

SENATE, No. 2182

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Allows certain State agencies to sell Internet advertisements on agencies' websites as pilot program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT allowing certain State agencies to sell Internet
2 advertisements on the agencies' websites as a pilot program and
3 supplementing chapter 32 of Title 52 of the Revised Statutes.

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

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8 1. The Legislature finds that State agency websites provide
9 timely and useful information to the public about State agency
10 programs and services. These websites are informative in nature
11 and do not serve as a public forum or a limited public forum for the
12 discussion or exchange of ideas. The Legislature further finds that
13 allowing State agencies to sell Internet advertisements for display
14 on their web pages could provide new sources of revenue for the
15 State, particularly for those State agencies that maintain high-traffic
16 web pages. Therefore, the Legislature intends to allow a limited
17 number of State agencies to establish a pilot program to sell Internet
18 advertisements for display on their websites, provided that the
19 advertisements are consistent with the business mission of the
20 agency as well as any Internet advertisement guidelines adopted by
21 the agency.

22
23 2. Beginning 90 days following the enactment of P.L. , c.
24 (C.) (pending before the Legislature as this bill), the Economic
25 Development Authority and the New Jersey Lottery, on behalf of
26 the State of New Jersey, each shall establish a three-year pilot
27 program to begin selling Internet advertisements for display on
28 those agencies websites. In locations where Internet advertisements
29 are offered on a State agency web page, the web page shall also
30 include a disclaimer, indicating that the inclusion of Internet
31 advertisements does not imply endorsement by the State.

32 Not later than three months after the conclusion of the pilot
33 program by the State agency, the agency shall submit a report to the
34 Governor and the Legislature pursuant to section 2 of P.L.1991,
35 c.164 (C.52:14-19.1) that evaluates the effectiveness of the pilot
36 program. The report shall include a detailed summary of both the
37 expenditures made and the revenues produced under the program,
38 as well as recommendations concerning whether to continue the
39 program.

40 For the purposes of P.L. , c. (C.) (pending before the
41 Legislature as this bill), "Internet advertisement" means specific
42 advertising methods on the Internet, including display or banner
43 advertisements, sponsorships, and business listings where goods or
44 services may be purchased online.

45
46 3. Prior to selling Internet advertisements, a State agency shall
47 develop policy, style, and content guidelines for Internet
48 advertisements that ensure that the subject matter of any Internet

1 advertisement displayed by the agency directly relates to the
2 business mission and purpose of the agency. The head of the
3 agency, to the maximum extent practicable, shall enter into
4 contracts for Internet advertisements with businesses based in this
5 State, unless the head of the agency determines it to be inconsistent
6 with the public interest.

7
8 4. Revenue generated from the sale of Internet advertisements
9 under P.L. , c. (C.) (pending before the Legislature as this
10 bill) shall be deposited into the State General Fund by the State
11 agencies named in section 2 of P.L. , c. (C.) (pending
12 before the Legislature as this bill) for which expenditures are
13 authorized through the State annual appropriations act. There shall
14 be appropriated annually such funds as are determined to be
15 necessary to each such agency for the incremental cost of offering
16 Internet advertisements and an additional ten percent of such
17 revenue generated by that agency for the purpose of innovation in
18 operations, programs or services.

19 For the agencies not funded through the State annual
20 appropriations act, the agency shall remit to the State Treasurer
21 such revenue generated from the sale of Internet advertisements as
22 shall remain after deductions by the agency for the incremental cost
23 of offering Internet advertisements and of an additional ten percent
24 for the purpose of innovation in operations, programs or services.

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26 5. This act shall take effect immediately and shall expire upon
27 the submission of the report required pursuant to section 2 of this
28 act.

31 STATEMENT

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33 This bill authorizes the Economic Development Authority and the
34 New Jersey Lottery to establish a three-year pilot program to sell
35 Internet advertisements for display on the agencies' websites. Each
36 agency's website must include a disclaimer stating that the
37 advertisements do not imply endorsement by the State. "Internet
38 advertisement" is defined to mean specific advertising methods on the
39 Internet, including display or banner advertisements, sponsorships, and
40 business listings where goods or services may be purchased online.

41 The bill provides that each agency must develop policy, style, and
42 content guidelines for website advertisements that ensure that the
43 subject matter of the advertisement directly relates to the agency's
44 business mission and purpose. Revenue generated will be deposited
45 into the State General Fund by agencies for which expenditures are
46 authorized through the annual appropriations act. For agencies not
47 provided for through the annual appropriations act, the agency will
48 remit to the State Treasurer such revenue generated from the sale of

1 Internet advertisements as remains after deductions by the entity for
2 the incremental cost of offering Internet advertisements and of an
3 additional ten percent of such revenue for the purpose of innovation in
4 operations, programs or services.

5 The bill requires each agency, not later than three months after the
6 conclusion of the pilot program, to submit a detailed report to the
7 Governor and the Legislature evaluating the effectiveness of the
8 program, including a summary of expenditures and revenues under the
9 program, together with recommendations concerning whether to
10 continue the program.

11 The purpose of the bill is to provide new sources of revenue for the
12 State, particularly for State agencies that maintain high-traffic web
13 pages.