

CHAPTER 190

AN ACT establishing the New Jersey Innovation Authority and supplementing Title 52 of the Revised Statutes.

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

C.52:18A-234.8 Definitions.

1. As used in P.L.2025, c.190 (C.52:18A-234.8 et seq.):

“Authority” means the New Jersey Innovation Authority established pursuant to P.L.2025, c.190 (C.52:18A-234.8 et seq.).

“Nonprofit entity” means a corporation organized pursuant to the “New Jersey Nonprofit Corporation Act,” N.J.S.15A:1-1 et seq., or a corporation organized pursuant to Title 16 of the Revised Statutes, with a public purpose and experience in undertaking projects to improve the performance of government entities, through development or deployment of innovative information technology solutions, for the benefit of the public.

C.52:18A-234.9 New Jersey Innovation Authority established.

2. a. There is hereby established in, but not of, the Department of the Treasury a public body corporate and politic, with corporate succession, to be known as the “New Jersey Innovation Authority.” The authority is hereby constituted as an instrumentality of the State exercising public and essential government functions, and the exercise by the authority of the powers conferred by P.L.2025, c.190 (C.52:18A-234.8 et seq.) shall be deemed and held to be an essential government function of the State.

b. The authority shall consist of 13 members as follows:

(1) the Chief Technology Officer of the New Jersey Office of Information Technology, or a designee, who shall serve as an ex officio, voting member;

(2) the Chief Executive Officer of the New Jersey Economic Development Authority, or a designee, who shall serve as an ex officio, voting member;

(3) the State Treasurer, or a designee, who shall serve as an ex officio, voting member;

(4) the Chief Counsel to the Governor, or a designee, who shall serve as an ex officio, voting member; and

(5) nine public members, who shall serve as voting members, five of whom shall be appointed by the Governor, two of whom shall be appointed by the Governor upon recommendation of the Speaker of the General Assembly, and two of whom shall be appointed by the Governor upon recommendation of the President of the Senate.

c. (1) The nine public members appointed by the Governor pursuant to paragraph (5) of subsection b. of this section shall have knowledge and expertise in one or more relevant fields including, but not limited to: data science; public engagement; the development and implementation of digital technologies and digital product development; and the digital delivery of products, services, or benefits and the practical applications of the same.

Each public member directly appointed by the Governor pursuant to paragraph (5) of subsection b. of this section shall serve for a term of five years, except that of those members first appointed: two shall serve for a term of five years, two shall serve for a term of four years, and one shall serve for a term of three years. Each public member shall serve until the member’s successor has been appointed and qualified.

Each public member appointed by the Governor upon the recommendation of the Speaker of the General Assembly or the President of the Senate pursuant to paragraph (5) of subsection b. of this section shall serve for a term of five years and until the member’s successor has been appointed and qualified.

Each public member shall be eligible for reappointment. Any vacancy in the membership occurring other than by expiration of the term shall be filled in the same manner as the original appointment but only for the unexpired term.

Each public member may be removed from office by the Governor, for cause, after notice and a public hearing, and may be suspended by the Governor pending the completion of such hearing.

Each public member of the authority, before entering upon the public member's duties, shall take and subscribe to an oath to perform the duties of the office faithfully, impartially, and justly to the best of the member's ability. A record of such oath shall be filed in the Office of the Secretary of State.

(2) Each member of the authority shall serve without compensation, but the authority may reimburse its members for actual and necessary expenses incurred in the performance of the members' duties, within the limits of funds appropriated or otherwise made available to the authority for its purposes.

d. A chairperson shall be appointed by the Governor from among the public members. The chairperson shall chair, and be responsible for scheduling and convening, all meetings of the authority. Any vacancy in the term of the person selected as chairperson shall be filled in the same manner as the original appointment but only for the unexpired term.

A majority of the total appointed membership of the authority shall constitute a quorum at any meeting of the authority. The authority may take actions and adopt motions and resolutions by the affirmative vote of a majority of its members who are present, unless in any case the authority's bylaws require a larger number. No vacancy in the authority's membership shall impair the right of a quorum of the members to exercise all the powers and perform the duties of the authority.

A true copy of the minutes of every meeting of the authority shall be prepared and forthwith delivered to the Governor. No action taken at such meeting by the authority shall have force or effect until 10 days, exclusive of Saturdays, Sundays, and public holidays, after such copy of the minutes shall have been so delivered. If, in the 10-day period, the Governor returns such copy of the minutes with veto of any action taken by the authority or any member thereof at such meeting, such action shall be null and of no effect. If the Governor shall not return the minutes within the 10-day period, any action therein recited shall have force and effect according to the wording thereof. At any time prior to the expiration of the 10-day period, the Governor may sign a statement of approval of any such action of the authority, in which case the action so approved shall not thereafter be disapproved.

e. The authority shall delegate to the Chief Innovation Officer, established pursuant to section 3 of P.L.2025, c.190 (C.52:18A-234.10), the ability to appoint, retain, or employ a legal director, engineers, attorneys, accountants, financial experts, and any such officers, agents, employees, and experts or other persons as the authority may require for the performance of its duties, all without regard to Title 11A, Civil Service, of the New Jersey Statutes. The Chief Innovation Officer shall determine the qualifications, terms of office, duties, services, and compensation for any such officers, agents, employees, experts, or other persons before making any such appointments and shall promote and discharge such officers, agents, employees, experts, and other persons all without regard to Title 11A, Civil Service, of the New Jersey Statutes.

No officer, member, or employee of the authority shall be subject to prohibition from involvement on an official matter for one year after the commencement of the employee's State service involving or related to the employee's former employer during the one year prior to the employee's commencement of State service, in accordance with N.J.A.C.19:61-7.4(a), any

successor provision, and the corresponding provision prohibiting such activity set forth in Section IX of the Uniform Ethics Code, as may be amended from time to time, with respect to their most recent former employer, so long as that former employer is an independent, nonpartisan, nonprofit organization that during the three preceding State fiscal years has received a State appropriation to, in consultation with the Chief Innovation Officer for the State of New Jersey, provide advisory and implementation services to State departments and agencies in the area of modernizing, improving, facilitating, and streamlining government services to individuals and businesses.

f. The authority may be dissolved by an act of the Legislature on condition that the authority has no obligations outstanding or that the provision has been made for the payment or retirement of such obligations. Upon such dissolution of the authority, all property, funds, and assets thereof shall be vested in the State.

C.52:18A-234.10 Chief Innovation Officer, role, responsibilities; report to Governor, Legislature.

3. a. The day-to-day operations of the authority shall be directed and administered by a Chief Innovation Officer for the State of New Jersey. Upon enactment of P.L.2025, c.190 (C.52:18A-234.8 et seq.), the initial appointment of the Chief Innovation Officer shall be made by the Governor. All subsequent appointments of the Chief Innovation Officer following the initial appointment shall be made by the authority upon a majority vote of its members. The Chief Innovation Officer shall serve at the pleasure of the authority and may be removed by a majority vote of its members. Notwithstanding the supervision and direction of the Chief Innovation Officer by the authority, the Chief Innovation Officer shall report directly to the Governor on all activities and responsibilities of the authority as specified in P.L.2025, c.190 (C.52:18A-234.8 et seq.).

The Chief Innovation Officer shall be the chief executive officer of the authority and shall be qualified by education, training, and prior experience to direct the work of the authority and to perform the duties, functions, and responsibilities of the Chief Innovation Officer position.

b. The Chief Innovation Officer shall not serve as a member of the authority. The Chief Innovation Officer shall receive an annual salary as provided by the authority. The authority shall have the ability to consider, investigate, and evaluate any and all matters or issues relevant to the performance of the Chief Innovation Officer.

c. The Chief Innovation Officer shall:

(1) provide advice and recommendations to the executive branch of State government with respect to State, national, and global trends in innovation and allocation of State resources in education, job training, technology research and development, and any other such areas the authority deems necessary;

(2) promote, drive, and monitor innovation initiatives in the executive branch of State government;

(3) appoint, retain, or employ a legal director, engineers, attorneys, accountants, financial experts, and any such officers, agents, employees, experts, or other persons as the authority may require; determine their qualifications, terms of office, duties, services, and compensation; and promote and discharge such persons, all without regard to the provisions of Title 11A, Civil Service, of the New Jersey Statutes; and

(4) carry out any other powers of the authority as may be delegated to the Chief Innovation Officer by the authority.

C.52:18A-234.11 New Jersey Innovation Authority, duties, administrative responsibilities.

4. a. The New Jersey Innovation Authority shall:

- (1) adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) adopt and have a seal and to alter the same at pleasure;
- (3) serve as the primary authority on technology innovation for the State;
- (4) advise and provide centralized implementation and delivery services to the executive branch of State government to modernize, improve, facilitate, and streamline innovation-related policy objectives, technology products, and technology services to individuals and public and private entities;
- (5) promote, drive, and monitor the responsible use of emerging technology tools and methods that advance the development, implementation, and delivery of public services to individuals and public and private entities;
- (6) promote evidence-based, data-driven, resident-engaged, human-centered, and participatory methodologies and practices used to design, develop, implement, and measure impact programs, services, and benefits;
- (7) develop and maintain metrics for measuring the progress of the State with respect to improving conditions for innovation, including through talent development, investment, and infrastructure improvements;
- (8) identify opportunities and make recommendations for the heads of agencies of the executive branch of State government to improve innovation, monitoring and reporting on the implementation of such recommendations;
- (9) support the Chief Technology Officer in the review of information technology modernization and improvement plans required pursuant to section 4 of P.L.2021, c.392 (C.52:18A-233.4);
- (10) propose an annual budget of the authority for operations, projects, and general office activities of the authority that are deemed necessary or incidental to the performance of its duties and the execution of its powers under P.L.2025, c.190 (C.52:18A-234.8 et seq.) and to submit a request for appropriations to the Governor for consideration for inclusion in the Governor's Budget Message;
- (11) accept or receive funds from private foundations to support authority operations, subject to the provisions of the Uniform Ethics Code;
- (12) enter into contracts and agreements necessary or incidental to the performance of the authority's duties and the execution of its powers under P.L.2025, c.190 (C.52:18A-234.8 et seq.), including, but not limited to, contracts and agreements with federal, State, and local governments and private entities; agreements regarding usage of the infrastructure and resources of the New Jersey Office of Information Technology; agreements establishing cost-sharing or recovery mechanisms between the authority and agencies of the executive branch of State government; and procurement contracts;
- (13) procure insurance against any losses in connection with its property, operations, or assets in such amounts and from such insurers as the authority deems desirable;
- (14) provide grants or other forms of financial assistance;
- (15) fix, revise, charge, and collect rates, rents, fees, and charges for the use of platforms, services, or products developed within the authority and contract with any person, party, association, corporation, or other body, public or private, in respect thereof;
- (16) solicit contributions from public and private entities for any of its corporate purposes;
- (17) in connection with any action undertaken by the authority in the performance of its duties thereof, require and collect such fees and charges as the authority shall determine to be

reasonable, including, but not limited to, fees and charges for the authority's administrative, organizational, insurance, operating, legal, and other expenses;

(18) do any and all things necessary and convenient to carry out its purposes and exercise the powers given and granted in P.L.2025, c.190 (C.52:18A-234.8 et seq.); and

(19) in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations as necessary to implement P.L.2025, c.190 (C.52:18A-234.8 et seq.).

b. On or before March 31 of each calendar year, the authority shall prepare an annual report of its activities for the preceding calendar year and submit such annual report to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1). The annual report shall set forth a complete operating and financial statement covering the operations of the authority during the preceding calendar year. The authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants and cause a copy thereof to be filed with the Secretary of State and the Director of the Division of Budget and Accounting in the Department of the Treasury.

C.52:18A-234.12 New Jersey Innovation Authority, public advertisement for bids.

5. a. Notwithstanding the provisions of any other law to the contrary, and except as provided in subsection b. of this section, all purchases, contracts, or agreements made by the authority shall be made or awarded directly by the authority after public advertisement for bids, which shall be submitted in the manner provided by the authority.

b. A purchase, contract, or agreement may be made, negotiated, or awarded by the authority without public bid or advertising under the following circumstances:

(1) when the aggregate amount involved does not exceed the amount set forth in, or the amount calculated by, the Governor pursuant to section 2 of P.L.1954, c.48 (C.52:34-7), unless other State law sets forth a lower bid threshold in a particular case, in which case the lower threshold shall apply. The authority shall not divide a contract into multiple proposed contracts in order to take advantage of this exception and shall, if invoking this exception, certify that the authority has not done so and maintain a record of that certification;

(2) in cases of unforeseen life, safety, or health emergencies where the public exigency requires that services or products be purchased immediately;

(3) when making, negotiating, or awarding a purchase, contract, or agreement pursuant to sections 3 through 5 of P.L.1954, c.48 (C.52:34-8, C.52:34-9, and C.52:34-10);

(4) when the contract to be entered into is for the furnishing or performance of services of a professional or technical nature, including legal services, provided that the contract shall be made or awarded directly by the authority;

(5) when a firm has brought an innovative idea to the authority and a request for proposals cannot be constructed without communicating such idea or relevant intellectual property of the firm;

(6) when the authority has advertised for bids and has received no bids in response to its advertisement or received no responsive bids. Any purchase, contract, or agreement may then be negotiated and may be awarded to any contractor or supplier determined to be responsible, as "responsible" is defined in section 2 of P.L.1971, c.198 (C.40A:11-2), provided that the terms, conditions, restrictions, and specifications set forth in the negotiated contract or agreement are not substantially different from those which were the subject of competitive bidding; and

(7) when a purchase is to be made through or by the Director of the Division of Purchase and Property in the Department of the Treasury pursuant to section 1 of P.L.1959, c.40 (C.52:27B-56.1).

c. Notwithstanding any other law to the contrary, the authority shall be authorized to consult with, enter into agreements or contract with, and transfer, disburse, or grant funds, in the authority's discretion, to an established nonprofit entity, including the National Center for Civic Innovation, Inc. (NCCI), as such nonprofit entity may be identified by the authority, to effectuate any of the purposes or powers, either directly or indirectly, granted to the authority pursuant to P.L.2025, c.190 (C.52:18A-234.8 et seq.). Such purposes or powers of the authority may include, but need not be limited to, providing advisory and implementation services to State departments and agencies concerning the modernization, improvement, facilitation, and streamlining of government services to individuals and businesses. Authority funds may be directly allocated to the designated nonprofit and shall not be subject to section 1 of P.L.1987, c.7 (C.52:14-34.4). In exercising its authority under this section, the authority shall not be subject to the public bidding requirements under the "Local Public Contracts Law," P.L. 1971, c.198 (C. 40A:11-1 et seq.), or any other applicable procurement laws, with respect to the designated nonprofit.

d. Notwithstanding the provisions of P.L.2024, c.22 or any other law or regulation to the contrary, any remaining, unencumbered funds appropriated for Permit Modernization, or to the National Center for Civic Innovation, Inc., or both, pursuant to P.L.2024, c.22 may be transferred to the New Jersey Innovation Authority for operations of the authority, subject to the approval of the Chief Innovation Officer and Director of the Division of Budget and Accounting in the Department of the Treasury.

6. This act shall take effect immediately.

Approved January 5, 2026.