

## CHAPTER 34

**AN ACT** concerning State and local agency business permits related to economic development projects and supplementing Title 52 of the Revised Statutes.

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

C.52:14B-26 Definitions relative to State and local agency business permits.

1. As used in this act:

"Local agency" means any department of a political subdivision of this State, or any division, office, agency, or bureau thereof that issues a permit to a business.

"Permit" means a permit, license, certificate, registration, compliance schedule, or any other form of permission or approval required by law to be issued by a State agency in order to engage in a business activity, or any other authorization related thereto, whether that authorization is in the form of a permit, approval, license, certification, waiver, letter of interpretation, agreement, or any other executive or administrative decision which allows a business to engage in an activity.

"State agency" means any New Jersey principal department or any division, office, agency, or bureau thereof that issues a permit to a business.

C.52:14B-27 Periodic review of permits.

2. Consistent with the requirements of applicable statutes, every State agency shall periodically review those permits the State agency issues to identify permits that:

a. Can be administered through an expedited process, such as developing procedures for the electronic submission of permit applications ; or

b. May be obsolete, are no longer necessary, or cost more to administer than the benefits they provide, and thus should be eliminated so long as the public health, safety, or general welfare is not endangered.

Each State agency shall provide notice to the Secretary of State or other State officer or employee designated by the Governor pursuant to section 3 of P.L.2011, c.34 (C.52:14B-28) of its identification of permits that can be administered through an expedited process or may be obsolete, and its actions taken or recommended to be taken to expedite permitting and its actions taken or recommended to be taken to eliminate obsolete permits.

C.52:14B-28 System of review of business permits issued.

3. The Secretary of State or other State officer or employee as the Governor may designate to manage this program within the Department of State shall develop a system of consolidated and contemporaneous review of State and local agency-issued business permits for the purpose of accelerating the process of issuing business permits, eliminating redundancy among different levels of State and local government, and ensuring more consistency in permit issuance. This system shall be adopted by rule pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Under such system, any county or municipality issuing a business permit shall be encouraged and incentivized to voluntarily join in a collaborative effort to manage the permitting process for a business project with any State agency, as applicable to each project, and jointly agree on a process and schedule for a cooperative and contemporaneous handling of business permits and approvals. Any municipality issuing a business permit or approval pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) shall not be subject to the provisions of this act. A permit or approval related to a federally-funded program or project or a permit or approval that is specified or determined by or pursuant to federal law or

regulation shall not be subject to the provisions of this act.

C.52:14B-29 Designation of contact person.

4. Concerning any large, complex project having a significant potential employment or investment impact, the Secretary of State or other State officer or employee designated by the Governor pursuant to section 3 of P.L.2011, c.34 (C.52:14B-28) shall designate an employee of the Department of State from among those positions otherwise filled to act as a contact person to be responsible for assisting each business undertaking such project on an individual basis and to continue as the point of contact between that business and all appropriate government entities throughout the permit and approval application process. Concerning projects which require permits from multiple State and local agencies, the Secretary of State or the Governor's designee shall designate an employee of the Department of State from among those positions otherwise filled to guide such projects throughout the process of applying for and receiving any business permit or approval. The duties of the designated contact person shall include:

- a. Developing, from the outset, a checklist of permits to which the applicable agencies agree;
- b. Establishing a detailed course of actions and milestones for the permitting or approval process that shall be agreed to by the applicable agencies;
- c. Reporting any impediments to, or conflicts regarding, milestones to the Secretary of State or the Governor's Designee, and promptly evaluating any disputes, delays, or other issues requiring centralized review; and
- d. Coordinating as needed with the New Jersey Economic Development Authority to ensure that businesses considering investing in this State receive integrated project management of all State and local agency required permits and approvals.

C.52:14B-30 Annual report to Governor, Legislature.

5. a. The Secretary of State or other State officer or employee designated by the Governor pursuant to section 3 of P.L.2011, c.34 (C.52:14B-28) shall report annually on or before March 1 to the Governor and to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), concerning:

- (1) Permits identified pursuant to section 2 of P.L.2011, c.34 (C.52:14B-27) as either being able to be administered through an expedited process or obsolete, and actions taken or recommended to be taken to implement expedited processes or eliminate obsolete permits;
- (2) The counties and municipalities participating in cooperative and contemporaneous handling of business permits and approvals pursuant to section 3 of P.L.2011, c.34 (C.52:14B-28);
- (3) The specific employees assigned as designated contact persons to specific projects, by project, pursuant to section 4 of P.L.2011, c.34 (C.52:14B-29), a summary of actions taken on behalf of each project, and outcomes; and
- (4) Other matters as the Secretary of State or the Governor's designee may find material.

b. The report required by subsection a. of this section shall be posted on the Department of State web site.

6. This act shall take effect on the 60th day after the date of enactment, but any affected agency may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved March 1, 2011.