

SENATE, No. 4578

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED SEPTEMBER 28, 2026

Sponsored by:
Senator JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Authorizes local governments and nonprofit organizations to utilize certain constitutionally dedicated CBT revenues for administrative expenses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the Green Acres program and amending
2 P.L.1999, c.152.

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

6
7 1. Section 27 of P.L.1999, c.152 (C.13:8C-27) is amended to
8 read as follows:

9 27. a. (1) Any grant awarded by the State to a local government
10 unit to acquire lands for recreation and conservation purposes shall
11 be for 25 **[%]** percent of the cost of acquisition, plus administrative
12 expenses, except that the trust may authorize an increase in the
13 State's share of the cost to a maximum of 50 **[%]** percent of the
14 cost of acquisition, plus administrative expenses, upon a
15 demonstration of special need or exceptional circumstances.

16 (2) Notwithstanding the provisions of paragraph (1) of this
17 subsection to the contrary:

18 (a) a grant by the State for lands acquired for recreation and
19 conservation purposes by a qualifying open space referendum
20 county or a qualifying open space referendum municipality shall be
21 for 50 **[%]** percent of the cost of acquisition of the lands by that
22 county or municipality, plus administrative expenses, except that
23 the trust may authorize an increase in the State's share of the cost to
24 a maximum of 75 **[%]** percent of the cost of acquisition, plus
25 administrative expenses, upon a demonstration of special need or
26 exceptional circumstances; and

27 (b) a grant by the State for lands acquired or developed for
28 recreation and conservation purposes by a local government unit in
29 a municipality eligible to receive State aid pursuant to P.L.1978,
30 c.14 (C.52:27D-178 et seq.) shall be for 50 **[%]** percent of the cost
31 of acquisition or development of the lands by the local government
32 unit, plus administrative expenses, except that the trust may
33 authorize an increase in the State's share of the cost to a maximum
34 of 75 **[%]** percent of the cost of acquisition or development, plus
35 administrative expenses, upon a demonstration of special need or
36 exceptional circumstances.

37 b. A loan by the State for lands to be acquired or developed by
38 a local government unit for recreation and conservation purposes
39 may include up to 100 **[%]** percent of the cost of acquisition or
40 development of the lands by the local government unit, plus
41 administrative expenses, shall bear interest of not more than 2 **[%]**
42 percent per year, and shall be for a term of not more than 30 years
43 for an acquisition project and not more than 20 years for a
44 development project.

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.

1 c. (1) A grant by the State for lands to be acquired or developed
2 by a qualifying tax exempt nonprofit organization for recreation and
3 conservation purposes may include up to 50 **[%]** percent of the cost
4 of acquisition or development of the lands by the qualifying tax
5 exempt nonprofit organization, plus administrative expenses.

6 (2) (a) No grant shall be made to a qualifying tax exempt
7 nonprofit organization for a development project for recreation and
8 conservation purposes on lands owned by a local government unit
9 unless the local government unit is a co-applicant with the
10 qualifying tax exempt nonprofit organization or has otherwise
11 indicated its approval in writing of the proposed development
12 project.

13 (b) A qualifying tax exempt nonprofit organization shall not use
14 as its matching share of the cost of acquisition or development of
15 lands for recreation and conservation purposes any constitutionally
16 dedicated grant moneys or any grant moneys obtained from a Green
17 Acres bond act.

18 (3) To qualify to receive a grant pursuant to this subsection, the
19 board of directors or governing body of the applying tax exempt
20 nonprofit organization shall:

21 (a) demonstrate to the commissioner that the organization
22 qualifies as a charitable conservancy for the purposes of P.L.1979,
23 c.378 (C.13:8B-1 et seq.);

24 (b) demonstrate that the organization has the resources to match
25 the grant requested;

26 (c) agree to make and keep the lands accessible to the public,
27 unless the commissioner determines that public accessibility would
28 be detrimental to the lands or any natural resources associated
29 therewith;

30 (d) agree not to convey the lands except to the federal
31 government, the State, a local government unit, or another
32 qualifying tax exempt nonprofit organization, for recreation and
33 conservation purposes; and

34 (e) agree to execute and donate to the State at no charge a
35 conservation restriction pursuant to P.L.1979, c.378 (C.13:8B-1 et
36 seq.) on the lands to be acquired with the grant.

37 d. The local government unit or qualifying tax exempt
38 nonprofit organization share of the cost of an acquisition of lands, if
39 any, may be reduced (1) by the fair market value, as determined by
40 the commissioner, of any portion of the lands to be acquired that
41 have been donated to, or otherwise received without cost by, the
42 local government unit or qualifying tax exempt nonprofit
43 organization; or (2) in the case of a conveyance of the lands, or any
44 portion thereof, to the local government unit or qualifying tax
45 exempt nonprofit organization at less than fair market value, by the
46 difference between the fair market value at the time of the
47 conveyance and the conveyance price to the local government unit
48 or qualifying tax exempt nonprofit organization.

1 e. Whenever a local government unit or qualifying tax exempt
2 nonprofit organization acquires land for recreation and conservation
3 purposes using constitutionally dedicated moneys in whole or in
4 part, the local government unit or qualifying tax exempt nonprofit
5 organization, shall, within six months after the date of acquisition,
6 inspect the land for the presence of any buildings or structures
7 thereon which are or may be historic properties and, within 60 days
8 after completion of the inspection, provide to the New Jersey
9 Historic Preservation Office in the Department of Environmental
10 Protection (1) a written notice of its findings, and (2) for any
11 buildings or structures which are or may be historic properties
12 discovered on the land, a request for determination of potential
13 eligibility for inclusion of the historic building or structure in the
14 New Jersey Register of Historic Places. Whenever such a building
15 or structure is discovered, a copy of the written notice provided to
16 the New Jersey Historic Preservation Office shall also be sent to the
17 New Jersey Historic Trust and to the county historical commission
18 or advisory committee, the county historical society, the local
19 historic preservation commission or advisory committee, and the
20 local historical society if any of those entities exist in the county or
21 municipality wherein the land is located.

22 f. As used in this section, "administrative expenses" means the
23 labor costs, not to exceed three percent of the cost of acquisition or
24 development, as applicable, of the property, incurred by a local
25 government unit or qualifying tax exempt nonprofit organization in
26 organizing, negotiating, and administering the acquisition or
27 development of land for recreation and conservation purposes,
28 including, but not limited to, outreach to potential program
29 participants, negotiating with landowners, site visits, and document
30 preparation, as such labor costs are reported to, and confirmed
31 applicable and reasonable by, the department. This subsection shall
32 not be construed to limit the authority of the department to provide
33 for the costs of acquisition pursuant to subsections a. through d. of
34 this section.

35 (cf: P.L.1999, c.152, s.27)

36
37 2. This act shall take effect immediately.

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40 STATEMENT

41
42 This bill would amend existing law to authorize local
43 governments and nonprofit organizations that receive
44 constitutionally dedicated corporation business tax (CBT) revenues
45 to acquire or develop lands for recreation and conservation purposes
46 to use a certain portion of the funds for administrative expenses.
47 Specifically, the bill would authorize those entities to use up to

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- 1 three percent of the value of the cost of acquisition or development,
- 2 as applicable, for administrative expenses.