

**SENATE, No. 2186**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex and Hudson)**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Establishes NJEDA urban farming grant and loan program.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing an urban farming grant and loan program, and  
2 supplementing P.L.1974, c.80 (C.34:1B-1 et seq.).

3

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

6

7 1. As used in P.L. , c. (C. ) (pending before the  
8 Legislature as this bill):

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

13 “Urban farming” means farming in an urban area on land or in or  
14 on a building or the rooftop thereof, where fresh produce or other  
15 agricultural products are grown or raised for consumption as food  
16 by traditional agricultural methods, in greenhouses using the  
17 appropriate methods for these structures, or through the use of  
18 aquaponics, hydroponics, or another nontraditional method of  
19 farming. “Urban farming” shall not include the cultivation of  
20 marijuana for medicinal or any other purpose.

21

22 2. a. The New Jersey Economic Development Authority, in  
23 consultation with the Department of Agriculture and the Department  
24 of Education, shall develop and administer an urban farming grant and  
25 loan program to:

26 (1) facilitate the acquisition of sites in urban areas available to  
27 be used for urban farming;

28 (2) maintain urban farming sites; and

29 (3) support providing fresh produce and other agricultural  
30 products from urban farming sites to school districts for use in  
31 public school cafeterias throughout the State.

32 b. (1) An applicant for a grant or loan pursuant to this section  
33 shall apply to the authority, in a form and manner as determined by  
34 the authority, and shall include information as the authority  
35 determines is necessary in consideration of the provisions of P.L.  
36 , c. (C. ) (pending before the Legislature as this bill).

37 (2) In order to receive a grant or loan from the authority  
38 pursuant to P.L. c. (C. ) (pending before the Legislature as  
39 this bill), the applicant shall meet the following requirements:

40 (a) the applicant’s urban farming facility shall be located within  
41 an urban area of the State;

42 (b) the applicant shall demonstrate contractual relationships with  
43 school districts in the State for the use of the fresh produce or other  
44 agricultural products grown or raised by the applicant, or shall  
45 demonstrate to the satisfaction of the authority how those  
46 relationships will be established;

- 1 (c) the applicant shall have sufficient experience, training, and  
2 education in urban farming to establish and operate an urban  
3 farming facility; and
- 4 (d) the applicant shall demonstrate to the satisfaction of the  
5 authority that the applicant owns and operates an established urban  
6 farming facility may be established.
- 7 (3) In order for the authority to consider an application for a  
8 grant or loan available pursuant to P.L. , c. (C. ) (pending  
9 before the Legislature as this bill), an applicant shall, as a condition  
10 of receiving a grant or loan, commit to:
- 11 (a) materially and substantially participate in urban farming and  
12 the provision of fresh produce and other agricultural products to  
13 public schools in school districts in the State;
- 14 (b) use the grant or loan for urban farming only; and
- 15 (c) comply with any other criteria established by the authority  
16 pursuant to rules and regulations adopted pursuant to section 3 of  
17 P.L. , c. (C. ) (pending before the Legislature as this bill).
- 18 (4) The authority shall review each complete application and  
19 approve any application that meets the requirements of this section  
20 and the rules and regulations adopted pursuant to section 3 of  
21 P.L. , c. (C. ) (pending before the Legislature as this bill).
- 22 c. An urban farming grant under this section shall be made by  
23 the authority in the manner the authority establishes, subject to the  
24 terms and conditions considered appropriate by the authority that  
25 are consistent with the purposes of P.L. , c. (C. ) (pending  
26 before the Legislature as this bill) and with the rules and regulations  
27 adopted by the authority pursuant to section 3 of P.L. , c. (C. )  
28 (pending before the Legislature as this bill).
- 29 d. An urban farming loan under this section shall be made  
30 pursuant to a loan agreement between the applicant and the  
31 authority, shall bear interest at rates and terms deemed appropriate  
32 by the authority, and shall contain other terms and conditions  
33 considered appropriate by the authority that are consistent with the  
34 purposes of P.L. , c. (C. ) (pending before the Legislature as  
35 this bill) and with the rules and regulations adopted by the authority  
36 pursuant to section 3 of P.L. , c. (C. ) (pending before the  
37 Legislature as this bill).
- 38 e. The authority may, in its discretion, require an applicant that  
39 receives a grant or a loan pursuant to P.L. , c. (C. )  
40 (pending before the Legislature as this bill) to submit an audited  
41 financial statement to the authority in order to ensure the applicant  
42 has properly used the grant or loan, the applicant is providing fresh  
43 produce and other agricultural products to public schools in the  
44 State, and the applicant continues to operate a viable urban farming  
45 facility.
- 46 f. The authority may, either through the adoption of rules and  
47 regulations pursuant to section 3 of P.L. , c. (C. ) (pending  
48 before the Legislature as this bill), or through the terms of a grant or

1 loan agreement made pursuant to subsection c. or d. of this section,  
2 establish terms governing the incidence of default by an applicant  
3 that receives a grant or loan under the program, and in the case of a  
4 grant applicant, circumstances under which the grant may be  
5 converted to a loan after it is demonstrated that the applicant  
6 improperly used the grant.

7 g. The authority may participate in, and cooperate with,  
8 programs of the Consolidated Farm Service Agency in the United  
9 States Department of Agriculture, any Federal Land Bank, or any  
10 other agency or instrumentality of the federal government, or with  
11 any program of any other State agency, in the administration of the  
12 urban farming grant and loan program.

13  
14 3. The New Jersey Economic Development Authority, in  
15 consultation with the Department of Agriculture and the  
16 Department of Education, shall adopt, pursuant to the  
17 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B.1 et  
18 seq.), rules and regulations necessary to effectuate the purposes of  
19 P.L. , c. (C. ) (pending before the Legislature as this bill).

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21 4. This act shall take effect immediately.

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24 STATEMENT

25  
26 This bill directs the New Jersey Economic Development  
27 Authority (EDA), in consultation with the Department of  
28 Agriculture and the Department of Education, to develop and  
29 administer an urban farming grant and loan program to: facilitate  
30 the acquisition of sites in urban areas available to be used for urban  
31 farming; maintain urban farming sites; and support providing  
32 agricultural products to public school cafeterias.

33 The bill requires demonstration of a contractual relationship with  
34 school districts in the State to provide fresh produce or other  
35 agricultural products grown or raised through urban farming to  
36 public schools. The bill authorizes the EDA to establish additional  
37 eligibility requirements and terms for receiving a grant or loan  
38 pursuant to the program. The bill also excludes the cultivation of  
39 marijuana for medicinal or any other purpose from any urban  
40 farming supported by the EDA grants and loans pursuant to the  
41 program.