ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

[First Reprint]
ASSEMBLY, No. 5048

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 28, 2026

The Assembly Budget Committee reports favorably and with committee amendments Assembly Bill No. 5048 (1R).

As amended, the bill would prohibit, beginning two years after the bill's effective date, the sale, manufacture, and distribution of any apparel or diaper product containing intentionally added PFAS within the State. As defined in the bill, "apparel" means: (1) clothing items intended for regular wear or formal occasions including, but not limited to, undergarments, shirts, pants, skirts, dresses, overalls, bodysuits, costumes, vests, dancewear, suits, saris, scarves, tops, leggings, school uniforms, leisurewear, athletic wear, sports uniforms, everyday swimwear, formal wear, onesies, bibs, footwear, and everyday uniforms or work-wear; (2) outdoor apparel; and (3) outdoor apparel designed for severe wet conditions. Personal protective equipment, clothing items for exclusive use by the United States military, and equipment and protective apparel designed to be used for the safe operation of a motorcycle or off-highway vehicle would be exempt from the bill's provisions. The bill would also define "diaper product" as an absorbent product, either disposable or reusable, manufactured to be worn to contain human waste; however, the term "diaper product" would not include a "menstrual product" as defined in statute.

The bill would require, beginning two years after the bill's effective date, a manufacturer of any apparel or diaper product to certify that each apparel or diaper product that it manufactures does not contain intentionally added PFAS. The certification would be submitted to the Division of Consumer Affairs in the Department of Law and Public Safety and be valid for a period of five years. The bill provides certain certification requirements if the manufacturer modifies an apparel or diaper product. Additionally, the bill would require the manufacturer of any apparel or diaper product to provide the certification to any person or entity that purchases apparel or a diaper product from the manufacturer.

A violation of the bill's provisions would be a violation of P.L.2025, c.202 (C.56:3-53 et al.), known as the "Protecting Against

Forever Chemicals Act." A violator would be subject to a civil administrative penalty of between $1,000 and $20,000 per violation, with each day the violation occurs being a separate and distinct offense.

As amended and reported by the committee, Assembly Bill No. 5048 (1R) is identical to Senate Bill No. 1281 SCS (1R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) require manufacturers of apparel and diaper products to certify to the Division of Consumer Affairs that the apparel or diaper product it produces does not contain intentionally added PFAS;

(2) provide that the certificate required by the bill is valid for a period of five years and if there is a change to the manufacturing process or material components of an apparel or diaper product, the manufacturer is to submit to the Division of Consumer Affairs a revised certification reflecting the modification and that the product does not contain intentionally added PFAS;

(3) require manufacturers of any apparel or diaper product to provide the certification to any person or entity that purchases apparel or a diaper product from the manufacturer;

(4) provide that the penalties available in section 10 of P.L.2025, c.202 (C.56:3-62) apply to violations of subsection a. and subsection b. of section 1 of the bill; and

(5) make technical and clarifying changes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.