

ASSEMBLY, No. 6066

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 9, 2019

Sponsored by:

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

SYNOPSIS

Requires new flooring for schools and child care centers to be certified mercury free.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning schools and child care centers and
2 supplementing Title 52 of the Revised Statutes.

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

6
7 1. a. No construction permit shall be issued for the
8 construction, reconstruction, alteration, conversion, repair, or
9 upgrade to any flooring in a school or child care center unless the
10 applicant presents a certification issued by the manufacturer of the
11 flooring materials to be used in the construction, reconstruction,
12 alteration, conversion, repair, or upgrade of the school or child care
13 center that the materials are free of mercury and compounds
14 containing mercury.

15 b. A manufacturer of flooring used in the construction,
16 reconstruction, alteration, conversion, repair, or upgrade of a school
17 or child care center that issues a certification falsely stating that the
18 flooring is free of mercury and compounds containing mercury,
19 shall be liable to a civil penalty of \$10,000 for a first offense and
20 \$25,000 for a second or subsequent offense, which penalty may be
21 collected and enforced by the local enforcing agency by summary
22 proceedings pursuant to the "Penalty Enforcement Law of 1999,"
23 P.L.1999, c.274 (C.2A:58-10 et seq.).

24 c. As used in this section:

25 "Child care center" means a child care center licensed pursuant
26 to the provisions of the "Child Care Center Licensing Act,"
27 P.L.1983, c.492 (C.30:5B-1 et seq.).

28 "School" means a public or nonpublic school containing any of
29 the grades kindergarten through 12.

30
31 2. This act shall take effect 90 days after the date of enactment.

32
33 STATEMENT

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35 This bill provides that no construction permit may be issued for
36 the construction, reconstruction, alteration, conversion, repair, or
37 upgrade to any flooring in a school or child care center unless the
38 applicant presents a certification issued by the manufacturer of the
39 flooring materials to be used in the construction, reconstruction,
40 alteration, conversion, repair, or upgrade of the school or child care
41 center that the materials are free of mercury and compounds
42 containing mercury.

43 A flooring manufacturer that issues a certificate for the purposes
44 of the bill that falsely states that a flooring product is free of
45 mercury and compounds containing mercury will be liable to a civil
46 penalty of \$10,000 for a first offense and \$25,000 for a second or
47 subsequent offense.

48 The bill will take effect 90 days after the date of enactment.