

P.L. 2025, CHAPTER 211, *approved January 12, 2026*
Senate, No. 3399 (*Second Reprint*)

1 AN ACT concerning recycling of solar and photovoltaic energy
2 generation facilities and structures, and supplementing Title 13
3 of the Revised Statutes.

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

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8 1. a. ²**[The]** Beginning 180 days after the finding by the
9 Department of Environmental Protection made pursuant to
10 subsection c. of this section has been published in the New Jersey
11 Register and on the department's Internet website, the² owner ²,
12 producer, distributor, or manufacturer² of a solar or photovoltaic
13 energy generation facility or structure shall remove and recycle ²or
14 refurbish² the facility or structure after the termination of its use,
15 including any related equipment or infrastructure, in accordance
16 with rules and regulations adopted by the ²**[Department of**
17 Environmental Protection pursuant to subsection b. of this section]
18 department².

19 b. ²**[The]** Beginning 180 days after the finding by the
20 department made pursuant to subsection c. of this section has
21 published in the New Jersey Register and on the department's
22 Internet website, the² department ²**[shall]** may² adopt, pursuant to
23 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
24 seq.), rules and regulations necessary to implement the provisions
25 of this section which shall include, but need not be limited to,
26 minimum requirements for the removal and recycling of solar and
27 photovoltaic energy generation facilities and structures ²and a fee
28 schedule to cover the full costs incurred by the department to
29 implement the provisions of this section². ¹The rules and
30 regulations ²**[shall]** may² require recyclers to securely store any
31 toxic components of solar panels that cannot be safely recycled
32 until a viable and safe method of recycling the components is
33 approved by the department. The department ²**[shall]** may² engage
34 in a public stakeholder process and consider ²establishing a product
35 stewardship program or² similar end-of-life recycling requirements
36 and programs from other states when it develops the rules and

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted June 20, 2024.

²Assembly AEN committee amendments adopted December 4, 2025.

1 regulations, in order to facilitate compliance with the provisions of
2 this section.¹

3 c. ²**Any person who violates the provisions of this section, or**
4 **any rules or regulations adopted pursuant thereto, shall be subject to**
5 **a civil penalty of up to \$1,000, to be collected in a civil action by a**
6 **summary proceeding under the "Penalty Enforcement Law of**
7 **1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court**
8 **and the municipal court shall have jurisdiction to enforce the**
9 **provisions of the "Penalty Enforcement Law of 1999" pursuant to**
10 **this subsection]** The department shall frequently evaluate the
11 availability and accessibility of recycling facilities for solar or
12 photovoltaic energy generation facilities, or components thereof,
13 within the State. Once the department determines that recycling
14 facilities for solar or photovoltaic energy generation facilities, or
15 components thereof, are widely accessible and available within the
16 State, the department shall publish that finding in the New Jersey
17 Register and on the department's Internet website no more than 30
18 days after making the finding.

19 d. A violation of the provisions of this section shall be
20 considered a violation of the "Solid Waste Management Act,"
21 P.L.1970, c.39 (C.13:1E-1 et seq.), as amended and supplemented,
22 and the commissioner shall have recourse to any of the actions or
23 penalties provided for in section 9 of P.L.1970, c.39 (C 13:1E-9), in
24 order to address the violation².

25
26 2. This act shall take effect ²**on the 180th day next following**
27 **the date of enactment, except that the Department of Environmental**
28 **Protection may take any administrative action in advance thereof as**
29 **shall be necessary for the implementation of this act]** immediately².

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34 Requires end-of-life recycling of solar and photovoltaic energy
35 generation facilities and structures.