

CHAPTER 102

AN ACT establishing a Black Heritage Trail, amending P.L.2005, c.47, and supplementing chapter 16A of Title 52 of the Revised Statutes, and making an appropriation.

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

C.18A:73-25.9 Definitions; New Jersey Historical Commission, powers, duties; New Jersey Black Heritage Trail sites.

1. a. As used in this act:

“Black heritage site” or “heritage site” means a location where items of political, military, artistic, cultural, or social history have been preserved due to their cultural heritage value to the State. The locations shall include, but need not be limited to, locations related to Black educators, journalists, scientists, physicians, lawyers, artists, or humanitarians who have contributed to the development or advancement of this State, the United States, or Black communities throughout the world.

“Black Heritage Trail” means a series of Black heritage sites identified by the division, which may be linked by geographic proximity and alignment, thematic consistency, and historical consistency.

“Commission” means the New Jersey Historical Commission, established pursuant to P.L.1967, c.271 (C.18A:73-22 et seq.).

“Director” means the Director of the Division of Travel and Tourism in the Department of State.

“Division” means the Division of Travel and Tourism in the Department of State.

“Historical marker” means a marker, plaque, or tablet commemorating a historic person, place, or event or identifying a historic place, structure, or object.

b. In addition to the powers and duties of the commission as provided under P.L.1967, c.271 (C.18A:73-22 et seq.), the commission shall identify a series of Black heritage sites to be part of a New Jersey Black Heritage Trail. The commission may seek the assistance and cooperation of the New Jersey Historic Preservation Office, the New Jersey Division of Travel and Tourism, local government officials or entities, owners or operators of Black heritage sites, and entities that identify and compile data on historical trails, sites, or memorials to aid in effectively carrying out the purposes of this act. The purpose of the New Jersey Black Heritage Trail shall be to promote awareness and appreciation of Black history, heritage, and culture in the State. The New Jersey Black Heritage Trail shall highlight Black heritage sites through historical markers and a trail-like path that connect the stories of Black life and resiliency in the State. The commission shall ensure that as many Black heritage sites in the State as practical are included in the New Jersey Black Heritage Trail. In identifying specific Black heritage sites to be included in the New Jersey Black Heritage Trail, special consideration shall be given to Black heritage sites that are in close geographic proximity to other Black heritage sites or thematically linked by surrounding arts, cultural, historical, entertainment, or other tourism destinations or exhibits of interest to tourists interested in Black heritage sites and to sites that are recommended by the New Jersey Black Cultural and Heritage Initiative Foundation established pursuant to P.L.2005, c.47 (C.52:16A-90 et seq.). The New Jersey Black Heritage Trail shall be inclusive of all eras as well as be geographically representative of the entire State.

c. The commission shall:

(1) determine and select such sites significant to Black history, heritage, and culture in this State that the commission determines should be a part of the New Jersey Black Heritage Trail;

(2) design and, for sites owned or on property owned by the State, purchase and erect, historical markers which the commission may decide to be appropriate at such sites, indicating

thereon the persons, places, or events commemorated and having such other suitable inscription as the commission may deem necessary; and

(3) provide oversight of historical markers that are a part of the New Jersey Black Heritage Trail erected by private entities. A private entity shall not erect any marker without the approval of the commission, and all such markers shall comport with the design determined by the commission.

d. All historical markers on the New Jersey Black Heritage Trail that are erected by the commission shall be the property of the State. No person, entity, or business shall erect, receive, retain, possess, transport, alter, or remove a marker without written permission of the appropriate official of the commission and may do so only in a manner consistent with any direction therefrom. No person, entity, or business shall duplicate the historical markers, or create, obtain, sell, distribute, or install similar markers with an intent to mislead or deceive the public and shall not create, obtain, sell, distribute, or install any markers purporting to be the official marker established by the commission. The New Jersey Black Cultural and Heritage Initiative Foundation may contact and coordinate with any owner of a private property or business designated as a Black heritage site to facilitate the establishment of the marker at the site.

e. The commission shall accept for consideration, as appropriate, submissions from the public and from the New Jersey Black Cultural and Heritage Initiative Foundation recommending for inclusion on the New Jersey Black Heritage Trail, heritage sites not owned, operated, or maintained by a governmental entity through an electronic submission form made available by the commission on its Internet site.

f. The commission may establish any guidelines, rules or regulations regarding all aspects of the historical markers associated with the New Jersey Black Heritage Trail.

g. The commission shall not use public funds to produce, purchase, or erect markers or signs on private property bearing the designation established pursuant to this section. The commission shall have the authority to receive gifts, grants, or other financial assistance from private sources for the purpose of funding or reimbursing the commission for costs associated with reviewing, producing, purchasing, or erecting any historical marker and entering into agreements related thereto including, but not limited to, with private sources, and non-governmental, non-profit, educational, or charitable entities or institutions.

C.18A:73-25.10 New Jersey Black Heritage Trail, Black heritage sites, Internet site, information.

2. a. The division shall develop and maintain an Internet site providing information on the New Jersey Black Heritage Trail and Black heritage sites in the State. The information on the Internet site shall provide a downloadable itinerary or an interactive map, and shall:

(1) specify the location of each heritage site included on the New Jersey Black Heritage Trail;

(2) display photographs of each heritage site;

(3) inform visitors that the heritage site is part of the New Jersey Black Heritage Trail developed pursuant to section 1 of P.L.2022, c.102 (C.18A:73-25.9); and

(4) provide a link to any available Internet site address of the heritage site if one exists or describing or otherwise providing information on the heritage site.

b. The division may solicit information from local government officials or entities, the owners or operators of Black heritage sites, and entities that identify and compile data on historical trail, sites, or memorials in the development of any vacation itineraries. The division may distribute the information by any other method it deems appropriate.

c. The director shall ensure that the Internet site is updated whenever a new Black heritage site is established by the New Jersey Historical Commission. The division may accept information or changes to the Internet site from the New Jersey Black Cultural and Heritage Initiative Foundation, the New Jersey Historic Preservation Office, the New Jersey Historical Commission, local government officials and entities, owners or operators of heritage sites in the State, entities that identify and compile data on historical trails, sites, or memorials, or the public through an electronic submission form made available by the division on its Internet site.

3. Section 5 of P.L.2005, c.47 (C.52:16A-94) is amended to read as follows:

C.52:16A-94 Use of funds received by foundation for the initiative.

5. All funds received by the foundation, other than those necessary to pay the expenses of the foundation, shall be used exclusively for the establishment, support and promotion of the New Jersey Black Cultural and Heritage Initiative. The New Jersey Black Cultural and Heritage Initiative shall be an alliance of organizations and institutions that comprise the Black arts, history and culture communities in this State for the purpose of broadening, deepening and diversifying Statewide participation in and appreciation for Black arts, history and culture. The duties and goals of the initiative shall be to:

- a. promote understanding and appreciation of the history and artistic and cultural contributions of people of African descent;
- b. provide guidance, support and resources for new and emerging Black arts and historical groups and increase the level of organizational capacity and program administration of established groups;
- c. increase funding and audiences for local Black culture and heritage tourism and enrich Black culture and heritage tourism programming;
- d. increase and attract corporate sponsorship and participation in Black culture and heritage programming and tourism;
- e. increase opportunities for young people to learn about and experience Black arts, history and culture in schools and youth organizations;
- f. invest in future generations of Black artists and historians by providing leadership development activities, apprenticeships, mentorships, scholarships and cultural programs;
- g. enhance computer and Internet access and usage within the Black community;
- h. ensure the financial viability of the initiative through a network of community partners, advocates and supporters, including, but not limited to, celebrities, philanthropists, legislators, State and local leaders and corporations;
- i. provide recommendations to the New Jersey Historical Commission in the Department of State on Black heritage sites for inclusion in the New Jersey Black Heritage Trail established pursuant to section 1 of P.L.2022, c.102 (C.18A:73-25.9). Funds received by the foundation may be used to purchase, erect, and maintain historical markers as approved by the commission, indicating thereon the persons, places, or events commemorated and having such other suitable inscription as the commission may deem necessary; and
- j. any other duties and goals deemed appropriate.

4. There shall be appropriated from the General Fund to the Department of State the sum of \$1 million, subject to the approval of the Director of the Division of Budget and Accounting, to establish historical markers, including the markers designated pursuant to P.L.2009, c.264 (C.18A:73-25.5 et seq.), the markers as specified in sections 1 and 2 of this act, P.L.2022,

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c.102 (C.18A:73-25.9 and C.18A:73-25.10), and any other markers, and to otherwise effectuate the purposes of sections 1 and 2 of this act.

5. This act shall take effect immediately.

Approved September 7, 2022.