

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 2359

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2026

The Senate Environment and Energy Committee reports favorably and with committee amendments Senate Bill No. 2359.

As amended, this bill would require every producer of mattresses sold in the State to join a stewardship organization in order to implement a mattress stewardship program. The purpose of a mattress stewardship program is to provide for the environmentally sound management of discarded mattresses in the State.

The bill would require a stewardship organization to prepare and submit a plan to the Department of Environmental Protection (DEP) for the development and implementation of a mattress stewardship program. The bill would also establish a process for proposed amendments to the plan and would require a stewardship organization to provide notice to the DEP prior to implementing certain changes to an approved plan.

The bill would also require each retailer or renovator that sells or offers for sale mattresses in this State to register with a stewardship organization and comply with the bill's provisions. Beginning one year after the bill's effective date, a producer, a renovator, or retailer would be prohibited from selling or offering for sale any mattress in the State unless the producer, renovator, or retailer is registered with a stewardship organization.

Under a mattress stewardship program, a retailer would be required to: (1) purchase a mattress only from a producer or renovator that is registered with a stewardship organization; (2) collect the mattress stewardship assessment and remit the stewardship assessment to the stewardship organization, unless the retailer or renovator elects to cover the costs of the stewardship assessment; and (3) provide to consumers information on collection opportunities for discarded mattresses. The bill would allow a retailer or renovator to elect to directly pay the applicable charge of the stewardship assessment to the stewardship organization on behalf of the consumer or ultimate end user of the mattress if the retailer or renovator enters into a written agreement with the stewardship organization to remit the applicable charge of the stewardship assessment to the stewardship organization on behalf of the consumer.

The DEP would also be required to publish a list on its Internet website of all producers, renovators, and retailers that are in compliance with the bill's provisions and update the list to remove producers, renovators, or retailers that are found to not be in compliance. The bill also provides that when the DEP determines that any producer, renovator, or retailer is in violation of the bill's provisions, the DEP may assess a civil administrative penalty not to exceed \$1,000 for each violation and a civil penalty not to exceed \$1,000 for each violation, and each day of violation would constitute an additional, separate, and distinct violation.

Finally, the bill would require, no later than July 1 of the year a mattress stewardship program is implemented, and annually thereafter, a stewardship organization to prepare and submit a written report to the DEP evaluating the implementation of the mattress stewardship program. Within 90 days of receiving the initial annual report, the DEP would be required to establish an annual fee to be paid by the stewardship organization that is reasonably calculated to cover the actual costs of the DEP to administer, implement, and enforce the bill's provisions. For future years, the DEP would be required to provide notice to a stewardship organization, no later than April 1 of each year, of the annual fee for the upcoming calendar year.

This bill was prefiled for introduction in the 2026-2027 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

(1) provide that the stewardship organization, as a part of its plan submitted to the DEP, would be required to establish at least one permanent mattress drop-off location in each county of the State, except that the stewardship organization would also be required establish additional mattress drop-off locations in urban and densely populated areas of the State;

(2) provide that the stewardship organization, as a part of its plan submitted to the DEP, would be required to allow for the drop-off of discarded mattresses without plastic wrapping;

(3) require the stewardship organization to utilize existing infrastructure and programs within the State, where practicable, cost-effective, and mutually agreeable, and to consult with stakeholders operating existing infrastructure and programs when developing its plan; and

(4) clarify that in implementing a mattress stewardship program, a stewardship organization is required to provide ongoing, visible, and convenient access to program services at no cost, except for premium services.