

## CHAPTER 159

AN ACT concerning municipal land banking and online mapping, and amending P.L.1960, c.183 and P.L.1971, c.199, and amending and supplementing P.L.1992, c.79.

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

C.40A:12A-74 Short title.

1. Sections 1 through 16 of P.L.2019, c.159 (C.40A:12A-74 et seq.) shall be known and may be cited as the “New Jersey Land Bank Law.”

C.40A:12A-75 Findings, declarations relative to municipal land banking and online mapping.

2. The Legislature finds and declares that:

a. Difficult economic conditions coupled with the continued high rate of foreclosures have significantly increased the number of vacant, abandoned, and other problem properties in the State’s municipalities, particularly its older cities;

b. The continued presence and proliferation of these vacant, abandoned, and other problem properties in the communities of this State has a negative effect on the public health and welfare, reduces property values and municipal revenues, and impedes the economic development and revitalization of the State’s municipalities, particularly its older cities;

c. At present, many vacant, abandoned and other problem properties, rather than being productively reused, remain vacant despite frequent changes in ownership, and continue to have a blighting effect on their surroundings;

d. The State’s municipalities can benefit from more effective tools to control the inventory of vacant, abandoned, and other problem properties, in order to both minimize the harm that they do in their present condition and to facilitate their restoration to productive use;

e. In order to most effectively engage the local community in identifying problem properties, the State’s municipalities can also benefit from the publication of interactive online mapping databases of vacant and abandoned properties;

f. To ensure that land banking activities are conducted in an honest and open manner, the public can also benefit from the inclusion of properties subject to land banking agreements within the interactive online mapping databases regardless of whether or not such properties are vacant and abandoned;

g. It is in the best interest of this State to allow municipalities to designate single entities to act on their behalf to acquire, maintain, and convey, lease and otherwise dispose of vacant, abandoned and problem properties, in order to carry out strategies to ensure that the reuse of these properties provides the greatest long-term benefit to the physical, social and economic condition of the municipality; and

h. It is, therefore, appropriate to identify land banking, and associated land banking activities, including those involving site improvements and the preparation of property for productive reuse, as a public purpose, and to permit a municipality to provide tax-exempt status to properties for so long as they are held as land bank properties.

C.40A:12A-76 Definitions relative to municipal land banking and online mapping.

3. As used in sections 3 through 16 of P.L.2019, c.159 (C.40A:12A-76 through C.40A:12A-89):

“Land bank entity” means a public land bank entity or a non-profit land bank entity.

“Land bank property” means property subject to a land banking agreement.

“Land banking agreement” means an agreement between a municipality and a land bank entity to act on behalf of the municipality to hold, maintain and lease or convey property owned by the municipality and not needed for any public purpose.

“Non-profit land bank entity” means a non-profit entity, established pursuant to the “New Jersey Nonprofit Corporation Act,” N.J.S.15A:1-1 et seq., that has entered into a land banking agreement.

“Public land bank entity” means a redevelopment entity that has entered into a land banking agreement. “Redevelopment entity” means either:

(1) A redevelopment entity designated by the municipality pursuant to section 4 of the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-4);

(2) A county improvement authority designated by the municipality to act as a redevelopment entity pursuant to the “county improvement authorities law,” P.L.1960, c.183 (C.40:37A-44 et seq.) for the purpose of entering into a land banking agreement with said entity, without regard to whether the county improvement authority is otherwise acting as a redevelopment entity in the municipality; or

(3) The municipality itself, or one of its departments or agencies, but only if the municipality is executing redevelopment responsibilities directly pursuant to section 4 of P.L.1992, c.79 (C.40A:12A-4). In such cases, the designated redevelopment entity shall not need to adopt separate ordinances or resolutions, as appropriate, for the purpose of adopting a land banking agreement or amendments pursuant to subsections d. and e. of section 5 of P.L.2019, c.159 (C.40A:12A-78) and the adoption of one ordinance to create the land banking agreement, and one ordinance for each amendment thereto shall suffice. Termination notice requirements, prescribed by section 14 of P.L.2019, c.159 (C.40A:12A-87), also shall not be necessary.

“Trust agreement” means an agreement between a municipality and land bank entity, pursuant to subsection f. of section 5 of P.L.2019, c.159 (C.40A:12A-78).

#### C.40A:12A-77 Agreement with redevelopment entity.

4. a. A municipality may enter into a land banking agreement with a redevelopment entity, and designate the redevelopment entity as its land bank entity.

b. A municipality may enter into a land banking agreement with a non-profit entity so long as the by-laws of the non-profit entity provide that the chief financial officer of the municipality serves on the board of the non-profit entity, ex officio.

#### C.40A:12A-78 Responsibilities of land bank entity.

5. a. A land banking agreement shall establish the responsibilities of the land bank entity and shall specify the terms and conditions under which the land bank entity may acquire property on behalf of the municipality, demolish and otherwise clear buildings and conduct other site improvements located on the property, maintain and secure the property, conduct other activities on the property, and, notwithstanding the provisions of the “Local Lands and Buildings Law,” P.L.1971, c.199 (C.40A:12-1 et seq.), lease or convey property held on behalf of the municipality. The land banking agreement also shall provide for such municipal oversight of the land bank entity as the municipality deems necessary and appropriate and shall establish the manner in which any costs and revenues, including proceeds of the sale or leasing of land bank property shall be distributed. The land bank entity shall not lease any land bank property for an individual term of more than 99 years. Land bank property that is leased or conveyed by a land bank entity, shall be subject to ordinances adopted pursuant to the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1

et seq.), any redevelopment plan enacted pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et al.), and other applicable State statutes following the lease or conveyance.

b. Prior to submission of the land banking agreement for approval by the municipal governing body, the municipality shall hold a public meeting to solicit the advice of the public on the substance and intent of the land banking agreement.

c. The ordinance comprising the land banking agreement shall include findings establishing the need for land bank activity in the municipality, the public purpose that the municipality intends the land bank entity to pursue, and the qualifications of the land bank entity to carry out the responsibilities established pursuant to P.L.2019, c.159 (C.40A:12A-74 et al.).

d. The land banking agreement shall be adopted by an ordinance of the governing body of the municipality and by resolution of the governing body of the land bank entity.

e. The land banking agreement may be amended at any time by ordinance of the governing body of the municipality and by resolution of the governing body or board, as appropriate, of the land bank entity.

f. Through entrance into a land banking agreement, a municipality may authorize a land bank entity to hold property in trust on behalf of the municipality. The land banking agreement shall establish whether a trust agreement shall provide authorization to the land bank entity to convey property, lease property, and conduct other land banking activities without municipal authorization for each individual conveyance, and other action. If provided in the land banking agreement, each trust agreement shall provide the land bank entity with all the powers of property ownership, subject to the potential termination of the land banking agreement pursuant to section 14 of P.L.2019, c.159 (C.40A:12A-87).

g. A land bank entity is not subject to the requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.) in association with a land banking agreement or with contracts entered by the land bank entity in association with the land banking agreement. Public bidding is not necessary to enter into a land banking agreement, or, unless otherwise stated in the land banking agreement, for contracts entered into by the land bank entity in association with the land banking agreement.

C.40A:12A-79 Land bank entity to act on behalf of municipality.

6. Pursuant to the land banking agreement or any subsequent amendment thereto, the land bank entity may be designated by the municipality to:

a. acquire properties on its behalf through contribution, gift, grant, bequest, purchase or otherwise, whether or not the property is located in an area designated as a redevelopment area or an area in need of rehabilitation; and

b. act as its agent, or in place of its municipal officer, with respect to acquisition of property, including but not limited to purchase of tax and other liens, foreclosure of tax and other liens, and individual abandoned property takings pursuant to paragraph (2) of subsection c. of section 37 of the “New Jersey Urban Redevelopment Act,” P.L.1996, c.62 (C.55:19-56) on behalf of the municipality and to acquire and hold in trust such properties on behalf of the municipality; provided, however, that nothing in this section shall authorize the use of eminent domain beyond that use already permitted by law.

C.40A:12A-80 Authority of land bank entity to hold properties in trust; disposition of tax liens.

7. a. For purposes of this section, a municipality, through the land banking agreement itself, or through the adoption of a separate ordinance, may authorize the land bank entity to hold in trust on behalf of the municipality any property or properties held by the municipality and not being used for any public purpose, whether or not the property is located in an area designated as a redevelopment area or an area in need of rehabilitation, without public bidding and at such prices and upon such terms as the municipality deems reasonable in accordance with parameters that may be established in the land banking agreement. A trust agreement with the land bank entity shall be conditioned on the municipality's ability to regain control of the properties pursuant to section 14 of P.L.2019, c.159 (C.40A:12A-87).

b. Through the land banking agreement itself, or through the adoption of a separate ordinance, a municipality may assign any tax liens or other liens to the land bank entity, subject to the provisions of R.S.54:5-112 and R.S.54:5-113, except that the liens may be assigned with or without consideration and at such prices and upon such terms as the municipality deems reasonable. If an ordinance adopted pursuant to this subsection permits the land bank entity to retain a portion of the interest payments on one or more tax liens, or the proceeds from one or more sheriff's sales or short sales, or both, then the municipality shall retain the authority to, at any time, by ordinance, restrict the amount of one or both of these funding sources that may be retained by the land bank entity following the date of adoption of the ordinance. The terms of a tax lien assignment pursuant to this subsection shall remain intact, without restriction by a subsequent ordinance, for no less than one year.

C.40A:12A-81 Powers of redevelopment entity.

8. a. To the extent that the statute under which a redevelopment entity was established, section 4 of P.L.1992, c.79 (C.40A:12A-4) or P.L.1960, c.183 (C.40:37A-44 et seq.) in the case of a county improvement authority, confers on that entity the power to borrow funds and incur debt, the redevelopment entity may exercise those powers in furtherance of its land banking obligations subject to the conditions and limitations set forth in section 4 of P.L.1992, c.79 (C.40A:12A-4) or P.L.1960, c.183 (C.40:37A-44 et seq.).

b. To the extent that the statute under which the redevelopment entity was established, section 4 of P.L.1992, c.79 (C.40A:12A-4) or P.L.1960, c.183 (C.40:37A-44 et seq.) in the case of a county improvement authority, provides that the municipality may guarantee its debt or other borrowing, the municipality may also guarantee its debt or other borrowing under the same terms and conditions, in furtherance of the entity's obligations as a land bank entity.

c. The guaranteeing of debt and borrowing of funds permitted under subsections a. and b. of this section only shall be permitted so long as the land banking agreement itself also explicitly permits these actions.

C.40A:12A-82 Terms, conditions for conveyance.

9. In leasing or conveying land bank property, unless the property is part of an area in need of redevelopment, a redevelopment entity shall not be subject to the provisions of section 9 of P.L.1992, c.79 (C.40A:12A-9), but shall be subject to any terms and conditions set forth in the land banking agreement.

C.40A:12A-83 Modifications of land banking agreement.

10. Following entrance into a land banking agreement, the land bank entity may modify its bylaws or other governing documents to address actions taken on land bank property,

including but not limited to, the leasing and conveyance of land bank property so long as such modifications are consistent with the provisions of the land banking agreement.

C.40A:12A-84 Community advisory board.

11. a. Within six months after designation by the municipality, the land bank entity shall create a community advisory board, which shall consist of representatives of recognized community associations and non-profit organizations operating within the municipality, including those associations and organizations active in areas where the land bank entity anticipates holding properties.

b. The land bank entity shall adopt policies and procedures to ensure that the community advisory board is provided with adequate information and opportunity to provide valued input into the decisions of the land bank entity in its capacity as a land bank entity.

c. (1) In coordination with the municipality and the community advisory board, the land bank entity shall, within a reasonable time, create, maintain, and make publicly available on its Internet website, a database listing all current and former land bank properties, each owner of record since each property became a land bank property, and the sales price of each land bank property that has been purchased by the land bank entity on behalf of the municipality. Beginning 30 days after the date on which a land bank entity publishes a database pursuant to this subsection and every six months thereafter, in accordance with the guidance provided by the Division of Local Government Services in the Department of Community Affairs pursuant to subsection e. of this section, the land bank entity shall update those State agencies identified by the division concerning any changes to the database. To the extent that the database includes properties in foreclosure proceedings, and properties foreclosed within the six-month reporting period, the land bank entity shall take reasonable steps to ensure that the information provided is both accurate and consistent with any corresponding information provided by any State agency, or by the Judiciary.

(2) In coordination with the municipality and the community advisory board, the land bank entity is encouraged to incorporate into the online database:

(a) a list of all vacant and abandoned properties within the municipality;

(b) a mechanism to allow the public to offer suggestions concerning what properties should be labeled as vacant and abandoned; and

(c) an interactive mapping component to allow the public to visualize the impact of land banking and the extent of vacant and abandoned properties within the municipality.

d. On an annual basis at minimum, the community advisory board shall report on the accuracy, integrity, accessibility, and comprehensiveness of the database established pursuant to subsection c. of this section. Each annual report shall be accessible to the public through the internet website of the municipality and the land bank entity. The fact that a land bank entity has failed to comply with the database requirement under subsection c. of this section shall be prominently noted in each annual report, but no other penalty shall inure to that failure.

e. The Division of Local Government Services in the Department of Community Affairs shall, within six months of the effective date of P.L.2019, c.159 (C.40A:12A-74 et al.), publish and disseminate a guidebook of good practice for creating and maintaining databases established pursuant to subsection c. of this section.

C.40A:12A-85 Annual report.

12. The land bank entity shall provide an annual report to the municipal governing body and the public describing the properties being held by it as a land bank entity and the activities that it carried out during the year as a land bank entity.

C.40A:12A-86 Exemption from property taxation.

13. The land banking agreement between the municipality and a land bank entity may provide that properties held by the land bank entity in trust on behalf of the municipality pursuant to section 7 of P.L.2019, c.159 (C.40A:12A-80), or acquired by the land bank entity pursuant to section 6 of P.L.2019, c.159 (C.40A:12A-79), are held in trust by the entity on behalf of the municipality for a public purpose and shall be exempt from property taxation until or unless leased or conveyed by the entity on behalf of the municipality or used by the entity for a purpose that is not eligible for exemption from taxation.

C.40A:12A-87 Termination of land banking agreement.

14. a. (1) The municipality may, by ordinance, terminate the land banking agreement at any time, with or without cause, by providing the land bank entity with one year's notice of termination from the date of the adoption of that ordinance.

(2) Termination of the land banking agreement, pursuant to this subsection, shall not affect the status of any transaction properly entered into by the land bank entity prior to termination.

(3) Within 90 days following the date of termination, the land bank entity shall convey and transfer to the municipality possession of all land bank property without consideration; provided, however, that the municipality and the entity may agree to allow the entity to retain possession and control over any properties that are the subject of a pending transaction by the entity until completion of the transaction, and until the end of any lease.

b. With or without one year's notice to the land bank entity, the municipality may, by ordinance, terminate the land banking agreement upon notification of a determination from the county prosecutor, or the municipal counsel, that the land bank entity, or a director or officer of the land bank entity while acting in their official role, has breached an essential duty of the land banking agreement based upon an act or omission:

(1) in violation of the land bank entity's duty of loyalty to the municipality and the general welfare of the residents of the municipality;

(2) involving a knowing violation of criminal law; or

(3) resulting in the receipt by a director or officer of the land bank entity, or by an associate of such person, of an improper personal benefit.

C.40A:12A-88 Land bank entity may act for more than one municipality.

15. A land bank entity may act as a land bank entity for more than one municipality at the same time, subject to the provisions of the "Uniform Shared Services and Consolidation Act," P.L.2007, c.63 (C.40A:65-1 et seq.).

C.40A:12A-89 Payments to municipality.

16. a. (1) A municipal governing body may provide, pursuant to the land banking agreement itself, or pursuant to a separate ordinance that a limited series of annual payments shall be made by the municipality to the land bank entity following one or more fiscal years during which a conveyance of one or more land bank properties from the land bank entity to a private owner occurs. Each payment that a municipality commits to making pursuant to

this subsection shall be anticipated in the municipal budget adopted for the fiscal year during which the payment shall be made.

(2) A payment budgeted pursuant to this subsection shall be limited by the terms of the ordinance, but this payment shall not exceed 50 percent of property taxes or payments in lieu of taxes due and payable in the fiscal year for all properties that had been land bank properties within the 10 fiscal years prior to the fiscal year for which the payment is budgeted. If a property has been conveyed by a land bank entity more than once, then property taxes and payments in lieu of taxes due and payable for that property shall not be applied to increase the annual limitation established pursuant to this paragraph.

(3) An ordinance adopted pursuant to this subsection may only be applied to real property on which no property tax has been paid, or payment in lieu of taxes collected, for at least two years prior to the property becoming a land bank property. Such ordinance may be applied to any individual conveyance, any group of conveyances, or all future conveyances that fit these criteria.

b. The distribution of any proceeds associated with the sales and leasing of land bank property shall be addressed in the land banking agreement itself and in amendments thereto. Distributions to a land bank entity pursuant to this subsection may be made in addition to payments provided pursuant to subsection a. of this section. Proceeds associated with the sales and leasing of land bank property, and all other proceeds obtained by the land bank entity on behalf of the municipality under the ordinance, shall be maintained in one or more accounts, separate from all other accounts maintained by the entity serving as the land bank entity. The account or accounts shall be deemed to be government records and subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known as the open public records act.

c. As used in this section, “conveyance” shall not be construed to include a lease.

17. Section 12 of P.L.1960, c.183 (C.40:37A-55) is amended to read as follows:

C.40:37A-55 Body politic and corporate; powers and duties.

12. Every authority shall be a public body politic and corporate constituting a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public convenience, benefit and welfare and shall have perpetual succession and, for the effectuation of its purposes, have the following additional powers:

- (a) To adopt and have a common seal and to alter the same at pleasure;
- (b) To sue and be sued;
- (c) To acquire, hold, use and dispose of its facility charges and other revenues and other moneys;
- (d) To acquire, rent, hold, use and dispose of other personal property for the purposes of the authority;
- (e) Subject to the provisions of section 26 of this act, to acquire by purchase, gift, condemnation or otherwise, or lease as lessee, real property and easements or interests therein necessary or useful and convenient for the purposes of the authority, whether subject to mortgages, deeds of trust or other liens or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the authority; provided that the authority may dispose of such property at any time to any governmental unit or person if the authority shall receive a leasehold interest in the property for such term as the authority deems appropriate to fulfill its purposes;

(f) Subject to the provisions of section 13 of this act, to lease to any governmental unit or person, all or any part of any public facility for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon;

(g) To enter into agreements to lease, as lessee, public facilities for such term and under such conditions as the authority may deem necessary and desirable to fulfill its purposes, and to agree, pursuant thereto, to be unconditionally obligated to make payments for the term of the lease, without set-off or counterclaim, whether or not the public facility is completed, operating or operable, and notwithstanding the destruction of, damage to, or suspension, interruption, interference, reduction or curtailment of the availability or output of the public facility to which the agreement applies;

(h) To extend credit or make loans to any governmental unit or person for the planning, design, acquisition, construction, equipping and furnishing of a public facility, upon the terms and conditions that the loans be secured by loan and security agreements, mortgages, leases and other instruments, the payments on which shall be sufficient to pay the principal of and interest on any bonds issued for the purpose by the authority, and upon such other terms and conditions as the authority shall deem reasonable;

(i) Subject to the provisions of section 13 of this act, to make agreements of any kind with any governmental unit or person for the use or operation of all or any part of any public facility for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon;

(j) (1) To borrow money and issue negotiable bonds or notes or other obligations and provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds;

(2) To issue bonds, notes or other obligations to provide funding to a municipality that finances the purchase and installation of renewable energy systems and energy efficiency improvements by property owners as provided in section 2 of P.L.2011, c.187 (C.40:56-13.1);

(k) To apply for and to accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the authority from any governmental unit or person, and to make and perform agreements and contracts and to do any and all things necessary or useful and convenient in connection with the procuring, acceptance or disposition of such gifts or grants;

(l) To determine the location, type and character of any public facility and all other matters in connection with all or any part of any public facility which it is authorized to own, construct, establish, effectuate or control;

(m) To make and enforce bylaws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of any public facility, and to amend the same;

(n) To do and perform any acts and things authorized by this act under, through or by means of its own officers, agents and employees, or by contract with any governmental unit or person;

(o) To acquire, purchase, construct, lease, operate, maintain and undertake any project and to fix and collect facility charges for the use thereof;

(p) To mortgage, pledge or assign or otherwise encumber all or any portion of its revenues and other income, real and personal property, projects and facilities for the purpose of securing its bonds, notes and other obligations or otherwise in furtherance of the purpose of this act;



(q) To extend credit or make loans to redevelopers for the planning, designing, acquiring, constructing, reconstructing, improving, equipping and furnishing any redevelopment project or redevelopment work;

(r) To conduct examinations and investigations, hear testimony and take proof, under oath at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of the State, unable to attend, or excused from attendance;

(s) To authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commissions;

(t) To enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the authority or to carry out any power expressly given in this act subject to the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.);

(u) To pool loans for any local governmental units within the county or any beneficiary county that are refunding bonds and do and perform any and all acts or things necessary, convenient or desirable for the purpose of the authority to achieve more favorable interest rates and terms for those local governmental units; and

(v) To act as and exercise the powers of a land bank entity pursuant to P.L.2019, c.159 (C.40A:12A-74 et al.) for any municipality situated within the county pursuant to a land banking agreement approved by an ordinance adopted by the municipal governing body.

18. Section 21 of P.L.1971, c.199 (C.40A:12-21) is amended to read as follows:

C.40A:12-21 Private sales to certain organizations upon nominal consideration.

21. When the governing body of any county or municipality shall determine that all or any part of a tract of land, with or without improvements, owned by the county or municipality, is not then needed for county or municipal purposes, as the case may be, said governing body, by resolution or ordinance, may authorize a private sale and conveyance of the same, or any part thereof without compliance with any other law governing disposal of lands by counties and municipalities, for a consideration, which may be nominal, and containing a limitation that such lands or buildings shall be used only for the purposes of such organization or association, and to render such services or to provide such facilities as may be agreed upon, and except as provided in subsection (n) of this section not for commercial business, trade or manufacture, and that, unless waived, released, modified, or subordinated pursuant to P.L.1943, c.33 (C.40:60-51.2), if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the county or municipality without any entry or reentry made thereon on behalf of such county or municipality, to

(a) A duly incorporated volunteer fire company or board of fire commissioners or first aid and emergency or volunteer ambulance or rescue squad association of a municipality within the county, in the case of a county, or of the municipality, in the case of a municipality, for the construction thereon of a firehouse or fire school or a first aid and emergency or volunteer ambulance or rescue squad building or for the use of any existing building for any or all of said purposes and any such land or building sold to any duly incorporated volunteer fire company may be leased by such fire company to any volunteer firemen's association for the use thereof for fire school purposes for the benefit of the members of such association, or

(b) Any nationally chartered organization or association of veterans of any war, in which the United States has or shall have been engaged, by a conveyance for consideration, a part of which may be an agreement by the organization or association to render service or to provide facilities for the general public of the county or municipality, of a kind which the county or municipality may furnish to its citizens and to the general public, or

(c) A duly incorporated nonprofit hospital association for the construction or maintenance thereon of a general hospital, or

(d) Any veteran with paraplegia, that is to say, any officer, soldier, sailor, marine, nurse or other person, regularly enlisted or inducted, who was or shall have been in the active military or naval forces of the United States in any war in which the United States was engaged, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, and who, at the time the veteran was commissioned, enlisted, inducted, appointed or mustered into such military or naval service, was a resident of and who continues to reside in this State, and who has paraplegia and permanent paralysis of both legs or the lower parts of the body resulting from injuries sustained through enemy action or accident while in such active military or naval service, for the construction of a home to domicile the veteran, or to any organization or association of veterans, for the construction of a home or homes to domicile veterans with paraplegia, with powers to convey said lands and premises to the veteran or veterans with paraplegia on whose behalf said organization or association shall acquire title to said land, or

(e) Any duly incorporated nonprofit association or any regional commission or authority composed of one or more municipalities or one or more counties for the construction or maintenance thereon of an animal shelter, or

(f) Any duly incorporated nonprofit historical society for the acquisition of publicly owned historic sites for their restoration, preservation, improvement, and utilization for the benefit of the general public, or

(g) Any duly incorporated nonprofit cemetery organization or association serving the residents of the municipality or county, or

(h) Any duly incorporated nonprofit organization for the principal purpose of the education or treatment of persons with developmental disabilities including cerebral palsy, or

(i) Any county or municipal sewerage authority serving the residents of the county or municipality, for the use thereof for sewerage authority purposes, or

(j) Any duly incorporated nonprofit organization for the purpose of building or rehabilitating residential property for resale. Any profits from the resale of the property shall be applied by the nonprofit organization to the costs of acquiring and rehabilitating other residential property in need of rehabilitation owned by the county or municipality, or

(k) Any duly incorporated nonprofit organization or association, other than a political, partisan, sectarian, denominational, or religious organization or association, which includes among its principal purposes the provision of educational, gardening, recreational, medical, or social services to the general public, including residents of the county or municipality, or

(l) Any duly incorporated urban renewal corporation organized pursuant to P.L.1991, c.431 (C.40A:20-1 et seq.) for the purpose of constructing housing for low or moderate income persons or families or persons with disabilities, or

(m) Any duly incorporated nonprofit hospice organization whose principal purpose is to provide hospice services to persons with terminal illnesses, or

(n) Any duly incorporated nonprofit organization or association for the cultivation and sale of fresh fruits and vegetables on a tract of land of less than five acres within a

municipality, provided that the nonprofit organization or association is not controlled, directly or indirectly, by any agricultural, commercial, or other business. The nonprofit organization or association shall be authorized to sell fresh fruits and vegetables either on the land that was conveyed, off that land, or both, provided, that the sales are related and incidental to the non-profit purposes of the organization or association and the net proceeds received by the nonprofit organization or association are used to further the non-profit purposes of the organization or association.

Whenever a sale of property is proposed pursuant to subsection (k), for gardening, or subsection (n) of this section, the county or municipality shall comply with all notice requirements for an application for development under section 7.1 of P.L.1975, c.291 (C.40:55D-12).

The provisions of this section shall not be deemed to restrict land banking agreements undertaken pursuant to P.L.2019, c.159 (C.40A:12A-74 et al.).

19. Section 22 of P.L.1992, c.79 (C.40A:12A-22) is amended to read as follows:

C.40A:12A-22 Powers of municipality, county, redevelopment agency, housing authority, land bank entity.

22. A municipality, county, redevelopment agency, or housing authority is authorized to exercise all those public and essential governmental functions necessary or convenient to effectuate the purposes of this act, including the following powers which shall be in addition to those otherwise granted by this act or by other law:

a. To sue and be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary and convenient to the exercise of the powers of the agency or authority; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with this act, to carry into effect its powers and purposes.

b. Pursuant to an adopted cash management plan, invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, in property or securities in which governmental units may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be cancelled.

c. Borrow money and receive grants and loans from any source for the financing of a redevelopment project or housing project.

d. Invest in an obligee the right in the event of a default by the agency to foreclose and take possession of the project covered by the mortgage or apply for the appointment of a receiver.

e. Invest in a trustee or trustees or holders of bonds the right to enforce the payment of the bonds or any covenant securing or relating to the bonds, which may include the right, in the event of the default, to take possession and use, operate and manage any project or part thereof, and to collect the rents and revenues arising therefrom and to dispose of the moneys in accordance with the agreement of the authority with the trustee.

f. Provide for the refunding of any of its bonds, by the issuance of such obligations, in such manner and form, and upon such terms and conditions, as it shall deem in the best interests of the public.

g. Consent to the modification of any contract, bond indenture, mortgage or other instrument entered into by it.

h. Pay or compromise any claim arising on, or because of any agreement, bond indenture, mortgage or instrument.

i. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area or in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area.

j. Subordinate, waive, sell, assign or release any right, title, claim, lien or demand however acquired, including any equity or right of redemption, foreclosure, sell or assign any mortgage held by it, or any interest in real or personal property; and purchase at any sale, upon such terms and at such prices as it determines to be reasonable, and to take title to the property, real, personal, or mixed, so acquired and similarly to sell, exchange, assign, convey or otherwise dispose of any property.

k. Complete, administer, operate, obtain and pay for insurance on, and maintain, renovate, repair, modernize, lease or otherwise deal with any property.

l. Employ or retain consulting and other attorneys, planners, engineers, architects, managers and financial experts and other employees and agents of a permanent or temporary nature as may be necessary, determine their qualifications, duties and compensation, and delegate to one or more of its agents or employees such powers and duties as it deems proper. For such legal services as may be required, a redevelopment agency or housing authority may call upon the chief law officers of the municipality or county, as the case may be, or may employ its own counsel and legal staff.

m. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any redevelopment area or housing project, and have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with a redevelopment area or project.

n. Conduct examinations and investigations, hear testimony and take proof, under oath at public or private hearings of any material matter, compel witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of State, unable to attend, or excused from attendance; authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct the examination or investigation, in which case it may authorize in its name the committee, counsel, officer or employee to administer oaths, take affidavits and issue subpoenas or commissions.

o. Make and enter into all contracts and agreements necessary or incidental to the performance of the duties authorized in this act.

p. After thorough evaluation and investigation, bring an action on behalf of a tenant to collect or enforce any violation of subsection g. or h. of section 11 of the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-12).

q. Designate members or employees, who shall be knowledgeable of federal and State discrimination laws, and who shall be available during all normal business hours, to evaluate a complaint made by a tenant pursuant to the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-12).

r. Act as and exercise the powers of a land bank entity pursuant to P.L.2019, c.159 (C.40A:12A-74 et al.) under a land banking agreement approved by an ordinance adopted by the municipal governing body.

20. This act shall take effect immediately.

Approved July 9, 2019.