

SENATE, No. 861

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 18, 2022

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Allows municipalities to conduct annual event for open burning of Christmas trees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/30/2023)

1 AN ACT concerning the open burning of Christmas trees by
2 municipalities and supplementing P.L.1954, c.212 (C.26:2C-1 et
3 seq.).

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

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8 1. a. Notwithstanding the provisions of the “Air Pollution
9 Control Act (1954),” P.L.1954, c.212 (C.26:2C-1 et seq.), or any
10 rule or regulation adopted pursuant thereto, to the contrary, a
11 municipality shall be permitted to conduct an event for the open
12 burning of Christmas trees once per year.

13 b. The Department of Environmental Protection shall adopt,
14 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410
15 (C.52:14B-1 et seq.), rules, regulations, and standards for the open
16 burning of Christmas trees by municipalities within the State.

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18 2. This act shall take effect immediately.

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STATEMENT

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23 This bill would allow municipalities throughout the State to
24 conduct an annual event for the open burning of Christmas trees.
25 The Department of Environmental Protection (DEP) would be
26 responsible for establishing rules, regulations, and standards for the
27 open burning of Christmas trees by municipalities within the State.

28 Under the “Air Pollution Control Act (1954),” P.L.1954, c.212
29 (C.26:2C-1 et seq.), the DEP has the authority to promulgate rules
30 and regulations controlling and preventing air pollution throughout
31 the State. Currently, the open burning of refuse materials, including
32 Christmas trees, is prohibited by the New Jersey Administrative
33 Code (N.J.A.C.7:27-2 et seq.).