

SENATE, No. 2613

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MAY 12, 2022

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator HOLLY T. SCHEPISI

District 39 (Bergen and Passaic)

Co-Sponsored by:

Senators A.M.Bucco, Johnson and Stanfield

SYNOPSIS

Amends law to exempt food banks and food pantries from prohibition on sale and distribution of single-use plastic and paper carryout bags.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/29/2022)

1 AN ACT concerning the use of single-use carryout bags by food
2 banks and food pantries and amending P.L.2020, c.117.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 3 of P.L.2020, c.117 (C.13:1E-99.128) is amended
8 to read as follows:

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

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

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

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

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

27 d. **【Notwithstanding the provisions of】** The prohibitions set
28 forth in subsection a. of this section **【to the contrary, beginning 24**
29 **months after the effective date of P.L.2020, c.117 (C.13:1E-99.126**
30 **et al.), no】** shall not apply to a food bank or food pantry **【shall**
31 **provide a single-use plastic carryout bag to a customer】** .

32 As used in this subsection:

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

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

39 (cf: P.L.2022, c.6, s.1)

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41 2. This act shall take effect immediately.

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44 STATEMENT

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46 This bill would exempt food banks and food pantries from

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 section 3 of P.L.2020, c.117 (C.13:1E-99.128), which prohibits
2 stores and food service businesses from selling or providing single-
3 use plastic or paper carryout bags to customers. The prohibitions in
4 the law concerning single-use plastic or paper carryout bags take
5 effect 18 months after the effective date of P.L.2020, c.117
6 (C.13:1E-99.126 et al.), i.e., on May 4, 2022, and, pursuant to
7 P.L.2022, c.6, the prohibition concerning single-use plastic bags
8 would apply to food banks and food pantries beginning 24 months
9 after the effective date of P.L.2020, c.117, i.e., November 4, 2022.

10 As used in the bill "food bank" means "a nonprofit food
11 clearinghouse that solicits, stores, and distributes donations of
12 edible but unmarketable surplus food. The food is distributed to
13 nonprofit organizations that feed the needy." The bill defines "food
14 pantry" as "a nonprofit organization or government entity that
15 distributes food to individuals in need of assistance, including, but
16 not limited to, a soup kitchen, homeless shelter, or religious
17 organization."