ASSEMBLY STATE AND LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 868

STATE OF NEW JERSEY

DATED: MARCH 4, 2024

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 868.

This bill requires the Division of Purchase and Property in the State Department of the Treasury to require every bidder on a contract or agreement to submit a report to the division that measures the extent to which men and women employed by that bidder perform the same or comparable work at different rates of pay and the extent to which job titles within that entity may be predominately held by members of the same gender. Under the bill, the division is required to develop a system for bidders to use to measure and remedy gender-based pay gaps and gender-based equality within job titles. The division will develop uniform reporting instructions and criteria and provide prospective bidders with technical assistance in complying therewith. The bill provides that reports submitted by bidders will be assigned a rating that indicates the extent to which the bidder is free of gender-based pay inequity and inequality within job titles. A contract will be awarded to the bidder whose bid will be most advantageous to the State after considering factors including price and the rating on this report.

The bill's provisions will not apply to any contract when the public exigency requires the immediate delivery of goods or the performance of services, or to any contract that is paid for, in whole or in part, with federal funds if application thereto would affect eligibility to receive those funds. The division will adopt rules and regulations to effectuate the bill's purpose. The bill will take effect one year after enactment but the division may take any anticipatory administrative action in advance as may be necessary for its implementation.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.