

CHAPTER 136

AN ACT establishing a “Boardwalk Preservation Fund,” supplementing chapter 27D of Title 52 of the Revised Statutes, and making an appropriation.

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

C.52:27D-521 “Boardwalk Preservation Fund” established, functions; annual report, Governor, Legislature.

1. a. There is established a “Boardwalk Preservation Fund” in the Department of Community Affairs for the purpose of providing grants to counties and municipalities for boardwalk construction, maintenance, reconstruction, and repair projects, including construction, maintenance, reconstruction, and repair projects related to ancillary or appurtenant structures.

b. (1) The department shall develop an application process and promulgate criteria for a county or municipality, individually or jointly, to qualify for a grant. This information shall be disseminated to coastal counties and municipalities in a form and manner to be determined by the department.

(2) The department shall accept and review applications submitted by counties and municipalities and determine whether the application has met the criteria established by the department pursuant to paragraph (1) of this subsection to qualify for a grant.

c. The department shall approve in advance any projects proposed to be funded with grants and enter into an agreement with the county or municipality, as negotiated by the department, for the expenditure or allocation of grant funds and for reporting on expenditures and project outcomes. The award of grants to a county or municipality, individually or jointly, pursuant to this section shall be conditioned upon compliance with the provisions of an agreement approved pursuant to this section, and as determined by the department. As part of an agreement, the department shall require a county, municipal, or joint contribution or expenditure to the project of not less than five percent of the project cost, provided, however, that a grant applicant that has one of the highest 50 distress scores on the 2020 Municipal Revitalization Index shall not be required to make a contribution or expenditure as a condition of receiving a grant from the fund. The department shall award grants based on criteria established by the department pursuant to paragraph (1) of subsection b. of this section. With respect to applicants for which the department requires a county, municipal, or joint contribution or expenditure, criteria shall include a preference for applicants that include a contribution or expenditure that exceeds five percent of the project cost.

d. The department shall submit annual reports to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, related to the awarding of grants pursuant to this section, and related to the expenditure of grant funds and project outcomes.

2. Out of the amounts of federal funds provided or made accessible to the State by the federal “American Rescue Plan Act of 2021,” Pub.L.117-2, there is appropriated to the Department of Community Affairs the sum of \$100,000,000 for the administration of the “Boardwalk Preservation Fund” and the award of grant funding pursuant to section 1 of P.L.2023, c.136 (C.52:27D-521).

3. This act shall take effect immediately.

Approved August 15, 2023.