

SENATE, No. 1996

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Requires recipient of State benefit to comply with State and local requirements.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning jurisdiction of State and local entities over
2 certain recipients of State benefits and supplementing Title 52 of
3 the Revised Statutes.

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

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8 1. a. Notwithstanding any provision of law to the contrary, the
9 grant of a State benefit to a contractor undertaking a development
10 project on federal land shall be conditioned upon the contractor's
11 agreement to comply with all requirements imposed under State or
12 local law, which shall include, but not be limited to, the contractor's
13 agreement:

14 (1) to comply with all State and local permitting requirements
15 applicable to the project; and

16 (2) to have the appropriate State or local enforcing agency
17 conduct plan review and inspections pursuant to the "State Uniform
18 Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.).

19 b. As used in this section:

20 "Public entity" means the State, a county, municipality, district,
21 or other political subdivision thereof, and any department, board,
22 agency, authority, or instrumentality of the foregoing, including, but
23 not limited to, the Economic Development Authority, the Board of
24 Public Utilities, a county improvement authority, and any economic
25 development agency, authority, or other entity; and

26 "State benefit" means any loan, loan guarantee, grant, incentive,
27 tax exemption or other financial assistance that is approved, funded,
28 authorized, administered or provided by a public entity and is
29 provided before, during, or after completion of a development
30 project, including, but not limited to: a development subsidy, as
31 defined in section 3 of P.L.2007, c.200 (C.52:39-3), authority
32 financial assistance, as defined in section 1 of P.L.1979, c.303
33 (C.34:1B-5.1), and financial assistance as defined in section 1 of
34 P.L.2009, c.136 (C.52:18-42).

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill would require a contractor that undertakes a
42 development project on federal land, and that is granted a State
43 benefit, to agree to comply with all requirements imposed under
44 State or local law. This condition would specifically include
45 compliance with all State and local permitting requirements
46 applicable to the project; and agreement to have the appropriate
47 State or local enforcing agency conduct plan review and inspections
48 under the State Uniform Construction Code Act.

1 The bill defines: the term “public entity” as the State, a county,
2 municipality, district, or other political subdivision thereof, and any
3 department, board, agency, authority, or instrumentality of the
4 foregoing; and the term “State benefit” as any loan, loan guarantee,
5 grant, incentive, tax exemption or other financial assistance that is
6 approved, funded, authorized, administered or provided by a public
7 entity and is provided before, during, or after completion of a
8 development project.