

ASSEMBLY, No. 5646

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

SYNOPSIS

Establishes “New Jersey Small Business Indoor Air Quality Management Support Program.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/18/2021)

1 AN ACT establishing the “New Jersey Small Business Indoor Air
2 Quality Management Support Program” and supplementing
3 P.L.1974, c.80.

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

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8 1. As used in P.L. , (C.) (pending before the
9 legislature as this bill):

10 “Authority” means the New Jersey Economic Development
11 Authority established by section 4 of P.L.1974, c.80 (C.34:1B-4).

12 “Department” means the New Jersey Department of
13 Environmental Protection.

14 “Eligible small business” means a business entity that is
15 independently owned and operated, operates primarily within this
16 State, and has 100 or fewer full-time employees.

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18 2. a. The authority shall maintain and administer a program for
19 the purpose of providing loans to eligible small businesses for the
20 improvement of indoor air quality. This program shall be known as
21 the “New Jersey Small Business Indoor Air Quality Management
22 Support Program.” The authority shall consult with the department
23 in administering the program as it applies to indoor air quality
24 standards.

25 b. The loan funds may be applied to any aspect of the eligible
26 small business intended to improve indoor air quality, including,
27 but not limited to, capital purchases, employee training, and
28 salaries, as determined by the authority, for new positions.

29 c. In order to receive a loan, a business shall submit an
30 application and, at the time of application, provide proof, as
31 determined by the authority, that it qualifies as an eligible small
32 business, as defined pursuant to section 1 of P.L. , c. (C.)
33 (pending before the Legislature as this bill). Upon approval of a
34 loan, an eligible small business shall enter into a loan agreement
35 with the authority.

36 d. The authority shall review and may approve applications for
37 the small business loan program.

38 e. A business seeking to participate in the small business loan
39 program shall submit an application in a form as the authority shall
40 require. The application shall include information the authority
41 shall determine is necessary in consideration of the provisions of
42 P.L.2011, c.123 (C.52:14B-21.1 et seq.).

43 f. Small business loans under this section shall be made
44 pursuant to a small business loan agreement made pursuant to
45 subsection c. of this section; bear interest at rates and terms deemed
46 appropriate by the authority; and contain other terms and conditions
47 considered appropriate by the authority that are consistent with the
48 purposes of P.L. , c. (C.) (pending before the Legislature as

1 this bill). The authority shall, to the greatest extent practicable,
2 ensure that loans are provided at an affordable rate of interest.

3 g. The authority may, in its discretion, require an eligible small
4 business that receives a loan under the small business loan program
5 administered pursuant to P.L. , c. (C.) (pending before the
6 Legislature as this bill) to submit an audited financial statement to
7 the authority in order to ensure the business's continued vitality.

8 h. The authority may, either through the adoption of rules and
9 regulations, or through the terms of the small business loan
10 agreement made pursuant to subsection c. of this section, establish
11 terms governing the incidence of default by an eligible small
12 business that receives a small business loan under the program
13 administered pursuant to P.L. , c. (C.) (pending before the
14 Legislature as this bill).

15 i. The authority shall, to the greatest extent practicable,
16 administer the program

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18 3. a. Any business that has received a grant through the “New
19 Jersey Small Business Indoor Air Quality Management Support
20 Program” pursuant to P.L. , c. (C.) (pending before the
21 Legislature as this bill) may apply to the department for a New
22 Jersey Small Business Indoor Air Quality Management
23 Certification. A condition for the issuance of a certificate shall be
24 the completion of a successful indoor air quality management
25 inspection. This inspection shall be performed by the department
26 and be based on the Indoor Air Quality Management Checklist
27 promulgated by the United States Environmental Protection
28 Agency. The commissioner, by rule and regulation, may establish
29 additional requirements for certification that the commissioner
30 determines to be reasonable and appropriate to further the purposes
31 of this act.

32 b. To maintain certification, successful passage of an
33 inspection based on the Indoor Air Quality Management Checklist
34 shall be completed each year.

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36 4. The authority shall adopt, pursuant to the Administrative
37 Procedures Act P.L.1968, c.410 (C.52:14B-1 et seq.), any rules and
38 regulations necessary for the implementation of this act.

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40 5. This act shall take effect on the 90th day after the date of
41 enactment.

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STATEMENT

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46 This bill establishes the “New Jersey Small Business Indoor Air
47 Quality Management Support Program.” This program shall provide
48 loans to eligible small businesses for the improvement of indoor air

1 quality. This program will be administered by the New Jersey
2 Economic Development Authority (the “authority,” as defined in
3 the bill), which shall consult with the Department of Environmental
4 Protection as it applies to indoor air quality standards. The loan
5 funds may be applied to any aspect of the eligible small business
6 intended to improve the business’ indoor air quality, including, but
7 not limited to, capital purchases, employee training, and salaries, as
8 determined by the authority, for new positions.

9 Small business loans under this section shall be made pursuant to
10 a small business loan agreement and shall bear interest at rates and
11 terms deemed appropriate by the authority, and contain other terms
12 and conditions considered appropriate by the authority.

13 Any business that has received a grant through the program may
14 apply to the department for a New Jersey Small Business Indoor Air
15 Quality Management Certification. A condition for the issuance of a
16 certificate shall be the completion of a successful indoor air quality
17 management inspection. This inspection is to be performed by the
18 New Jersey Department of Environmental Protection and be based
19 on the Indoor Air Quality Management Checklist promulgated by
20 the United States Environmental Protection Agency.