

ASSEMBLY, No. 137

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman DONALD A. GUARDIAN

District 2 (Atlantic)

SYNOPSIS

Establishes “County Tourism Incentive Grant Fund” within Department of Treasury to provide funding for grants to counties to support tourism advertising and promotion.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the “County Tourism Incentive Grant Fund”
2 within the Department of the Treasury to provide funding for
3 grants to counties to support tourism advertising and promotion,
4 supplementing Title 52 and Title 54 of the Revised Statutes.

5

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

8

9 1. a. There is established in the Department of the Treasury a
10 special, non-lapsing fund to be known as the “County Tourism
11 Incentive Grant Fund.”

12 b. The fund shall be administered by the State Treasurer, and
13 shall be the repository for all excess State hotel and motel
14 occupancy fee revenues appropriated and distributed to the
15 Department of the Treasury for deposit to the fund pursuant to
16 section 3 of P.L. , c. (C.) (pending before the Legislature as
17 this bill). As used in this act, “excess State hotel and motel occupancy
18 fee revenues” means revenues from hotel and motel occupancy fees
19 collected during the preceding State fiscal year that are in excess of
20 the revenue certified upon enactment of the annual appropriations
21 act for that preceding State fiscal year as anticipated to be collected
22 from such fee.

23 c. The State Treasurer shall use all revenue deposited to the
24 fund to issue annually, commencing with State fiscal year 2022,
25 tourism incentive grants to counties pursuant to section 2 of
26 P.L. , c. (C.) (pending before the Legislature as this bill).

27

28 2. a. The State Treasurer shall issue annually, commencing
29 with State fiscal year 2022, tourism incentive grants to counties
30 from excess State hotel and motel occupancy fee revenues
31 deposited to the “County Tourism Incentive Grant Fund”
32 established pursuant to section 1 of P.L. , c. (C.) (pending
33 before the Legislature as this bill), for purposes of providing
34 financial assistance to counties to support tourism advertising and
35 promotion.

36 b. To effectuate those purposes, the State Treasurer shall
37 approve, on or before January 1, 2023 and on or before January 1 of
38 each year thereafter, the issuance of a tourism incentive grant to
39 each county that has, on or before October 1, 2022 and on or before
40 October 1 of each year thereafter:

41 (1) made and filed an application with the State Treasurer
42 seeking financial assistance from the fund for tourism advertising
43 and promotion;

44 (2) submitted a statement to the State Treasurer detailing how
45 financial assistance from the fund will be used by the county to
46 support tourism advertising and promotion; and

47 (3) entered into an agreement with the State Treasurer requiring
48 the county to use financial assistance from the fund to support

1 tourism advertising and promotion, to not use financial assistance
2 from the fund to reduce or eliminate the total amount of other funds
3 currently used by the county to support tourism advertising and
4 promotion, and to repay, with interest, the total amount of financial
5 assistance issued to the county from the fund if the financial
6 assistance is not used to support tourism advertising and promotion
7 or the financial assistance is used to reduce or eliminate the total
8 amount of other funds currently used by the county to support
9 tourism advertising and promotion.

10 c. The amount of each tourism incentive grant shall equal a
11 county's share of the excess State hotel and motel occupancy fee
12 revenues deposited to the fund, as shall be determined by the State
13 Treasurer by dividing the revenues derived from hotel and motel
14 occupancies occurring within the county by the sum of the revenues
15 derived from hotel and motel occupancies occurring within the
16 several counties that have been approved for the issuance of a grant
17 and multiplying that amount by the excess State hotel and motel
18 occupancy fee revenues deposited to the fund during the State fiscal
19 year in which the tourism incentive grant is issued.

20 d. The State Treasurer shall make payment of each tourism
21 incentive grant issued to a county at the times, and in the amounts,
22 that the State Treasurer determines to be necessary and appropriate
23 to effectuate the purposes of this section.
24

25 3. Notwithstanding the provisions of any other law to the
26 contrary, the annual appropriations act for each State fiscal year,
27 commencing with State fiscal year 2022, that appropriates and
28 distributes during that fiscal year amounts not less than the amounts
29 otherwise specified for State fiscal year 2004 in paragraph (1) of
30 subsection a. of section 2 of P.L.2003, c.114 (C.54:32D-2) for the
31 purposes specified in paragraph (1) of subsection a. of section 2 of
32 P.L.2003, c.114 (C.54:32D-2), shall, in addition, appropriate and
33 distribute in any such State fiscal year, an amount equal to 100
34 percent of the revenue from fees collected for occupancies during
35 the preceding State fiscal year that are in excess of the revenue
36 certified upon enactment of the annual appropriations act for that
37 preceding State fiscal year as anticipated to be collected from such
38 fee, which amount shall be appropriated and distributed to the
39 Department of the Treasury for deposit to the "County Tourism
40 Incentive Grant Fund" established pursuant to section 1 of
41 P.L. , c. (C.) (pending before the Legislature as this bill).
42

43 4. Notwithstanding the provisions of the "Administrative
44 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the
45 contrary, the State Treasurer, in consultation with the New Jersey
46 Division of Travel and Tourism in the Department of State, may adopt
47 immediately upon filing with the Office of Administrative Law
48 such rules and regulations as the State Treasurer and the division

1 determine to be necessary and appropriate to effectuate the purposes
2 of P.L. , c. (C.) (pending before the Legislature as this bill),
3 which rules and regulations shall be effective for a period not
4 exceeding 360 days following the effective date of
5 P.L. , c. (C.) (pending before the Legislature as this bill) and
6 may thereafter be amended, adopted, or readopted by the State
7 Treasurer and the division in accordance with the requirements of
8 P.L.1968, c.410 (C.52:14B-1 et seq.).

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10 5. This act shall take effect immediately.

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13 STATEMENT

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15 This bill establishes the “County Tourism Incentive Grant Fund”
16 and provides for the appropriation and distribution of excess State
17 hotel and motel occupancy fee revenues for deposit to the fund to
18 provide funding for grants to counties to support tourism advertising
19 and promotion.

20 Under the bill, the “County Tourism Incentive Grant Fund” is
21 established as a special, non-lapsing fund within the Department of the
22 Treasury. The bill requires the fund to be administered by the State
23 Treasurer, and provides for the fund to be used as a repository for all
24 excess State hotel and motel occupancy fee revenues that are
25 appropriated and distributed to the Department of the Treasury for
26 deposit to the fund.

27 The bill requires the State Treasurer to use the excess revenues
28 deposited to the fund to issue annually, commencing with State fiscal
29 year 2022, tourism incentive grants to counties for purposes of
30 providing financial assistance to counties to support tourism
31 advertising and promotion. To effectuate that purpose, the bill
32 authorizes the State Treasurer to approve, on or before January 1,
33 2023, and on or before January 1 of each year thereafter, the issuance
34 of an incentive grant to each county that has, on or before October 1,
35 2022, and on or before October 1 of each year thereafter:

36 (1) made and filed an application with the State Treasurer;

37 (2) submitted a statement to the State Treasurer detailing how
38 financial assistance from the fund will be used to support tourism
39 advertising and promotion; and

40 (3) entered into an agreement with the State Treasurer requiring
41 the county to use financial assistance from the fund to support tourism
42 advertising and promotion, to not use financial assistance from the
43 fund to reduce or eliminate the total amount of other funds currently
44 used by the county to support tourism advertising and promotion, and
45 to repay, with interest, the total amount of financial assistance issued
46 to the county if the assistance is not used to support tourism
47 advertising and promotion or the assistance is used to reduce or

1 eliminate the total amount of other funds currently used by the county
2 to support tourism advertising and promotion.

3 The bill provides that the amount of each incentive grant issued to
4 a county will equal the county's share of the excess State hotel and
5 motel occupancy fee revenues deposited to the fund. The bill specifies
6 that the county's share of the excess revenues will be determined by
7 the State Treasurer by dividing the revenues derived from hotel and
8 motel occupancies occurring within the county by the sum of the
9 revenues derived from hotel and motel occupancies occurring within
10 the several counties that have been approved for the issuance of a grant
11 and multiplying that amount by the excess State hotel and motel
12 occupancy fee revenues deposited to the fund during the State fiscal
13 year in which the tourism incentive grant is issued.

14 The bill provides for tourism incentive grants to be funded from
15 excess State hotel and motel occupancy fee revenues. The bill requires
16 that, commencing with State fiscal year 2022, 100 percent of the
17 revenues collected in excess of the amounts anticipated to be collected
18 for the prior fiscal year from the State hotel and motel occupancy fee
19 will be appropriated and distributed through the annual appropriations
20 act to the Department of the Treasury for deposit to the "County
21 Tourism Incentive Grant Fund."

22 The bill authorizes the State Treasurer, in consultation with the
23 New Jersey Division of Travel and Tourism in the Department of
24 State, to adopt rules and regulations necessary to effectuate the
25 purposes of the bill, and permits the immediate filing of those rules
26 and regulations with the Office of Administrative Law, effective for a
27 period not to exceed 360 days following the bill's effective date.

28 The bill takes effect immediately upon enactment.