

**ASSEMBLY, No. 5327**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED FEBRUARY 20, 2025

**Sponsored by:**

**Assemblyman MICHAEL INGANAMORT**

**District 24 (Morris, Sussex and Warren)**

**Assemblyman DAVID BAILEY, JR.**

**District 3 (Cumberland, Gloucester and Salem)**

**SYNOPSIS**

Prohibits public procurement of electric vehicles that may have been made through forced labor.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/13/2025)**

1 AN ACT prohibiting the public procurement of electric vehicles that  
2 may have been made through forced labor and supplementing  
3 various parts of the statutory law.

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

7  
8 1. a. As used in this section:

9 “Child labor” means any employment held in violation of  
10 sections 2 and 17 of P.L.1940, c.153 (C.34:2-21.2 and C.34:2-  
11 21.17, respectively).

12 “Electric vehicle” means a motor vehicle that is propelled to a  
13 significant extent by an electric motor or energy storage device, and  
14 includes any such fleet, medium-duty, or heavy-duty vehicle.

15 “Forced labor” means any work or service that is (1) obtained by  
16 force, fraud, or coercion, including by threat of serious harm to, or  
17 physical restraint against, any person; by means of any scheme,  
18 plan, or pattern intended to cause the person to believe that if the  
19 person did not perform such labor or services, the person or another  
20 person would suffer serious harm or physical restraint; or by means  
21 of the abuse or threatened abuse of law or the legal process; (2)  
22 imposed on the basis of being a member, or members, of a protected  
23 class; (3) not offered or provided voluntarily by the worker; or (4)  
24 produced through child labor.

25 “Member of a protected class” means an individual who is  
26 classified as having one or more characteristics, including race,  
27 creed, color, national origin, nationality, ancestry, age, marital  
28 status, civil union status, domestic partnership status, affectional or  
29 sexual orientation, genetic information, pregnancy, sex, gender  
30 identity or expression, disability or atypical hereditary cellular or  
31 blood trait of any individual, or liability for service in the Armed  
32 Forces.

33 “Purchasing agent” means any agent as defined in and subject to  
34 the provisions of the "Public Schools Contracts Law,"  
35 N.J.S.18A:18A-1 et seq.

36 b. No purchasing agent shall enter into a contract for the  
37 procurement of electric vehicles, or any component of an electric  
38 vehicle, unless the purchasing agent obtains a sworn certification  
39 from the manufacturer or seller that certifies that no entity involved  
40 in the production of the electric vehicle or component for sale,  
41 including the production of any constituent part or the mining or  
42 other sourcing of any materials, used forced labor or child labor in  
43 its activities.

44 c. If a manufacturer or seller provides false or misleading  
45 information under subsection b. of this section, a civil penalty shall  
46 be imposed against the manufacturer or seller of \$10,000 per false  
47 or misleading statement, or 50 percent of the total price paid by the  
48 purchasing agent for the vehicles or components, whichever is

1 greater. All penalties assessed under this subsection shall be paid to  
2 the State Treasurer and may be recovered in a summary proceeding  
3 pursuant to the “Penalty Enforcement Law of 1999,” P.L.1999,  
4 c.274 (C.2A:58-10 et seq.).

5 d. The provisions of this section shall not apply in circumstances  
6 when its application would violate federal law or regulation or be  
7 inconsistent with the terms and conditions of federal funding.

8

9 2. a. As used in this section:

10 “Child labor” means any employment held in violation of  
11 sections 2 and 17 of P.L.1940, c.153 (C.34:2-21.2 and C.34:2-  
12 21.17, respectively).

13 “Contracting agent” means any agent as defined in and subject to  
14 the provisions of the “State College Contracts Law,” P.L.1986, c.43  
15 (C.18A:64-52 et seq.).

16 “Electric vehicle” means a motor vehicle that is propelled to a  
17 significant extent by an electric motor or energy storage device, and  
18 includes any such fleet, medium-duty, or heavy-duty vehicle.

19 “Forced labor” means any work or service that is (1) obtained by  
20 force, fraud, or coercion, including by threat of serious harm to, or  
21 physical restraint against, any person; by means of any scheme,  
22 plan, or pattern intended to cause the person to believe that if the  
23 person did not perform such labor or services, the person or another  
24 person would suffer serious harm or physical restraint; or by means  
25 of the abuse or threatened abuse of law or the legal process; (2)  
26 imposed on the basis of being a member, or members, of a protected  
27 class; (3) not offered or provided voluntarily by the worker; or (4)  
28 produced through child labor.

29 “Member of a protected class” means an individual who is  
30 classified as having one or more characteristics, including race,  
31 creed, color, national origin, nationality, ancestry, age, marital  
32 status, civil union status, domestic partnership status, affectional or  
33 sexual orientation, genetic information, pregnancy, sex, gender  
34 identity or expression, disability or atypical hereditary cellular or  
35 blood trait of any individual, or liability for service in the Armed  
36 Forces.

37 b. No contracting agent shall enter into a contract for the  
38 procurement of electric vehicles, or any component of an electric  
39 vehicle, unless the contracting agent obtains a sworn certification  
40 from the manufacturer or seller that certifies that no entity involved  
41 in the production of the electric vehicle or component for sale,  
42 including the production of any constituent part or the mining or  
43 other sourcing of any materials, used forced labor or child labor in  
44 its activities.

45 c. If a manufacturer or seller provides false or misleading  
46 information under subsection b. of this section, a civil penalty shall  
47 be imposed against the manufacturer or seller of \$10,000 per false  
48 or misleading statement, or 50 percent of the total price paid by the

1 contracting agent for the vehicles or components, whichever is  
2 greater. All penalties assessed under this subsection shall be paid to  
3 the State Treasurer and may be recovered in a summary proceeding  
4 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,  
5 c.274 (C.2A:58-10 et seq.).

6 d. The provisions of this section shall not apply in circumstances  
7 when its application would violate federal law or regulation or be  
8 inconsistent with the terms and conditions of federal funding.

9  
10 3. a. As used in this section:

11 "Child labor" means any employment held in violation of  
12 sections 2 and 17 of P.L.1940, c.153 (C.34:2-21.2 and C.34:2-  
13 21.17, respectively).

14 "Electric vehicle" means a motor vehicle that is propelled to a  
15 significant extent by an electric motor or energy storage device, and  
16 includes any such fleet, medium-duty, or heavy-duty vehicle.

17 "Forced labor" means any work or service that is (1) obtained by  
18 force, fraud, or coercion, including by threat of serious harm to, or  
19 physical restraint against, any person; by means of any scheme,  
20 plan, or pattern intended to cause the person to believe that if the  
21 person did not perform such labor or services, the person or another  
22 person would suffer serious harm or physical restraint; or by means  
23 of the abuse or threatened abuse of law or the legal process; (2)  
24 imposed on the basis of being a member, or members, of a protected  
25 class; (3) not offered or provided voluntarily by the worker; or (4)  
26 produced through child labor.

27 "Local contracting unit" means any contracting unit as defined in  
28 and subject to the provisions of the "Local Public Contracts Law,"  
29 P.L.1971, c.198 (C.40A:11-1 et seq.).

30 "Member of a protected class" means an individual who is  
31 classified as having one or more characteristics, including race,  
32 creed, color, national origin, nationality, ancestry, age, marital  
33 status, civil union status, domestic partnership status, affectional or  
34 sexual orientation, genetic information, pregnancy, sex, gender  
35 identity or expression, disability or atypical hereditary cellular or  
36 blood trait of any individual, or liability for service in the Armed  
37 Forces.

38 b. No local contracting unit shall enter into a contract for the  
39 procurement of electric vehicles, or any component of an electric  
40 vehicle, unless the local contracting unit obtains a sworn  
41 certification from the manufacturer or seller that certifies that no  
42 entity involved in the production of the electric vehicle or  
43 component for sale, including the production of any constituent part  
44 or the mining or other sourcing of any materials, used forced labor  
45 or child labor in its activities.

46 c. If a manufacturer or seller provides false or misleading  
47 information under subsection b. of this section, a civil penalty shall  
48 be imposed against the manufacturer or seller of \$10,000 per false

1 or misleading statement, or 50 percent of the total price paid by the  
2 local contracting unit for the vehicles or components, whichever is  
3 greater. All penalties assessed under this subsection shall be paid to  
4 the State Treasurer and may be recovered in a summary proceeding  
5 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,  
6 c.274 (C.2A:58-10 et seq.).

7 d. The provisions of this section shall not apply in circumstances  
8 when its application would violate federal law or regulation or be  
9 inconsistent with the terms and conditions of federal funding.

10  
11 4. a. As used in this section:

12 "Child labor" means any employment held in violation of  
13 sections 2 and 17 of P.L.1940, c.153 (C.34:2-21.2 and C.34:2-  
14 21.17, respectively).

15 "Contracting agency" means the State or any board, commission,  
16 committee, authority, or agency of the State.

17 "Electric vehicle" means a motor vehicle that is propelled to a  
18 significant extent by an electric motor or energy storage device, and  
19 includes any such fleet, medium-duty, or heavy-duty vehicle.

20 "Forced labor" means any work or service that is (1) obtained by  
21 force, fraud, or coercion, including by threat of serious harm to, or  
22 physical restraint against, any person; by means of any scheme,  
23 plan, or pattern intended to cause the person to believe that if the  
24 person did not perform such labor or services, the person or another  
25 person would suffer serious harm or physical restraint; or by means  
26 of the abuse or threatened abuse of law or the legal process; (2)  
27 imposed on the basis of being a member, or members, of a protected  
28 class; (3) not offered or provided voluntarily by the worker; or (4)  
29 produced through child labor.

30 "Member of a protected class" means an individual who is  
31 classified as having one or more characteristics, including race,  
32 creed, color, national origin, nationality, ancestry, age, marital  
33 status, civil union status, domestic partnership status, affectional or  
34 sexual orientation, genetic information, pregnancy, sex, gender  
35 identity or expression, disability or atypical hereditary cellular or  
36 blood trait of any individual, or liability for service in the Armed  
37 Forces.

38 b. No contracting agency shall enter into a contract for the  
39 procurement of electric vehicles, or any component of an electric  
40 vehicle, unless the contracting agency obtains a sworn certification  
41 from the manufacturer or seller that certifies that no entity involved  
42 in the production of the electric vehicle or component for sale,  
43 including the production of any constituent part or the mining or  
44 other sourcing of any materials, used forced labor or child labor in  
45 its activities.

46 c. If a manufacturer or seller provides false or misleading  
47 information under subsection b. of this section, a civil penalty shall  
48 be imposed against the manufacturer or seller of \$10,000 per false

1 or misleading statement, or 50 percent of the total price paid by the  
2 contracting agency for the vehicles or components, whichever is  
3 greater. All penalties assessed under this subsection shall be paid to  
4 the State Treasurer and may be recovered in a summary proceeding  
5 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,  
6 c.274 (C.2A:58-10 et seq.).

7 d. The provisions of this section shall not apply in circumstances  
8 when its application would violate federal law or regulation or be  
9 inconsistent with the terms and conditions of federal funding.

10  
11 5. This act shall take effect immediately.

12  
13  
14 STATEMENT

15  
16 This bill prohibits public contracts procuring electric vehicles  
17 that may have been made through forced labor.

18 Under the bill, the State government, State colleges, local  
19 governments in this State, and public schools in this State will not  
20 be permitted to enter into a contract for the procurement of electric  
21 vehicles, or any component of an electric vehicle, unless the  
22 appropriate representative obtains a sworn certification from the  
23 manufacturer or seller that certifies that no entity involved in the  
24 production of the electric vehicle or component for sale used forced  
25 labor or child labor in its activities.

26 The bill provides that a civil penalty will be imposed against any  
27 manufacturer or seller that provides false or misleading  
28 information. The penalty will be \$10,000 per false or misleading  
29 statement, or 50 percent of the total price paid by the appropriate  
30 authority for the vehicles or components, whichever is greater.