

ASSEMBLY, No. 5605

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:

Assemblywoman MARISA SWEENEY

District 25 (Morris and Passaic)

SYNOPSIS

Prohibits persons from installing, planting, or placing nonfunctional turf or invasive plant species on certain types of property during certain construction projects.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the planting of certain grasses and plants and
2 supplementing Title 23 of the Revised Statutes.

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

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7 1. a. As used in this section:

8 “Covered project” means: (1) a new construction project that
9 requires a building or landscaping permit; or (2) a redevelopment
10 project that requires a building or landscaping permit and involves
11 the disturbance of at least 50 percent of the landscaped area of the
12 property on which the project occurs.

13 “Covered property” means: any commercial, institutional, or
14 industrial property, including schools and businesses; a street, right-
15 of-way, parking lot, median, or transportation corridor; or any
16 property owned by the State or any county, municipal, or local
17 government unit. “Covered property” shall not include a residential
18 property.

19 “Functional turf” means turf that is (1) located in a recreational
20 use area or other space that is regularly used for civic, community,
21 or recreational purposes, including playgrounds, sports fields,
22 picnic grounds, amphitheaters, parks, and the playing areas of golf
23 courses, such as driving ranges, chipping and putting greens, tee
24 boxes, greens, fairways, and roughs; (2) designated to be part of a
25 water quality treatment solution required for compliance with
26 federal, State, or local agency water quality permitting
27 requirements, which is not irrigated and does not have herbicides
28 applied; or (3) planted to deter wildlife and is mown no more often
29 than once a year.

30 “Invasive plant species” means any living part of a plant that has
31 photosynthetic capabilities and is a member of the biological
32 kingdom Plantae, and any cultivar, variety, subspecies, or seeds, of
33 such species, that is determined to be non-native or alien to a
34 terrestrial, freshwater aquatic, or marine ecosystem of New Jersey,
35 and the introduction of which into such terrestrial, freshwater
36 aquatic, or marine ecosystem has caused, or is likely to cause,
37 economic, ecological, or environmental harm, or harm to human
38 health. “Invasive plant species” includes the following specific
39 species:

- 40 (1) Norway maple (*Acer platanoides*);
41 (2) tree of heaven (*Ailanthus altissima*);
42 (3) mimosa or silk tree (*Albizia julibrissin*);
43 (4) porcelain berry (*Ampelopsis glandulosa* var.
44 *brevipedunculata*);
45 (5) Japanese angelica tree (*Aralia elata*);
46 (6) Japanese barberry (*Berberis thunbergii*);
47 (7) Japanese clematis (*Clematis terniflora*);
48 (8) autumn olive (*Elaeagnus umbellata*);

- 1 (9) weeping lovegrass (*Eragrostis curvula*);
- 2 (10) winged burning bush (*Euonymus alatus*);
- 3 (11) English ivy (*Hedera helix*);
- 4 (12) Japanese hop (*Humulus japonicas*);
- 5 (13) sericea lespedeza (*Lespedeza cuneate*);
- 6 (14) European privet (*Ligustrum vulgare*);
- 7 (15) Amur honeysuckle (*Lonicera maackii*);
- 8 (16) Morrow's honeysuckle (*Lonicera morrowii*);
- 9 (17) purple loosestrife (*Lythrum salicaria*);
- 10 (18) Japanese crabapple (*Malus toringo*);
- 11 (19) Chinese silvergrass (*Miscanthus sinensis*);
- 12 (20) Eurasian water-milfoil (*Myriophyllum spicatum*);
- 13 (21) Oriental photinia (*Photinia villosa*);
- 14 (22) running bamboo (*Phyllostachys*);
- 15 (23) Callery or Bradford pear (*Pyrus calleryana*);
- 16 (24) common buckthorn (*Rhamnus cathartica*);
- 17 (25) jetbead (*Rhodotypos scandens*);
- 18 (26) multiflora rose (*Rosa multiflora*);
- 19 (27) European water chestnut (*Trapa natans*);
- 20 (28) Siebold's arrowwood (*Viburnum sieboldii*);
- 21 (29) Japanese wisteria (*Wisteria floribunda*);
- 22 (30) Chinese wisteria (*Wisteria sinensis*); and
- 23 (31) any other species designated pursuant to subsection c of
- 24 this section.

25 "Local government unit" means a county, a municipality, or any
26 board, commission, committee, authority, or agency thereof that is
27 subject to the provisions of the "Local Public Contracts Law,"
28 P.L.1971, c.198 (C.40A:11-1 et seq.), including a housing authority
29 or redevelopment agency created or continued under the "Local
30 Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1
31 et seq.).

32 "Maintain" means an action to preserve the existing state of
33 nonfunctional turf, or an invasive plant species that has already
34 been installed, planted, or placed, but does not include planting new
35 seed.

36 "Native plant" means a plant species that is indigenous to New
37 Jersey.

38 "Nonfunctional turf" means turf that is not functional turf.

39 "Turf" means continuous plant coverage consisting of non-native
40 grasses or grasses that have not been hybridized for arid conditions
41 and which, when regularly mowed, form a dense growth of leaf
42 blades and roots.

43 b. Commencing January 1, 2026, no person shall install, plant,
44 or place, or allow any person to install, plant, or place, any
45 nonfunctional turf or invasive plant species, as part of covered
46 project, on any portion of covered property.

47 c. The Department of Environmental Protection and the
48 Department of Agriculture, in consultation with one another and

1 any other relevant State entity, shall, no later than one year after the
2 effective date of this act, develop a list of invasive plant species that
3 are subject to the requirements of this act. The list shall include,
4 but not be limited to, the species listed in subsection a. of this
5 section. The list shall become effective immediately upon being
6 filed with the Office of Administrative Law. Each year thereafter,
7 in accordance with the “Administrative Procedure Act,” P.L.1968,
8 c.410 (C.52:14B-1 et seq.), the departments shall adopt rules and
9 regulations revising the list developed pursuant to this section, as
10 may be necessary to designate new species as regulated invasive
11 species for the purposes of this act.

12 d. Nothing in this section shall be construed to prohibit:

13 (1) a person from maintaining, or allowing any person to
14 maintain, any nonfunctional turf or invasive plant species installed
15 or planted before January 1, 2026;

16 (2) a person from installing, planting, placing or allowing any
17 person to install, plant, or place grass seed or sod that is composed
18 of native plants;

19 (3) a municipality from establishing prohibitions on, or
20 requirements for, nonfunctional turf, or invasive plant species that
21 are more stringent than the requirements of this section.

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23 2. This act shall take effect immediately.

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STATEMENT

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28 This bill would prohibit, beginning on January 1, 2026, persons
29 from installing, planting, or placing, or allowing another person to
30 install, plant, or place, any nonfunctional turf or invasive plant
31 species on certain types of property during certain types of
32 construction projects.

33 Specifically, the bill would apply to the following types of
34 property: any commercial, institutional, or industrial property,
35 including schools and businesses; a street, right-of-way, parking lot,
36 median, or transportation corridor; or any property owned by the
37 State or any county, municipal, or local government unit. The
38 projects covered under the bill would be: (1) a new construction
39 project that requires a building or landscaping permit; or (2) a
40 redevelopment project that requires a building or landscaping
41 permit and involves the disturbance of at least 50 percent of the
42 landscaped area of the property on which the project occurs. “Non-
43 functional turf” is defined by the bill to exclude, among other
44 things, turf that is used for recreational purposes, including
45 playgrounds, sports fields, picnic grounds, amphitheaters, parks,
46 and the playing areas of golf courses, such as driving ranges,
47 chipping and putting greens, tee boxes, greens, fairways, and
48 roughs.

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1 The bill would establish a list of the invasive species that would
2 be covered by the bill's provisions. The bill would also direct the
3 Department of Environmental Protection and the Department of
4 Agriculture to develop a list, which may be more expansive from
5 the list in the bill.