### BUSINESS INCENTIVES PRACTICE



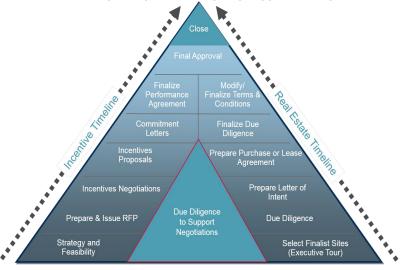
# NEW JERSEY ECONOMIC RECOVERY ACT OF 2020

The NJ Economic Recovery Act was signed by Governor Murphy on January 7, 2021. The bill provides \$14.4 Billion over a multi-year period. The New Jersey Economic Development Authority (EDA) will administer the relevant programs. The programs provide for administration of programs and policies related to jobs, property development, food deserts, community partnerships, small and early-stage businesses, State procurement, wind energy, and film production

#### **NJ EMERGE**

- \$1.1B Overall Annual Cap Applies To Emerge & Aspire
- Material Factor And CEO Certification Required
- No Capex Requirement Under 100 Employees
- Sellable Tax Credit Program, Up To \$8K/Job
- Capital Investment Requirement
- Targeted industries include advanced transportation and logistics, advanced manufacturing, aviation, autonomous vehicle, zero-emission vehicle; R&D, clean energy, life sciences, hemp processing, information and high technology, finance and insurance, professional services, film and digital media, non-retail food and beverage businesses, food and other innovative industries
- If Capital Investment Exceeds \$10 Million Community Development Agreement Required
- Affirmative Action And Prevailing Wage Requirement
- Compliance And Annual Reporting
- Commitment of 1.5x length of incentive period

## THE KEY TO A SUCCESSFUL INCENTIVES PROJECT IS EARLY ENGAGEMENT. THE REAL ESTATE & INCENTIVES PROCESS ARE INTEGRATED.



#### **INCENTIVE PROGRAM**

#### NJ EMERGE

Replaces the NJ GROW

- Benefits are capped at \$8K over 7 vrs.
- Credits range from \$500-\$8K/job
- Sellable credits for a base of 85%
- · Bonus credits are available

### NJ ASPIRE

- Replaces the ERG
- Credits are sellable
- Primarily for Development Projects
- Carryforward will vary
- Residential Projects can qualify

#### 3 HISTORIC PRESERVATION

- Encourage redevelopment
- · Vacant, historic properties
- Encourage profit
- Nonrefundable credits can be carried forward 9 yrs.

#### BROWNFIELD REDEVELOPMENT

- Encourage clean-up of brownfield sites for remediation costs
- Existent project financing gap
- No carry forward
- Nonrefundable but sellable.

## 5 INNOVATION EVERGREEN

- State and private venture capital firms jointly finance startups
- Credit the fund with money paid by purchasers
- Companies must be fewer than 250 employees.

## 6 FOOD DESERT

- Support to build or expand grocery stores in lower-income, typically minority communities with no access to food stores.
- · Can be carried forward for 10 yrs.

## **7** COMMUNITY ANCHORED

Credits cannot be carried forward and are not refundable

Reporting requirements

## BUSINESS INCENTIVES PRACTICE



#### **NEW JERSEY EMERGE CRITERIA**

Project Type	Base Amount Per New or Retained FT Job Per Year	Gross Amount Cap Per New or Retained FT Job, Per Year
Government Restricted Municipality	\$4,000	\$8,000
Mega Project	\$4,000	\$8,000
Enhanced Areas (including Transit Hub Areas, 3 SNAP Areas, 1 the 5 municipalities with the highest poverty rates according to the 2017 Municipal Revitalization Index 2	\$3,500	\$6,000
Distressed Areas	\$3,000	\$5,000
Opportunity Zones or Employment and Investment Corridor	\$2,500	\$4,000
Other Eligible Area	\$500	\$3,000

<sup>&</sup>lt;sup>1</sup>SNAP areas include: Camden, Salem and Passaic

#### **BONUS CRITERIA**

BONUS TYPE	Bonus Amount/Job/Year
Qualified Incubator Space	\$500
Businesses in Targeted Industry	\$500
Excess capital investment in industrial or R&D, an increase per year for each additional amount of investment that exceeds the minimum amount required by 40%, unless the project qualifies as a mega project or is located in a GSGZ.	\$1000 to \$5000
Exceeds LEED "Silver" or completes substantial environment remediation or the Leadership in Energy and Environmental Design's or "Gold" Standard	\$250-500
Median salary in excess of the existing median salary for the county	\$250-1500
Small business benefit	\$500
Located in a qualified incentive tract	\$500
Large numbers of new and retained full time jobs	
251 to 400	\$500
401 to 600	\$750
601 to 800	\$1,000
801 to 1,000	\$1,250
1,001 +	\$1,500
Labor Harmony Agreement	\$1000-2000
Located in a Municipality with MRI Index greater than 50	\$1,000
Project generated onsite solar energy of at lease 1/2 of the projects overall energy needs	\$500
Childcare Access for Employees	\$1,000
Partnership with Prisoner Reentry	\$500
Collaborative Relationship with College/University	\$1,000
Located in an Opportunity Zone	\$1,000
A marine terminal project in a municipality located outside a government-restricted municipality, but within the geographical boundaries of the South Jersey Port District	\$1,500
Industry specific training program, which has the capacity to enroll 10% or more of the eligible business's full-time workforce, or pays a State educational institution to provide to the public an industry-specific training program, if the training program is provided by a State educational institution that is within 10 miles of the qualified business facility, then the increase shall be \$1,000 per year	\$500-1000
Diversity Bonus one-third or more of the members of the eligible business's governing board or other governing body self-identify as members of an underrepresented community, which may include Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, Alaska Native or gay, Iesbian, bisexual or transgender.	\$2,000

<sup>&</sup>lt;sup>2</sup> The 2017 Municipalities with the lowest MRI are Camden, Salem, Atlantic City, Wildwood City and Bridgeton City