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P.L.2015, CHAPTER 252, *approved January 19, 2016*
Senate, No. 3182 (*Second Reprint*)

1 AN ACT concerning certain documentation submission under ²**[the**
2 Urban Transit Hub Tax Credit Program] certain business tax
3 credit programs² and amending ²**[P.L.2007, c.346 and P.L.2009,**
4 **c.90]** various parts of the statutory law².

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

8
9 1. Section 3 of P.L.2007, c.346 (C.34:1B-209) is amended to
10 read as follows:

11 3. a. (1) A business, upon application to and approval from
12 the authority, shall be allowed a credit of 100 percent of its capital
13 investment, made after the effective date of P.L.2007, c.346
14 (C.34:1B-207 et seq.) but prior to its submission of documentation
15 pursuant to subsection c. of this section, in a qualified business
16 facility within an eligible municipality, pursuant to the restrictions
17 and requirements of this section. To be eligible for any tax credits
18 authorized under this section, a business shall demonstrate to the
19 authority, at the time of application, that the State's financial
20 support of the proposed capital investment in a qualified business
21 facility will yield a net positive benefit to both the State and the
22 eligible municipality. The value of all credits approved by the
23 authority pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) shall
24 not exceed \$1,750,000,000, except as may be increased by the
25 authority as set forth in paragraph (5) of subsection a. of P.L.2009,
26 c.90 (C.34:1B-209.3) and section 6 of P.L.2010, c.57 (C.34:1B-
27 209.4).

28 (2) A business, other than a tenant eligible pursuant to
29 paragraph (3) of this subsection, shall make or acquire capital
30 investments totaling not less than \$50,000,000 in a qualified
31 business facility, at which the business shall employ not fewer than
32 250 full-time employees to be eligible for a credit under this
33 section. A business that acquires a qualified business facility shall
34 also be deemed to have acquired the capital investment made or
35 acquired by the seller.

36 (3) A business that is a tenant in a qualified business facility, the
37 owner of which has made or acquired capital investments in the
38 facility totaling not less than \$50,000,000, shall occupy a leased
39 area of the qualified business facility that represents at least
40 \$17,500,000 of the capital investment in the facility at which the

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:

¹Senate SEG committee amendments adopted November 16, 2015.

²Senate floor amendments adopted December 17, 2015.

1 tenant business and up to two other tenants in the qualified business
2 facility shall employ not fewer than 250 full-time employees in the
3 aggregate to be eligible for a credit under this section. The amount
4 of capital investment in a facility that a leased area represents shall
5 be equal to that percentage of the owner's total capital investment in
6 the facility that the percentage of net leasable area leased by the
7 tenant is of the total net leasable area of the qualified business
8 facility. Capital investments made by a tenant shall be deemed to
9 be included in the calculation of the capital investment made or
10 acquired by the owner, but only to the extent necessary to meet the
11 owner's minimum capital investment of \$50,000,000. Capital
12 investments made by a tenant and not allocated to meet the owner's
13 minimum capital investment threshold of \$50,000,000 shall be
14 added to the amount of capital investment represented by the
15 tenant's leased area in the qualified business facility.

16 (4) A business shall not be allowed tax credits under this section
17 if the business participates in a business employment incentive
18 **[grant]** agreement, pursuant to P.L.1996, c.26 (C.34:1B-124 et
19 seq.), relating to the same capital and employees that qualify the
20 business for this credit, or if the business receives assistance
21 pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.). A business that is
22 allowed a tax credit under this section shall not be eligible for
23 incentives authorized pursuant to P.L.2002, c.43 (C.52:27BBB-
24 1 et al.). A business shall not qualify for a tax credit under this
25 section, based upon its capital investment and the employment of
26 full-time employees, if that capital investment or employment was
27 the basis for which a grant was provided to the business pursuant to
28 the "InvestNJ Business Grant Program Act," P.L.2008, c.112
29 (C.34:1B-237 et seq.).

30 (5) Full-time employment for an accounting or a privilege
31 period shall be determined as the average of the monthly full-time
32 employment for the period.

33 (6) The capital investment of the owner of a qualified business
34 facility is that percentage of the capital investment made or
35 acquired by the owner of the building that the percentage of net
36 leasable area of the qualified business facility not leased to tenants
37 is of the total net leasable area of the qualified business facility.

38 (7) A business shall be allowed a tax credit of 100 percent of its
39 capital investment, made after the effective date of P.L.2011, c.89
40 but prior to its submission of documentation pursuant to subsection
41 c. of this section, in a qualified business facility that is part of a
42 mixed use project, provided that (a) the qualified business facility
43 represents at least \$17,500,000 of the total capital investment in the
44 mixed use project, (b) the business employs not fewer than 250 full-
45 time employees in the qualified business facility, and (c) the total
46 capital investment in the mixed use project of which the qualified
47 business facility is a part is not less than \$50,000,000. The
48 allowance of credits under this paragraph shall be subject to the
49 restrictions and requirements, to the extent that those are not

1 inconsistent with the provisions of this paragraph, set forth in
2 paragraphs (1) through (6) of this subsection, including, but not
3 limited to, the requirement that the business shall demonstrate to the
4 authority, at the time of application, that the State's financial
5 support of the proposed capital investment in a qualified business
6 facility will yield a net positive benefit to both the State and the
7 eligible municipality.

8 (8) In determining whether a proposed capital investment will
9 yield a net positive benefit, the authority shall not consider the
10 transfer of an existing job from one location in the State to another
11 location in the State as the creation of a new job, unless (a) the
12 business proposes to transfer existing jobs to a municipality in the
13 State as part of a consolidation of business operations from two or
14 more other locations that are not in the same municipality whether
15 in-State or out-of-State, or (b) the business's chief executive officer,
16 or equivalent officer, submits a certification to the authority
17 indicating that the existing jobs are at risk of leaving the State and
18 that the business's chief executive officer, or equivalent officer, has
19 reviewed the information submitted to the authority and that the
20 representations contained therein are accurate, and the business
21 intends to employ not fewer than 500 full-time employees in the
22 qualified business facility. In the event that this certification by the
23 business's chief executive officer, or equivalent officer, is found to
24 be willfully false, the authority may revoke any award of tax credits
25 in their entirety, which revocation shall be in addition to any other
26 criminal or civil penalties that the business and the officer may be
27 subject to. When considering an application involving intra-State
28 job transfers, the authority shall require the company to submit the
29 following information as part of its application: a full economic
30 analysis of all locations under consideration by the company; all
31 lease agreements, ownership documents, or substantially similar
32 documentation for the business's current in-State locations; and all
33 lease agreements, ownership documents, or substantially similar
34 documentation for the potential out-of-State location alternatives, to
35 the extent they exist. Based on this information, and any other
36 information deemed relevant by the authority, the authority shall
37 independently verify and confirm, by way of making a factual
38 finding by separate vote of the authority's board, the business's
39 assertion that the jobs are actually at risk of leaving the State,
40 before a business may be awarded any tax credits under this section.

41 b. (1) If applications under this section have been received by
42 the authority prior to the effective date of the "New Jersey
43 Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-
44 489p et al.), then, to the extent that there remains sufficient
45 financial authorization for the award of a tax credit, the authority is
46 authorized to consider those applications and to make awards of tax
47 credits to eligible applicants, provided that the authority shall take
48 final action on those applications no later than December 31, 2013.

1 (2) A business shall apply for the credit under this section prior
2 to the effective date of the "New Jersey Economic Opportunity Act
3 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.), and shall submit
4 its documentation for approval of its credit amount no later than
5 April 26, ¹~~2017~~, except as provided in paragraph (1) of subsection
6 b. of section 35 of P.L.2009, c.90 (C.34:1B-209.3) ²~~2018~~ ¹2019².

7 (3) If a business has submitted an application under this section
8 and that application has not been approved for any reason, the lack
9 of approval shall not serve to prejudice in any way the
10 consideration of a new application as may be submitted for the
11 qualified business facility for the provision of incentives offered
12 pursuant to the "New Jersey Economic Opportunity Act of 2013,"
13 P.L.2013, c.161 (C.52:27D-489p et al.).

14 (4) Tax credits awarded pursuant to P.L.2007, c.346 (C.34:1B-
15 207 et seq.) for applications submitted to and approved by the
16 authority prior to the effective date of the "New Jersey Economic
17 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.),
18 shall be administered by the authority in the manner established
19 prior to that date.

20 (5) With respect to an application received by the authority prior
21 to the effective date of the "New Jersey Economic Opportunity Act
22 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.) for a qualified
23 business facility that is located on or adjacent to the campus of an
24 acute care medical facility, (a) the minimum number of full-time
25 employees required for eligibility under the program may be
26 employed by any number of tenants or other occupants of the
27 facility, in the aggregate, and the initial satisfaction of ¹~~such~~ the¹
28 requirement following completion of the project shall be deemed to
29 satisfy the employment requirements of the program in all respects,
30 and (b) if the capital investment in the facility exceeds
31 \$100,000,000, the determination of the net positive benefit yield
32 shall be based on the benefits generated during a period of up to 30
33 years following the completion of the project, as determined by the
34 authority.

35 c. (1) The amount of credit allowed shall, except as otherwise
36 provided, be equal to the capital investment made by the business,
37 or the capital investment represented by the ~~business'~~ business's
38 leased area, or area owned by the business as a condominium, and
39 shall be taken over a 10-year period, at the rate of one-tenth of the
40 total amount of the ~~business'~~ business's credit for each tax
41 accounting or privilege period of the business, beginning with the
42 tax period in which the business is first certified by the authority as
43 having met the investment capital and employment qualifications,
44 subject to any reduction or disqualification as provided by
45 subsection d. of this section as determined by annual review by the
46 authority. In conducting its annual review, the authority may
47 require a business to submit any information determined by the
48 authority to be necessary and relevant to its review.

1 The credit amount for any tax period ending after July 28,
2 ~~2017~~ ²~~2018~~ 2019² during which the documentation of a
3 ~~business'~~ business's credit amount remains uncertified shall be
4 forfeited, although credit amounts for the remainder of the years of
5 the 10-year credit period shall remain available to it.

6 The credit amount that may be taken for a tax period of the
7 business that exceeds the final liabilities of the business for the tax
8 period may be carried forward for use by the business in the next 20
9 successive tax periods, and shall expire thereafter, provided that the
10 value of all credits approved by the authority against tax liabilities
11 pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) in any fiscal year
12 shall not exceed \$260,000,000.

13 The amount of credit allowed for a tax period to a business that
14 is a tenant in a qualified business facility shall not exceed the
15 ~~business'~~ business's total lease payments for occupancy of the
16 qualified business facility for the tax period.

17 (2) A business that is a partnership shall not be allowed a credit
18 under this section directly, but the amount of credit of an owner of a
19 business shall be determined by allocating to each owner of the
20 partnership that proportion of the credit of the business that is equal
21 to the owner of the partnership's share, whether or not distributed,
22 of the total distributive income or gain of the partnership for its tax
23 period ending within or ²~~with~~ at the end of² the owner's tax
24 period, or that proportion that is allocated by an agreement, if any,
25 among the owners of the partnership that has been provided to the
26 Director of the Division of Taxation in the Department of the
27 Treasury by ~~such~~ the time and accompanied by ~~such~~ the
28 additional information as the director may require.

29 (3) The amount of credit allowed may be applied against the tax
30 liability otherwise due pursuant to section 5 of P.L.1945, c.162
31 (C.54:10A-5), pursuant to sections 2 and 3 of P.L.1945, c.132
32 (C.54:18A-2 and 54:18A-3), pursuant to section 1 of P.L.1950,
33 c.231 (C.17:32-15), or pursuant to N.J.S.17B:23-5.

34 d. (1) If, in any tax period, fewer than 200 full-time employees
35 of the business at the qualified business facility are employed in
36 new full-time positions, the amount of the credit otherwise
37 determined pursuant to final calculation of the award of tax credits
38 pursuant to subsection c. of this section shall be reduced by 20
39 percent for that tax period and each subsequent tax period until the
40 first period for which documentation demonstrating the restoration
41 of the 200 full-time employees employed in new full-time positions
42 at the qualified business facility has been reviewed and approved by
43 the authority, for which tax period and each subsequent tax period
44 the full amount of the credit shall be allowed; provided, however,
45 that for businesses applying before January 1, 2010, there shall be
46 no reduction if a business relocates to an urban transit hub from
47 another location or other locations in the same municipality. For
48 the purposes of this paragraph, a "new full-time position" means a

1 position created by the business at the qualified business facility
2 that did not previously exist in this State.

3 (2) If, in any tax period, the business reduces the total number
4 of full-time employees in its Statewide workforce by more than 20
5 percent from the number of full-time employees in its Statewide
6 workforce in the last tax accounting or privilege period prior to the
7 credit amount approval under subsection a. of this section, then the
8 business shall forfeit its credit amount for that tax period and each
9 subsequent tax period, until the first tax period for which
10 documentation demonstrating the restoration of the **["business"]**
11 business's Statewide workforce to the threshold levels required by
12 this paragraph has been reviewed and approved by the authority, for
13 which tax period and each subsequent tax period the full amount of
14 the credit shall be allowed.

15 (3) If, in any tax period, (a) the number of full-time employees
16 employed by the business at the qualified business facility located
17 in an urban transit hub within an eligible municipality drops below
18 250, or (b) the number of full-time employees, who are not the
19 subject of intra-State job transfers, pursuant to paragraph (8) of
20 subsection a. of this section, employed by the business at any other
21 business facility in the State, whether or not located in an urban
22 transit hub within an eligible municipality, drops by more than 20
23 percent from the number of full-time employees in its workforce in
24 the last tax accounting or privilege period prior to the credit amount
25 approval under this section, then the business shall forfeit its credit
26 amount for that tax period and each subsequent tax period, until the
27 first tax period for which documentation demonstrating the
28 restoration of the number of full-time employees employed by the
29 business at the qualified business facility to 250 or an increase
30 above the 20 percent reduction has been reviewed and approved by
31 the authority, for which tax period and each subsequent tax period
32 the full amount of the credit shall be allowed.

33 (4) (i) If the qualified business facility is sold in whole or in part
34 during the 10-year eligibility period, the new owner shall not
35 acquire the capital investment of the seller and the seller shall
36 forfeit all credits for the tax period in which the sale occurs and all
37 subsequent tax periods **[";"]**; provided, however, that any credits of
38 tenants shall remain unaffected.

39 (ii) If a tenant subleases its tenancy in whole or in part during the
40 10-year eligibility period, the new tenant shall not acquire the credit
41 of the sublessor, and the sublessor tenant shall forfeit all credits for
42 the tax period of its sublease and all subsequent tax periods.

43 e. (1) The Executive Director of the New Jersey Economic
44 Development Authority, in consultation with the Director of the
45 Division of Taxation in the Department of the Treasury, shall adopt
46 rules in accordance with the "Administrative Procedure Act,"
47 P.L.1968, c.410 (C.52:14B-1 et seq.) as are necessary to implement
48 **["this act"]** P.L.2007, c.346 (C.34:1B-207 et seq.), including, but not
49 limited to: examples of and the determination of capital investment;

1 the enumeration of eligible municipalities; specific delineation of
2 urban transit hubs; the determination of the limits, if any, on the
3 expense or type of furnishings that may constitute capital
4 improvements; the promulgation of procedures and forms necessary
5 to apply for a credit, including the enumeration of the certification
6 procedures and allocation of tax credits for different phases of a
7 qualified business facility or mixed use project; and provisions for
8 credit applicants to be charged an initial application fee, and
9 ongoing service fees, to cover the administrative costs related to the
10 credit.

11 (2) Through regulation, the **[Economic Development Authority]**
12 authority shall establish standards based on the green building
13 manual prepared by the Commissioner of Community Affairs,
14 pursuant to section 1 of P.L.2007, c.132 (C.52:27D-130.6),
15 regarding the use of renewable energy, energy-efficient technology,
16 and non-renewable resources in order to reduce environmental
17 degradation and encourage long-term cost reduction.

18 (cf: P.L.2013, c.161, s.4)

19

20 2. Section 35 of P.L.2009, c.90 (C.34:1B-209.3) is amended to
21 read as follows:

22 35. a. (1) A developer, upon application to and approval from
23 the authority, shall be allowed a credit of up to 35 percent of its
24 capital investment, or up to 40 percent for a project located in a
25 Garden State Growth Zone, made after the effective date of
26 P.L.2009, c.90 (C.52:27D-489a et al.) but prior to its submission of
27 documentation pursuant to subsection c. of this section, in a
28 qualified residential project, pursuant to the restrictions and
29 requirements of this section. To be eligible for any tax credits
30 authorized under this section, a developer shall demonstrate to the
31 authority, through a project pro forma analysis at the time of
32 application, that the qualified residential project is likely to be
33 realized with the provision of tax credits at the level requested,
34 but is not likely to be accomplished by private enterprise without the
35 tax credits. The value of all credits approved by the authority
36 pursuant to this section for qualified residential projects may be up
37 to \$150,000,000, except as may be increased by the authority as set
38 forth below and as set forth in paragraph (5) of this subsection;
39 provided **[,]**; however, that the combined value of all credits
40 approved by the authority pursuant to section 3 of P.L.2007, c.346
41 (C.34:1B-207) and this section shall not exceed \$1,750,000,000,
42 except as may be increased by the authority as set forth in
43 paragraph (5) of this subsection. The authority shall monitor
44 application and allocation activity under P.L.2007, c.346 (C.34:1B-
45 207 et seq.), and if sufficient credits are available after taking into
46 account allocation under P.L.2007, c.346 (C.34:1B-207 et seq.) to
47 those qualified business facilities for which applications have been
48 filed or for which applications are reasonably anticipated, and if the
49 executive director judges certain qualified residential projects to be

1 meritorious, the aforementioned \$150,000,000 cap may, in the
2 discretion of the executive director, from time to time, be exceeded
3 for allocation to qualified residential projects in **【such】** amounts as
4 the executive director deems reasonable, justified, and appropriate.
5 In allocating all credits to qualified residential projects under this
6 section, the executive director shall take into account, together with
7 other factors deemed relevant by the executive director: input from
8 the municipality in which the project is to be located **【,】**; whether
9 the project contributes to the recovery of areas affected by
10 Hurricane Sandy **【,】**; whether the project furthers specific State or
11 municipal planning and development objectives, or both **【,】**; and
12 whether the project furthers a public purpose, such as catalyzing
13 urban development or maximizing the value of vacant, dilapidated,
14 outmoded, government-owned, or underutilized property, or both.

15 (2) A developer shall make or acquire capital investments
16 totaling not less than \$50,000,000 in a qualified residential project
17 to be eligible for a credit under this section. A developer that
18 acquires a qualified residential project shall also be deemed to have
19 acquired the capital investment made or acquired by the seller.

20 (3) The capital investment requirement may be met by the
21 developer or by one or more of its affiliates.

22 (4) A developer of a mixed use project shall be allowed a credit
23 pursuant to subparagraph (a) or (b) of this paragraph, but not both.

24 (a) A developer shall be allowed a credit in accordance with this
25 section for a qualified residential project that includes a mixed use
26 project.

27 (b) A developer shall be allowed a credit of up to 35 percent of
28 its capital investment, or up to 40 percent for a project located in a
29 Garden State Growth Zone, made after the effective date of
30 P.L.2011, c.89₂, but prior to its submission of documentation
31 pursuant to subsection c. of this section, in a qualified residential
32 project that is part of a mixed use project, provided that:

33 **【(a)】** (i) the capital investment in the qualified residential
34 project represents at least \$17,500,000 of the total capital
35 investment in the mixed use project; and

36 **【(b)】** (ii) the total capital investment in the mixed use project of
37 which the qualified residential project is a part is not less than
38 \$50,000,000.

39 The allowance of credits under this paragraph shall be subject to
40 the restrictions and requirements, to the extent that those are not
41 inconsistent with the provisions of this paragraph, set forth in
42 paragraphs (1) through (3) of this subsection, including₂, but not
43 limited to₂, the requirement prescribed in paragraph (1) of this
44 subsection that the developer shall demonstrate to the authority,
45 through a project pro forma analysis at the time of application, that
46 the qualified residential project is likely to be realized with the
47 provision of tax credits at the level requested but is not likely to be
48 accomplished by private enterprise without the tax credits.

1 As used in this subparagraph:

2 "Mixed use project" means a project comprising both a qualified
3 residential project and a qualified business facility.

4 (5) The authority may approve and allocate credits for qualified
5 residential projects in a value sufficient to meet the requirements of
6 all applications that were received by the authority between October
7 24, 2012 and December 21, 2012, without regard to the terms of
8 any competitive solicitation, except for the \$33,000,000 per project
9 cap, and without need for reapplication by any applicant. The
10 authority shall take final action on those applications prior to the
11 120th day after the date of enactment of the "New Jersey Economic
12 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.).

13 b. (1) A developer shall apply for the credit under this section
14 on or prior to December 21, 2012 but may thereafter supplement an
15 application as may be requested by the authority. A developer shall
16 submit its documentation for approval of its credit amount no later
17 than April 26, ~~2017~~²~~2018~~ 2019².

18 (2) If a developer has submitted an application under this
19 section and the application has not been approved for any reason,
20 the lack of approval shall not serve to prejudice in any way the
21 consideration of a new application as may be submitted for the
22 project for the provision of incentives offered pursuant to the "New
23 Jersey Economic Opportunity Act of 2013," P.L.2013, c.161
24 (C.52:27D-489p et al.).

25 c. The credit shall be administered in accordance with the
26 provisions of subsections c. and e. of section 3 of P.L.2007, c.346
27 (C.34:1B-209), as amended by section 32 of P.L.2009, c.90, and
28 section 33 of P.L.2009, c.90 (C.34:1B-209.1), except that:

29 (1) all references therein to "business" and "qualified business
30 facility" shall be deemed to refer respectively to "developer" and
31 "qualified residential project," as ~~such~~ those terms are defined in
32 section 34 of P.L.2009, c.90 (C.34:1B-209.2); and

33 (2) all references therein to credits claimed by tenants and to
34 reductions or disqualifications in credits as determined by annual
35 review of the authority shall be disregarded.

36 ~~Provided however, for~~ For purposes of a "mixed use project"
37 as that term is used and defined pursuant to subparagraph (b) of
38 paragraph (4) of subsection a. of this section, "qualified business
39 facility" means that term as defined pursuant to section 2 of
40 P.L.2007, c.346 (C.34:1B-208).

41 (cf: P.L.2013, c.161, s.6)

42

43 ²3. Section 6 of P.L.2009, c.90 (C.52:27D-489f) is amended to
44 read as follows:

45 6. a. Up to the limits established in subsection b. of this
46 section and in accordance with a redevelopment incentive grant
47 agreement, beginning upon the receipt of occupancy permits for any
48 portion of the redevelopment project, or upon ~~such~~ any other

1 event evidencing project completion as set forth in the incentive
2 grant agreement, the State Treasurer shall pay to the developer
3 incremental State revenues directly realized from businesses
4 operating **【on or】** at the site of the redevelopment project from the
5 following taxes: the Corporation Business Tax Act (1945),
6 P.L.1945, c.162 (C.54:10A-1 et seq.), the tax imposed on marine
7 insurance companies pursuant to R.S.54:16-1 et seq., the tax
8 imposed on insurers generally, pursuant to P.L.1945, c.132
9 (C.54:18A-1 et seq.), the public utility franchise tax, public utilities
10 gross receipts tax and public utility excise tax imposed on sewerage
11 and water corporations pursuant to P.L.1940, c.5 (C.54:30A-49 et
12 seq.), those tariffs and charges imposed by electric, natural gas,
13 telecommunications, water and sewage utilities, and cable television
14 companies under the jurisdiction of the New Jersey Board of
15 Utilities, or comparable entity, except for those tariffs, fees, or taxes
16 related to societal benefits charges assessed pursuant to section 12
17 of P.L.1999, c.23 (C.48:3-60), any charges paid for compliance
18 with the "Global Warming Response Act," P.L.2007, c.112
19 (C.26:2C-37 et seq.), transitional energy facility assessment unit
20 taxes paid pursuant to section 67 of P.L.1997, c.162 (C.48:2-21.34),
21 and the sales and use taxes on public utility and cable television
22 services and commodities, the tax derived from net profits from
23 business, a distributive share of partnership income, or a pro rata
24 share of S corporation income under the "New Jersey Gross Income
25 Tax Act," N.J.S.54A:1-1 et seq., the tax derived from a business at
26 the site of a redevelopment project that is required to collect the tax
27 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-
28 1 et seq.), the tax imposed pursuant to P.L.1966, c.30 (C.54:32B-1
29 et seq.) from the purchase of furniture, fixtures and equipment, or
30 materials for the remediation, the construction of new structures at
31 the site of a redevelopment project, the hotel and motel occupancy
32 fee imposed pursuant to section 1 of P.L.2003, c.114 (C.54:32D-1),
33 or the portion of the fee imposed pursuant to section 3 of P.L.1968,
34 c.49 (C.46:15-7) derived from the sale of real property at the site of
35 the redevelopment project and paid to the State Treasurer for use by
36 the State, that is not credited to the "Shore Protection Fund" or the
37 "Neighborhood Preservation Nonlapsing Revolving Fund" ("New
38 Jersey Affordable Housing Trust Fund") pursuant to section 4 of
39 P.L.1968, c.49 (C.46:15-8). Any developer shall be allowed to
40 assign their ability to apply for the tax credit under this subsection
41 to a non-profit organization with a mission dedicated to attracting
42 investment and completing development and redevelopment
43 projects in a Garden State Growth Zone. The non-profit
44 organization may make an application on behalf of a developer
45 which meets the requirements for the tax credit, or a group of non-
46 qualifying developers, such that these will be considered a unified
47 project for the purposes of the incentives provided under this
48 section.

1 b. (1) Up to an average of 75 percent of the projected annual
2 incremental revenues or 85 percent of the projected annual
3 incremental revenues in a Garden State Growth Zone may be
4 pledged towards the State portion of an incentive grant.

5 (2) In the case of a qualified residential project, if the authority
6 determines that the estimated amount of incremental revenues
7 pledged towards the State portion of an incentive grant is
8 inadequate to fully fund the amount of the State portion of the
9 incentive grant, then in lieu of an incentive grant based on **[such]**
10 incremental **[revenue]** revenues, the developer shall be awarded tax
11 credits equal to the full amount of the incentive grant.

12 (3) In the case of a mixed use parking project, if the authority
13 determines that the estimated amount of **[the]** incremental revenues
14 pledged towards the State portion of an incentive grant is
15 inadequate to fully fund the amount of the State portion of the
16 incentive grant, then, in lieu of an incentive grant based on **[such]**
17 the incremental **[revenue]** revenues, **[a]** the municipal redeveloper
18 shall be awarded tax credits equal to the full amount of the
19 incentive grant.

20 The value of all credits approved by the authority pursuant to
21 paragraph (2) or this paragraph shall not exceed \$600,000,000, of
22 which:

23 (a) \$250,000,000 shall be restricted to qualified residential
24 projects within Atlantic, Burlington, Camden, Cape May,
25 Cumberland, Gloucester, Ocean, and Salem counties, of which
26 \$175,000,000 of credits shall be restricted to the following
27 categories of projects: (i) qualified residential projects located in a
28 Garden State Growth Zone located within the aforementioned
29 counties **[,]; and** (ii) mixed use parking projects located in a
30 Garden State Growth Zone or urban transit hub located within the
31 aforementioned counties **[,];** and \$75,000,000 of credits shall be
32 restricted to qualified residential projects in municipalities with a
33 2007 Municipal Revitalization Index of 400 or higher as of the date
34 of enactment of the "New Jersey Economic Opportunity Act of
35 2013," P.L.2013, c.161 (C.52:27D-489p et al.) and located within
36 the aforementioned counties;

37 (b) \$250,000,000 shall be restricted to the following categories
38 of projects: (i) qualified residential projects located in urban transit
39 hubs that are commuter rail in nature that otherwise do not qualify
40 under subparagraph (a) of this paragraph **[,];** (ii) qualified
41 residential projects located in Garden State Growth Zones that do
42 not qualify under subparagraph (a) of this paragraph **[,];** (iii) mixed
43 use parking projects located in urban transit hubs or Garden State
44 Growth Zones that do not qualify under subparagraph (a) of this
45 paragraph, provided however, an urban transit hub shall be
46 allocated no more than \$25,000,000 for mixed use parking projects
47 **[,];** (iv) qualified residential projects which are disaster recovery
48 projects that otherwise do not qualify under subparagraph (a) of this

1 paragraph **[.]**; and (v) qualified residential projects in SDA
2 municipalities located in Hudson County that were awarded State
3 Aid in State Fiscal Year 2013 through the Transitional Aid to
4 Localities program and otherwise do not qualify under
5 subparagraph (a) of this paragraph **[.]** and \$25,000,000 of credits
6 shall be restricted to mixed use parking projects in Garden State
7 Growth Zones which have a population in excess of 125,000 and do
8 not qualify under subparagraph (a) of this paragraph;

9 (c) \$75,000,000 shall be restricted to the following categories of
10 projects: (i) qualified residential projects located in distressed
11 municipalities, deep poverty pockets, highlands development credit
12 receiving areas or redevelopment areas, otherwise not qualifying
13 pursuant to subparagraph (a) or (b) of this paragraph **[.]**; and (ii)
14 mixed use parking projects that do not qualify under subparagraph
15 (a) or (b) of this paragraph, which include a vacant commercial
16 building located wholly or partially within a distressed
17 municipality, and which are used by an independent institution of
18 higher education, a school of medicine, a nonprofit hospital system,
19 or any combination thereof; and

20 (d) \$25,000,000 shall be restricted to qualified residential
21 projects that are located within a qualifying economic
22 redevelopment and growth grant incentive area otherwise not
23 qualifying under subparagraph (a), (b), or (c) of this paragraph.

24 (e) For subparagraphs (a) through (d) of this paragraph, not
25 more than \$40,000,000 of credits shall be awarded to any qualified
26 residential project in a deep poverty pocket or distressed
27 municipality and not more than \$20,000,000 of credits shall be
28 awarded to any other qualified residential project. The developer of
29 a qualified residential project seeking an award of credits towards
30 the funding of its incentive grant shall submit an incentive grant
31 application prior to July 1, 2016 and if approved after the effective
32 date of P.L.2013, c.161 (C.52:27D-489p et al.) shall submit a
33 temporary certificate of occupancy for **[such]** the project no later
34 than July 28, **[2018]** 2019. Applications for tax credits pursuant to
35 this subsection relating to an ancillary infrastructure project or
36 infrastructure improvement in the public **[right of way]** right-of-
37 way, or both, shall be accompanied with a letter of support relating
38 to the project or improvement by the governing body or agency in
39 which the project is located. Credits awarded to a developer
40 pursuant to this subsection shall be subject to the same financial and
41 related analysis by the authority, the same term of the grant, and the
42 same mechanism for administering the credits, and shall be utilized
43 or transferred by the developer as if **[such]** the credits had been
44 awarded to the developer pursuant to section 35 of P.L.2009, c.90
45 (C.34:1B-209.3) for qualified residential projects thereunder. No
46 portion of the revenues pledged pursuant to the "New Jersey
47 Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-
48 489p et al.) shall be subject to withholding or retainage for

1 adjustment, in the event the developer or taxpayer waives its rights
2 to claim a refund thereof.

3 (4) A developer may apply to the Director of the Division of
4 Taxation in the Department of the Treasury and the chief executive
5 officer of the authority for a tax credit transfer certificate, if the
6 developer is awarded a tax credit pursuant to paragraph (2) or
7 paragraph (3) of this subsection, covering one or more years, in lieu
8 of the developer being allowed any amount of the credit against the
9 tax liability of the developer. The tax credit transfer certificate,
10 upon receipt thereof by the developer from the director and the
11 chief executive officer of the authority, may be sold or assigned, in
12 full or in part, to any other person **[that]** who may have a tax
13 liability pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5),
14 sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and C.54:18A-3),
15 section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5. The
16 certificate provided to the developer shall include a statement
17 waiving the developer's right to claim that amount of the credit
18 against the taxes that the developer has elected to sell or assign.
19 The sale or assignment of any amount of a tax credit transfer
20 certificate allowed under this paragraph shall not be exchanged for
21 consideration received by the developer of less than 75 percent of
22 the transferred credit amount before considering any further
23 discounting to present value that may be permitted. Any amount of
24 a tax credit transfer certificate used by a purchaser or assignee
25 against a tax liability shall be subject to the same limitations and
26 conditions that apply to the use of the credit by the developer who
27 originally applied for and was allowed the credit.

28 c. All administrative costs associated with the incentive grant
29 shall be assessed to the applicant and be retained by the State
30 Treasurer from the annual incentive grant payments.

31 d. The incremental revenue for the revenues listed in
32 subsection a. of this section shall be calculated as the difference
33 between the amount collected in any fiscal year from any eligible
34 revenue source included in the State redevelopment incentive grant
35 agreement, less the revenue increment base for that eligible
36 revenue.

37 e. The municipality is authorized to collect any **[and all]**
38 information necessary to facilitate grants under this program and
39 remit that information **[, as may be required from time to time,]** in
40 order to assist in the calculation of incremental revenue.²

41 (cf: P.L.2015, c.69, s.2)

42

43 ²4. Section 6 of P.L.2011, c.149 (C.34:1B-247) is amended to
44 read as follows:

45 6. a. (1) The combined value of all credits approved by the
46 authority pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) and
47 P.L.2011, c.149 (C.34:1B-242 et al.) prior to December 31, 2013
48 shall not exceed \$1,750,000,000, except as may be increased by the

1 authority as set forth in paragraph (5) of subsection a. of section 35
2 of P.L.2009, c.90 (C.34:1B-209.3). Following the enactment of the
3 "New Jersey Economic Opportunity Act of 2013," P.L.2013, c.161
4 (C.52:27D-489p et al.), there shall be no monetary cap on the value
5 of credits approved by the authority attributable to the program
6 pursuant to the "New Jersey Economic Opportunity Act of 2013,"
7 P.L.2013, c.161 (C.52:27D-489p et al.).

8 (2) (Deleted by amendment, P.L.2013, c.161).

9 (3) (Deleted by amendment, P.L.2013, c.161).

10 (4) (Deleted by amendment, P.L.2013, c.161).

11 (5) (Deleted by amendment, P.L.2013, c.161).

12 b. (1) A business shall submit an application for tax credits prior
13 to July 1, 2019. The authority shall not approve an application for
14 tax credits unless the application was submitted prior to July 1,
15 2019.

16 (2) (a) A business shall submit its documentation indicating that
17 it has met the capital investment and employment requirements
18 specified in the incentive agreement for certification of its tax credit
19 amount within three years following the date of approval of its
20 application by the authority. The authority shall have the discretion
21 to grant two six-month extensions of this deadline. **[In]** Except as
22 provided in subparagraph (b) of this paragraph, in no event shall the
23 incentive effective date occur later than four years following the
24 date of approval of an application by the authority.

25 (b) As of the effective date of P.L. , c. (C.) (pending
26 before the Legislature as this bill), a business which applied for the
27 tax credit prior to July 1, 2014 under P.L.2011, c.149 (C.34:1B-242
28 et al.), shall submit its documentation to the authority no later than
29 July 28, 2018, indicating that it has met the capital investment and
30 employment requirements specified in the incentive agreement for
31 certification of its tax credit amount.

32 (3) Full-time employment for an accounting or privilege period
33 shall be determined as the average of the monthly full-time
34 employment for the period.

35 (4) A business seeking a credit for a mega project shall apply for
36 the credit within four years after the effective date of the "New
37 Jersey Economic Opportunity Act of 2013," P.L.2013, c.161
38 (C.52:27D-489p et al.).

39 c. (1) In conducting its annual review, the authority may require
40 a business to submit any information determined by the authority to
41 be necessary and relevant to its review.

42 The credit amount for any tax period for which the
43 documentation of a **[business']** business's credit amount remains
44 uncertified as of a date three years after the closing date of that
45 period shall be forfeited, although credit amounts for the remainder
46 of the years of the eligibility period shall remain available to it.

47 The credit amount may be taken by the tax certificate holder for
48 the tax period for which it was issued or may be carried forward for
49 use by the tax certificate holder in any of the next 20 successive tax

1 periods, and shall expire thereafter. The tax certificate holder may
2 transfer the tax credit amount on or after the date of issuance or at
3 any time within three years of the date of issuance for use by the
4 transferee in the tax period during which it was transferred or in any
5 of the next three successive tax periods. Notwithstanding the
6 foregoing, no more than the amount of tax credits equal to the total
7 credit amount divided by the duration of the eligibility period in
8 years may be taken in any tax period.

9 (2) Credits granted to a partnership shall be passed through to
10 the partners, members, or owners, respectively, pro-rata or pursuant
11 to an executed agreement among the partners, members, or owners
12 documenting an alternate distribution method provided to the
13 Director of the Division of Taxation in the Department of the
14 Treasury accompanied by any additional information as the director
15 may require.

16 (3) The amount of credit allowed may be applied against the tax
17 liability otherwise due pursuant to section 5 of P.L.1945, c.162
18 (C.54:10A-5), pursuant to sections 2 and 3 of P.L.1945, c.132
19 (C.54:18A-2 and C.54:18A-3), pursuant to section 1 of P.L.1950,
20 c.231 (C.17:32-15), or pursuant to N.J.S.17B:23-5.

21 d. (1) If, in any tax period, the business reduces the total number
22 of full-time employees in its Statewide workforce by more than 20
23 percent from the number of full-time employees in its Statewide
24 workforce in the last tax period prior to the credit amount approval
25 under section 3 of P.L.2011, c.149 (C.34:1B-244), then the business
26 shall forfeit its credit amount for that tax period and each
27 subsequent tax period, until the first tax period for which
28 documentation demonstrating the restoration of the **【business'】**
29 business's Statewide workforce to the threshold levels required by
30 this paragraph has been reviewed and approved by the authority, for
31 which tax period and each subsequent tax period the full amount of
32 the credit shall be allowed.

33 (2) If, in any tax period, the number of full-time employees
34 employed by the business at the qualified business facility located
35 within a qualified incentive area drops below 80 percent of the
36 number of new and retained full-time jobs specified in the incentive
37 agreement, then the business shall forfeit its credit amount for that
38 tax period and each subsequent tax period, until the first tax period
39 for which documentation demonstrating the restoration of the
40 number of full-time employees employed by the business at the
41 qualified business facility to 80 percent of the number of jobs
42 specified in the incentive agreement.

43 (3) (a) If the qualified business facility is sold by the owner in
44 whole or in part during the eligibility period, the new owner shall
45 not acquire the capital investment of the seller and the seller shall
46 forfeit all credits for the tax period in which the sale occurs and all
47 subsequent tax periods, provided however that any credits of the
48 business shall remain unaffected.

1 (b) In connection with a regional distribution facility of
2 foodstuffs, the business entity or entities which own or lease **[such]**
3 the facility shall qualify as a business regardless of: (i) the type of
4 the business entity or entities which own or lease **[such]** the
5 facility; (ii) the ownership or leasing of **[such]** the facility by more
6 than one business entity; or (iii) the ownership of the business entity
7 or entities which own or lease **[such]** the facility. **[Such]** The
8 ownership or leasing, whether by members, shareholders, partners,
9 or other owners of the business entity or entities, shall be treated as
10 ownership or leasing by affiliates. **[Such]** The members,
11 shareholders, partners, or other ownership or leasing participants
12 and others that are tenants in the facility shall be treated as affiliates
13 for the purpose of counting the full-time employees and capital
14 investments in the facility. The business entity or entities may
15 distribute credits to members, shareholders, partners, or other
16 ownership or leasing participants in accordance with their
17 respective interests. If the business entity or entities or their
18 members, shareholders, partners, or other ownership or leasing
19 participants lease space in the facility to members, shareholders,
20 partners, or other ownership or leasing participants or others as
21 tenants in the facility, the leases shall be treated as a lease to an
22 affiliate, and the business entity or entities shall not be subject to
23 forfeiture of the credits. For the purposes of this section, leasing
24 shall include subleasing and tenants shall include subtenants.

25 (4) (a) For a project located within a Garden State Growth Zone,
26 if, in any tax period, the number of full-time employees employed
27 by the business at the qualified business facility located within a
28 qualified incentive area increases above the number of full-time
29 employees specified in the incentive agreement, then the business
30 shall be entitled to an increased base credit amount for that tax
31 period and each subsequent tax period, for each additional full-time
32 employee added above the number of full-time employees specified
33 in the incentive agreement, until the first tax period for which
34 documentation demonstrating a reduction of the number of full-time
35 employees employed by the business at the qualified business
36 facility, at which time the tax credit amount will be adjusted
37 accordingly pursuant to this section.

38 (b) For a project located within a Garden State Growth Zone
39 which qualifies under the "Municipal Rehabilitation and Economic
40 Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), or which
41 contains a Tourism District as established pursuant to section 5 of
42 P.L.2011, c.18 (C.5:12-219) and regulated by the Casino
43 Reinvestment Development Authority, and which qualifies for a tax
44 credit pursuant to subsubparagraph (ii) of subparagraphs (a) through
45 (e) of paragraph (6) of subsection d. of section 5 of P.L.2011, c.149
46 (C.34:1B-246), if, in any tax period the number of full-time
47 employees employed by the business at the qualified business
48 facility located within a qualified incentive area increases above the

1 number of full-time employees specified in the incentive agreement
2 such that the business shall then meet the minimum number of
3 employees required in subparagraph (b), (c), (d), or (e) of paragraph
4 (6) of subsection d. of section 5 of P.L.2011, c.149 (C.34:1B-246),
5 then the authority shall recalculate the total tax credit amount per
6 full-time job by using the certified capital investment of the project
7 allowable under the applicable subparagraph and the number of
8 full-time jobs certified on the date of the recalculation and applying
9 those numbers to subparagraph (b), (c), (d), or (e) of paragraph (6)
10 of subsection d. of section 5 of P.L.2011, c.149 (C.34:1B-246),
11 until the first tax period for which documentation demonstrating a
12 reduction of the number of full-time employees employed by the
13 business at the qualified business facility, at which time the tax
14 credit amount shall be adjusted accordingly pursuant to this section.

15 e. The authority shall not enter into an incentive agreement
16 with a business that has previously received incentives pursuant to
17 the "Business Retention and Relocation Assistance Act," P.L.1996,
18 c.25 (C.34:1B-112 et seq.), the "Business Employment Incentive
19 Program Act," P.L.1996, c.26 (C.34:1B-124 et seq.), or any other
20 program administered by the authority unless:

21 (1) the business has satisfied all of its obligations underlying the
22 previous award of incentives or is compliant with section 4 of
23 P.L.2011, c.149 (C.34:1B-245); or

24 (2) the capital investment incurred and new or retained full-time
25 jobs pledged by the business in the new incentive agreement are
26 separate and apart from any capital investment or jobs underlying
27 the previous award of incentives.

28 f. A business which has already applied for a tax credit
29 incentive award prior to the effective date of the "New Jersey
30 Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-
31 489p et al.), but who has not yet been approved for **such** the tax
32 credits, or has not executed an agreement with the authority, may
33 proceed under that application or seek to amend **such** the
34 application or reapply for a tax credit incentive award for the same
35 project or any part thereof for the purpose of availing itself of any
36 more favorable provisions of the program.²

37 (cf: P.L.2014, c.63, s.5)

38

39 ²**[3.] 5.**² This act shall take effect immediately.

40

41

42

43

44 _____
45 Delays certain documentation submission deadlines under certain
business tax credit programs.

SENATE, No. 3182

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED OCTOBER 19, 2015

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Delays by one year certain documentation submission deadlines under Urban Transit Hub Tax Credit Program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/10/2015)

1 AN ACT concerning certain documentation submission under the
2 Urban Transit Hub Tax Credit Program and amending P.L.2007,
3 c.346 and P.L.2009, c.90.

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

7
8 1. Section 3 of P.L.2007, c.346 (C.34:1B-209) is amended to
9 read as follows:

10 3. a. (1) A business, upon application to and approval from the
11 authority, shall be allowed a credit of 100 percent of its capital
12 investment, made after the effective date of P.L.2007, c.346
13 (C.34:1B-207 et seq.) but prior to its submission of documentation
14 pursuant to subsection c. of this section, in a qualified business
15 facility within an eligible municipality, pursuant to the restrictions
16 and requirements of this section. To be eligible for any tax credits
17 authorized under this section, a business shall demonstrate to the
18 authority, at the time of application, that the State's financial
19 support of the proposed capital investment in a qualified business
20 facility will yield a net positive benefit to both the State and the
21 eligible municipality. The value of all credits approved by the
22 authority pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) shall
23 not exceed \$1,750,000,000, except as may be increased by the
24 authority as set forth in paragraph (5) of subsection a. of P.L.2009,
25 c.90 (C.34:1B-209.3) and section 6 of P.L.2010, c.57 (C.34:1B-
26 209.4).

27 (2) A business, other than a tenant eligible pursuant to
28 paragraph (3) of this subsection, shall make or acquire capital
29 investments totaling not less than \$50,000,000 in a qualified
30 business facility, at which the business shall employ not fewer than
31 250 full-time employees to be eligible for a credit under this
32 section. A business that acquires a qualified business facility shall
33 also be deemed to have acquired the capital investment made or
34 acquired by the seller.

35 (3) A business that is a tenant in a qualified business facility, the
36 owner of which has made or acquired capital investments in the
37 facility totaling not less than \$50,000,000, shall occupy a leased
38 area of the qualified business facility that represents at least
39 \$17,500,000 of the capital investment in the facility at which the
40 tenant business and up to two other tenants in the qualified business
41 facility shall employ not fewer than 250 full-time employees in the
42 aggregate to be eligible for a credit under this section. The amount
43 of capital investment in a facility that a leased area represents shall
44 be equal to that percentage of the owner's total capital investment in
45 the facility that the percentage of net leasable area leased by the

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.

1 tenant is of the total net leasable area of the qualified business
2 facility. Capital investments made by a tenant shall be deemed to
3 be included in the calculation of the capital investment made or
4 acquired by the owner, but only to the extent necessary to meet the
5 owner's minimum capital investment of \$50,000,000. Capital
6 investments made by a tenant and not allocated to meet the owner's
7 minimum capital investment threshold of \$50,000,000 shall be
8 added to the amount of capital investment represented by the
9 tenant's leased area in the qualified business facility.

10 (4) A business shall not be allowed tax credits under this section
11 if the business participates in a business employment incentive
12 【grant】 agreement, pursuant to P.L.1996, c.26 (C.34:1B-124 et
13 seq.), relating to the same capital and employees that qualify the
14 business for this credit, or if the business receives assistance
15 pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.). A business that is
16 allowed a tax credit under this section shall not be eligible for
17 incentives authorized pursuant to P.L.2002, c.43 (C.52:27BBB-
18 1 et al.). A business shall not qualify for a tax credit under this
19 section, based upon its capital investment and the employment of
20 full-time employees, if that capital investment or employment was
21 the basis for which a grant was provided to the business pursuant to
22 the "InvestNJ Business Grant Program Act," P.L.2008, c.112
23 (C.34:1B-237 et seq.).

24 (5) Full-time employment for an accounting or a privilege
25 period shall be determined as the average of the monthly full-time
26 employment for the period.

27 (6) The capital investment of the owner of a qualified business
28 facility is that percentage of the capital investment made or
29 acquired by the owner of the building that the percentage of net
30 leasable area of the qualified business facility not leased to tenants
31 is of the total net leasable area of the qualified business facility.

32 (7) A business shall be allowed a tax credit of 100 percent of its
33 capital investment, made after the effective date of P.L.2011, c.89
34 but prior to its submission of documentation pursuant to subsection
35 c. of this section, in a qualified business facility that is part of a
36 mixed use project, provided that (a) the qualified business facility
37 represents at least \$17,500,000 of the total capital investment in the
38 mixed use project, (b) the business employs not fewer than 250 full-
39 time employees in the qualified business facility, and (c) the total
40 capital investment in the mixed use project of which the qualified
41 business facility is a part is not less than \$50,000,000. The
42 allowance of credits under this paragraph shall be subject to the
43 restrictions and requirements, to the extent that those are not
44 inconsistent with the provisions of this paragraph, set forth in
45 paragraphs (1) through (6) of this subsection, including₂ but not
46 limited to₂ the requirement that the business shall demonstrate to the
47 authority, at the time of application, that the State's financial
48 support of the proposed capital investment in a qualified business

1 facility will yield a net positive benefit to both the State and the
2 eligible municipality.

3 (8) In determining whether a proposed capital investment will
4 yield a net positive benefit, the authority shall not consider the
5 transfer of an existing job from one location in the State to another
6 location in the State as the creation of a new job, unless (a) the
7 business proposes to transfer existing jobs to a municipality in the
8 State as part of a consolidation of business operations from two or
9 more other locations that are not in the same municipality whether
10 in-State or out-of-State, or (b) the business's chief executive officer,
11 or equivalent officer, submits a certification to the authority
12 indicating that the existing jobs are at risk of leaving the State and
13 that the business's chief executive officer, or equivalent officer, has
14 reviewed the information submitted to the authority and that the
15 representations contained therein are accurate, and the business
16 intends to employ not fewer than 500 full-time employees in the
17 qualified business facility. In the event that this certification by the
18 business's chief executive officer, or equivalent officer, is found to
19 be willfully false, the authority may revoke any award of tax credits
20 in their entirety, which revocation shall be in addition to any other
21 criminal or civil penalties that the business and the officer may be
22 subject to. When considering an application involving intra-State
23 job transfers, the authority shall require the company to submit the
24 following information as part of its application: a full economic
25 analysis of all locations under consideration by the company; all
26 lease agreements, ownership documents, or substantially similar
27 documentation for the business's current in-State locations; and all
28 lease agreements, ownership documents, or substantially similar
29 documentation for the potential out-of-State location alternatives, to
30 the extent they exist. Based on this information, and any other
31 information deemed relevant by the authority, the authority shall
32 independently verify and confirm, by way of making a factual
33 finding by separate vote of the authority's board, the business's
34 assertion that the jobs are actually at risk of leaving the State,
35 before a business may be awarded any tax credits under this section.

36 b. (1) If applications under this section have been received by
37 the authority prior to the effective date of the "New Jersey
38 Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-
39 489p et al.), then, to the extent that there remains sufficient
40 financial authorization for the award of a tax credit, the authority is
41 authorized to consider those applications and to make awards of tax
42 credits to eligible applicants, provided that the authority shall take
43 final action on those applications no later than December 31, 2013.

44 (2) A business shall apply for the credit under this section prior
45 to the effective date of the "New Jersey Economic Opportunity Act
46 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.), and shall submit
47 its documentation for approval of its credit amount no later than
48 April 26, 2017, except as provided in paragraph (1) of subsection b.
49 of section 35 of P.L.2009, c.90 (C.34:1B-209.3).

1 (3) If a business has submitted an application under this section
2 and that application has not been approved for any reason, the lack
3 of approval shall not serve to prejudice in any way the
4 consideration of a new application as may be submitted for the
5 qualified business facility for the provision of incentives offered
6 pursuant to the "New Jersey Economic Opportunity Act of 2013,"
7 P.L.2013, c.161 (C.52:27D-489p et al.).

8 (4) Tax credits awarded pursuant to P.L.2007, c.346 (C.34:1B-
9 207 et seq.) for applications submitted to and approved by the
10 authority prior to the effective date of the "New Jersey Economic
11 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.),
12 shall be administered by the authority in the manner established
13 prior to that date.

14 (5) With respect to an application received by the authority prior
15 to the effective date of the "New Jersey Economic Opportunity Act
16 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.) for a qualified
17 business facility that is located on or adjacent to the campus of an
18 acute care medical facility, (a) the minimum number of full-time
19 employees required for eligibility under the program may be
20 employed by any number of tenants or other occupants of the
21 facility, in the aggregate, and the initial satisfaction of such
22 requirement following completion of the project shall be deemed to
23 satisfy the employment requirements of the program in all respects,
24 and (b) if the capital investment in the facility exceeds
25 \$100,000,000, the determination of the net positive benefit yield
26 shall be based on the benefits generated during a period of up to 30
27 years following the completion of the project, as determined by the
28 authority.

29 c. (1) The amount of credit allowed shall, except as otherwise
30 provided, be equal to the capital investment made by the business,
31 or the capital investment represented by the **【business'】** business's
32 leased area, or area owned by the business as a condominium, and
33 shall be taken over a 10-year period, at the rate of one-tenth of the
34 total amount of the **【business'】** business's credit for each tax
35 accounting or privilege period of the business, beginning with the
36 tax period in which the business is first certified by the authority as
37 having met the investment capital and employment qualifications,
38 subject to any reduction or disqualification as provided by
39 subsection d. of this section as determined by annual review by the
40 authority. In conducting its annual review, the authority may
41 require a business to submit any information determined by the
42 authority to be necessary and relevant to its review.

43 The credit amount for any tax period ending after July 28,
44 **【2017】** 2018 during which the documentation of a **【business'】**
45 business's credit amount remains uncertified shall be forfeited,
46 although credit amounts for the remainder of the years of the 10-
47 year credit period shall remain available to it.

48 The credit amount that may be taken for a tax period of the
49 business that exceeds the final liabilities of the business for the tax

1 period may be carried forward for use by the business in the next 20
2 successive tax periods, and shall expire thereafter, provided that the
3 value of all credits approved by the authority against tax liabilities
4 pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) in any fiscal year
5 shall not exceed \$260,000,000.

6 The amount of credit allowed for a tax period to a business that
7 is a tenant in a qualified business facility shall not exceed the
8 **['business']** business's total lease payments for occupancy of the
9 qualified business facility for the tax period.

10 (2) A business that is a partnership shall not be allowed a credit
11 under this section directly, but the amount of credit of an owner of a
12 business shall be determined by allocating to each owner of the
13 partnership that proportion of the credit of the business that is equal
14 to the owner of the partnership's share, whether or not distributed,
15 of the total distributive income or gain of the partnership for its tax
16 period ending within or with the owner's tax period, or that
17 proportion that is allocated by an agreement, if any, among the
18 owners of the partnership that has been provided to the Director of
19 the Division of Taxation in the Department of the Treasury by
20 **['such']** the time and accompanied by **['such']** the additional
21 information as the director may require.

22 (3) The amount of credit allowed may be applied against the tax
23 liability otherwise due pursuant to section 5 of P.L.1945, c.162
24 (C.54:10A-5), pursuant to sections 2 and 3 of P.L.1945, c.132
25 (C.54:18A-2 and 54:18A-3), pursuant to section 1 of P.L.1950,
26 c.231 (C.17:32-15), or pursuant to N.J.S.17B:23-5.

27 d. (1) If, in any tax period, fewer than 200 full-time employees
28 of the business at the qualified business facility are employed in
29 new full-time positions, the amount of the credit otherwise
30 determined pursuant to final calculation of the award of tax credits
31 pursuant to subsection c. of this section shall be reduced by 20
32 percent for that tax period and each subsequent tax period until the
33 first period for which documentation demonstrating the restoration
34 of the 200 full-time employees employed in new full-time positions
35 at the qualified business facility has been reviewed and approved by
36 the authority, for which tax period and each subsequent tax period
37 the full amount of the credit shall be allowed; provided, however,
38 that for businesses applying before January 1, 2010, there shall be
39 no reduction if a business relocates to an urban transit hub from
40 another location or other locations in the same municipality. For
41 the purposes of this paragraph, a "new full-time position" means a
42 position created by the business at the qualified business facility
43 that did not previously exist in this State.

44 (2) If, in any tax period, the business reduces the total number
45 of full-time employees in its Statewide workforce by more than 20
46 percent from the number of full-time employees in its Statewide
47 workforce in the last tax accounting or privilege period prior to the
48 credit amount approval under subsection a. of this section, then the
49 business shall forfeit its credit amount for that tax period and each

1 subsequent tax period, until the first tax period for which
2 documentation demonstrating the restoration of the **business'**
3 **business's** Statewide workforce to the threshold levels required by
4 this paragraph has been reviewed and approved by the authority, for
5 which tax period and each subsequent tax period the full amount of
6 the credit shall be allowed.

7 (3) If, in any tax period, (a) the number of full-time employees
8 employed by the business at the qualified business facility located
9 in an urban transit hub within an eligible municipality drops below
10 250, or (b) the number of full-time employees, who are not the
11 subject of intra-State job transfers, pursuant to paragraph (8) of
12 subsection a. of this section, employed by the business at any other
13 business facility in the State, whether or not located in an urban
14 transit hub within an eligible municipality, drops by more than 20
15 percent from the number of full-time employees in its workforce in
16 the last tax accounting or privilege period prior to the credit amount
17 approval under this section, then the business shall forfeit its credit
18 amount for that tax period and each subsequent tax period, until the
19 first tax period for which documentation demonstrating the
20 restoration of the number of full-time employees employed by the
21 business at the qualified business facility to 250 or an increase
22 above the 20 percent reduction has been reviewed and approved by
23 the authority, for which tax period and each subsequent tax period
24 the full amount of the credit shall be allowed.

25 (4) (i) If the qualified business facility is sold in whole or in part
26 during the 10-year eligibility period, the new owner shall not
27 acquire the capital investment of the seller and the seller shall
28 forfeit all credits for the tax period in which the sale occurs and all
29 subsequent tax periods **[,]**; provided, however, that any credits of
30 tenants shall remain unaffected.

31 (ii) If a tenant subleases its tenancy in whole or in part during the
32 10-year eligibility period, the new tenant shall not acquire the credit
33 of the sublessor, and the sublessor tenant shall forfeit all credits for
34 the tax period of its sublease and all subsequent tax periods.

35 e. (1) The Executive Director of the New Jersey Economic
36 Development Authority, in consultation with the Director of the
37 Division of Taxation in the Department of the Treasury, shall adopt
38 rules in accordance with the "Administrative Procedure Act,"
39 P.L.1968, c.410 (C.52:14B-1 et seq.) as are necessary to implement
40 **[this act]** P.L.2007, c.346 (C.34:1B-207 et seq.), including, but not
41 limited to: examples of and the determination of capital investment;
42 the enumeration of eligible municipalities; specific delineation of
43 urban transit hubs; the determination of the limits, if any, on the
44 expense or type of furnishings that may constitute capital
45 improvements; the promulgation of procedures and forms necessary
46 to apply for a credit, including the enumeration of the certification
47 procedures and allocation of tax credits for different phases of a
48 qualified business facility or mixed use project; and provisions for
49 credit applicants to be charged an initial application fee, and

1 ongoing service fees, to cover the administrative costs related to the
2 credit.

3 (2) Through regulation, the **【Economic Development Authority】**
4 authority shall establish standards based on the green building
5 manual prepared by the Commissioner of Community Affairs,
6 pursuant to section 1 of P.L.2007, c.132 (C.52:27D-130.6),
7 regarding the use of renewable energy, energy-efficient technology,
8 and non-renewable resources in order to reduce environmental
9 degradation and encourage long-term cost reduction.
10 (cf: P.L.2013, c.161, s.4)

11

12 2. Section 35 of P.L.2009, c.90 (C.34:1B-209.3) is amended to
13 read as follows:

14 35. a. (1) A developer, upon application to and approval from
15 the authority, shall be allowed a credit of up to 35 percent of its
16 capital investment, or up to 40 percent for a project located in a
17 Garden State Growth Zone, made after the effective date of
18 P.L.2009, c.90 (C.52:27D-489a et al.) but prior to its submission of
19 documentation pursuant to subsection c. of this section, in a
20 qualified residential project, pursuant to the restrictions and
21 requirements of this section. To be eligible for any tax credits
22 authorized under this section, a developer shall demonstrate to the
23 authority, through a project pro forma analysis at the time of
24 application, that the qualified residential project is likely to be
25 realized with the provision of tax credits at the level requested,
26 but is not likely to be accomplished by private enterprise without the
27 tax credits. The value of all credits approved by the authority
28 pursuant to this section for qualified residential projects may be up
29 to \$150,000,000, except as may be increased by the authority as set
30 forth below and as set forth in paragraph (5) of this subsection;
31 provided **【,】**; however, that the combined value of all credits
32 approved by the authority pursuant to section 3 of P.L.2007, c.346
33 (C.34:1B-207) and this section shall not exceed \$1,750,000,000,
34 except as may be increased by the authority as set forth in
35 paragraph (5) of this subsection. The authority shall monitor
36 application and allocation activity under P.L.2007, c.346 (C.34:1B-
37 207 et seq.), and if sufficient credits are available after taking into
38 account allocation under P.L.2007, c.346 (C.34:1B-207 et seq.) to
39 those qualified business facilities for which applications have been
40 filed or for which applications are reasonably anticipated, and if the
41 executive director judges certain qualified residential projects to be
42 meritorious, the aforementioned \$150,000,000 cap may, in the
43 discretion of the executive director, from time to time, be exceeded
44 for allocation to qualified residential projects in **【such】** amounts as
45 the executive director deems reasonable, justified, and appropriate.
46 In allocating all credits to qualified residential projects under this
47 section, the executive director shall take into account, together with
48 other factors deemed relevant by the executive director: input from

1 the municipality in which the project is to be located **【.】**; whether
2 the project contributes to the recovery of areas affected by
3 Hurricane Sandy **【.】**; whether the project furthers specific State or
4 municipal planning and development objectives, or both **【.】**; and
5 whether the project furthers a public purpose, such as catalyzing
6 urban development or maximizing the value of vacant, dilapidated,
7 outmoded, government-owned, or underutilized property, or both.

8 (2) A developer shall make or acquire capital investments
9 totaling not less than \$50,000,000 in a qualified residential project
10 to be eligible for a credit under this section. A developer that
11 acquires a qualified residential project shall also be deemed to have
12 acquired the capital investment made or acquired by the seller.

13 (3) The capital investment requirement may be met by the
14 developer or by one or more of its affiliates.

15 (4) A developer of a mixed use project shall be allowed a credit
16 pursuant to subparagraph (a) or (b) of this paragraph, but not both.

17 (a) A developer shall be allowed a credit in accordance with this
18 section for a qualified residential project that includes a mixed use
19 project.

20 (b) A developer shall be allowed a credit of up to 35 percent of
21 its capital investment, or up to 40 percent for a project located in a
22 Garden State Growth Zone, made after the effective date of
23 P.L.2011, c.89, but prior to its submission of documentation
24 pursuant to subsection c. of this section, in a qualified residential
25 project that is part of a mixed use project, provided that:

26 **【(a)】** **【(i)】** the capital investment in the qualified residential
27 project represents at least \$17,500,000 of the total capital
28 investment in the mixed use project; and

29 **【(b)】** **【(ii)】** the total capital investment in the mixed use project of
30 which the qualified residential project is a part is not less than
31 \$50,000,000.

32 The allowance of credits under this paragraph shall be subject to
33 the restrictions and requirements, to the extent that those are not
34 inconsistent with the provisions of this paragraph, set forth in
35 paragraphs (1) through (3) of this subsection, including, but not
36 limited to, the requirement prescribed in paragraph (1) of this
37 subsection that the developer shall demonstrate to the authority,
38 through a project pro forma analysis at the time of application, that
39 the qualified residential project is likely to be realized with the
40 provision of tax credits at the level requested but is not likely to be
41 accomplished by private enterprise without the tax credits.

42 As used in this subparagraph:

43 "Mixed use project" means a project comprising both a qualified
44 residential project and a qualified business facility.

45 (5) The authority may approve and allocate credits for qualified
46 residential projects in a value sufficient to meet the requirements of
47 all applications that were received by the authority between October
48 24, 2012 and December 21, 2012, without regard to the terms of

1 any competitive solicitation, except for the \$33,000,000 per project
2 cap, and without need for reapplication by any applicant. The
3 authority shall take final action on those applications prior to the
4 120th day after the date of enactment of the "New Jersey Economic
5 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.).

6 b. (1) A developer shall apply for the credit under this section
7 on or prior to December 21, 2012 but may thereafter supplement an
8 application as may be requested by the authority. A developer shall
9 submit its documentation for approval of its credit amount no later
10 than April 26, **[2017]** 2018.

11 (2) If a developer has submitted an application under this
12 section and the application has not been approved for any reason,
13 the lack of approval shall not serve to prejudice in any way the
14 consideration of a new application as may be submitted for the
15 project for the provision of incentives offered pursuant to the "New
16 Jersey Economic Opportunity Act of 2013," P.L.2013, c.161
17 (C.52:27D-489p et al.).

18 c. The credit shall be administered in accordance with the
19 provisions of subsections c. and e. of section 3 of P.L.2007, c.346
20 (C.34:1B-209), as amended by section 32 of P.L.2009, c.90, and
21 section 33 of P.L.2009, c.90 (C.34:1B-209.1), except that:

22 (1) all references therein to "business" and "qualified business
23 facility" shall be deemed to refer respectively to "developer" and
24 "qualified residential project," as **[such]** those terms are defined in
25 section 34 of P.L.2009, c.90 (C.34:1B-209.2); and

26 (2) all references therein to credits claimed by tenants and to
27 reductions or disqualifications in credits as determined by annual
28 review of the authority shall be disregarded.

29 **[Provided however, for]** For purposes of a "mixed use project"
30 as that term is used and defined pursuant to subparagraph (b) of
31 paragraph (4) of subsection a. of this section, "qualified business
32 facility" means that term as defined pursuant to section 2 of
33 P.L.2007, c.346 (C.34:1B-208).

34 (cf: P.L.2013, c.161, s.6)

35

36 3. This act shall take effect immediately.

37

38

STATEMENT

39

40 This bill extends, from April 26, 2017 to April 26, 2018, the
41 deadline for the developer of qualified residential project to submit
42 its documentation of its credit amount under the Urban Transit Hub
43 Tax Credit Program for approval by the New Jersey Economic
44 Development Authority. The bill also extends, from July 28, 2017
45 to July 28, 2018, the deadline for a developer to submit information
46 on the credit amount certified for any tax period, the failure of
47 which subjects the amount to being forfeited.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 3182

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 2015

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 3182.

As amended and reported, this bill extends, from April 26, 2017 to April 26, 2018, the deadline for the developer of a qualified residential project or qualified business facility to submit its documentation of its credit amount under the Urban Transit Hub Tax Credit Program for approval by the New Jersey Economic Development Authority. The bill also extends, from July 28, 2017 to July 28, 2018, the deadline for a developer to submit information on the credit amount certified for any tax period, the failure of which subjects the amount to forfeiture.

The committee amended the bill to also extend the documentation deadline to a developer of a qualified business facility.

STATEMENT TO
[First Reprint]
SENATE, No. 3182

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: DECEMBER 17, 2015

These amendments extend for two years the deadline for the developer of a qualified residential project or qualified business facility to submit its documentation of its credit amount under the Urban Transit Hub Tax Credit Program for approval by the New Jersey Economic Development Authority (EDA). The amendments also extend for two years the deadline for a developer to submit information on the credit amount certified for any tax period, the failure of which subjects the amount to forfeiture. The amendments extend for one year the deadline for the developer of a qualified residential project to submit its documentation of receiving a temporary certificate of occupancy to the EDA to qualify to receive tax credits under the Economic Redevelopment and Growth Grant program. Further, the amendments extend until July 28, 2018, the deadline for a business, which applied for a credit under the Grow New Jersey Assistance Program prior to July 1, 2014 under the original law establishing that program, to submit its documentation indicating that it has met the capital investment and employment requirements under that program.

ASSEMBLY, No. 4690

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED NOVEMBER 16, 2015

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman L. GRACE SPENCER

District 29 (Essex)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

SYNOPSIS

Delays by one year certain documentation submission deadlines under Urban Transit Hub Tax Credit Program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain documentation submission under the
2 Urban Transit Hub Tax Credit Program and amending P.L.2007,
3 c.346 and P.L.2009, c.90.

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

7
8 1. Section 3 of P.L.2007, c.346 (C.34:1B-209) is amended to
9 read as follows:

10 3. a. (1) A business, upon application to and approval from
11 the authority, shall be allowed a credit of 100 percent of its capital
12 investment, made after the effective date of P.L.2007,
13 c.346 (C.34:1B-207 et seq.) but prior to its submission of
14 documentation pursuant to subsection c. of this section, in a
15 qualified business facility within an eligible municipality, pursuant
16 to the restrictions and requirements of this section. To be eligible
17 for any tax credits authorized under this section, a business shall
18 demonstrate to the authority, at the time of application, that the
19 State's financial support of the proposed capital investment in a
20 qualified business facility will yield a net positive benefit to both
21 the State and the eligible municipality. The value of all credits
22 approved by the authority pursuant to P.L.2007, c.346 (C.34:1B-
23 207 et seq.) shall not exceed \$1,750,000,000, except as may be
24 increased by the authority as set forth in paragraph (5) of subsection
25 a. of P.L.2009, c.90 (C.34:1B-209.3) and section 6 of P.L.2010,
26 c.57 (C.34:1B-209.4).

27 (2) A business, other than a tenant eligible pursuant to
28 paragraph (3) of this subsection, shall make or acquire capital
29 investments totaling not less than \$50,000,000 in a qualified
30 business facility, at which the business shall employ not fewer than
31 250 full-time employees to be eligible for a credit under this
32 section. A business that acquires a qualified business facility shall
33 also be deemed to have acquired the capital investment made or
34 acquired by the seller.

35 (3) A business that is a tenant in a qualified business facility, the
36 owner of which has made or acquired capital investments in the
37 facility totaling not less than \$50,000,000, shall occupy a leased
38 area of the qualified business facility that represents at least
39 \$17,500,000 of the capital investment in the facility at which the
40 tenant business and up to two other tenants in the qualified business
41 facility shall employ not fewer than 250 full-time employees in the
42 aggregate to be eligible for a credit under this section. The amount
43 of capital investment in a facility that a leased area represents shall
44 be equal to that percentage of the owner's total capital investment in
45 the facility that the percentage of net leasable area leased by the

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.

1 tenant is of the total net leasable area of the qualified business
2 facility. Capital investments made by a tenant shall be deemed to
3 be included in the calculation of the capital investment made or
4 acquired by the owner, but only to the extent necessary to meet the
5 owner's minimum capital investment of \$50,000,000. Capital
6 investments made by a tenant and not allocated to meet the owner's
7 minimum capital investment threshold of \$50,000,000 shall be
8 added to the amount of capital investment represented by the
9 tenant's leased area in the qualified business facility.

10 (4) A business shall not be allowed tax credits under this section
11 if the business participates in a business employment incentive
12 【grant】 agreement, pursuant to P.L.1996, c.26 (C.34:1B-124 et
13 seq.), relating to the same capital and employees that qualify the
14 business for this credit, or if the business receives assistance
15 pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.). A business that is
16 allowed a tax credit under this section shall not be eligible for
17 incentives authorized pursuant to P.L.2002, c.43 (C.52:27BBB-1 et
18 al.). A business shall not qualify for a tax credit under this section,
19 based upon its capital investment and the employment of full-time
20 employees, if that capital investment or employment was the basis
21 for which a grant was provided to the business pursuant to the
22 "InvestNJ Business Grant Program Act," P.L.2008, c.112 (C.34:1B-
23 237 et seq.).

24 (5) Full-time employment for an accounting or a privilege
25 period shall be determined as the average of the monthly full-time
26 employment for the period.

27 (6) The capital investment of the owner of a qualified business
28 facility is that percentage of the capital investment made or
29 acquired by the owner of the building that the percentage of net
30 leasable area of the qualified business facility not leased to tenants
31 is of the total net leasable area of the qualified business facility.

32 (7) A business shall be allowed a tax credit of 100 percent of its
33 capital investment, made after the effective date of P.L.2011,
34 c.89 but prior to its submission of documentation pursuant to
35 subsection c. of this section, in a qualified business facility that is
36 part of a mixed use project, provided that (a) the qualified business
37 facility represents at least \$17,500,000 of the total capital
38 investment in the mixed use project, (b) the business employs not
39 fewer than 250 full-time employees in the qualified business
40 facility, and (c) the total capital investment in the mixed use project
41 of which the qualified business facility is a part is not less than
42 \$50,000,000. The allowance of credits under this paragraph shall
43 be subject to the restrictions and requirements, to the extent that
44 those are not inconsistent with the provisions of this paragraph, set
45 forth in paragraphs (1) through (6) of this subsection, including₂ but
46 not limited to₂ the requirement that the business shall demonstrate
47 to the authority, at the time of application, that the State's financial
48 support of the proposed capital investment in a qualified business

1 facility will yield a net positive benefit to both the State and the
2 eligible municipality.

3 (8) In determining whether a proposed capital investment will
4 yield a net positive benefit, the authority shall not consider the
5 transfer of an existing job from one location in the State to another
6 location in the State as the creation of a new job, unless (a) the
7 business proposes to transfer existing jobs to a municipality in the
8 State as part of a consolidation of business operations from two or
9 more other locations that are not in the same municipality whether
10 in-State or out-of-State, or (b) the business's chief executive officer,
11 or equivalent officer, submits a certification to the authority
12 indicating that the existing jobs are at risk of leaving the State and
13 that the business's chief executive officer, or equivalent officer, has
14 reviewed the information submitted to the authority and that the
15 representations contained therein are accurate, and the business
16 intends to employ not fewer than 500 full-time employees in the
17 qualified business facility. In the event that this certification by the
18 business's chief executive officer, or equivalent officer, is found to
19 be willfully false, the authority may revoke any award of tax credits
20 in their entirety, which revocation shall be in addition to any other
21 criminal or civil penalties that the business and the officer may be
22 subject to. When considering an application involving intra-State
23 job transfers, the authority shall require the company to submit the
24 following information as part of its application: a full economic
25 analysis of all locations under consideration by the company; all
26 lease agreements, ownership documents, or substantially similar
27 documentation for the business's current in-State locations; and all
28 lease agreements, ownership documents, or substantially similar
29 documentation for the potential out-of-State location alternatives, to
30 the extent they exist. Based on this information, and any other
31 information deemed relevant by the authority, the authority shall
32 independently verify and confirm, by way of making a factual
33 finding by separate vote of the authority's board, the business's
34 assertion that the jobs are actually at risk of leaving the State,
35 before a business may be awarded any tax credits under this section.

36 b. (1) If applications under this section have been received by
37 the authority prior to the effective date of the "New Jersey
38 Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-
39 489p et al.), then, to the extent that there remains sufficient
40 financial authorization for the award of a tax credit, the authority is
41 authorized to consider those applications and to make awards of tax
42 credits to eligible applicants, provided that the authority shall take
43 final action on those applications no later than December 31, 2013.

44 (2) A business shall apply for the credit under this section prior
45 to the effective date of the "New Jersey Economic Opportunity Act
46 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.), and shall submit
47 its documentation for approval of its credit amount no later than
48 April 26, 2017, except as provided in paragraph (1) of subsection b.
49 of section 35 of P.L.2009, c.90 (C.34:1B-209.3).

1 (3) If a business has submitted an application under this section
2 and that application has not been approved for any reason, the lack
3 of approval shall not serve to prejudice in any way the
4 consideration of a new application as may be submitted for the
5 qualified business facility for the provision of incentives offered
6 pursuant to the "New Jersey Economic Opportunity Act of 2013,"
7 P.L.2013, c.161 (C.52:27D-489p et al.).

8 (4) Tax credits awarded pursuant to P.L.2007, c.346 (C.34:1B-
9 207 et seq.) for applications submitted to and approved by the
10 authority prior to the effective date of the "New Jersey Economic
11 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.),
12 shall be administered by the authority in the manner established
13 prior to that date.

14 (5) With respect to an application received by the authority prior
15 to the effective date of the "New Jersey Economic Opportunity Act
16 of 2013," P.L.2013, c.161 (C.52:27D-489p et al.) for a qualified
17 business facility that is located on or adjacent to the campus of an
18 acute care medical facility, (a) the minimum number of full-time
19 employees required for eligibility under the program may be
20 employed by any number of tenants or other occupants of the
21 facility, in the aggregate, and the initial satisfaction of such
22 requirement following completion of the project shall be deemed to
23 satisfy the employment requirements of the program in all respects,
24 and (b) if the capital investment in the facility exceeds
25 \$100,000,000, the determination of the net positive benefit yield
26 shall be based on the benefits generated during a period of up to 30
27 years following the completion of the project, as determined by the
28 authority.

29 c. (1) The amount of credit allowed shall, except as otherwise
30 provided, be equal to the capital investment made by the business,
31 or the capital investment represented by the **【business'】** business's
32 leased area, or area owned by the business as a condominium, and
33 shall be taken over a 10-year period, at the rate of one-tenth of the
34 total amount of the **【business'】** business's credit for each tax
35 accounting or privilege period of the business, beginning with the
36 tax period in which the business is first certified by the authority as
37 having met the investment capital and employment qualifications,
38 subject to any reduction or disqualification as provided by
39 subsection d. of this section as determined by annual review by the
40 authority. In conducting its annual review, the authority may
41 require a business to submit any information determined by the
42 authority to be necessary and relevant to its review.

43 The credit amount for any tax period ending after July 28,
44 **【2017】** 2018 during which the documentation of a **【business'】**
45 business's credit amount remains uncertified shall be forfeited,
46 although credit amounts for the remainder of the years of the 10-
47 year credit period shall remain available to it.

48 The credit amount that may be taken for a tax period of the
49 business that exceeds the final liabilities of the business for the tax

1 period may be carried forward for use by the business in the next 20
2 successive tax periods, and shall expire thereafter, provided that the
3 value of all credits approved by the authority against tax liabilities
4 pursuant to P.L.2007, c.346 (C.34:1B-207 et seq.) in any fiscal year
5 shall not exceed \$260,000,000.

6 The amount of credit allowed for a tax period to a business that
7 is a tenant in a qualified business facility shall not exceed the
8 **['business']** business's total lease payments for occupancy of the
9 qualified business facility for the tax period.

10 (2) A business that is a partnership shall not be allowed a credit
11 under this section directly, but the amount of credit of an owner of a
12 business shall be determined by allocating to each owner of the
13 partnership that proportion of the credit of the business that is equal
14 to the owner of the partnership's share, whether or not distributed,
15 of the total distributive income or gain of the partnership for its tax
16 period ending within or with the owner's tax period, or that
17 proportion that is allocated by an agreement, if any, among the
18 owners of the partnership that has been provided to the Director of
19 the Division of Taxation in the Department of the Treasury by
20 **['such']** the time and accompanied by **['such']** the additional
21 information as the director may require.

22 (3) The amount of credit allowed may be applied against the tax
23 liability otherwise due pursuant to section 5 of P.L.1945,
24 c.162 (C.54:10A-5), pursuant to sections 2 and 3 of P.L.1945,
25 c.132 (C.54:18A-2 and 54:18A-3), pursuant to section 1 of
26 P.L.1950, c.231 (C.17:32-15), or pursuant to N.J.S.17B:23-5.

27 d. (1) If, in any tax period, fewer than 200 full-time employees
28 of the business at the qualified business facility are employed in
29 new full-time positions, the amount of the credit otherwise
30 determined pursuant to final calculation of the award of tax credits
31 pursuant to subsection c. of this section shall be reduced by 20
32 percent for that tax period and each subsequent tax period until the
33 first period for which documentation demonstrating the restoration
34 of the 200 full-time employees employed in new full-time positions
35 at the qualified business facility has been reviewed and approved by
36 the authority, for which tax period and each subsequent tax period
37 the full amount of the credit shall be allowed; provided, however,
38 that for businesses applying before January 1, 2010, there shall be
39 no reduction if a business relocates to an urban transit hub from
40 another location or other locations in the same municipality. For
41 the purposes of this paragraph, a "new full-time position" means a
42 position created by the business at the qualified business facility
43 that did not previously exist in this State.

44 (2) If, in any tax period, the business reduces the total number
45 of full-time employees in its Statewide workforce by more than 20
46 percent from the number of full-time employees in its Statewide
47 workforce in the last tax accounting or privilege period prior to the
48 credit amount approval under subsection a. of this section, then the
49 business shall forfeit its credit amount for that tax period and each

1 subsequent tax period, until the first tax period for which
2 documentation demonstrating the restoration of the **['business']**
3 business's Statewide workforce to the threshold levels required by
4 this paragraph has been reviewed and approved by the authority, for
5 which tax period and each subsequent tax period the full amount of
6 the credit shall be allowed.

7 (3) If, in any tax period, (a) the number of full-time employees
8 employed by the business at the qualified business facility located
9 in an urban transit hub within an eligible municipality drops below
10 250, or (b) the number of full-time employees, who are not the
11 subject of intra-State job transfers, pursuant to paragraph (8) of
12 subsection a. of this section, employed by the business at any other
13 business facility in the State, whether or not located in an urban
14 transit hub within an eligible municipality, drops by more than 20
15 percent from the number of full-time employees in its workforce in
16 the last tax accounting or privilege period prior to the credit amount
17 approval under this section, then the business shall forfeit its credit
18 amount for that tax period and each subsequent tax period, until the
19 first tax period for which documentation demonstrating the
20 restoration of the number of full-time employees employed by the
21 business at the qualified business facility to 250 or an increase
22 above the 20 percent reduction has been reviewed and approved by
23 the authority, for which tax period and each subsequent tax period
24 the full amount of the credit shall be allowed.

25 (4) (i) If the qualified business facility is sold in whole or in
26 part during the 10-year eligibility period, the new owner shall not
27 acquire the capital investment of the seller and the seller shall
28 forfeit all credits for the tax period in which the sale occurs and all
29 subsequent tax periods **[';']**; provided, however, that any credits of
30 tenants shall remain unaffected.

31 (ii) If a tenant subleases its tenancy in whole or in part during
32 the 10-year eligibility period, the new tenant shall not acquire the
33 credit of the sublessor, and the sublessor tenant shall forfeit all
34 credits for the tax period of its sublease and all subsequent tax
35 periods.

36 e. (1) The Executive Director of the New Jersey Economic
37 Development Authority, in consultation with the Director of the
38 Division of Taxation in the Department of the Treasury, shall adopt
39 rules in accordance with the "Administrative Procedure Act,"
40 P.L.1968, c.410 (C.52:14B-1 et seq.) as are necessary to implement
41 **['this act']** P.L.2007, c.346 (C.34:1B-207 et seq.), including, but not
42 limited to: examples of and the determination of capital investment;
43 the enumeration of eligible municipalities; specific delineation of
44 urban transit hubs; the determination of the limits, if any, on the
45 expense or type of furnishings that may constitute capital
46 improvements; the promulgation of procedures and forms necessary
47 to apply for a credit, including the enumeration of the certification
48 procedures and allocation of tax credits for different phases of a
49 qualified business facility or mixed use project; and provisions for

1 credit applicants to be charged an initial application fee, and
2 ongoing service fees, to cover the administrative costs related to the
3 credit.

4 (2) Through regulation, the **【Economic Development Authority】**
5 authority shall establish standards based on the green building
6 manual prepared by the Commissioner of Community Affairs,
7 pursuant to section 1 of P.L.2007, c.132 (C.52:27D-130.6),
8 regarding the use of renewable energy, energy-efficient technology,
9 and non-renewable resources in order to reduce environmental
10 degradation and encourage long-term cost reduction.

11 (cf: P.L.2013, c.161, s.4)

12

13 2. Section 35 of P.L.2009, c.90 (C.34:1B-209.3) is amended to
14 read as follows:

15 35. a. (1) A developer, upon application to and approval from
16 the authority, shall be allowed a credit of up to 35 percent of its
17 capital investment, or up to 40 percent for a project located in a
18 Garden State Growth Zone, made after the effective date of
19 P.L.2009, c.90 (C.52:27D-489a et al.) but prior to its submission of
20 documentation pursuant to subsection c. of this section, in a
21 qualified residential project, pursuant to the restrictions and
22 requirements of this section. To be eligible for any tax credits
23 authorized under this section, a developer shall demonstrate to the
24 authority, through a project pro forma analysis at the time of
25 application, that the qualified residential project is likely to be
26 realized with the provision of tax credits at the level requested,
27 but is not likely to be accomplished by private enterprise without the
28 tax credits. The value of all credits approved by the authority
29 pursuant to this section for qualified residential projects may be up
30 to \$150,000,000, except as may be increased by the authority as set
31 forth below and as set forth in paragraph (5) of this subsection;
32 provided **【.】**; however, that the combined value of all credits
33 approved by the authority pursuant to section 3 of P.L.2007,
34 c.346 (C.34:1B-207) and this section shall not exceed
35 \$1,750,000,000, except as may be increased by the authority as set
36 forth in paragraph (5) of this subsection. The authority shall
37 monitor application and allocation activity under P.L.2007,
38 c.346 (C.34:1B-207 et seq.), and if sufficient credits are available
39 after taking into account allocation under P.L.2007, c.346 (C.34:1B-
40 207 et seq.) to those qualified business facilities for which
41 applications have been filed or for which applications are
42 reasonably anticipated, and if the executive director judges certain
43 qualified residential projects to be meritorious, the aforementioned
44 \$150,000,000 cap may, in the discretion of the executive director,
45 from time to time, be exceeded for allocation to qualified residential
46 projects in **【such】** amounts as the executive director deems
47 reasonable, justified, and appropriate. In allocating all credits to
48 qualified residential projects under this section, the executive
49 director shall take into account, together with other factors deemed

1 relevant by the executive director: input from the municipality in
2 which the project is to be located **【.】**; whether the project
3 contributes to the recovery of areas affected by Hurricane Sandy
4 **【.】**; whether the project furthers specific State or municipal
5 planning and development objectives, or both **【.】**; and whether the
6 project furthers a public purpose, such as catalyzing urban
7 development or maximizing the value of vacant, dilapidated,
8 outmoded, government-owned, or underutilized property, or both.

9 (2) A developer shall make or acquire capital investments
10 totaling not less than \$50,000,000 in a qualified residential project
11 to be eligible for a credit under this section. A developer that
12 acquires a qualified residential project shall also be deemed to have
13 acquired the capital investment made or acquired by the seller.

14 (3) The capital investment requirement may be met by the
15 developer or by one or more of its affiliates.

16 (4) A developer of a mixed use project shall be allowed a credit
17 pursuant to subparagraph (a) or (b) of this paragraph, but not both.

18 (a) A developer shall be allowed a credit in accordance with this
19 section for a qualified residential project that includes a mixed use
20 project.

21 (b) A developer shall be allowed a credit of up to 35 percent of
22 its capital investment, or up to 40 percent for a project located in a
23 Garden State Growth Zone, made after the effective date of
24 P.L.2011, c.89, but prior to its submission of documentation
25 pursuant to subsection c. of this section, in a qualified residential
26 project that is part of a mixed use project, provided that:

27 **【(a)】** (i) the capital investment in the qualified residential
28 project represents at least \$17,500,000 of the total capital
29 investment in the mixed use project; and

30 **【(b)】** (ii) the total capital investment in the mixed use project of
31 which the qualified residential project is a part is not less than
32 \$50,000,000.

33 The allowance of credits under this paragraph shall be subject to
34 the restrictions and requirements, to the extent that those are not
35 inconsistent with the provisions of this paragraph, set forth in
36 paragraphs (1) through (3) of this subsection, including, but not
37 limited to, the requirement prescribed in paragraph (1) of this
38 subsection that the developer shall demonstrate to the authority,
39 through a project pro forma analysis at the time of application, that
40 the qualified residential project is likely to be realized with the
41 provision of tax credits at the level requested but is not likely to be
42 accomplished by private enterprise without the tax credits.

43 As used in this subparagraph:

44 "Mixed use project" means a project comprising both a qualified
45 residential project and a qualified business facility.

46 (5) The authority may approve and allocate credits for qualified
47 residential projects in a value sufficient to meet the requirements of
48 all applications that were received by the authority between October

1 24, 2012 and December 21, 2012, without regard to the terms of
2 any competitive solicitation, except for the \$33,000,000 per project
3 cap, and without need for reapplication by any applicant. The
4 authority shall take final action on those applications prior to the
5 120th day after the date of enactment of the "New Jersey Economic
6 Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.).

7 b. (1) A developer shall apply for the credit under this section
8 on or prior to December 21, 2012 but may thereafter supplement an
9 application as may be requested by the authority. A developer shall
10 submit its documentation for approval of its credit amount no later
11 than April 26, ~~2017~~ 2018.

12 (2) If a developer has submitted an application under this
13 section and the application has not been approved for any reason,
14 the lack of approval shall not serve to prejudice in any way the
15 consideration of a new application as may be submitted for the
16 project for the provision of incentives offered pursuant to the "New
17 Jersey Economic Opportunity Act of 2013," P.L.2013,
18 c.161 (C.52:27D-489p et al.).

19 c. The credit shall be administered in accordance with the
20 provisions of subsections c. and e. of section 3 of P.L.2007,
21 c.346 (C.34:1B-209), as amended by section 32 of P.L.2009,
22 c.90, and section 33 of P.L.2009, c.90 (C.34:1B-209.1), except that:

23 (1) all references therein to "business" and "qualified business
24 facility" shall be deemed to refer respectively to "developer" and
25 "qualified residential project," as ~~such~~ those terms are defined in
26 section 34 of P.L.2009, c.90 (C.34:1B-209.2); and

27 (2) all references therein to credits claimed by tenants and to
28 reductions or disqualifications in credits as determined by annual
29 review of the authority shall be disregarded.

30 ~~Provided however, for~~ For purposes of a "mixed use project"
31 as that term is used and defined pursuant to subparagraph (b) of
32 paragraph (4) of subsection a. of this section, "qualified business
33 facility" means that term as defined pursuant to section 2 of
34 P.L.2007, c.346 (C.34:1B-208).

35 (cf: P.L.2013, c.161, s.6)

36

37 3. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill extends, from April 26, 2017 to April 26, 2018, the
43 deadline for the developer of qualified residential project to submit
44 its documentation of its credit amount under the Urban Transit Hub
45 Tax Credit Program for approval by the New Jersey Economic
46 Development Authority. The bill also extends, from July 28, 2017
47 to July 28, 2018, the deadline for a developer to submit information
48 on the credit amount certified for any tax period, the failure of
49 which subjects the amount to being forfeited.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4690

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 10, 2015

The Assembly Commerce and Economic Development Committee reports favorably and with committee amendments Assembly Bill No. 4690.

This bill extends, from April 26, 2017 to April 26, 2018, the deadline for the developer of a qualified residential project to submit its documentation of its credit amount under the Urban Transit Hub Tax Credit Program for approval by the New Jersey Economic Development Authority. The bill also extends, from July 28, 2017 to July 28, 2018, the deadline for a developer to submit information on the credit amount certified for any tax period, the failure of which subjects the amount to forfeiture.

COMMITTEE AMENDMENTS:

Committee amendments extend the deadline for a business to submit documentation for approval of a credit amount for a qualified business facility from April 26, 2017 to April 26, 2018. This amendment will make the bill identical to S3182 (1R), which is currently on second reading in the Senate.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4690

with Assembly Floor Amendments
(Proposed by Assemblywoman PINTOR MARIN)

ADOPTED: DECEMBER 17, 2015

These amendments extend for two years the deadline for the developer of a qualified residential project or qualified business facility to submit its documentation of its credit amount under the Urban Transit Hub Tax Credit Program for approval by the New Jersey Economic Development Authority (EDA). The amendments also extend for two years the deadline for a developer to submit information on the credit amount certified for any tax period, the failure of which subjects the amount to forfeiture. The amendments extend for one year the deadline for the developer of a qualified residential project to submit its documentation of receiving a temporary certificate of occupancy to the EDA to qualify to receive tax credits under the Economic Redevelopment and Growth Grant program. Further, the amendments extend until July 28, 2018, the deadline for a business, which applied for a credit under the Grow New Jersey Assistance Program prior to July 1, 2014 under the original law establishing that program, to submit its documentation indicating that it has met the capital investment and employment requirements under that program.

Governor Chris Christie Takes Action On Pending Legislation From The 216th Legislative Session

Tuesday, January 19, 2016 Tags: [Weather](#)



Trenton, NJ – Furthering his administration's commitment to New Jersey's veterans and military personnel, Governor Chris Christie took action today on legislation from the 216th Legislative Session, including 11 legislative measures designed to assist both active military members and veterans, along with their families.

"From the very start of this administration, we have focused on serving the needs of our veterans and the men and women still in active duty, assisting them with everything from securing jobs to finding the proper health care and social services," said Governor Christie. "The bills I signed today continue to make good on our promise to help those who have given so much of themselves to defend and serve this nation find a seamless transition back to civilian life and receive a helping-hand, when needed, no matter how long after their discharge from the military."

The enacted legislation includes:

- **S-172/A-2276 (Whelan, Beach/DeAngelo, Quijano)** - Exempts disabled veterans and Purple Heart recipients from payment of municipal parking meter fees when their vehicles bear a disable veteran's or Purple Heart license plate or placard issued by New Jersey Motor Vehicle Commission
- **S-2972/A-4465 (Van Drew, Cruz-Perez/Andrzejczak, Tucker, Benson)** - Requires DMVA assist and mentor veterans through criminal justice system
- **A-1667/S-2155 (Johnson, DeAngelo, Andrzejczak, Mukherji, Pintor Marin/Van Drew, A.R. Bucco)** - Permits child whose parent or guardian is ordered into active military service to remain enrolled in school district where child's parent or guardian resided prior to active military service
- **A-2935/S-1325 (Andrzejczak, Lagana, Webber, Mosquera, Lampitt/Van Drew, A.R. Bucco)** - Authorizes property tax deferral for deployed military personnel
- **A-2299/S-239 (Andrzejczak, Benson/Van Drew, Stack)** - Requires municipalities to exempt 100% disabled veterans from construction permit surcharge fees for improvements to promote living unit accessibility; appropriates \$20,000 for municipal reimbursements
- **A-3552/S-2636 (Mazzeo, Andrzejczak, Mukherji, Benson/Beach, Van Drew)** - Creates financial planning assistance program for disabled veterans and their caregivers
- **A-3554/S-2606 (Mazzeo, Andrzejczak, Mukherji, Benson, Danielsen/Beach, Cruz-Perez)** - Increases income eligibility cap to receive respite care for certain veterans
- **AS for A-3750/S-2569 (Lampitt, Tucker, Andrzejczak, Singleton, Mosquera/Beach, Allen)** - Requires Adjutant General to create informational webpage for women veterans
- **A-4148/S-2731 (Andrzejczak, Benson/Van Drew, Beach)** - Provides an excused absence on Veterans Day for pupil who participates in certain activities for veterans or active duty members of United States Armed Forces or New Jersey National Guard

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- **A-4323/S-2952 (DeAngelo, Lagana, Muoio, Benson/Beach, Whelan)** - Expands timeframe for renewal of driver's license, registration, and inspection by military personnel and immediate family members under certain circumstances.
- **AJR-117/SJR-85 (Tucker, Holley, Vainieri Huttie/Beach, Whelan, Madden)** - Urges Congress to restore funding to Vets4Warriors veteran suicide hotline

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

BILL SIGNINGS:

- **S-451/A-1103 (Ruiz, Allen/Vainieri Huttie, Singleton, Benson)** - Establishes Office of the Special Education Ombudsman in DOE
- **S-485/A-1976 (Cunningham, Ruiz/Lampitt, Mosquera, Quijano)** -Requires president of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board
- **S-489/A-4926 (Cunningham, T. Kean/Diegnan, Mukherji, Benson)** - Authorizes institutions of higher education to grant college credit to high school students who complete the Jersey Boys State or Jersey Girls State program
- **S-832/A-2039 (Whelan, Beach/Moriarty, Stender, Garcia)** - Permits voter registration of certain persons at age 17 for voting at next election occurring on or after 18th birthday
- **S-1046/A-2721 (Turner, Scutari/Gusciora)** - Concerns alterations in child support obligations in response to changes to status of supported child
- **S-1184/A-1950 (Vitale, Beach/Conaway, Diegnan, Sumter, Danielsén)** - Revises requirements for licensure and creates physician-delegated scope of practice for physician assistants
- **S-1346wGR/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey)** - Concerns the recording of mortgages
- **S-1447/A-2829 (Greenstein, Addiego/Johnson, Mainor, Rible, Quijano)** - Prohibits posting, publishing on the Internet, or disclosing certain information regarding law enforcement officers
- **S-1567/A-410 (A.R. Bucco, Van Drew/A.M. Bucco, Bramnick, Johnson, Quijano, Rumana)** - Establishes DOT roadside memorial program for fallen police officers, sheriff's officers, EMS workers, and firefighters; designated as "Patrolman Joseph Wargo's Law"
- **S-1687/A-4924 (Ruiz, Vitale/Diegnan, Eustace)** - Permits students made homeless by act of terrorism or natural disaster to attend tuition-free the school district in which they resided prior to being homeless for two school years after the event
- **S-2032wGR/A-3440 (Codey, Turner/Diegnan, Eustace)** - Requires DOE to review Core Curriculum Content Standards to ensure that they incorporate modern computer science standards where appropriate
- **S-2110/A-3343 (Oroho/Space, Vainieri Huttie, Schaer, Phoebus, Pinkin)** - Requires nursing homes to offer form designating beneficiary of personal needs allowance accounts from incoming and current residents

- **S-2201/A-3273 (O'Toole/Russo, Rumana, Casagrande)** - Authorizes youth camps to maintain supply of epinephrine and permit trained employees to administer epinephrine to camp members suffering from anaphylaxis

- **SCS for S-2251/A-3708 (Oroho, Barnes/Diegnan, Webber, Johnson, Space, Phoebus)** - Increases monetary amounts for transfer of estate assets without administration and for exemption from debts of the deceased

- **S-2260wGR/A-688 (Scutari, Cardinale/Schaer)** - Modifies certain fees charged by, and requirements imposed on, check casher licensees

- **S-2284wGR/A-3549 (Pou, Weinberg/Schaer, Vainieri Huttle, Webber, Singleton, Jimenez, Johnson, Bramnick)** - Requires Medicaid managed care organizations to meet certain conditions prior to reducing reimbursement rates for personal care assistant services and home-based supportive care services

- **S-2442/A-3891 (T. Kean, Sarlo/Bramnick, Rodriquez-Gregg, Johnson, Casagrande, Schepisi)** - Establishes NJ Innovation and Research Fellowship Program in DOLWD

- **S-2495/A-3868 (Codey, Rice/Conaway, Singleton, Eustace, Coughlin)** - Authorizes State-chartered banks, savings banks, savings and loans, and credit unions to conduct certain savings account promotions

- **S-2617/A-3944 (Cardinale/Garcia, McKeon, Auth, Eustace, Pinkin)** - Requires DEP to adopt regulations to allow cultivation of commercial shellfish species in certain coastal and inner harbor waters for research, educational, or restoration purposes; requires community engagement process for revision thereof

- **S-2627/A-3957 (Cardinale, Sacco/Schepisi, Auth, Eustace, Rumana, Johnson)** - Designates State Highway Route 17 in Borough of Ramsey as "Staff Sergeant Timothy R. McGill Memorial Highway"

- **S-2695/A-4110 (T. Kean, Sacco/Dancer, Benson, Jimenez, Johnson)** - Requires MVC conduct study and make recommendations concerning electronic driver's licenses and mobile applications

- **S-2741/A-4213 (Doherty/Vainieri Huttle, Webber)** - Permits unregulated solicitation to perform snow shoveling within 24 hours of predicted snowstorm

- **S-2787wGR/A-4273 (Sweeney/Singleton, Burzichelli, Giblin, Prieto, Wimberly)** - Establishes vocational training pilot program in DOC; provides for inmate compensation for education and workforce training participation

- **S-2880/A-4704 (Lesniak, T. Kean/Diegnan, Wisniewski)** - Provides up to \$25 million in tax credits under Economic Redevelopment and Growth Grant Program for certain infrastructure at Rutgers, the State University of New Jersey

- **S-2922/A-4925 (Ruiz, Turner/Diegnan, Jasey)** - Requires DOE on its website to link to Department of Treasury's website where list is maintained of all third party individuals and vendors employed or retained for work associated with State assessments

- **S-2923/A-4901 (Ruiz, Turner/Jasey, Caputo)** - Requires school district or charter school to provide notification to parent or guardian of enrolled student on upcoming administration of State assessments or commercially-developed standardized assessment

- **S-2960/A-4331 (Codey, Rice/Garcia, Vainieri Huttle, Danielsén, DeAngelo, Holley, Benson, Mukherji)** -

Establishes requirements for training programs for homemaker-home health aides in care of patients with Alzheimer's disease and related disorders

- **S-3019/A-4771 (Sweeney, Stack/Burzichelli, Muoio)** - Requires filing of financial agreement for long term tax exemption with county finance officer and counsel; requires quarterly payment of county share of payment in lieu of tax
- **S-3129/A-4728 (Madden, Cunningham/DeAngelo, Benson, Lampitt, Quijano)** - Directs DOLWD to provide information regarding employee leave and benefit rights
- **S-3168/A-4769 (Sweeney, O'Toole/Burzichelli)** - Limits increase in annual budget requests of certain county entities
- **S-3170/A-4768 (Pou, Bateman/Burzichelli)** - Requires county superintendent of elections to operate pursuant to county administrative code; subjects certain salary costs of office of county superintendent of elections to review and approval by county governing body
- **S-3171/A-4575 (Whelan, Oroho/Greenwald, Burzichelli)** - Creates definition of certified mail
- **S-3182/A-4690 (Ruiz, Pou/Pintor Marin, Spencer, Sumter)** - Delays certain documentation submission deadlines under certain business tax credit programs
- **S-3207/A-4714 (Vitale, T. Kean/Lampitt, Mosquera)** - Limits liability of caregivers when facilitating normalcy for children in foster care
- **S-3240/A-4878 (Lesniak, Allen/Spencer, Sumter, Holley, Eustace)** - Authorizes establishment of recovery high school alternative education programs
- **S-3242/A-4856 (Vitale, Sweeney/Vainieri Huttie)** - Clarifies best interests of the child should be primary consideration in actions undertaken by State governmental entities and courts of law
- **S-3243/A-4702 (Vitale, Greenstein/Vainieri Huttie, Spencer)** - Provides that if minor appears to have been sexually assaulted, health care professionals in addition to physicians may authorize forensic sexual assault examination and medical care without parental consent
- **S-3247/A-4928 (Ruiz, Pou/Sumter, Wimberly)** - Eliminates cap on cost of SDA district school facilities projects that may be constructed by district and included in capital outlay budget
- **S-3282wGR/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson)** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives
- **S-3303/A-4469 (Whelan/Quijano, Mukherji, Jimenez)** - Makes fraudulent use of social security number to collect lottery winnings crime of fourth degree
- **S-3321/A-4927 (Smith, Van Drew, Bateman/Spencer, Rumana)** - Authorizes DEP to require public access to waterfront and adjacent shoreline as condition of waterfront development approvals and CAFRA permits

- **SJR-22/AJR-40 (Weinberg/Johnson, Vainieri Huttie)** - Designates January 14 of each year as "Hannah G. Solomon Day"
- **ACS for A-206, 471, 1663, 2879, 3060, 3108wGR/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou)** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements
- **A-311/S-2426 (Bramnick, Diegnan, Wimberly, Gusciora/Ruiz, T. Kean)** - Requires public schools to weight courses in visual and performing arts equally with other courses worth same number of credits in calculating grade point average
- **ACS for A-428/S-393 (Jimenez, Prieto/Sacco, Sarlo)** - Expands DNA database to include samples from disorderly persons who are fingerprinted and permits law enforcement officers to collect certain biological samples
- **A-801wGR/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco)** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas
- **A-984/S-1534 (Andrzejczak, Wimberly/Van Drew, Bateman)** - Enhances penalty for tampering with evidence after fleeing the scene of an accident resulting in death
- **A-1455/S-2011 (Diegnan, Mosquera, Caputo, Jasey, Mukherji/Madden, Holzapfel)** - Abigail's Law; requires that newly-manufactured school buses be equipped with sensors
- **A-1462/S-3288 (Diegnan, Wimberly/Gill)** - Requires coin redemption machine operators to disclose fees
- **A-1466 (Diegnan, O'Donnell, Mainor, Garcia)** - Allows for waiver of school bus requirements for mobility assistance vehicle technicians who transport students with medical needs to and from school
- **A-1726wGR/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon)** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and floodplains
- **A-1812/S-2717 (Mosquera, Mazzeo, Andrzejczak/Cruz-Perez, Oroho, Jones)** - Extends protections of the new vehicle "lemon law" to new farm tractors purchased or leased in New Jersey
- **A-1958/S-1848 (Allen, Van Drew)** - Concerns exemptions from permits for certain agricultural activities under "Freshwater Wetlands Protection Act"
- **A-2597/S-2161 (Singleton, Diegnan, DiMaio/Ruiz, Beach)** - Provides that beginning with the 2016-2017 grade nine class, Advanced Placement computer science course may satisfy a part of the mathematics credits required for high school graduation
- **A-2839/S-2620 (Burzichelli, Space, Phoebus/Oroho, Turner)** - "New Jersey Rural Microenterprise Act"
- **A-2915/S-2035 (Lagana, McKeon, Ciattarelli/Bateman, Barnes)** - "Uniform Trust Code"

- **A-2943/S-1312 (Andrzejczak, DeAngelo, Mazzeo, Quijano, Danielsen/Van Drew, Allen)** - Provides for voluntary contributions by taxpayers on gross income tax returns for active duty members of United States Armed Forces, Reserve components thereof, and National Guard from New Jersey

- **A-3006/S-3272 (Conaway, Singleton, Eustace, DiMaio, Danielsen/Beach, Turner)** - Establishes procedure for consolidating fire districts

- **A-3019/S-1978 (Singleton, Conaway, Andrzejczak, Mazzeo, Garcia, Mosquera/Van Drew, Beach)** - Requires State Employment and Training Commission to prepare annual report on State workforce

- **A-3043/S-1943 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)** - Concerns authority of DOLWD to inspect prevailing wage public work projects

- **A-3044/S-1944 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)**
Requires Commissioner of DOLWD to disseminate certain information to contractors who bid on or perform prevailing wage public work

- **A-3225/S-2333 (Singleton, Rible, Lampitt, Quijano, Pintor Marin, Jimenez/Sweeney)** - Provides for licensure of chiropractic assistants

- **A-3228/S-2499 (Mukherji, Vainieri Huttie, Mosquera, Garcia/Turner)** - Requires sober living homes and other substance abuse aftercare treatment facilities to provide certain notifications to next-of-kin when patient is released from care; designated as "Nick Rohdes' Law"
- **A-3257wGR/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew)** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

- **A-3276/S-2248 (Mazzeo/Whelan)** - "Mainland Memoriam Act"; directs MVC to create graduated driver's license informational material to be distributed by motor vehicle dealers

- **A-3435wGR/S-2503 (Garcia, Mukherji, Vainieri Huttie, Mainor, Eustace, Mosquera/Stack, Gordon)** - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

- **A-3850/S-2467 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer)** - Requires BPU to establish procedures allowing electric power and gas supplier customers to switch energy suppliers

- **A-3927/S-2820 (Andrzejczak, Mazzeo, Taliaferro, Dancer/Van Drew, Oroho)** - Requires drivers to slow down before passing slow moving vehicles; establishes Statewide educational campaign on rural roadway safety; updates agriculture-related motor vehicle laws to reflect current industry practices

- **A-3955/S-2644 (Conaway, Benson, Vainieri Huttie, Munoz, Sumter, Mukherji/Vitale, Codey)** - Requires development and maintenance of database to advise public about open bed availability in residential substance use disorders treatment facilities

- **A-4098/S-2877 (Pinkin, Sumter, Benson/Codey, Greenstein)** - Prohibits sale or distribution of liquid nicotine except in child-resistant containers

- **A-4105/S-2977 (Garcia, Mainor, Mukherji, O'Donnell, Sumter, Rible, A.M. Bucco/Greenstein, Cunningham)** - Expands scope of law governing registration of security guards; designated as "Detective Vincent Santiago's Law"

- **A-4133/S-2997 (Giblin, Pinkin/Cruz-Perez, Allen)** - Allows dispensation of certain nutritional supplements by physician or podiatric physician

- **A-4275wGR/S-2831 (Prieto, Eustace, Lagana, Greenwald, Quijano, Danielsen, Mukherji/Sweeney, Turner, Sarlo)** - "New Jersey Secure Choice Saving Program Act"; establishes retirement savings program for certain workers

- **A-4386wGR/S-3042 (Coughlin, Pinkin, Vitale, Singer)** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes

- **A-4387/S-3016 (Coughlin, Wisniewski, Wimberly/Vitale)** - Requires MVC to allow submission of "Next-of-Kin Registry" information by mail

- **A-4388/S-3041 (Coughlin, Wisniewski/Vitale)** - Designates State Highway 184 in Woodbridge Township as "Bruce Turcotte Memorial Highway"

- **A-4415/S-3279 (Diegnan, Garcia, Pinkin/Turner, Ruiz)** - Establishes State Seal of Biliteracy to recognize high school graduates who have attained a high level of bilingual proficiency

- **A-4420/S-3056 (Mazzeo, Vainieri Huttle, DeAngelo, Lampitt/Gordon, Greenstein)** - Requires certain notifications for termination of services to persons with developmental disabilities and providers

- **A-4476wGR/S-2876 (Conaway/Codey)** - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State

- **A-4719/S-3250 (Moriarty, Mosquera, Vainieri Huttle, DeAngelo, Diegnan, Mukherji/Cruz-Perez, Ruiz)** - Extends use of stored driver's license picture for person undergoing chemotherapy or other treatment for certain medical illnesses

- **CC for A-4863/S-3233 (A.M. Bucco, Phoebus, Munoz, Wisniewski, Oliver/A.R. Bucco)** - Requires warning sign to be posted at pontoon boat rental businesses; designated as "Christopher's Law"

- **AJR-112/SJR-86 (Conaway/Weinberg)** - Designates May of each year as "Cystic Fibrosis Awareness Month"

BILLS POCKET VETOED:

- **S-221/A-4155 (Allen, Vitale/Vainieri Huttle, Sumter, Lampitt)** - Prohibits the restraint of prisoners during and immediately after childbirth

- **S-316/A-1739 (Gordon/Eustace, Ciattarelli, Lagana, Gusciora)** - Increases flexibility, clarity, and available tools of optional municipal consolidation process

- **S-564/A-4186 (Smith, Bateman/Eustace, McKeon, Spencer, Benson)** - Establishes "Solar Roof Installation Warranty Program" in EDA and transfers \$2 million from societal benefits charge to initially fund program

- **S-602/A-3254 (Codey, Vitale/Vainieri Huttle, Angelini, Lampitt, Diegnan, Jasey, Conaway, Moriarty)** - Raises minimum age for purchase and sale of tobacco products and electronic smoking devices from 19 to 21
- **SCS for S-726, 1257/ACS for A-1405 (Turner, Cruz-Perez, Beach, T. Kean/Lampitt, Egan, Quijano, Sumter, Danielsen)** - Establishes innovation zone program to stimulate technology industry clusters around New Jersey's research institutions; allows certain technology businesses located in certain innovation zones to receive certain tax credits under Grow New Jersey Assistance Program
- **S-1232/A-3314 (Weinberg, Pennacchio/Johnson, Greenwald, Wimberly, Mosquera)** - Establishes Office of State Dental Director and New Jersey Oral Health Commission
- **S-1279/A-2325 (Rice, Van Drew/Spencer, Muoio, Benson, Pintor Marin)** - Makes FY 2016 supplemental Grants-in-Aid appropriation of \$10 million to DCA for Lead Hazard Control Assistance Fund
- **S-1414/A-2405 (Smith, Bateman/Eustace, Benson, Johnson)** - Concerns low emission and zero emission vehicles; establishes Clean Vehicle Task Force
- **SCS for S-1420/ACS for A-1603 (Beach, Whelan, Smith, Sweeney, Bateman, Thompson/Spencer, Eustace, Quijano, Wimberly)** - Requires paint producers to implement or participate in paint stewardship program
- **S-1436/A-4687 (Rice/Green, Holley)** - Exempts sales to homeowner assistance and recovery programs from realty transfer fees
- **S-1594/A-4044 (Turner/Peterson, Lagana, Rible, Jasey, Wimberly)** - Requires a public school district to provide a daily recess period for students in grades kindergarten through 5
- **S-1961/A-4111 (Codey/McKeon, Jasey, Vainieri Huttle, Garcia)** - Establishes certain minimum and maximum temperatures in emergency shelters, rooming and boarding houses, and certain nursing homes and residential health care facilities
- **S-2143/ACS for A-1682, 3547 (Van Drew, Singer/Wisniewski, Andrzejczak, Webber)** - Establishes time periods for adverse possession of certain property
- **S-2375/A-3700 (Vitale, Singer/Mazzeo, Vainieri Huttle, Lagana, Sumter, A.M. Bucco)** - Provides for licensure of ambulatory care facilities to provide integrated primary care services including behavioral health care
- **S-2491/A-4069 (Smith/Danielsen, Pinkin, Benson)** - Establishes position of State Oceanographer
- **S-2515/A-3269 (Scutari/Mukherji, Burzichelli, McKeon, Garcia)** - Confers title of Acting Associate Justice of the Supreme Court on certain judges of the Superior Court, Appellate Division, temporarily assigned to the Supreme Court
- **SCS for S-2521/ACS for A-3888 (Gill, Allen/Lampitt, Benson, Vainieri Huttle, Eustace)** - Establishes Pedestrian and Bicycle Safety Advisory Council
- **S-2623/A-4849 (Turner/Wimberly, Mainor, Johnson)** - Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement

- **S-2640/A-4026 (Madden, Pou/Lampitt, Mosquera, Vainieri Huttie)** - Establishes New Jersey Caregiver Task Force to evaluate and provide recommendations on caregiver support services
- **S-2711/A-4128 (Smith, Whelan/Mazzeo, DeAngelo, Spencer, Singleton, McKeon, Daniels, Johnson)** - Permits BPU to approve qualified wind energy project; requires BPU to provide application periods for those projects
- **S-2716/A-4359 (Ruiz, Turner/Pintor Marin, Spencer, Sumter, Caride)** - Requires that school district's request for permission to use unrecognized position title include list of abolished positions and positions in which there have been layoffs and detailed job descriptions for them
- **S-2769/AS for ACS for A-4197, 4206 (Smith, Bateman/Andrzejczak, McKeon, Spencer, Pintor Marin, Dancer, Vainieri Huttie)** - Implements 2014 constitutional dedication of CBT revenues for certain environmental purposes; revises State's open space, farmland, and historic preservation programs
- **S-2793/A-3962 (Whelan/Vainieri Huttie)** - Increases from 17 to 21 public members of New Jersey State Council on the Arts; requires members to be residents of NJ; imposes specific criteria for four new members initially appointed
- **S-2806/A-4913 (Cunningham, Vitale, Singer/Muoio, Spencer)** - Removes restrictions on convicted drug offenders receiving general assistance benefits under Work First New Jersey program
- **S-2878/A-4636 (Stack, Weinberg/Jimenez, Lagana, Mukherji, Vainieri Huttie, Giblin, Moriarty)** - Establishes minimum certified nurse aide-to-resident ratios in nursing homes
- **S-2975/A-4548 (Sarlo, Pou/Wimberly)** - Establishes pilot program in Paterson authorizing non-disclosure of records of certain expungements
- **S-3067/A-4653 (Barnes, Turner/Diegnan, Oliver)** - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate
- **S-3071/A-4639 (Weinberg, Gordon/Vainieri Huttie, Garcia, Eustace, Johnson)**
Establishes Mike Adler Aphasia Task Force to assess needs of persons with aphasia, and their families, and ensure adequate provision of support services and information thereto
- **S-3201/A-3607 (Barnes, Holzapfel/Dancer, McGuckin, Rible, A.M. Bucco)** - Requires interior light of motor vehicle be turned on when stopped by law enforcement under certain circumstances
- **S-3244/A-2740 (Ruiz, Sarlo/Diegnan, Johnson, Jasey)** - Eliminates school district budget per pupil administrative cost limits
- **S-3249/A-4717 (Weinberg, Codey/Johnson, Vainieri Huttie, Eustace, Garcia)** - Requires firearm retailers to sell personalized handguns
- **S-3277/A-4764 (Cruz-Perez/Burzichelli)** - Expands municipal authority to license and inspect residential rental property
- **S-3299/A-4903 (Sweeney, Singer, Vitale/Burzichelli, Rible, Pintor Marin, Mukherji, Lagana, Vainieri Huttie)** -

Maintains property tax exemption for certain nonprofit hospitals with on-site for-profit medical providers; requires these hospitals to pay community service contributions to host municipalities; establishes Nonprofit Hospital Community Service Contribution Study Commission

- **S-3416/A-4808 (Lesniak, Sarlo/Eustace, Gusciora)** - Prohibits possession, transport, import, export, processing, sale, or shipment of parts and products of certain animal species threatened with extinction
- **SJR-77/A-JR104 (Bateman, Whelan/Ciattarelli, McKeon, Eustace)** - Permits county commissioners of registration and boards of election to conduct "Electronic Poll Book Demonstration Project" in certain districts during 2016 elections; requires Division of Elections review and approval of proposed projects
- **A-431/S-2773 (Jimenez/Singer)** - Requires clinical laboratory that provides services for accountable care organization to establish clinical laboratory testing advisory board
- **A-943/S-2967 (Singleton, Conaway, Moriarty, Green, Lampitt, Mazzeo/Van Drew)** - Permits small businesses to qualify for loans from NJEDA for costs of energy audit and making energy efficiency or conservation improvements
- **A-945/S-2402 (Singleton, Lampitt, Schaer, Wimberly, Garcia/Rice, Turner)** - Establishes New Jersey Council on Responsible Fatherhood and Responsible Fatherhood Fund
- **A-964/S-187 (Singleton, DeAngelo, Quijano, Coughlin, Moriarty/Whelan, Madden)** - Requires certain bidders for prevailing wage public work to provide proof that the prevailing wage will be paid
- **A-986/S-247 (Andrzejczak, Benson, Danielsen, Moriarty/Van Drew, Cunningham)** - Establishes telemarketing fraud investigation unit
- **A-1035/S-2040 (Benson, Rible, A.M. Bucco/Scutari, Cardinale)** - Prohibits health insurance carriers from requiring optometrists to become providers with vision care plans as condition of becoming providers in carriers' panel of providers
- **A-1039/S-2310 (Benson, Prieto, Caride, Quijano/Sacco, Greenstein)** - Sets forth certain standards to be followed by law enforcement agencies and fire departments when utilizing drones
- **A-1431/S-1501 (Caride, Singleton, Jasey/Bateman, Addiego)** - Requires State Board of Education regulations regarding school nurse certification to include certain minimum eligibility requirements
- **A-1849/S-1766 (Lampitt, Spencer/Rice)** - Prohibits State Board of Education from limiting number of certain two-year college credits that may be applied towards meeting teacher certification requirements
- **A-2026/S-3317 (Greenwald, Pintor Marin/Sweeney, Oroho)** - Realigning the transfer inheritance tax payment due date to coincide with the payment due dates for State and federal estate taxes
- **A-2583 (DeAngelo, Pintor Marin)** - Requires development of fact sheet about bedbugs to be posted on the Department of Education's website
- **A-2586/S-1796 (DeAngelo, Quijano, Benson/Greenstein)** - Establishes "Energy Infrastructure Study Commission"

- **A-2925/S-1033 (Lagana, O'Scanlon, Burzichelli, Garcia/Weinberg, Oroho, Van Drew)** - Allows modernization for the form of disbursement for certain State government and local unit payments to individuals and business entities
- **A-3460/S-2191 (Conaway, Pinkin, Sumter, Casagrande, Wimberly/Vitale, Cruz-Perez)** - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes
- **A-3806/S-2493 (Singleton, Dancer, Mosquera, Benson/Sweeney, Weinberg)** - Establishes four-year pilot program in Ocean County for electronic monitoring of certain domestic violence offenders; designated as "Lisa's Law"; appropriates \$2.5 million
- **A-4182/S-1995 (Eustace, Sumter, Wimberly, Danielsen, Jimenez/Bateman, Smith)** - Prohibits firearm possession by persons convicted of carjacking, gang criminality, racketeering and terroristic threats
- **A-4271/S-3036 (Conaway, Benson, Pinkin, Wimberly/Vitale, Greenstein)** - Mandates health benefits coverage for opioid analgesics with abuse-deterrent properties
- **A-4343/S-2888 (Schaer, Prieto, Sumter, Danielsen, Johnson/Turner)** - Requires county and municipal police departments to establish cultural diversity training course and plan
- **A-4384/S-3145 (DeAngelo, Pintor Marin, Danielsen, Schaer, Johnson/Whelan)** - Requires BPU to render decision on case within 12 months of final public hearing or hold another public hearing prior to deciding case
- **ACS for A-4576/S-1771 (Johnson, Wimberly, Spencer, Tucker/Turner)** - Requires lowest possible price not exceeding certain cap for inmate telephone calls
- **A-4616/S-2958 (Giblin, DeAngelo, Mukherji/Sweeney)** - Extends by two months seasonal retail consumption alcoholic beverage license
- **A-4652/S-3065 (Benson/Gordon)** - Requires Public Health Counsel to promulgate rules and regulations for use of quality control programs in bio-analytical and clinical laboratories
- **A-4763/SS for SCS for S-2973 (McKeon, Spencer, Pinkin/Smith, Bateman, Greenstein, Codey)** - Revises "Electronic Waste Management Act"
- **A-4772/S-3169 (Burzichelli/Weinberg)** - Permits counties to impose one-percent hotel tax
- **A-4773/S-3146 (Eustace, Garcia, Gusciora/Lesniak)** - Prohibits possession and transport of parts and products of certain animals at PANYNJ airports and port facilities
- **A-4918/S-3301 (Gusciora, S. Kean/Sweeney, Singer)** - Clarifies stadiums and arenas owned by local government entities are exempt from property taxation
- **A-4931/S-3325 (Mazzeo/Sweeney)** - Revises "Casino Property Tax Stabilization Act"

• **NO ACTION TAKEN ON BILLS:**

• **A-3981wGR/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan)** - "Casino Property Taxation Stabilization Act"

• **A-3984wGR/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan)** - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

• **A-3985wGR/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan)** - Removes provisions of law relating to Atlantic City Alliance

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