

SENATE, No. 2751

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 15, 2024

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the purchase of goods made from recycled
2 material and supplementing Title 13 of the Revised Statutes.

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

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7 1. a. Within 90 days after the date of enactment of this section,
8 the Department of Environmental Protection shall develop, and update
9 as appropriate, guidelines on recommended recovered material content
10 percentages for use by State and local agencies when entering into
11 contracts for the purchase of goods to encourage the purchase of goods
12 made with recycled material. These guidelines may be based upon, or
13 incorporate by reference, guidelines developed by the United States
14 Environmental Protection Agency, including but not limited to the
15 recommended recovered materials content levels specified in the
16 United States Environmental Protection Agency's Consolidated
17 Recovered Materials Advisory Notice.

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

21 c. The Director of the Division of Purchase and Property in the
22 Department of the Treasury, the Director of the Division of Property
23 Management and Construction in the Department of the Treasury, and
24 all State and local agencies having authority to contract for the
25 purchase of goods or services shall ensure that all product
26 specifications for new procurements advertised after the effective date
27 of P.L. , c. (C.) (pending before the Legislature as this bill)
28 reflect the guidelines developed, or updated, pursuant to subsection a.
29 of this section, if applicable and to the extent practical and feasible.

30 Nothing in this subsection shall apply to product specifications for:

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

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

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

44 (4) a contract entered into by a local contracting unit, if following
45 the guidelines developed, or updated, pursuant to subsection a. of this
46 section would increase the cost of the contract.

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48 2. This act shall take effect immediately.

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STATEMENT

This bill would require the Department of Environmental Protection (DEP) to develop, and update as appropriate, guidelines on recommended recovered material content percentages for use by State and local agencies when entering into contracts for the purchase of goods to encourage the maximum purchase of goods made with recycled material. The bill provides that these guidelines may be based upon, or incorporate by reference, guidelines developed by the United States Environmental Protection Agency, including but not limited to the recommended recovered materials content levels specified in the United States Environmental Protection Agency's Consolidated Recovered Materials Advisory Notice.

The bill would require the Director of the Division of Purchase and Property and the Director of the Division of Property Management and Construction in the Department of the Treasury, and all State and local agencies having authority to contract for the purchase of goods or services to ensure that all product specifications for new procurements advertised after the bill is enacted into law reflect the guidelines developed, or updated, if applicable and to the extent practical and feasible.