ASSEMBLY, No. 651

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman JOHN ARMATO
District 2 (Atlantic)
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SYNOPSIS

Allows collection of seeds from wild native plants.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning the collection of seeds from wild native plants and supplementing Title 13 of the Revised Statutes.

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

1. a. (1) Upon notice to the Department of Environmental Protection, any person may collect seeds from a wild native plant without a permit or other approval from the State, except as provided in subsection b. of this section.

(2) The Department of Environmental Protection may establish guidelines for (a) the form and manner of notice to the department as required pursuant to this subsection, and (b) best practices for the collection of seeds from wild native plants.

b. The State may prohibit the collection of seed from a wild native plant (1) where expressly prohibited by federal law, rule, or regulation, (2) where expressly prohibited by the Pinelands Commission for the most sensitive ecosystems in the pinelands area, or (3) that is deemed by federal or State law, rule, or regulation to be threatened, endangered, rare, or of special concern, including but not limited to any plant on the endangered species plant list adopted by the Department of Environmental Protection pursuant to the "Endangered Plant Species List Act," P.L.1989, c.56 (C.13:1B-15.151 et seq.).

c. As used in this section:

“Pinelands area” means the pinelands area as defined in section 3 of P.L.1979, c.111 (C.13:18A-3).

“Seed” means a seed, spore, fruiting body, bulb, corm, rhizome, root, or cutting, or any other part of a plant that may be used to propagate the plant.

2. This act shall take effect immediately.

STATEMENT

This bill provides that upon notice to the Department of Environmental Protection (DEP), any person may collect seeds from a wild native plant without a permit or other approval from the State. The DEP may establish guidelines for the form and manner of notice to the department for the collection of seeds from wild native plants, and best practices for the collection of seeds. The State may prohibit the collection of seed from a wild native plant:

1) where expressly prohibited by federal law, rule, or regulation;

2) where expressly prohibited by the Pinelands Commission for the most sensitive ecosystems in the pinelands area; or

3) that is deemed by federal or State law, rule, or regulation to be threatened, endangered, rare, or of special concern including but not limited to any plant on the endangered species plant list adopted by the Department of Environmental Protection pursuant to the State's "Endangered Plant Species List Act."