

ASSEMBLY, No. 2568

STATE OF NEW JERSEY 219th LEGISLATURE

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Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

SYNOPSIS

Permits local unit to contract with private entities to lease advertising space on local unit's official Internet website.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning local unit Internet websites and supplementing
2 Title 47 of the Revised Statutes.

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

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7 1. a. For the purposes of this section:

8 "Commissioner" means the Commissioner of Community
9 Affairs;

10 "Department" means the Department of Community Affairs; and

11 "Local unit" means any political subdivision of the State,
12 including their agencies and independent authorities.

13 b. In accordance with rules adopted by the department, and to
14 the extent allowed under federal law, a local unit may contract with
15 a private entity to lease advertising space on the local unit's official
16 Internet website.

17 c. The department shall develop a standard contract for the
18 lease of advertising space on an Internet website under this section.
19 The standard contract developed by the department shall include but
20 not be limited to terms that:

21 (1) provide for the payment of a fee by the person leasing the
22 advertising space in an amount set by department rule; and

23 (2) require the advertisements to comply with the rules adopted
24 by the department relating to content and composition.

25 d. The commissioner shall promulgate regulations pursuant to
26 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
27 seq.) necessary to effectuate the provisions of this section. The rules
28 shall include, but not be limited to:

29 (1) guidelines relating to the content and composition of
30 advertisements that may be placed on a local unit Internet website;

31 (2) procedures for procuring advertisements that relate, to the
32 greatest extent practicable, to the stated purpose of the local unit;

33 (3) policies that require:

34 (a) each advertisement to be clearly labeled on the Internet
35 website as an advertisement; and

36 (b) a disclaimer on each Internet website that clearly states that
37 the local unit does not endorse the products or services advertised
38 on the Internet website;

39 (4) a schedule of fees to be charged for the lease of advertising
40 space under this section; and

41 (5) the amount of the lease payments that a private entity may
42 retain for administering the advertising lease contracts.

43 e. A private entity administering advertising lease contracts
44 under this section shall collect the fees due from the leasing entities.
45 After deduction of the private entity's fees, the remainder of the fees
46 collected under this section shall be forwarded to the treasurer of
47 the local unit.

1 2. This act shall take effect on the first day of the seventh
2 month next following enactment, although subsection d. of section
3 1, regarding the promulgation of rules and regulations, shall take
4 effect immediately.

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7 STATEMENT

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9 This bill provides that a local unit may contract with a private
10 entity to lease advertising space on the local unit's official Internet
11 website, in accordance with regulations promulgated by the
12 Department of Community Affairs (DCA) and to the extent allowed
13 under federal law.

14 The bill requires DCA to develop a standard contract for the
15 lease of advertising space on an Internet website, to include terms
16 that provide for the payment of a fee by the person leasing the
17 advertising space, and require advertisements to comply with
18 provisions relating to content and composition.

19 The bill requires DCA to promulgate regulations to establish
20 guidelines relating to the content and composition of advertisements
21 that may be placed on an Internet website; procedures for procuring
22 advertisements that relate, to the greatest extent practicable, to the
23 stated purpose of the local unit; policies that require each
24 advertisement to be clearly labeled on the Internet website as an
25 advertisement and a disclaimer on each Internet website that clearly
26 states that the local unit does not endorse the products or services
27 advertised on the state agency Internet website; a schedule of fees
28 to be charged for the lease of advertising space; and the amount of
29 lease payments that a private entity may retain for administering the
30 lease contracts. The bill requires a private entity administering the
31 lease contracts to collect the fees due from the leasing entities and,
32 after deducting the private entity's fees, to forward the remainder of
33 the fees collected to the treasurer of the local unit.

34 The bill would take effect on the first day of the seventh month
35 next following enactment, in order to give DCA time to promulgate
36 regulations necessary to effectuate its provisions.