# SENATE, No. 1709

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**
**Senator BOB SMITH**
**District 17 (Middlesex and Somerset)**
**Senator KRISTIN M. CORRADO**
**District 40 (Bergen, Essex, Morris and Passaic)**

**Co-Sponsored by:**
**Senator Greenstein**

**SYNOPSIS**

Directs Dept. of Agriculture to establish “Urban Farming Pilot Program”; appropriates $100,000.

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning urban gardening and making an appropriation.

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

1. As used in this act:

"Applicant" means any municipality or nonprofit organization applying for a grant pursuant to this act.

“Department” means Department of Agriculture.

"Low-income area" means a census tract, as reported in the most recently completed decennial census published by the United States Census Bureau, that has a poverty rate of at least 20 percent or in which the median family income does not exceed 80 percent of the Statewide or metropolitan median family income, whichever is greater.

“State-wide nonprofit organization” or “nonprofit organization” means a charitable organization serving qualified State residents and having operations throughout the State, that is a corporation organized in the State operated exclusively for charitable purposes under the "New Jersey Nonprofit Corporation Act," Title 15A of the New Jersey Statutes, and is exempt from federal income tax under section 501(c)(3) of the United States Internal Revenue Code (26 U.S.C.s.501(c)(3)).

"Program" means the “Urban Farming Pilot Program” established pursuant to section 2 of this act.

“Urban area” means a neighborhood in, or portion of, a city of the first class, second class, third class, or fourth class in the State or a neighborhood in, or portion of, a municipality eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.).

“Urban gardening” means gardening in an urban area on land or in or on a building or the rooftop thereof, where flowers, fresh produce, or other agricultural products are grown or raised for consumption as food by traditional agricultural methods, in greenhouses using the appropriate methods for these structures, or through the use of aquaponics, hydroponics, or another nontraditional method of farming. “Urban gardening” shall not include the cultivation of marijuana for medicinal or any other purpose.

2. a. The department shall establish and administer a pilot program, to be known as the “Urban Gardening Pilot Program,” to improve local neighborhood conditions in low-income areas of the State by providing three qualified applicants with grants, of up to $35,000, to create an urban garden. The department shall identify no fewer than three projects in different low-income areas of the State that the department considers to be appropriate for the pilot program. The department shall operate the pilot program for three consecutive years. The grants shall be used by qualified applicants to establish an

urban garden in a low-income area of the State. The goal of the urban garden shall be to improve local neighborhood conditions and integrate residents of diverse communities.

b. In establishing and implementing the program, the department may enter into agreements with local agencies, businesses, nonprofit organizations, and individuals for funds in order to leverage its grants with funds from such entities. The terms and conditions of any agreements for funds shall be determined by the department.

3. a. The department shall provide grants to three applicants determined to be qualified by the department to participate in the program, in accordance with the criteria set forth in this section. Three qualified applicants shall be awarded a grant of up to $35,000 each, which shall be used by the applicant over the three-year pilot program established pursuant to this act.

b. In order to receive a grant from the department pursuant to this act, the applicant shall meet the following requirements:

(1) the applicant shall demonstrate to the satisfaction of the department that the applicant has access to an urban area upon which a viable urban garden may be established;

(2) the applicant shall demonstrate to the satisfaction of the department that the urban garden is to be located within a low-income area of the State;

(3) the applicant shall demonstrate that the applicant has or will have a contractual relationship with an agronomist or with a qualified individual from the New Jersey Cooperative Extension Service to teach local residents how to plant and cultivate fresh produce or other agricultural products for consumption as food in the urban garden; and

(4) the applicant shall demonstrate that the applicant has or will have a contractual relationship with a licensed clinical social worker to work with local residents to foster the integration of residents in the community from diverse backgrounds with the common goal of improving their neighborhood.

c. In determining the criteria for qualifying applicants for grants, the department shall consider:

(1) the degree to which the program will advance local community goals for improving the neighborhood and integrating residents of different ethnic backgrounds;

(2) the level of financial and other participation provided by the applicant or by local and economic development agencies, county government entities, for-profit and nonprofit organizations, or lending institutions.

d. An applicant shall, as a condition of receiving a grant pursuant to this act, commit to:

(1) using the grant for an urban garden only; and

(2) complying with any other criteria established by the department.

e. The department shall review each complete application and approve three applications that meet the requirements of this section and any other criteria adopted by the department.

f. A grant shall be made by the department in the manner the department establishes, subject to the terms and conditions considered appropriate by the department that are consistent with the purposes this act.

4. No later than three years after the effective date of this act, the Secretary of Agriculture shall prepare and submit a written report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature summarizing the activities and findings of the program, providing information on whether the program provided benefits to the local communities, evaluating the effectiveness of urban gardening in low-income areas as a means of improving the conditions in the neighborhood and integrating residents of different ethnic backgrounds, and providing recommendations for legislative action, including whether or not to make the program permanent.

5. There is appropriated to the Department of Agriculture the sum of $100,000 from the General Fund in order to implement the provisions of this act. The department may retain an amount for administrative costs and transaction fees not to exceed 5 percent of the appropriated funds.

6. This act shall take effect immediately, and shall expire upon the submittal by the department of the report required pursuant to section 4 of this act.

STATEMENT

The bill establishes in the Department of Agriculture, the "Urban Gardening Pilot Program," to provide grants to three qualified applicants to establish an urban garden in a low-income area of the State. The bill requires the department to award three qualified applicants a grant of up to $35,000 each, which the applicant will use for an urban garden for the three-year pilot program. The goal of the urban garden is to improve the local neighborhood conditions and integrate residents of diverse communities. The bill requires an agronomist or a qualified individual from the New Jersey Cooperative Extension Service to teach local residents how to plant and cultivate fresh produce or other agricultural products for consumption as food in the urban garden. In addition, the bill requires a licensed clinical social worker to work with local residents to foster the integration of residents in the community

from diverse backgrounds with the common goal of improving their neighborhood.

Within three years after the effective date of this bill, the Secretary of Agriculture would be required to prepare and submit a written report to the Governor and to the Legislature summarizing the activities and findings of the program. The report would provide information on whether the program provided benefits to the local communities, evaluate the effectiveness of urban gardening in low-income areas as a means of improving the neighborhood and integrating residents of different ethnic backgrounds, and provide recommendations for legislative action, including whether or not to make the program permanent.

The bill appropriates $100,000 to the Department of Agriculture from the General Fund in order to provide grants to three qualified applicants as required under the bill.