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P.L. 2002, CHAPTER 19, *approved April 30, 2002*
Senate, No. 845 (*First Reprint*)

1 AN ACT authorizing all municipalities to lease certain real estate to
2 certain organizations and amending P.L.1966, c.238.

3

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

6

7 1. Section 1 of P.L.1966, c.238 (C.40:60-51.12) is amended to read
8 as follows:

9 1. The governing body of any municipality [having more than
10 30,000 inhabitants situated in a county of the first class having
11 800,000 or more inhabitants] may lease any real estate owned or
12 controlled by it or any interest therein when, and to the extent that, it
13 is not required for municipal purposes, to any ¹[Police Athletic
14 League, Inc. or Police Benevolent Association] not-for-profit
15 corporation or not-for-profit association¹ while it is used for the
16 purposes of such organization in promoting the health, safety, morals
17 and general welfare of the community and not for commercial
18 business, trade, or manufacturing purposes, without costs or at a
19 nominal rental.

20 (cf: P.L.1966, c.238, s.1)

21

22 2. This act shall take effect immediately.

23

24

25

26

27 Authorizes leases of municipally owned or controlled real estate to
28 not-for-profit corporations and associations.

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:

¹ Assembly floor amendments adopted March 14, 2002.

SENATE, No. 845

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JANUARY 24, 2002

Sponsored by:

Senator JOSEPH SULIGA

District 22 (Middlesex, Somerset and Union)

Senator RAYMOND J. LESNIAK

District 20 (Union)

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblyman JERRY GREEN

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

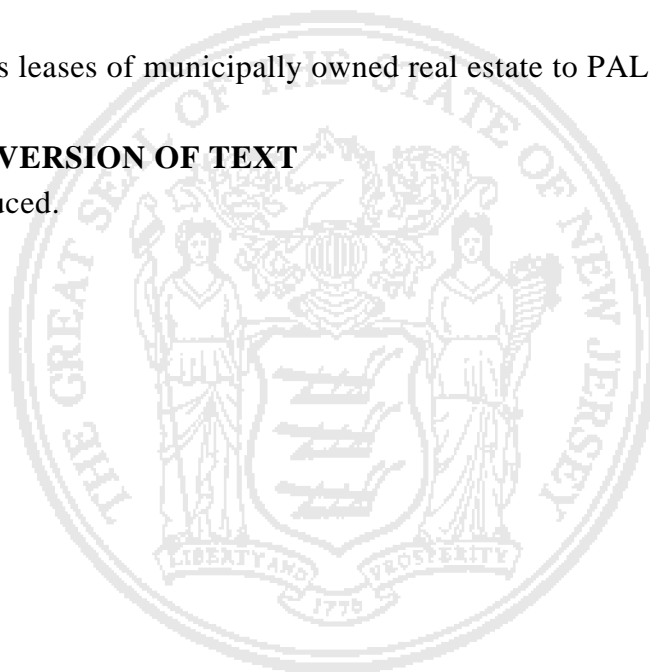
Senator Allen

SYNOPSIS

Authorizes leases of municipally owned real estate to PAL or PBA.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/15/2002)

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14 Inc. or Police Benevolent Association while it is used for the purposes
15 of such organization in promoting the health, safety, morals and
16 general welfare of the community and not for commercial business,
17 trade, or manufacturing purposes, without costs or at a nominal
18 rental.

19 (cf: P.L.1966, c.238, s.1)

20

21 2. This act shall take effect immediately.

22

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24

STATEMENT

25

26 This bill would authorize each municipality to lease real estate
27 owned or controlled by it, to the extent that it is not required for
28 municipal purposes, to any Police Athletic League, Inc. or Police
29 Benevolent Association so long as the property is used for the
30 purposes of the organization in promoting the health, safety, morals
31 and general welfare of the community and not for commercial
32 business, trade, or manufacturing purposes, without costs or at a
33 nominal rental.

34 Under current law, only municipalities with a population of more
35 than 30,000, located in a county of the first class with a population of
36 800,000 or more are authorized to lease property under these
37 circumstances.

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.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 845

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 2002

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 845.

This bill would authorize each municipality to lease real estate owned or controlled by it, to the extent that it is not required for municipal purposes, to any Police Athletic League, Inc. or Police Benevolent Association so long as the property is used for the purposes of the organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes, without costs or at a nominal rental.

Under current law, only municipalities with a population of more than 30,000, located in a county of the first class with a population of 800,000 or more are authorized to lease property under these circumstances.

STATEMENT TO
SENATE, No. 845

with Assembly Floor Amendments
(Proposed By Assemblywoman STENDER)

ADOPTED: MARCH 14, 2002

These floor amendments would extend the ability of a municipality to lease real estate owned or controlled by it, to the extent that it is not required for municipal purposes, to any not-for-profit corporation or association under the laws of New Jersey. The current statute is limited to leases with the Police Athletic League, Inc. or Police Benevolent Association. The floor amendments retain the proviso that the property must be used for the purposes of the organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes. Although section 1 of P.L.1966, c.238 (C.40:60-51.12) does not contain language limiting the length of the leases, the sponsor believes that leases under this section would be subject to the general requirements of the "Local Lands and Buildings Law," P.L.1971, c.199 (C.40A:12-1 et seq.).

Subsection (c) of section 14 of P.L.1971, c.199 (C.40A:12-14), a later enacted statute, already contains a similar provision regulating municipal and county leases with not-for-profit corporations and associations; however, it is not clear that the section also applies to leases of real estate controlled, but not owned, by a municipality.

ASSEMBLY, No. 1954

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED FEBRUARY 28, 2002

Sponsored by:

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblyman JERRY GREEN

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Authorizes leases of municipally owned real estate to PAL or PBA.

CURRENT VERSION OF TEXT

As introduced.



A1954 STENDER, GREEN

2

1 AN ACT authorizing all municipalities to lease certain real estate to
2 certain organizations and amending P.L.1966, c.238.

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15 of such organization in promoting the health, safety, morals and
16 general welfare of the community and not for commercial business,
17 trade, or manufacturing purposes, without costs or at a nominal
18 rental.

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Matter underlined thus is new matter.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1954

STATE OF NEW JERSEY

DATED: MARCH 4, 2002

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 1954.

This bill would authorize each municipality to lease real estate owned or controlled by it, to the extent that it is not required for municipal purposes, to any Police Athletic League, Inc. or Police Benevolent Association so long as the property is used for the purposes of the organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes, and the property is leased without costs or at a nominal rental.

Under current law, only municipalities with a population of more than 30,000, located in a county of the first class with a population of 800,000 or more are authorized to lease property under these circumstances.

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Press Releases

PO BOX 004
TRENTON, NJ 08625

Contact: Paul Aronsohn
609-777-2600

RELEASE: April 30, 2002

[Previous Screen](#)

Governor McGreevey Signs Legislation Allowing Municipalities to Lease Land to Non-Profits

(TRENTON)-Governor James E. McGreevey signed into law today Senate Bill 845, which authorizes municipalities to lease real estate to not-for-profit corporations or associations.

Under current law, there are restrictions placed on which municipalities and counties are allowed to lease property to non-profits. To lease the land, the law required that municipalities have a population greater than 30,000 and be located in a county with a population greater than 800,000.

"I would like to commend Senators Suliga and Lesniak, as well as Assemblypersons Stender and Green, for sponsoring legislation that will provide New Jersey's non-profit organizations with the opportunity to do their important work right in our communities," said McGreevey.

"It is a fair bill that will allow all municipalities-regardless of size-to lease land to non-profit organizations. In return, non-profits will be able to contribute their services to the municipality."

Senate Bill 845 will allow the municipality to lease municipally owned real estate to any non-profit as long as the property is only used for promoting the health, safety, morals and general welfare of the community. The property cannot be used for commercial business, trade or manufacturing purposes, without costs or a nominal rental.

This legislation was sponsored by Senators Joseph Suliga (D-Middlesex/ Somerset/ Union) and Ray Lesniak (D-Union). The Assembly version, A-1954, was sponsored by Assemblymembers Linda Stender (D-Middlesex/ Somerset/ Union) and Gerald Green (D-Middlesex/ Somerset/ Union). The law will go into effect immediately.

State of New Jersey Governor's Office

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