

**ASSEMBLY, No. 5015**

---

**STATE OF NEW JERSEY**

**218th LEGISLATURE**

---

INTRODUCED FEBRUARY 7, 2019

**Sponsored by:**

**Assemblyman ERIC HOUGHTALING**

**District 11 (Monmouth)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman PARKER SPACE**

**District 24 (Morris, Sussex and Warren)**

**Co-Sponsored by:**

**Assemblywoman Downey and Assemblyman Karabinchak**

**SYNOPSIS**

Requires Department of Agriculture to develop, and plant nurseries to make available to customers, brochure describing benefits of native plants.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/8/2019)**

1 AN ACT concerning public awareness of the benefits of native  
2 plants and supplementing Title 4 of the Revised Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. a. No later than 90 days after the effective date of this act,  
8 the Department of Agriculture, in consultation with the Department  
9 of Environmental Protection, shall develop, publish, and maintain  
10 on its Internet website:

11 (1) a downloadable, printable brochure describing the benefits  
12 of native plant species and the problems associated with invasive  
13 plant species; and

14 (2) a downloadable, printable sign that contains the following  
15 language in at least 14-point font: “DO YOU KNOW YOU HAVE  
16 LANDSCAPING CHOICES? Some plants, although legal to buy  
17 and sell, may have negative effects on New Jersey’s native wildlife  
18 and ecosystems. For more information about plants that are  
19 beneficial to New Jersey wildlife and habitat, as well as invasive  
20 exotic plants, please visit the New Jersey Department of  
21 Agriculture’s website at (insert appropriate Internet website  
22 address).”

23 b. A nurseryman shall make available to each customer of the  
24 nursery a copy of the brochure developed by the Department of  
25 Agriculture pursuant to paragraph (1) of subsection a. of this  
26 section. A nurseryman may satisfy the requirement of this section  
27 either by making print copies of the brochure available in a  
28 conspicuous location at the nursery’s point of sale or by posting the  
29 sign developed by the department pursuant to paragraph (2) of  
30 subsection a. of this section in a conspicuous location at the  
31 nursery’s point of sale.

32 c. A nurseryman shall not be required to comply with the  
33 provisions of subsection b. of this section until the department has  
34 published on its Internet website the materials required to be  
35 developed pursuant to subsection a. of this section.

36 d. The department shall ensure compliance with the  
37 requirements of this section upon its annual inspection of a nursery  
38 pursuant to R.S.4:7-21.

39 e. As used in this section, the terms “nursery” and  
40 “nurseryman” shall have the same meanings as those terms are  
41 defined in R.S.4:7-15.

42  
43 2. This act shall take effect immediately.

44

45

46

STATEMENT

47

48 This bill would require a plant nursery to make available to its

1 customers a brochure, developed by the Department of Agriculture,  
2 describing the benefits of native plant species and the problems  
3 associated with invasive plant species.

4 A nursery would satisfy the requirement of this bill either by  
5 making print copies of the brochure available in a conspicuous  
6 location at the point of sale or by posting a sign developed by the  
7 Department of Agriculture in a conspicuous location at the point of  
8 sale. The sign would read, in at least 14-point font: “DO YOU  
9 KNOW YOU HAVE LANDSCAPING CHOICES? Some plants,  
10 although legal to buy and sell, may have negative effects on New  
11 Jersey’s native wildlife and ecosystems. For more information  
12 about plants that are beneficial to New Jersey wildlife and habitat,  
13 as well as invasive exotic plants, please visit the New Jersey  
14 Department of Agriculture’s website at (insert appropriate Internet  
15 website address).”

16 The Department of Agriculture would be required to develop the  
17 brochure and the sign, and make those materials available in  
18 downloadable, printable format on its Internet website no later than  
19 90 days after the effective date of the bill. A nursery would not be  
20 required to comply with the provisions of the bill until the  
21 department has published these materials on its Internet website.  
22 This bill is based on substantially similar legislation in Texas.