

[First Reprint]

SENATE, No. 3989

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 15, 2023

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

Co-Sponsored by:

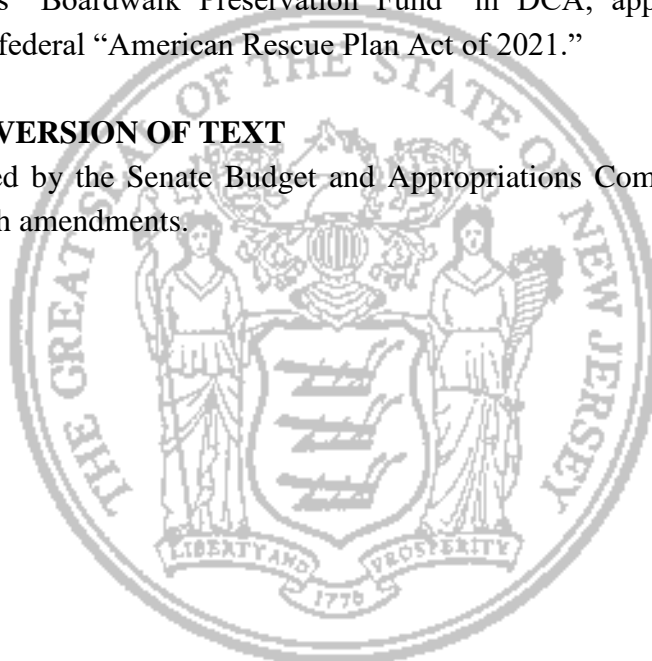
Senators Polistina and Gopal

SYNOPSIS

Establishes “Boardwalk Preservation Fund” in DCA; appropriates \$100 million from federal “American Rescue Plan Act of 2021.”

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 27, 2023, with amendments.



(Sponsorship Updated As Of: 6/30/2023)

1
2 AN ACT establishing a “Boardwalk Preservation Fund,”
3 supplementing chapter 27D of Title 52 of the Revised Statutes,
4 and making an appropriation.
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 a “Boardwalk Preservation Fund” in the
10 Department of Community Affairs for the purpose of providing
11 ¹**[matching]**¹ grants to counties and municipalities ¹**[in amounts equal**
12 to reasonable and necessary county and municipal expenditures or
13 contributions concerning] ¹for¹ boardwalk construction, maintenance,
14 reconstruction, and repair projects ¹, including construction,
15 maintenance, reconstruction, and repair projects related to ancillary or
16 appurtenant structures¹. ¹**[The fund shall be administered by the**
17 department through the Division of Housing and Community
18 Resources.]¹

19 b. (1) The department shall develop an application process and
20 promulgate criteria for a county or municipality, individually or
21 jointly, to qualify for a ¹**[matching]**¹ grant. This information shall be
22 disseminated to coastal counties and municipalities in a form and
23 manner to be determined by the department.

24 (2) The ¹**[division]** department¹ shall accept and review
25 applications submitted by counties and municipalities and determine
26 whether the application has met the criteria established by the
27 department pursuant to paragraph (1) of this subsection to qualify for a
28 ¹**[matching]**¹ grant.

29 c. The ¹**[division]** department¹ shall approve in advance any
30 projects proposed to be funded with ¹**[matching]**¹ grants and enter
31 into an agreement with the county or municipality, as negotiated by the
32 ¹**[division]** department¹, for the expenditure or allocation of
33 ¹**[matching]**¹ grant funds and for reporting on expenditures and
34 project outcomes. The award of ¹**[matching]**¹ grants to a county or
35 municipality, individually or jointly, pursuant to this section shall be
36 conditioned upon compliance with the provisions of an agreement
37 approved pursuant to this section, and as determined by the
38 ¹**[division]** department¹. ¹As part of an agreement, the department
39 shall require a county, municipal, or joint contribution or expenditure
40 to the project of not less than five percent of the project cost, provided,
41 however, that a grant applicant that has one of the highest 50 distress
42 scores on the 2020 Municipal Revitalization Index shall not be
43 required to make a contribution or expenditure as a condition of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted June 27, 2023.

1 receiving a grant from the fund.¹ The ¹**【division】** department¹ shall
2 award ¹**【matching】**¹ grants based on criteria established by the
3 department pursuant to paragraph (1) of subsection b. of this section.

4 ¹With respect to applicants for which the department requires a
5 county, municipal, or joint contribution or expenditure, criteria shall
6 include a preference for applicants that include a contribution or
7 expenditure that exceeds five percent of the project cost.¹

8 d. The department shall submit annual reports to the Governor
9 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
10 Legislature, related to the awarding of ¹**【matching】**¹ grants pursuant
11 to this section, and related to the expenditure of ¹**【matching】**¹ grant
12 funds and project outcomes.

13

14 2. Out of the amounts of federal funds provided or made
15 accessible to the State by the federal “American Rescue Plan Act of
16 2021,” Pub.L.117-2, there is appropriated to the Department of
17 Community Affairs the sum of \$100,000,000 for the administration of
18 the “Boardwalk Preservation Fund” and the award of ¹**【matching】**¹
19 grant funding pursuant to section 1 of P.L. , c. (C.) (pending
20 before the Legislature as this bill).

21

22 3. This act shall take effect immediately.