

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 366

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2024

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 366.

As amended and reported, this bill provides that fusion energy and fusion technology companies are eligible applicants under certain economic incentive programs.

Under the bill, the New Jersey Economic Development Authority (EDA), in consultation with the New Jersey Commission on Science, Innovation and Technology and the Board of Public Utilities, is required to adopt rules and regulations for the administration of economic incentive programs. These rules and regulations are to provide that any reference or stipulation under a program related to (1) the development or production of renewable energy, (2) the development of emerging technologies, or (3) the expansion of targeted industries in this State connected to the award of a benefit or incentive to a company is deemed to include the development or production of fusion energy or fusion technology in this State.

The bill specifies that the rules and regulations are to establish eligibility requirements applicable to the different economic incentive programs and are to establish uniform methodologies for determining qualifications of an individual applicant that is a fusion energy or fusion technology company. Nothing contained in the bill is to be construed to deem fusion energy or fusion technology eligible for program incentives under the New Jersey Clean Energy Program or other program incentives funded through the societal benefits charge of the “Universal Service Fund.”

The bill includes within the scope of economic incentive programs, any program administered by the EDA that offers a benefit or incentive to a person in order to stimulate economic development of a new or existing renewable energy or technology company in New Jersey.

The bill also makes corresponding changes to statutes governing the State’s corporation business tax benefit certificate transfer program for emerging technology and biotechnology companies and to the “New Jersey Angel Investor Tax Credit Act.”

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As amended and reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify the definitions of "fusion technology" and "fusion energy" and to make technical corrections.