiman, Schaer, Karabinchak /Sarlo, Mukherji) - Allows exemption from New Jersey gross income of certain capital gains from sale or exchange of qualified small business stock

A-5805/SCS for S-4659 and 4661 (Venezia/Sarlo, Vitale) - Modifies tax rate on certain nicotine products

A-5804/S-4666 (Reynolds-Jackson/Wimberly) - Modifies payer of additional fees and taxes imposed on certain real property transfers; modifies fees and taxes imposed on property transfers valued over \$2 million

A-5809/S-4656 (Murphy/Vitale) - "Healthcare Finance Enhancement Act"

S-3189/A-2365 (Zwicker, Sarlo/Tully, Murphy, DePhillips) - Makes various changes to “New Jersey Angel Investor Tax Credit Act” and Technology Business Tax Certificate Transfer Program; repeals “New Jersey Ignite Act”

S-4654/A-5878 (Scutari, A.M. Bucco/Schnall, Inganamort) - Provides for publication of required legal notices on government Internet websites and through certain online news publications

A-5801/S-4692 (Freiman/Sarlo) - Appropriates \$247,128,000 from “New Jersey Debt Defeasance and Prevention Fund”; establishes process for authorizing future appropriations for debt defeasance and capital projects

(BUDGET BILL – w/Rev Cert. LIV, Summary)

BILL VETOED:

[S-2026/A-5800](#) (Sarlo/Pintor Marin, Park) – w/LINE ITEM Appropriates \$58,782,119,000 in State funds and \$31,007,261,743 in federal funds for the State budget for fiscal year 2026

BILL SIGNINGS:

A-5810/S-4660 (Pintor Marin, Dolon, Bagolie/McKeon, McKnight) - Promotes equity in health insurance appeal process

S-4632/A-5812 (Scutari, Ruiz/Schaer) - Establishes grant program in DOE for public schools to purchase and install point-of-use filtered bottle-filling stations and filtered faucets

S-3618/A-4926 (Smith, Greenstein/Calabrese, Tully, Haider) - Directs DEP and DOT to establish “Wildlife Corridor Action Plan”

S-3933/A-5075 (Ruiz, McKnight/Swain, Morales, Bagolie) - Establishes School Supervisor Mentorship Pilot Program; appropriates \$500,000

A-5077/S-4375 (Morales, Bagolie, Carter/Ruiz, Zwicker) - Extends statutory pause on collection of student growth objective data

A-5795/S-4619 (Pintor Marin, Freiman, Drulis/Zwicker) - Modifies certain provisions of "New Jersey Innovation Evergreen Act"

S-4618/A-5827 (Mukherji, Gopal/Pintor Marin, Peterpaul, Donlon) - Modifies certain requirements and award availability under film and digital media content production tax credit program

S-4122/A-5257 (Burzichelli/Stanley, Egan) - Revises apportionment of State lottery contributions

Governor Murphy Signs Fiscal Year 2026 Budget into Law

Posted on - 06/30/2025

Budget Builds on Governor Murphy's Historic Record of Fiscal Responsibility – With a \$6.7 Billion Surplus to Help Weather Future Financial Challenges Compared to Just \$409 Million Surplus Inherited in 2018

Budget Provides An All-Time High Level of Property Tax Relief, the Highest Level of School Funding in History, and a Fifth Consecutive Full Pension Payment

Budget Makes Historic Investments in Women's Health Care and Provides Funding to Fully Modernize NJ TRANSIT's Fleet

TRENTON – Governor Phil Murphy today signed into law the Fiscal Year 2026 Appropriations Act, marking a culmination of the Murphy Administration's longstanding commitment to fiscal responsibility, affordability, and opportunity. Over nine budgets spanning nearly eight years in office, Governor Murphy has presided over sustained economic growth while making long overdue investments in addressing the needs of working New Jerseyans, from property tax relief, to school funding, to restoring funding for the State's pension systems.

The \$58.78 billion Fiscal Year 2026 (FY2026) budget, which was passed by the Legislature earlier today, redirects over 75 percent of the total budget back into our communities in the form of grants-in-aid for property tax relief, social services, higher education, as well as State aid to schools, municipalities, and counties. The budget includes an all-time high level of direct property tax relief for homeowners and renters, yields the highest level of school funding in history, and delivers a fifth consecutive full pension payment. It also prioritizes quality health services for women and families, and it invests in beginning to fully modernize NJ TRANSIT's fleet.

Upon taking office, Governor Murphy inherited a \$409 million surplus from his predecessor. Eight years later, the Governor will leave his successor with a surplus 16 times greater than that amount—\$6.7 billion.

"This budget exemplifies our dedication to fiscal responsibility, affordability, and opportunity for all New Jerseyans," **said Governor Murphy**. "Over nearly eight years in office, we have maintained a steadfast commitment to building a stronger and fairer New Jersey and righting our fiscal ship. I'm proud that this budget caps off an eight-year journey to turn our state around and delivers greater economic security and opportunity to every family. With the help of our legislative partners, we are moving New Jersey toward a brighter future for every child, student, worker, parent, and senior citizen who calls our great state home."

"The budget upholds our administration's promise to make sure that New Jersey remains the best state in the nation to live, work, raise a family, and retire," **said Lieutenant Governor Tahesha Way**. "Over the past seven and a half years, we have made historic strides in making our state more affordable for hardworking residents and families through expanded tax relief and major investments in affordable housing, social services, and

education. This state budget is a direct result of the strong collaboration between Governor Murphy, Treasurer Muoio, and legislative leadership.”

“This budget is the culmination of a nearly eight-year effort to improve conditions for all New Jerseyans, building a fiscally stronger state that is more affordable for all,” **said State Treasurer Elizabeth Maher Muoio.** “As always, this budget could not have been completed without the hard work of my staff at the Department of the Treasury and particularly the folks at the Office of Management and Budget and the Office of Revenue and Economic Analysis. I want to thank all of them for their tireless work, dedication, and exemplary professionalism over the past seven and a half years.”

“This is a fiscally responsible budget that puts New Jersey families first. At a time when working people are being left behind by misguided decisions in Washington, we’re making smart, strategic investments that deliver meaningful support, especially through historic property tax reductions, strong funding for public education, higher education, healthcare, transit, and a full pension payment,” **said Senate President Nick Scutari, Senate Majority Leader M. Teresa Ruiz and Senator Paul Sarlo, Chair of the Senate Budget Committee.** “We’re grateful to Governor Murphy and our colleagues in the Legislature for coming together to enact a disciplined, forward-looking budget that safeguards essential services, expands opportunity, and reinforces New Jersey’s long-term fiscal strength.”

Fiscal Responsibility

The budget once again provides a full payment to the pension systems. This year’s \$7.2 billion payment marks the fifth year in a row Governor Murphy has fully funded the systems. Total pension contributions by the Murphy Administration are on track to exceed \$47 billion – nearly four times the \$12.2 billion in total contributions of the previous six governors combined.

With an eye toward ensuring New Jersey remains prepared for the future, this budget provides a surplus of \$6.7 billion, more than ten times larger than the average surplus under the previous administration.

Additionally, the budget includes \$788 million in funding from the Corporate Transit Fee dedicated to support NJ TRANSIT and builds upon \$1.358 billion in interest saved by taxpayers over the last four years by paying down debt and minimizing new debt taken on.

The budget also includes several tax policy changes, including increases for the highest tier of realty transfer fees, sports betting, and cigarettes and vaping, as well as a new exemption for small business investment and reforms to the Angel Investor Tax Credit.

These changes, along with the cuts in appropriations, help ensure that revenues are more closely in line with expenditures.

Affordability and Economic Security

Continuing efforts to make New Jersey affordable for all, this budget includes nearly \$4.3 billion in direct property tax relief for New Jersey homeowners and renters, including \$2.4 billion for the continuation of the popular ANCHOR program, which last year delivered more than \$2.2 billion in property tax relief to nearly two million residents. The budget also continues the Senior Freeze program, with a \$239 million allocation to benefit more than 235,000 taxpayers.

The budget also includes additional funding for the landmark Stay NJ program, allocating \$600 million in

resources to significantly reduce property taxes for more than 432,000 senior homeowners. Stay NJ is expected to launch for the 2025 tax season and will reimburse eligible seniors for up to 50 percent of their property tax bills.

Continuing the focus on making the state more affordable for working and middle-class families, the budget maintains recent expansions of the Earned Income Tax Credit, the Child and Dependent Care Tax Credit, and the Child Tax Credit.

The tax relief included in this budget brings the total relief provided by the Murphy Administration and our partners in the Legislature to more than double any prior administration.

Continuing efforts to provide quality health services for all, a top priority of this administration, the budget includes \$165 million for the continuation of Cover All Kids; \$55.4 million for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold programs, helping more than 149,000 seniors and residents with disabilities; \$52 million for family planning services and reproductive health programs; and \$35.8 million for Family Connects NJ, which has provided nearly 2,500 free in-home nurse visits to families with newborns and is now available in 11 counties; and \$52 million for family planning services and reproductive health programs.

The proposal also includes \$10 million for a new initiative to provide State employees with full pay while they take family leave to care for a newborn, adopted, or fostered child.

Supporting the Next Generation of New Jerseyans

Last year, Governor Murphy became the first Governor to fully fund the K-12 school funding formula. This budget builds on that commitment, providing record-high school funding in FY2026. The budget includes a record \$12.1 billion for K-12 schools, a nearly \$4 billion increase since FY2018. This budget also addresses feedback from school districts by capping losses in major school aid categories and reducing input volatility, ensuring no district sees a steep reduction in aid from one year to the next. A district's K-12 State aid will not decrease by an amount greater than 3% of the prior year's State aid in the four primary categories: equalization, special education, security, and transportation.

The budget also proposes \$7.5 million in new grant funding to support districts in providing high-impact tutoring to students in need of extra academic support, as well as \$3 million in incentive grants for schools that want to go entirely phone-free, giving students the best opportunity to learn without distraction.

Continuing the push for universal pre-school throughout New Jersey, the FY2026 budget proposes \$1.27 billion for Preschool Education Aid. Since 2018, the Murphy Administration has expanded pre-K to 229 school districts and created nearly 20,000 new seats.

Building New Jersey's Future

In an effort to fortify our transportation infrastructure, this budget includes \$1.23 billion for critical investments in State and local highway and bridge projects, and another \$767 million for NJ TRANSIT to begin to fully modernize its fleet.

To ensure stability and future success for New Jersey's institutions of higher education, this budget provides \$755.2 million in institutional support for State colleges and universities, as well as \$169.1 million for county colleges and \$8.6 million for independent institutions of higher education in New Jersey. This totals \$932.9 million, a nearly 50% increase over the \$629.6 million in funding provided in FY2018.

The budget agreement also provides for \$250 million in bonding for capital grants to higher education institutions. This builds on the \$400 million in capital grants announced in 2023.

The budget also sets aside \$222 million from the Debt Defeasance and Prevention Fund for a critical investment in the construction of a new correctional facility to replace the Edna Mahan Correctional Facility for Women.

An additional one-page policy summary on the central commitments of the FY2026 budget can be found online [here](#).

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[Line Item Veto Message](#)

[Line Item Veto Summary](#)

[Revenue Certification](#)

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Additionally, the budget includes \$788 million in funding from the Corporate Transit Fee dedicated to support NJ TRANSIT and builds upon \$1.358 billion in interest saved by taxpayers over the last four years by paying down debt and minimizing new debt taken on.

The budget also includes several tax policy changes, including increases for the highest tier of realty transfer fees, sports betting, and cigarettes and vaping, as well as a new exemption for small business investment and reforms to the Angel Investor Tax Credit.

These changes, along with the cuts in appropriations, help ensure that revenues are more closely in line with expenditures.

Affordability and Economic Security

Continuing efforts to make New Jersey affordable for all, this budget includes nearly \$4.3 billion in direct property tax relief for New Jersey homeowners and renters, including \$2.4 billion for the continuation of the popular ANCHOR program, which last year delivered more than \$2.2 billion in property tax relief to nearly two million residents. The budget also continues the Senior Freeze program, with a \$239 million allocation to benefit more than 235,000 taxpayers.

The budget also includes additional funding for the landmark Stay NJ program, allocating \$600 million in

resources to significantly reduce property taxes for more than 432,000 senior homeowners. Stay NJ is expected to launch for the 2025 tax season and will reimburse eligible seniors for up to 50 percent of their property tax bills.

Continuing the focus on making the state more affordable for working and middle-class families, the budget maintains recent expansions of the Earned Income Tax Credit, the Child and Dependent Care Tax Credit, and the Child Tax Credit.

The tax relief included in this budget brings the total relief provided by the Murphy Administration and our partners in the Legislature to more than double any prior administration.

Continuing efforts to provide quality health services for all, a top priority of this administration, the budget includes \$165 million for the continuation of Cover All Kids; \$55.4 million for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold programs, helping more than 149,000 seniors and residents with disabilities; \$52 million for family planning services and reproductive health programs; and \$35.8 million for Family Connects NJ, which has provided nearly 2,500 free in-home nurse visits to families with newborns and is now available in 11 counties; and \$52 million for family planning services and reproductive health programs.

The proposal also includes \$10 million for a new initiative to provide State employees with full pay while they take family leave to care for a newborn, adopted, or fostered child.

Supporting the Next Generation of New Jerseyans

Last year, Governor Murphy became the first Governor to fully fund the K-12 school funding formula. This budget builds on that commitment, providing record-high school funding in FY2026. The budget includes a record \$12.1 billion for K-12 schools, a nearly \$4 billion increase since FY2018. This budget also addresses feedback from school districts by capping losses in major school aid categories and reducing input volatility, ensuring no district sees a steep reduction in aid from one year to the next. A district's K-12 State aid will not decrease by an amount greater than 3% of the prior year's State aid in the four primary categories: equalization, special education, security, and transportation.

The budget also proposes \$7.5 million in new grant funding to support districts in providing high-impact tutoring to students in need of extra academic support, as well as \$3 million in incentive grants for schools that want to go entirely phone-free, giving students the best opportunity to learn without distraction.

Continuing the push for universal pre-school throughout New Jersey, the FY2026 budget proposes \$1.27 billion for Preschool Education Aid. Since 2018, the Murphy Administration has expanded pre-K to 229 school districts and created nearly 20,000 new seats.

Building New Jersey's Future

In an effort to fortify our transportation infrastructure, this budget includes \$1.23 billion for critical investments in State and local highway and bridge projects, and another \$767 million for NJ TRANSIT to begin to fully modernize its fleet.

To ensure stability and future success for New Jersey's institutions of higher education, this budget provides \$755.2 million in institutional support for State colleges and universities, as well as \$169.1 million for county colleges and \$8.6 million for independent institutions of higher education in New Jersey. This totals \$932.9 million, a nearly 50% increase over the \$629.6 million in funding provided in FY2018.

The budget agreement also provides for \$250 million in bonding for capital grants to higher education institutions. This builds on the \$400 million in capital grants announced in 2023.

The budget also sets aside \$222 million from the Debt Defeasance and Prevention Fund for a critical investment in the construction of a new correctional facility to replace the Edna Mahan Correctional Facility for Women.

An additional one-page policy summary on the central commitments of the FY2026 budget can be found online [here](#).

Governor Murphy signed the Appropriations Act into law today:

S-2026/A-5800 (Sarlo/Pintor Marin, Park) – w/LINE ITEM Appropriates \$58,782,119,000 in State funds and \$31,007,261,743 in federal funds for the State budget for fiscal year 2026

[Line Item Veto Message](#)

[Line Item Veto Summary](#)

[Revenue Certification](#)

In addition to the Appropriations Act, Governor Murphy also signed the following bills into law today:

S-4620/A-5879 (McKnight, Mukherji/McCann Stamato) - Amends Fiscal Year 2025 annual appropriations act to assign distribution of Old Courthouse asbestos remediation funding from Hudson County to Jersey City

S-2788wGR/A-4569 (Cruz-Perez, Turner/Freiman, Katz, Simmons) - Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-5100/S-3991 (Rodriguez/Stack) - Re-appropriates unexpended balance of FY 2024 appropriation for Town of West New York to support recreation center; appropriates \$3 million for Town of West New York – Recreation Center to restore lapsed FY 2024 funding

A-5807/S-4655 (Pintor Marin/Sarlo) - Makes FY2025 supplemental appropriations of \$142,615,000; adds various language provisions to FY2025 Appropriations Act

A-5803/SCS for S-3064 (Bagolie/McKeon, Turner) - Modifies tax on certain forms of online gaming and wagering

ACS for A-4455/SCS for S-4503 (Freiman, Schaer, Karabinchak /Sarlo, Mukherji) - Allows exemption from New Jersey gross income of certain capital gains from sale or exchange of qualified small business stock

A-5805/SCS for S-4659 and 4661 (Venezia/Sarlo, Vitale) - Modifies tax rate on certain nicotine products

A-5804/S-4666 (Reynolds-Jackson/Wimberly) - Modifies payer of additional fees and taxes imposed on certain real property transfers; modifies fees and taxes imposed on property transfers valued over \$2 million

A-5809/S-4656 (Murphy/Vitale) - "Healthcare Finance Enhancement Act

S-3189/A-2365 (Zwicker, Sarlo/Tully, Murphy, DePhillips) - Makes various changes to "New Jersey Angel Investor Tax Credit Act" and Technology Business Tax Certificate Transfer Program; repeals "New Jersey Ignite Act"

S-4654/A-5878 (Scutari, A.M. Bucco/Schnall, Inganamort) - Provides for publication of required legal notices on government Internet websites and through certain online news publications

A-5801/S-4692 (Freiman/Sarlo) - Appropriates \$247,128,000 from "New Jersey Debt Defeasance and Prevention Fund"; establishes process for authorizing future appropriations for debt defeasance and capital projects

A-5810/S-4660 (Pintor Marin, Dolon, Bagolie/McKeon, McKnight) - Promotes equity in health insurance appeal process

S-4632/A-5812 (Scutari, Ruiz/Schaer) - Establishes grant program in DOE for public schools to purchase and install point-of-use filtered bottle-filling stations and filtered faucets

S-3618/A-4926 (Smith, Greenstein/Calabrese, Tully, Haider) - Directs DEP and DOT to establish "Wildlife Corridor Action Plan"

S-3933/A-5075 (Ruiz, McKnight/Swain, Morales, Bagolie) - Establishes School Supervisor Mentorship Pilot Program; appropriates \$500,000

A-5077/S-4375 (Morales, Bagolie, Carter/Ruiz, Zwicker) - Extends statutory pause on collection of student growth objective data

A-5795/S-4619 (Pintor Marin, Freiman, Drulis/Zwicker) - Modifies certain provisions of "New Jersey Innovation Evergreen Act"

S-4618/A-5827 (Mukherji, Gopal/Pintor Marin, Peterpaul, Donlon) - Modifies certain requirements and award availability under film and digital media content production tax credit program

S-4122/A-5257 (Burzichelli/Stanley, Egan) - Revises apportionment of State lottery contributions