

[Second Reprint]

ASSEMBLY, No. 2783

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Co-Sponsored by:

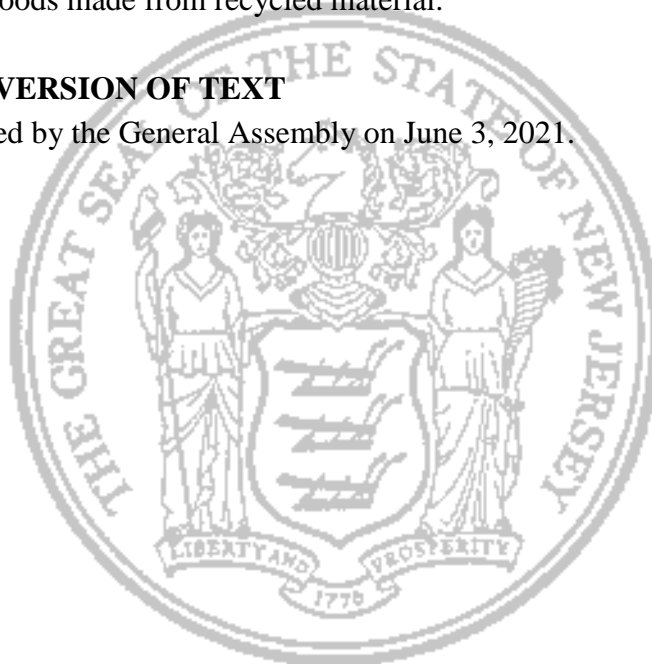
Assemblyman Calabrese, Assemblywomen Jasey, Lopez, Assemblyman Tully and Assemblywoman Swain

SYNOPSIS

Directs DEP to develop guidelines concerning State and local government purchase of goods made from recycled material.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 3, 2021.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT concerning the purchase of goods made from recycled
2 material and supplementing Title 13 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. Within 90 days after the date of enactment of this section,
8 the Department of Environmental Protection ²[, in consultation with
9 the Director of the Division of Purchase and Property in the
10 Department of the Treasury,]² shall develop, and update as
11 appropriate, guidelines ²on recommended recovered material content
12 percentages² for use by State and local agencies when entering into
13 contracts for the purchase of goods to encourage the ²[maximum]²
14 purchase of goods made with ²[the highest percentage of]² recycled
15 material. ¹These guidelines may be based upon, or incorporate by
16 reference, guidelines developed by the United States Environmental
17 Protection Agency, including but not limited to the recommended
18 recovered materials content levels specified in the United States
19 Environmental Protection Agency's Consolidated Recovered Materials
20 Advisory Notice.¹

21 b. The Department of Environmental Protection shall publish the
22 guidelines developed pursuant to subsection a. of this section, and any
23 updates thereto, as a public notice in the New Jersey Register.

24 c. The Director of the Division of Purchase and Property in the
25 Department of the Treasury ¹, the Director of the Division of Property
26 Management and Construction in the Department of the Treasury, and
27 ²[any] all² State ²[agency] and local agencies² having authority to
28 contract for the purchase of goods or services¹ shall ²[, after
29 consultation with the Department of Environmental Protection, review
30 and modify] ensure that² all ²[bid and]² product specifications
31 ¹[relating to the purchase of goods made from recycled material]¹
32 ²[to ensure that the specifications] for new procurements advertised
33 after the effective date of P.L. , c. (C.) (pending before the
34 Legislature as this bill)² reflect the guidelines developed, or updated,
35 pursuant to subsection a. of this section, if applicable ¹and to the
36 extent practical and feasible.

37 Nothing in this subsection shall apply to ²[bid and]² product
38 specifications for ²[:

39 (1) any binding contractual obligations for the purchase of goods
40 or services entered into prior to the effective date
41 of P.L. , c. (C.) (pending before the Legislature as this bill);

42 (2) bid packages advertised and made available to the public, or to
43 any competitive and sealed bids received by the State, prior to the
44 effective date of P.L. , c. (C.) (pending before the Legislature as
45 this bill);

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted March 15, 2021.

²Assembly floor amendments adopted June 3, 2021.

1 (3) any amendment, modification, or renewal of a contract, which
2 contract was entered into prior to the effective date of
3 P.L. , c. (C.) (pending before the Legislature as this bill) where
4 following the guidelines developed, or updated, pursuant to subsection
5 a. of this section would delay timely completion of a project or
6 increase the cost of the contract by an unreasonable amount; or
7 (4)]² a contract ²entered into² by a local contracting unit, ²[or
8 undertaken by the State on behalf of a local contracting unit,]² if
9 following the guidelines developed, or updated, pursuant to subsection
10 a. of this section would increase the cost of the contract¹ .
11
12 2. This act shall take effect immediately.