

ASSEMBLY, No. 3153

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Assemblyman JOHN F. MCKEON
District 27 (Essex and Morris)

Co-Sponsored by:

Assemblywoman Quijano

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/17/2022)

1 AN ACT concerning urban gardening and making an appropriation.

2

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

5

6 1. As used in this act:

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

9 "Department" means Department of Agriculture.

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

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

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

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

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

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40 2. a. The department shall establish and administer a pilot
41 program, to be known as the "Urban Gardening Pilot Program," to
42 improve local neighborhood conditions in low-income areas of the
43 State by providing three qualified applicants with grants, of up to
44 \$35,000, to create an urban garden. The department shall identify no
45 fewer than three projects in different low-income areas of the State
46 that the department considers to be appropriate for the pilot program.
47 The department shall operate the pilot program for three consecutive
48 years. The grants shall be used by qualified applicants to establish an

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

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

9
10 3. a. The department shall provide grants to three applicants
11 determined to be qualified by the department to participate in the
12 program, in accordance with the criteria set forth in this section. Three
13 qualified applicants shall be awarded a grant of up to \$35,000 each,
14 which shall be used by the applicant over the three-year pilot program
15 established pursuant to this act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20
21 5. There is appropriated to the Department of Agriculture the
22 sum of \$100,000 from the General Fund in order to implement the
23 provisions of this act. The department may retain an amount for
24 administrative costs and transaction fees not to exceed 5 percent of
25 the appropriated funds.

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

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32 STATEMENT

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

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

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

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