

ASSEMBLY, No. 2065

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:
Assemblyman CRAIG J. COUGHLIN
District 19 (Middlesex)

SYNOPSIS

Exempts food banks and food pantries from law prohibiting sale and distribution of plastic and paper carryout bags by certain businesses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the provision of carryout bags by certain food
2 distribution organizations and government entities and amending
3 P.L.2020, c.117.

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

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8 1. Section 3 of P.L.2020, c.117 (C.13:1E-99.128) is amended to
9 read as follows:

10 3. a. Beginning 18 months after the effective date of P.L.2020,
11 c.117 (C.13:1E-99.126 et al.):

12 (1) no store or food service business shall provide or sell a
13 single-use plastic carryout bag to a customer; and

14 (2) no grocery store shall provide or sell a single-use paper
15 carryout bag to a customer.

16 b. A municipality or county shall not adopt any rule,
17 regulation, code, or ordinance concerning the regulation or
18 prohibition of single-use plastic carryout bags or single-use paper
19 carryout bags after the effective date of P.L.2020, c.117 (C.13:1E-
20 99.126 et al.).

21 c. Beginning 18 months after the effective date of P.L.2020,
22 c.117 (C.13:1E-99.126 et al.), this section shall supersede and
23 preempt any municipal or county rule, regulation, code, or
24 ordinance concerning the regulation or prohibition of single-use
25 plastic carryout bags or single-use paper carryout bags that was
26 enacted prior to the effective date of P.L.2020, c.117 (C.13:1E-
27 99.126 et al.).

28 d. The provisions of subsection a. of this section shall not apply
29 to a food bank or a food pantry.

30 As used in this subsection:

31 "Food bank" means the same as the term is defined in section 2
32 of P.L.1982, c.178 (C.24:4A-2).

33 "Food pantry" means a nonprofit organization or government
34 entity that distributes food to individuals in need of assistance,
35 including, but not limited to, a soup kitchen, homeless shelter, or
36 religious organization.

37 (cf: P.L.2020, c.117, s.3)

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39 2. This act shall take effect immediately.

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42 STATEMENT

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44 This bill would exempt food banks and food pantries from
45 section 3 of P.L.2020, c.117 (C.13:1E-99.128), which prohibits

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.

1 stores and food service businesses from selling or providing single-
2 use plastic or paper carryout bags to customers.

3 As used in the bill "food bank" means "a nonprofit food
4 clearinghouse that solicits, stores, and distributes donations of
5 edible but unmarketable surplus food. The food is distributed to
6 nonprofit organizations that feed the needy." The bill defines "food
7 pantry" as "a nonprofit organization or government entity that
8 distributes food to individuals in need of assistance, including, but
9 not limited to, a soup kitchen, homeless shelter, or religious
10 organization."