

CHAPTER 160

AN ACT related to the New Jersey Historic Trust, including transfer from the Department of State to the Department of Community Affairs and changes related to trustees and powers, and amending P.L.1967, c.124, P.L.1983, c.562, and P.L.1995, c.217.

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

1. Section 4 of P.L.1967, c.124 (C.13:1B-15.111) is amended to read as follows:

C.13:1B-15.111 New Jersey Historic Trust.

4. There is hereby created and established in but not of the Department of Community Affairs, a body corporate and politic with corporate succession, to be known as the New Jersey Historic Trust. The trust is hereby constituted an instrumentality exercising public and essential governmental functions, and the exercise by the trust of the powers conferred by P.L.1967, c.124 (C.13:1B-15.111 et al.) shall be deemed and held to be an essential governmental function of the State.

2. Section 3 of P.L.1983, c.562 (C.13:1B-15.112a) is amended to read as follows:

C.13:1B-15.112a Board of trustees.

3. a. The powers and duties of the New Jersey Historic Trust shall vest in and be exercised by a board of 15 trustees, of whom three shall be the Administrator of the New Jersey Historic Preservation Office in the Department of Environmental Protection or such other representative of that department as may be designated by the Commissioner of Environmental Protection, the State Treasurer, and the Commissioner of the Department of Community Affairs or such other representative of that department as may be designated by the Commissioner of Community Affairs, or their respective designees, who shall serve ex officio, and 12 shall be citizens of the State, representing the several geographic regions of the State, to be appointed by the Governor with the advice and consent of the Senate. Citizen trustees shall possess a minimum of five years' experience in at least one of the following areas: historic preservation, fundraising, redevelopment and financing, architecture, planning, archaeology, or cultural nonprofit management, except this requirement shall not apply to any citizen trustee serving on the board on the date of enactment of P.L.1995, c.217 (C.13:1B-15.115f et al.) for the remainder of the unexpired term of that trustee.

b. Citizen trustees shall serve for three-year terms, provided, however, that the terms of the four new trustees appointed pursuant to P.L.1995, c.217 (C.13:1B-15.115f et al.) shall begin in the same calendar year as the effective date of that act and that two of those trustees first appointed shall be appointed for a two-year term and two shall be appointed for a one-year term. Each citizen trustee shall hold office for the term of the appointment and until a successor shall have been appointed and qualified. No citizen trustee may serve more than three consecutive terms, except this restriction shall not apply to terms either completed or commenced prior to the effective date of P.L.1995, c.217 (C.13:1B-15.115f et al.).

c. The trustees shall elect a chairman, vice-chairman, treasurer, and assistant secretary.

d. Eight trustees shall constitute a quorum, and the concurrence of a majority of the quorum shall be necessary to validate all acts of the board.

3. Section 8 of P.L.1967, c.124 (C.13:1B-15.115) is amended to read as follows:

C.13:1B-15.115 Additional powers.

8. The trust shall have power in particular to:

a. solicit and accept gifts, legacies, bequests, and endowments for any purpose which falls within that of the trust, and to maintain interest-bearing trust accounts for those purposes; and, unless otherwise specified by the person making such gift, legacy, bequest, or endowment, the trustees may expend both principal and income of any such gift, bequest, legacy, or endowment in furtherance of the trust or invest it in whole or in part in securities which are legal for trust funds in the State of New Jersey;

b. acquire and hold real and personal property of historic, aesthetic, or cultural significance, by gift, purchase, devise, bequest, or by any other means, to preserve and administer such properties, and, in the acquisition of such properties, to acquire property adjacent thereto deemed necessary for the proper use and administration of historic, aesthetic, or cultural property;

c. apply all moneys, assets, property, or other things of value it may receive as an incident to its operation to the general purpose of the trust;

d. cooperate with and assist, insofar as practicable, any agency of the State or any of its political subdivisions and any private agency or person in furtherance of the purpose of the trust;

e. give any moneys or property held by the trust to the Commissioner of Community Affairs or the Commissioner of Environmental Protection on behalf of the State for the purpose of administering, operating, or maintaining the historic sites programs of the State of New Jersey;

f. report annually to the Governor and the Legislature of the State of New Jersey its activities during the preceding year together with any recommendations or requests it deems appropriate to further the purpose of the trust. The annual report shall include a summary of the trust's use of the fee-collection authority provided by subsection h. of this section. The summary shall include the following information:

(1) For conferences, workshops, or other education initiatives:

(a) a list of all conferences, workshops, or other education initiatives conducted during the preceding year for which fees were collected pursuant to subsection h. of this section;

(b) the dollar amount of actual costs incurred by the trust in connection with each conference, workshop, or other education initiative listed in the summary; and

(c) the dollar amount of fees collected pursuant to subsection h. of this section for each conference, workshop, or other education initiative listed in the summary .

(d) (Deleted by amendment, P.L.2025, c.160)

(2) For printed works:

(a) identification by author with title of each printed work for which fees were collected pursuant to subsection h. of this section;

(b) the actual cost of reprinting the printed work; and

(c) the dollar amount of fees collected pursuant to subsection h. of this section for reprinting of the printed work.

(d) (Deleted by amendment, P.L.2025, c.160)

g. apply for recognition as an organization that is exempt from federal taxation, pursuant to section 501(c)(3) of the Internal Revenue Code (26 U.S.C.s.501(c)(3)), and to accept tax-deductible gifts, legacies, bequests, and endowments as provided pursuant to subsection a. of

this section, and as allowed by the Internal Revenue Code. This authorization shall be deemed retroactive to June 21, 1967;

h. collect fees for:

(1) admittance to any conference, seminar, exhibition, symposium, workshop or similar meeting, or education initiative sponsored by the trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State; and

(2) distribution to any individual or entity of a book, treatise, research study, monograph, or other printed work, CD-ROM, DVD, or online digital content that has been authored or commissioned by the trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State; and

i. provide for the collection of fees under this section or by contract.

j. Fees collected pursuant to paragraph (1) of subsection h. of this section shall be credited to a non-lapsing account from which the costs of the conference, workshop, or other education initiative are paid and shall be available to pay the costs incurred by the trust in connection with its sponsorship of the conference, workshop, or other education initiative or to reimburse the trust for those costs. In the event that the total amount of fees collected exceeds the actual costs incurred by the trust in connection with its sponsorship of a conference, workshop, or other education initiative, the amount of such excess shall remain in the account and may be used by the trust to pay for future costs associated with any conference, seminar, exhibition, symposium, workshop or similar meeting, or education initiative sponsored by the trust for the purpose of promoting the preservation, improvement, rehabilitation, or acquisition of historic properties in the State;

k. Fees collected pursuant to paragraph (2) of subsection h. of this section shall be credited to the account from which the costs of reprinting the printed work, or creating or distributing any CD-ROM, DVD, or online digital content are paid, and shall be available to pay the costs incurred by the trust to reprint the printed work or create or distribute the CD-ROM, DVD, or online digital content or to reimburse the trust for those costs. In the event the total amount of fees collected exceeds the actual costs incurred by the trust to reprint the printed work, the amount of such excess shall remain in the account and may be used by the trust to pay for future costs associated with reprinting printed works or creating or distributing any CD-ROM, DVD, or online digital content.

4. Section 6 of P.L.1995, c.217 (C.13:1B-15.115f) is amended to read as follows:

C.13:1B-15.115f Charge, collection of application fee, appraisal costs.

6. a. The New Jersey Historic Trust may charge and collect an application fee to be paid in connection with any application for a loan pursuant to P.L.1991, c.41 (C.13:1B-115a et seq.), which fee shall be determined by the trust in regulation. All application fees collected pursuant to this subsection shall be deposited into the Historic Preservation Revolving Loan Fund created pursuant to section 1 of P.L.1991, c.41 (C.13:1B-15.115a).

b. In connection with any application for a loan pursuant to P.L.1991, c.41 (C.13:1B-115a et seq.), the New Jersey Historic Trust may require the applicant to pay for the cost of any appraisal, credit investigation or report, survey, or other professional service performed by a third party that is deemed necessary by the trust to properly evaluate the application and may also require the applicant to pay loan closing costs.

5. The New Jersey Historic Trust, together with all of its functions, is continued, but the New Jersey Historic Trust is transferred by statute from the Department of State to the Department of Community Affairs. All personnel, appropriations, books, papers, records, and property necessary to the operation of the existing New Jersey Historic Trust are likewise transferred from the Department of State to the Department of Community Affairs. All rules, regulations, acts, determinations, and decisions in force at the time of the transfer pursuant to this section, or other matters undertaken or commenced pursuant to P.L.1967, c.124 (C.13:1B-15.111 et al.), shall continue in force.

6. This act shall take effect immediately.

Approved December 19, 2025.