

## CHAPTER 81

**AN ACT** concerning support for sustainability initiatives by municipalities, school districts, and other State and local government contracting agencies, supplementing Title 13 of the Revised Statutes, and making an appropriation.

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

C.13:1D-9.6 Findings, declarations.

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

C.13:1D-9.7 "Sustainable New Jersey Fund" established; definition.

2. a. There is established in the Department of Environmental Protection a special non-lapsing fund to be known as the "Sustainable New Jersey Fund." The department shall annually distribute moneys in the fund to a public institution of higher education that has an existing contractual relationship with a qualified nonprofit organization that offers certifications and grants to municipalities and public schools across the State in support of efforts to realize environmental, economic, and social sustainability. A public institution of higher education that receives moneys from the Sustainable New Jersey Fund shall distribute such funds to a qualified nonprofit organization to support the provision of such certification and grants.
- b. As used in P.L.2023, c.81 (C.13:1D-9.6 et seq.) "qualified nonprofit organization" means a nonprofit organization that:
  - (1) is organized under, and governed by, the laws of the State;
  - (2) has a board of trustees with representatives from State agencies and formal representation from local government officials;
  - (3) has a formal contractual affiliation with a public institution of higher education for the purpose of providing sustainability research, consulting, and program support to entities contracting with the affiliated public institution of higher education for such service or support, and has at least five years' of experience operating under similar agreements; and
  - (4) has experience collaborating with State agencies, including at least five years' of experience successfully implementing a total minimum of \$5 million of State contracts and grant awards through a contractually affiliated public institution of higher education.

C.13:1D-9.8 Sustainable New Jersey Fund, annually credited, appropriations.

3. The Sustainable New Jersey Fund shall be annually credited with money appropriated by the Legislature, which moneys shall be disbursed to the public institution of higher education that is partnered with a qualified nonprofit organization. The qualified nonprofit

organization that receives the funds from the public institution of higher education pursuant to the provisions of P.L.2023, c.81 (C.13:1D-9.6 et seq.) shall assume the status of that public institution for purposes of compliance with the provisions of the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.) or the “Public School Contracts Law,” N.J.S.18A:18A-1 et seq. when contracting with a municipality, school, school district, and other State or local government contracting agency related to any services, certification processes, support initiatives, or grants of the qualified nonprofit organization for efforts to realize environmental, economic, and social sustainability.

4. There is appropriated from the General Fund to the “Sustainable New Jersey Fund,” established pursuant to section 2 of P.L.2023, c.81 (C.13:1D-9.7), the sum of \$1 million for the purpose of enabling continued support to municipalities and public schools in their efforts to create a more sustainable New Jersey.

5. This act shall take effect 30 days following the date of enactment, but the Commissioner of Environmental Protection may take any anticipatory action in advance of that date as may be necessary to implement the provisions of this act.

Approved June 30, 2023.