

§§1-3
C.13:1D-9.6
to 13:1D-9.8
§4
Approp.
§5
Note to §§1-3

P.L. 2023, CHAPTER 81, *approved June 30, 2023*
Senate, No. 2857 (*Second Reprint*)

1 **AN ACT** concerning support for sustainability initiatives by
2 municipalities, school districts, and other State and local
3 government contracting agencies, supplementing Title ²**[52]** 13²
4 of the Revised Statutes, and making an appropriation.
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

- 9 1. The Legislature finds and declares that:
10 a. Sustainability training and support programs offered to local
11 governments, school districts, and other governmental entities have
12 been shown to result in significant cost savings to those who adopt
13 sustainability initiatives.
14 b. New Jersey institutions of higher education have
15 successfully partnered with New Jersey nonprofit organizations to
16 develop and offer support and assistance to local governments,
17 school districts, and other governmental entities.
18 c. Encouraging New Jersey municipalities, schools, school
19 districts, and other State and local government contracting agencies
20 to function in a sustainable, environmentally responsible manner
21 and to use resources efficiently is vital to ensure a sustainable future
22 of New Jersey and its residents.
23 d. It is in the State's interest to ensure the general welfare of
24 the State and its residents by encouraging, and provide a stable
25 source of funding for, the development of such partnerships and
26 programs.
27

- 28 2. a. There is established in the Department of ²**[Community**
29 **Affairs]** Environmental Protection² a special non-lapsing fund to be
30 known as the "Sustainable New Jersey Fund." The department shall
31 annually distribute moneys in the fund to a public institution of higher
32 education that has an existing contractual relationship with a qualified
33 nonprofit organization that offers certifications and grants to
34 municipalities and public schools across the State in support of efforts

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:

¹Senate SCU committee amendments adopted December 1, 2022.

²Assembly ABU committee amendments adopted June 27, 2023.

1 to realize environmental, economic, and social sustainability. A public
2 institution of higher education that receives moneys from the
3 Sustainable New Jersey Fund shall distribute such funds to a qualified
4 nonprofit organization to support the provision of such certification
5 and grants.

6 b. As used in P.L. , c. (C.) (pending before the Legislature
7 as this bill) “qualified nonprofit organization” means a nonprofit
8 organization that:

9 (1) is organized under, and governed by, the laws of the State;

10 (2) has a board of trustees with representatives from State agencies
11 and formal representation from local government officials;

12 (3) has a formal contractual affiliation with a public institution of
13 higher education for the purpose of providing sustainability research,
14 consulting, and program support to entities contracting with the
15 affiliated public institution of higher education for such service or
16 support, and has at least five years’ of experience operating under
17 similar agreements; and

18 (4) has experience collaborating with State agencies, including at
19 least five years’ of experience successfully implementing a total
20 minimum of \$5 million of State contracts and grant awards through a
21 contractually affiliated public institution of higher education.

22
23 3. The Sustainable New Jersey Fund shall be annually credited
24 with money appropriated by the Legislature, which moneys shall be
25 disbursed to the public institution of higher education that is
26 partnered with a qualified nonprofit organization. The qualified
27 nonprofit organization that receives the funds from the public
28 institution of higher education pursuant to the provisions of P.L. ,
29 c. (C.) (pending before the Legislature as this bill) shall
30 **1** [not be required to comply with the public bidding requirements]
31 assume the status of that public institution for purposes of
32 compliance with the provisions¹ of the “Local Public Contracts
33 Law,” P.L.1971, c.198 (C.40A:11-1 et seq.) or the “Public School
34 Contracts Law,” N.J.S.18A:18A-1 et seq. when contracting with a
35 municipality, school, school district, and other State or local
36 government contracting agency related to any services, certification
37 processes, support initiatives, or grants of the qualified nonprofit
38 organization for efforts to realize environmental, economic, and
39 social sustainability.

40
41 4. There is appropriated from the General Fund to the
42 “Sustainable New Jersey Fund,” established pursuant to section 2 of
43 P.L. , c. (C.) (pending before the Legislature as this bill),
44 the sum of \$1 million for the purpose of enabling continued support
45 to municipalities and public schools in their efforts to create a more
46 sustainable New Jersey.

1 5. This act shall take effect 30 days following the date of
2 enactment, but the Commissioner of ²**【Community Affairs】**
3 Environmental Protection² may take any anticipatory action in
4 advance of that date as may be necessary to implement the provisions
5 of this act.

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10 Establishes “Sustainable New Jersey Fund” in DEP to support
11 certain sustainability initiatives; appropriates \$1 million.