

[First 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:**

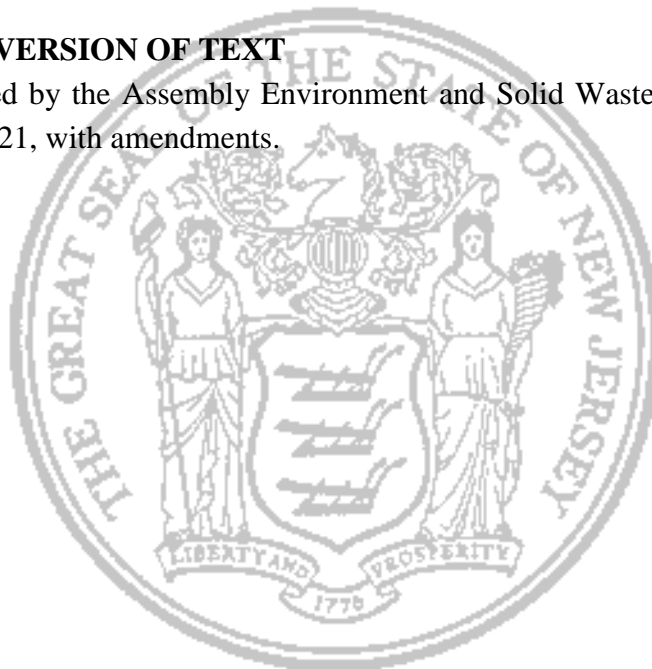
**Assemblyman Calabrese**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Assembly Environment and Solid Waste Committee on March 15, 2021, with amendments.



**(Sponsorship Updated As Of: 5/12/2021)**

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, in consultation with the  
9 Director of the Division of Purchase and Property in the Department of  
10 the Treasury, shall develop, and update as appropriate, guidelines for  
11 use by State and local agencies when entering into contracts for the  
12 purchase of goods to encourage the maximum purchase of goods made  
13 with the highest percentage of recycled material. <sup>1</sup>These guidelines  
14 may be based upon, or incorporate by reference, guidelines developed  
15 by the United States Environmental Protection Agency, including but  
16 not limited to the recommended recovered materials content levels  
17 specified in the United States Environmental Protection Agency's  
18 Consolidated Recovered Materials Advisory Notice.<sup>1</sup>

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

22 c. The Director of the Division of Purchase and Property in the  
23 Department of the Treasury <sup>1</sup>, the Director of the Division of Property  
24 Management and Construction in the Department of the Treasury, and  
25 any State agency having authority to contract for the purchase of  
26 goods or services<sup>1</sup> shall, after consultation with the Department of  
27 Environmental Protection, review and modify all bid and product  
28 specifications <sup>1</sup>**[relating to the purchase of goods made from recycled**  
29 **material]**<sup>1</sup> to ensure that the specifications reflect the guidelines  
30 developed, or updated, pursuant to subsection a. of this section, if  
31 applicable <sup>1</sup>and to the extent practical and feasible.

32 Nothing in this subsection shall apply to bid and product  
33 specifications for:

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

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

41 (3) any amendment, modification, or renewal of a contract, which  
42 contract was entered into prior to the effective date of  
43 P.L. , c. (C. ) (pending before the Legislature as this bill) where  
44 following the guidelines developed, or updated, pursuant to subsection  
45 a. of this section would delay timely completion of a project or  
46 increase the cost of the contract by an unreasonable amount; or

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:

<sup>1</sup>Assembly AEN committee amendments adopted March 15, 2021.

1       (4) a contract by a local contracting unit, or undertaken by the  
2 State on behalf of a local contracting unit, if following the guidelines  
3 developed, or updated, pursuant to subsection a. of this section would  
4 increase the cost of the contract<sup>1</sup> .

5

6       2. This act shall take effect immediately.