

24:6I-49
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2022 **CHAPTER:** 48

NJSA: 26:6I-49 (Concerns economic incentives for certain cannabis businesses..)

BILL NO: S2945 (Substituted for A4392)

SPONSOR(S) Nicholar P. Scutari and others

DATE INTRODUCED: 6/27/2022

COMMITTEE: **ASSEMBLY:** ---

SENATE: Budget & Appropriations

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/29/2022

SENATE: 6/29/2022

DATE OF APPROVAL: 6/30/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

S2945

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4392

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njestatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

Also of possible interest:

Public hearing before Senate Judiciary Committee: "The Committee will meet to hear testimony from invited guests on issues concerning the implementation of recreational cannabis in New Jersey,"
May 12, 2022

Library call number: 974.90 c234, 2022a

Available online at <https://dspace.njestatelib.org/handle/10929/95223>

P.L. 2022, CHAPTER 48, *approved June 30, 2022*

Senate, No. 2945

1 AN ACT concerning economic incentives for certain cannabis
2 businesses and amending P.L.2021, c.16.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 37 of P.L.2021, c.16 (C.24:6I-49) is amended to read
8 as follows:

9 37. Business Treatment of Cannabis Establishments,
10 Distributors, and Delivery Services.

11 With respect to the business treatment of cannabis
12 establishments, distributors, and delivery services:

13 a. A financial institution, as defined by section 2 of P.L.1983,
14 c.466 (C.17:16K-2), shall not, subject to the suspension or
15 revocation of a charter or other available enforcement action by the
16 Commissioner of Banking and Insurance, engage in any
17 discriminatory activities with respect to the banking activities of a
18 cannabis establishment, distributor, or delivery service, or the
19 banking activities of a person associated with a cannabis
20 establishment, distributor, or delivery service.

21 b. (1) In no case shall a cannabis cultivator operate or be
22 located on land that is valued, assessed or taxed as an agricultural or
23 horticultural use pursuant to the "Farmland Assessment Act of
24 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.).

25 (2) **[As used in this paragraph, "State or local economic**
26 **incentive" means a financial incentive, awarded by the State, any**
27 **political subdivision of the State, or any agency or instrumentality**
28 **of the State or political subdivision of the State, to any non-**
29 **governmental person, association, for-profit or non-profit**
30 **corporation, joint venture, limited liability company, partnership,**
31 **sole proprietorship, or other form of business organization or entity,**
32 **or agreed to between the government and non-governmental parties,**
33 **for the purpose of stimulating economic development or**
34 **redevelopment in New Jersey, including, but not limited to, a bond,**
35 **grant, loan, loan guarantee, matching fund, tax credit, or other tax**
36 **expenditure.]**

37 (a) (i) A person or entity issued a license to operate as a cannabis
38 cultivator, cannabis manufacturer, cannabis wholesaler, cannabis
39 distributor, cannabis retailer, or cannabis delivery service, or that
40 employs a certified personal use cannabis handler to perform work

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 for or on behalf of a cannabis establishment, distributor, or delivery
2 service shall not be eligible for a State or local economic incentive.

3 (ii) The issuance of a license to operate as a cannabis cultivator,
4 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
5 cannabis retailer, or cannabis delivery service, or the issuance of a
6 certification to perform work for or on behalf of a cannabis
7 establishment, distributor, or delivery service to a person or entity
8 that has been awarded a State or local economic incentive shall
9 invalidate the right of the person or entity to benefit from the
10 economic incentive as of the date of issuance of the license or
11 certification.

12 (b) (i) A property owner, developer, or operator of a project to be
13 used, in whole or in part, by or to benefit a cannabis cultivator,
14 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
15 cannabis retailer, or cannabis delivery service, or to employ a
16 certified personal use cannabis handler to perform work for or on
17 behalf of a cannabis establishment, distributor, or delivery service,
18 shall not be eligible for a State or local economic incentive during
19 the period of time that the economic incentive is in effect.

20 (ii) The issuance of a license to operate as a cannabis cultivator,
21 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
22 cannabis retailer, or cannabis delivery service, or issuance of a
23 certification to perform work for or on behalf of a cannabis
24 establishment, distributor, or delivery service at a location that is
25 the subject of a State or local economic incentive shall invalidate
26 the right of a property owner, developer, or operator to benefit from
27 the economic incentive as of the date of issuance of the license or
28 certification.

29 c. As used in this section:

30 (1) “Small business” means any business which has its principal
31 place of business in this State, is independently owned and
32 operated, and employs the equivalent of fewer than 250 full-time
33 employees.

34 (2) “State or local economic incentive” means a financial
35 incentive awarded by the State pursuant to the “New Jersey
36 Economic Recovery Act of 2020,” P.L.2020, c.156 (C.34:1B-269 et
37 al.), any political subdivision of the State, or any agency or
38 instrumentality of a political subdivision of the State, to any non-
39 governmental person, association, for-profit or non-profit
40 corporation, joint venture, limited liability company, partnership,
41 sole proprietorship, or other form of business organization or entity
42 agreed to between the government and non-governmental parties,
43 for the purpose of stimulating economic development or
44 redevelopment in New Jersey including, but not limited to, a bond,
45 grant, loan, loan guarantee, matching fund, tax credit, or other tax
46 expenditure. “State or local economic incentive” shall not include:

47 (a) financial incentives awarded pursuant to a program created
48 by the New Jersey Economic Development Authority for the

1 purpose of providing financial or technical assistance to a
2 prospective or licensed cannabis cultivator, cannabis manufacturer,
3 cannabis wholesaler, cannabis distributor, cannabis retailer, or
4 cannabis delivery service that qualifies as a small business if the
5 program created by the authority:

6 (i) requires a portion of any funds made available under the
7 program to be reserved for businesses operating within an impact
8 zone as defined in paragraph (1) of subsection e. of section 19 of
9 P.L.2021, c.16 (C.24:6I-36); or

10 (ii) is funded in whole or in part through an appropriation of
11 monies derived from the Social Equity Excise Fee pursuant to
12 section 39 of P.L.2021, c.16 (C.54:47F-1) and provides that the
13 monies appropriated from the Social Equity Excise Fee shall be
14 restricted to businesses operating within an impact zone as defined
15 in paragraph (1) of subsection e. of section 19 of P.L.2021, c.16
16 (C.24:6I-36); and

17 (b) funding made available by the Department of Labor and
18 Workforce Development for on-the-job training.

19 (cf: P.L.2021, c.16, s.37)

20
21 2. This act shall take effect immediately.

22 23 24 STATEMENT

25
26 This bill concerns economic incentives for certain cannabis
27 businesses.

28 Under current law, certain persons and entities that are issued a
29 license to operate as a cannabis cultivator, manufacturer,
30 wholesaler, distributor, retailer, or delivery service; and property
31 owners, developers, and operators of projects that are to be used to
32 benefit these licensees are prohibited from receiving certain State or
33 local economic incentives. The provisions of the bill provide that
34 these exclusions do not apply to certain cannabis businesses,
35 enabling them to receive the economic incentives.

36 Under the bill, the definition of “State or local economic
37 incentive” is amended to exclude from the definition:

- 38 • financial incentives awarded pursuant to a program created
39 by the New Jersey Economic Development Authority for the
40 purpose of providing financial or technical assistance to a
41 prospective or licensed cannabis cultivator, cannabis
42 manufacturer, cannabis wholesaler, cannabis distributor,
43 cannabis retailer, or cannabis delivery service that qualifies
44 as a small business if the program created by the authority:
45 (1) requires a portion of any funds made available under the
46 program to be reserved for businesses operating within an
47 impact zone, and (2) is funded in whole or in part through
48 monies derived from the Social Equity Excise Fee and

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4

1 provides that the monies appropriated from the Social Equity
2 Excise Fee are to be restricted to businesses operating within
3 an impact zone; and

- 4 • funding made available by the Department of Labor and
5 Workforce Development for on-the-job training.

6 The bill defines “small business” to mean any business which
7 has its principal place of business in this State, is independently
8 owned and operated, and employs the equivalent of fewer than 250
9 full-time employees.

10

11

12

13

14 _____
Concerns economic incentives for certain cannabis businesses.

SENATE, No. 2945

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 27, 2022

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

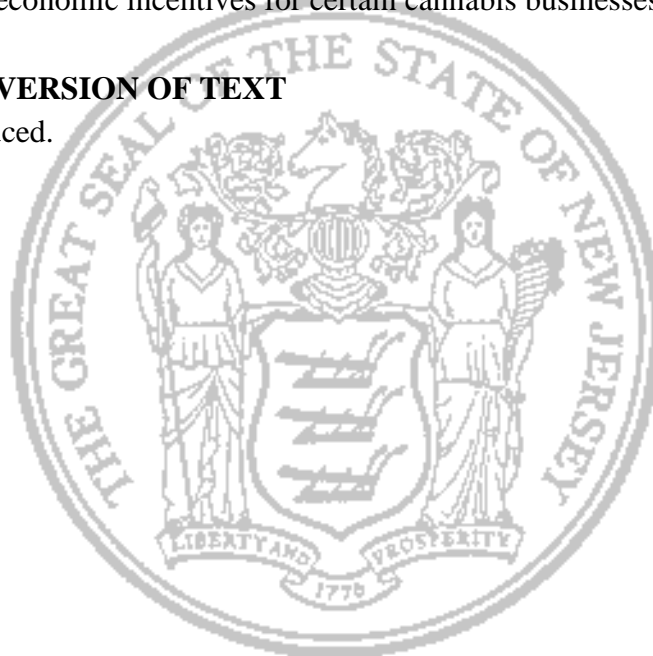
Assemblywoman Reynolds-Jackson

SYNOPSIS

Concerns economic incentives for certain cannabis businesses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

S2945 SCUTARI

2

1 AN ACT concerning economic incentives for certain cannabis
2 businesses and amending P.L.2021, c.16.

3

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

6

7 1. Section 37 of P.L.2021, c.16 (C.24:6I-49) is amended to read
8 as follows:

9 37. Business Treatment of Cannabis Establishments,
10 Distributors, and Delivery Services.

11 With respect to the business treatment of cannabis
12 establishments, distributors, and delivery services:

13 a. A financial institution, as defined by section 2 of P.L.1983,
14 c.466 (C.17:16K-2), shall not, subject to the suspension or
15 revocation of a charter or other available enforcement action by the
16 Commissioner of Banking and Insurance, engage in any
17 discriminatory activities with respect to the banking activities of a
18 cannabis establishment, distributor, or delivery service, or the
19 banking activities of a person associated with a cannabis
20 establishment, distributor, or delivery service.

21 b. (1) In no case shall a cannabis cultivator operate or be located
22 on land that is valued, assessed or taxed as an agricultural or
23 horticultural use pursuant to the "Farmland Assessment Act of
24 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.).

25 (2) **【**As used in this paragraph, "State or local economic
26 incentive" means a financial incentive, awarded by the State, any
27 political subdivision of the State, or any agency or instrumentality
28 of the State or political subdivision of the State, to any non-
29 governmental person, association, for-profit or non-profit
30 corporation, joint venture, limited liability company, partnership,
31 sole proprietorship, or other form of business organization or entity,
32 or agreed to between the government and non-governmental parties,
33 for the purpose of stimulating economic development or
34 redevelopment in New Jersey, including, but not limited to, a bond,
35 grant, loan, loan guarantee, matching fund, tax credit, or other tax
36 expenditure.**】**

37 (a) (i) A person or entity issued a license to operate as a cannabis
38 cultivator, cannabis manufacturer, cannabis wholesaler, cannabis
39 distributor, cannabis retailer, or cannabis delivery service, or that
40 employs a certified personal use cannabis handler to perform work
41 for or on behalf of a cannabis establishment, distributor, or delivery
42 service shall not be eligible for a State or local economic incentive.

43 (ii) The issuance of a license to operate as a cannabis cultivator,
44 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
45 cannabis retailer, or cannabis delivery service, or the issuance of a

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 certification to perform work for or on behalf of a cannabis
2 establishment, distributor, or delivery service to a person or entity
3 that has been awarded a State or local economic incentive shall
4 invalidate the right of the person or entity to benefit from the
5 economic incentive as of the date of issuance of the license or
6 certification.

7 (b) (i) A property owner, developer, or operator of a project to be
8 used, in whole or in part, by or to benefit a cannabis cultivator,
9 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
10 cannabis retailer, or cannabis delivery service, or to employ a
11 certified personal use cannabis handler to perform work for or on
12 behalf of a cannabis establishment, distributor, or delivery service,
13 shall not be eligible for a State or local economic incentive during
14 the period of time that the economic incentive is in effect.

15 (ii) The issuance of a license to operate as a cannabis cultivator,
16 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
17 cannabis retailer, or cannabis delivery service, or issuance of a
18 certification to perform work for or on behalf of a cannabis
19 establishment, distributor, or delivery service at a location that is
20 the subject of a State or local economic incentive shall invalidate
21 the right of a property owner, developer, or operator to benefit from
22 the economic incentive as of the date of issuance of the license or
23 certification.

24 c. As used in this section:

25 (1) “Small business” means any business which has its principal
26 place of business in this State, is independently owned and
27 operated, and employs the equivalent of fewer than 250 full-time
28 employees.

29 (2) “State or local economic incentive” means a financial
30 incentive awarded by the State pursuant to the “New Jersey
31 Economic Recovery Act of 2020,” P.L.2020, c.156 (C.34:1B-269 et
32 al.), any political subdivision of the State, or any agency or
33 instrumentality of a political subdivision of the State, to any non-
34 governmental person, association, for-profit or non-profit
35 corporation, joint venture, limited liability company, partnership,
36 sole proprietorship, or other form of business organization or entity
37 agreed to between the government and non-governmental parties,
38 for the purpose of stimulating economic development or
39 redevelopment in New Jersey including, but not limited to, a bond,
40 grant, loan, loan guarantee, matching fund, tax credit, or other tax
41 expenditure. “State or local economic incentive” shall not include:

42 (a) financial incentives awarded pursuant to a program created
43 by the New Jersey Economic Development Authority for the
44 purpose of providing financial or technical assistance to a
45 prospective or licensed cannabis cultivator, cannabis manufacturer,
46 cannabis wholesaler, cannabis distributor, cannabis retailer, or
47 cannabis delivery service that qualifies as a small business if the
48 program created by the authority:

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1 (i) requires a portion of any funds made available under the
2 program to be reserved for businesses operating within an impact
3 zone as defined in paragraph (1) of subsection e. of section 19 of
4 P.L.2021, c.16 (C.24:6I-36); or

5 (ii) is funded in whole or in part through an appropriation of
6 monies derived from the Social Equity Excise Fee pursuant to
7 section 39 of P.L.2021, c.16 (C.54:47F-1) and provides that the
8 monies appropriated from the Social Equity Excise Fee shall be
9 restricted to businesses operating within an impact zone as defined
10 in paragraph (1) of subsection e. of section 19 of P.L.2021, c.16
11 (C.24:6I-36); and

12 (b) funding made available by the Department of Labor and
13 Workforce Development for on-the-job training.

14 (cf: P.L.2021, c.16, s.37)

15

16 2. This act shall take effect immediately.

17

18

19

STATEMENT

20

21 This bill concerns economic incentives for certain cannabis
22 businesses.

23 Under current law, certain persons and entities that are issued a
24 license to operate as a cannabis cultivator, manufacturer,
25 wholesaler, distributor, retailer, or delivery service; and property
26 owners, developers, and operators of projects that are to be used to
27 benefit these licensees are prohibited from receiving certain State or
28 local economic incentives. The provisions of the bill provide that
29 these exclusions do not apply to certain cannabis businesses,
30 enabling them to receive the economic incentives.

31 Under the bill, the definition of “State or local economic
32 incentive” is amended to exclude from the definition:

33 • financial incentives awarded pursuant to a program created
34 by the New Jersey Economic Development Authority for the
35 purpose of providing financial or technical assistance to a
36 prospective or licensed cannabis cultivator, cannabis
37 manufacturer, cannabis wholesaler, cannabis distributor,
38 cannabis retailer, or cannabis delivery service that qualifies
39 as a small business if the program created by the authority:
40 (1) requires a portion of any funds made available under the
41 program to be reserved for businesses operating within an
42 impact zone, and (2) is funded in whole or in part through
43 monies derived from the Social Equity Excise Fee and
44 provides that the monies appropriated from the Social Equity
45 Excise Fee are to be restricted to businesses operating within
46 an impact zone; and

47 • funding made available by the Department of Labor and
48 Workforce Development for on-the-job training.

S2945 SCUTARI

5

1 The bill defines “small business” to mean any business which
2 has its principal place of business in this State, is independently
3 owned and operated, and employs the equivalent of fewer than 250
4 full-time employees.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2945

STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2945.

This bill concerns economic incentives for certain cannabis businesses.

Under current law, certain persons and entities that are issued a license to operate as a cannabis cultivator, manufacturer, wholesaler, distributor, retailer, or delivery service; and property owners, developers, and operators of projects that are to be used to benefit these licensees are prohibited from receiving certain State or local economic incentives. The provisions of the bill provide that these exclusions do not apply to certain cannabis businesses, enabling them to receive the economic incentives.

Under the bill, the definition of “State or local economic incentive” is amended to exclude from the definition:

- financial incentives awarded pursuant to a program created by the New Jersey Economic Development Authority for the purpose of providing financial or technical assistance to a prospective or licensed cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that qualifies as a small business if the program created by the authority: (1) requires a portion of any funds made available under the program to be reserved for businesses operating within an impact zone, or (2) is funded in whole or in part through monies derived from the Social Equity Excise Fee and provides that the monies appropriated from the Social Equity Excise Fee are to be restricted to businesses operating within an impact zone; and
- funding made available by the Department of Labor and Workforce Development for on-the-job training.

The bill defines “small business” to mean any business which has its principal place of business in this State, is independently owned and operated, and employs the equivalent of fewer than 250 full-time employees.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

ASSEMBLY, No. 4392

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 27, 2022

Sponsored by:

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

SYNOPSIS

Authorizes technical assistance for cannabis businesses and economic incentives for certain businesses operating in impact zones.

CURRENT VERSION OF TEXT

As introduced.



A4392 PINTOR MARIN

2

1 AN ACT concerning the business treatment of cannabis
2 establishments and amending P.L.2021, c.16.

3

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

6

7 1. Section 37 of P.L.2021, c.16 (C.24:6I-49) is amended to read
8 as follows:

9 37. Business Treatment of Cannabis Establishments,
10 Distributors, and Delivery Services.

11 With respect to the business treatment of cannabis
12 establishments, distributors, and delivery services:

13 a. A financial institution, as defined by section 2 of P.L.1983,
14 c.466 (C.17:16K-2), shall not, subject to the suspension or
15 revocation of a charter or other available enforcement action by the
16 Commissioner of Banking and Insurance, engage in any
17 discriminatory activities with respect to the banking activities of a
18 cannabis establishment, distributor, or delivery service, or the
19 banking activities of a person associated with a cannabis
20 establishment, distributor, or delivery service.

21 b. (1) **[In no case shall a cannabis cultivator operate or be**
22 **located on land that is valued, assessed or taxed as an agricultural or**
23 **horticultural use pursuant to the "Farmland Assessment Act of**
24 **1964," P.L.1964, c.48 (C.54:4-23.1 et seq.).]** A cannabis cultivator
25 shall not operate or be located on land that is valued, assessed or
26 taxed as an agricultural or horticultural use pursuant to the
27 "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et
28 seq.).

29 (2) As used in this paragraph, "State or local economic
30 incentive" means a financial incentive, awarded by the State, any
31 political subdivision of the State, or any agency or instrumentality
32 of the State or political subdivision of the State, to any non-
33 governmental person, association, for-profit or non-profit
34 corporation, joint venture, limited liability company, partnership,
35 sole proprietorship, or other form of business organization or entity,
36 or agreed to between the government and non-governmental parties,
37 for the purpose of stimulating economic development or
38 redevelopment in New Jersey, including, but not limited to, a bond,
39 grant, loan, loan guarantee, matching fund, tax credit, or other tax
40 expenditure. "State or local economic incentive" shall not include
41 technical assistance.

42 (a) (i) A person or entity issued a license to operate as a cannabis
43 cultivator, cannabis manufacturer, cannabis wholesaler, cannabis
44 distributor, cannabis retailer, or cannabis delivery service, or that

**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 employs a certified personal use cannabis handler to perform work
2 for or on behalf of a cannabis establishment, distributor, or delivery
3 service shall not be eligible for a State or local economic incentive.

4 (ii) The issuance of a license to operate as a cannabis cultivator,
5 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
6 cannabis retailer, or cannabis delivery service, or the issuance of a
7 certification to perform work for or on behalf of a cannabis
8 establishment, distributor, or delivery service to a person or entity
9 that has been awarded a State or local economic incentive shall
10 invalidate the right of the person or entity to benefit from the
11 economic incentive as of the date of issuance of the license or
12 certification.

13 The provisions of this subparagraph shall not apply to a person
14 who is the owner of or an entity that is a minority business or
15 women's business as those terms are defined in section 2 of
16 P.L.1986, c.195 (C.52:27H-21.18), or a disabled veterans' business
17 as defined in section 2 of P.L.2015, c.116 (C.52:32-31.2), if the
18 business operates within an impact zone as defined in paragraph (1)
19 of subsection e. of section 19 of P.L.2021, c.16 (C.24:6I-36).

20 (b) (i) A property owner, developer, or operator of a project to be
21 used, in whole or in part, by or to benefit a cannabis cultivator,
22 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
23 cannabis retailer, or cannabis delivery service, or to employ a
24 certified personal use cannabis handler to perform work for or on
25 behalf of a cannabis establishment, distributor, or delivery service,
26 shall not be eligible for a State or local economic incentive during
27 the period of time that the economic incentive is in effect.

28 (ii) The issuance of a license to operate as a cannabis cultivator,
29 cannabis manufacturer, cannabis wholesaler, cannabis distributor,
30 cannabis retailer, or cannabis delivery service, or issuance of a
31 certification to perform work for or on behalf of a cannabis
32 establishment, distributor, or delivery service at a location that is
33 the subject of a State or local economic incentive shall invalidate
34 the right of a property owner, developer, or operator to benefit from
35 the economic incentive as of the date of issuance of the license or
36 certification.

37 The provisions of this subparagraph shall not apply to a property
38 owner, developer, or operator who is the owner of a minority
39 business or women's business as those terms are defined in section
40 2 of P.L.1986, c.195 (C.52:27H-21.18), or a disabled veterans'
41 business as defined in section 2 of P.L.2015, c.116 (C.52:32-31.2),
42 if the business operates within an impact zone as defined in
43 subsection e. of section 19 of P.L.2021, c.16 (C.24:6I-36).

44 (cf: P.L.2021, c.16, s.37)

45

46 2. This act shall take effect immediately.

1 STATEMENT

2

3 This bill permits technical assistance to be provided to certain
4 cannabis businesses in the State and economic incentives to be
5 provided to minority, women's, and disabled veterans' cannabis
6 businesses operating in impact zones.

7 Under current law, certain persons and entities that are issued a
8 license to operate as a cannabis cultivator, manufacturer,
9 wholesaler, distributor, retailer, or delivery service; and property
10 owners, developers, and operators of projects that are to be used to
11 benefit these licensees are prohibited from receiving certain State or
12 local economic incentives. The provisions of the bill provide that
13 these exclusions do not apply to persons who are owners of or
14 entities that are minority businesses, women's businesses, or
15 disabled veterans' businesses operating in impact zones. The bill
16 also clarifies that technical assistance provided to a person or entity
17 under the bill is not to be considered a State or local economic
18 incentive.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 4392

STATE OF NEW JERSEY

DATED: JUNE 27, 2022

The Assembly Budget Committee reports favorable an Assembly Committee Substitute for Assembly Bill No. 4392.

As reported by the committee, this Assembly Committee Substitute for Assembly Bill No. 4392 concerns economic incentives for certain cannabis businesses.

Under current law, certain persons and entities that are issued a license to operate as a cannabis cultivator, manufacturer, wholesaler, distributor, retailer, or delivery service; and property owners, developers, and operators of projects that are to be used to benefit these licensees are prohibited from receiving certain State or local economic incentives. The provisions of the committee substitute provide that these exclusions do not apply to certain cannabis businesses, enabling them to receive the economic incentives.

Under the committee substitute, the definition of “State or local economic incentive” is amended to exclude from the definition:

- financial incentives awarded pursuant to a program created by the New Jersey Economic Development Authority for the purpose of providing financial or technical assistance to a prospective or licensed cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that qualifies as a small business if the program created by the authority: (1) requires a portion of any funds made available under the program to be reserved for businesses operating within an impact zone, or (2) is funded in whole or in part through monies derived from the Social Equity Excise Fee and provides that the monies appropriated from the Social Equity Excise Fee are to be restricted to businesses operating within an impact zone; and
- funding made available by the Department of Labor and Workforce Development for on-the-job training.

The committee substitute defines “small business” to mean any business which has its principal place of business in this State, is independently owned and operated, and employs the equivalent of fewer than 250 full-time employees.

As reported by the committee, this committee substitute is identical to Senate Bill No. 2945.

Governor Phil Murphy

Governor Murphy Takes Action on Legislation

06/30/2022

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

2944/A-4162 (Sarlo, Ruiz/Freiman, Mosquera, Jaffer, Moriarty, Tully, Swain) - Credits \$5.2 billion to “New Jersey Debt Defeasance and Prevention Fund”; appropriates \$2.9 billion to NJ Schools Development Authority, NJ DOT, and NJT; and establishes process for authorizing future appropriations for debt defeasance and capital projects

S-1929/A-3668 (Gopal, Pennacchio/McKeon, Tully, Conaway) - Makes FY 2022 supplemental appropriation to provide State military impact aid to certain school districts

A-4403/S-2915 (Pintor Marin, Wimberly/Sarlo, Cunningham) - Makes FY 2022 supplemental appropriations of \$71,786,000

ACS for A-1522/S-2914 (Moriarty, Mosquera, Jaffer, Freiman, Lampitt, Greenwald/Madden, Gopal) - Establishes annual sales tax holiday for certain retail sales of computers, school computer supplies, school supplies, school art supplies, school instructional materials and sport or recreational equipment.

A-4401/S-2860 (Jaffer, Moriarty, Tully/Gopal, Pou) - Provides one-year waiver of certain MVC fees imposed for driver’s licenses and non-driver identification cards.

S-2861/A-4400 (Madden, Pou/Mosquera, Swain, Wimberly) - Waives fees for marriage and civil union licenses in Fiscal Year 2023; appropriates \$2 million

S-2523/ACS for A-3852 (Ruiz, Cunningham/Reynolds-Jackson, Freiman, Jaffer, Moriarty, Mosquera, Wimberly) - Provides child tax credit under gross income tax

S-2476wGR/A-4179 (Ruiz, Vitale/Coughlin, Jasey, Sumter, Quijano) - Establishes Thriving By Three Act to award competitive grants for infant and toddler child care programs; appropriates \$28 million

A-2359/S-2034 (Tucker, Moen, Haider/Cruz-Perez, Pou) - Provides for streamlining of SNAP application process and establishes SNAP application call center; appropriates \$750,000

A-2360/S-2035 (Reynolds-Jackson, Mukherji, Speight/Cunningham, Ruiz) - Eliminates requirement that participation in NJ SNAP Employment and Training Program is mandatory for certain recipients

A-2361/S-2016 (Jimenez, Sumter, Timberlake/Zwicker, Ruiz) - Requires DHS to maintain SNAP outreach plan and to conduct additional outreach programs

A-2362/S-2036 (Freiman, Mosquera, Quijano/Johnson, Ruiz) - Requires DHS to submit federal waiver request regarding time limits for certain SNAP recipients under certain circumstances

A-2363/S-2033 (Stanley, Mejia, Lopez/Pou, Ruiz) - Concerns SNAP services provided at county boards of social services and county welfare agencies; appropriates \$250,000

A-2364/S-2017 (Spearman, Pintor Marin, Atkins/Greenstein, Ruiz) - Appropriates \$813,000 to DHS to implement use of electronic benefit transfer cards in Senior Farmers’ Market Nutrition Program

A-2366/SCS for S-2156 (McKnight, Carter, Verrelli/Lagana, Pou) - Establishes State SNAP Minimum Benefit Program; appropriates \$18 million to DHS

A-2008/S-352 (Conaway, Verrelli, Benson/Gopal, Madden) - Requires health insurance carriers to provide coverage for treatment of mental health conditions and substance use disorders through collaborative care

S-2872/A-4399 (Scutari, Ruiz/Carter, Reynolds-Jackson, Murphy, Wimberly) - Establishes Behavioral Healthcare Provider Loan Redemption Program within Higher Education Student Assistance Authority; appropriates \$5 million

SCS for S-311/ACS for A-2036 (Vitale, Gopal/Benson, Verrelli, Conaway) - Establishes Statewide behavioral health crisis system of care

SCS for S-722 and 785/ACS for A-998 (Codey, Singleton/Reynolds-Jackson, Stanley, Jaffer) - Codifies and expands ARRIVE Together Pilot Program to make certain mental health services available to police responding to certain emergencies; appropriates \$2 million

S-2909/ACS for A-4374 (Diegnan/Benson, Pintor Marin, McKnight) - Authorizes DOT to compensate contractors and subcontractors affected by supply chain shortages; appropriates \$10 million

A-4405/S-2943 (Benson, Wimberly, Moen/Diegnan) - Concerns New Jersey Transportation Trust Fund Authority; increases Transportation Trust Fund spending limit by \$600 million

A-674/S-1646 (Verrelli, McKnight, McKeon/Ruiz, Pou) - Establishes New Jersey Easy Enrollment Health Insurance Program

A-3733/S-488 (Haider, Stanley, Benson/Scutari, Beach) - Authorizes student attending institution of higher education to earn credit towards graduation for serving as poll worker

ACS for A-3990/SCS for S-2593 (Stanley, Tully, Karabinchak/Diegnan, Corrado) - Provides temporary one-year extension of service life of school buses for 2022-2023 school year; authorizes chief administrator to allow one-year extension in subsequent two school years

A-4208/S-2791 (Pintor Marin, Quijano, Speight/Ruiz, Cruz-Perez) - Provides sales and use tax exemption for certain purchases made by all supermarkets and grocery stores located within urban enterprise zones

A2426/S513 (Wimberly, Reynolds-Jackson, Schaer/Cryan, Turner) - Establishes rebuttable presumption of pretrial detention for defendants who commit certain firearm offenses under Graves Act

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S-2917/A-4395 (Cruz-Perez, Stack/Pintor Marin, Freiman, Reynolds-Jackson) - Expands allowance for developers to carry forward unused tax credits under New Jersey Aspire Program

S-2921/A-4365 (Zwicker, Pou/Coughlin, Verrelli, Spearman) - Revises various provisions of Food Desert Relief Program

S-2945/ACS for A-4392 (Scutari/Pintor Marin, Sumter, Quijano, McKnight) - Concerns economic incentives for certain cannabis businesses

S-2023/A-4402 (Sarlo, Cunningham/Pintor Marin, Wimberly) - LINE ITEM - Appropriates \$50,638,729,000 in State funds and \$24,082,639,850 in federal funds for the State budget for fiscal year 2022-2023

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