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RWH/JA

P.L. 2021, CHAPTER 272, *approved November 8, 2021*
Senate, No. 1726 (*Second Reprint*)

1 AN ACT concerning cosmetic products that have been tested on
2 animals and supplementing Title 4 of the Revised Statutes.

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

6
7 1. a. For the purposes of this section:

8 “Animal test” means the internal or external application of a
9 cosmetic, or any ingredient thereof, to a body part of a live, nonhuman
10 vertebrate.

11 “Cosmetic” means ¹[any substance intended to be applied to or
12 introduced into any part of the human body for the purposes of
13 cleansing, promoting attractiveness, or altering the appearance,
14 including, but not limited to, lipstick, make-up, deodorant, shampoo,
15 and conditioner] the same as the term is defined in the “Federal Food,
16 Drug, and Cosmetic Act” (21 U.S.C. s.321(i))¹.

17 “Ingredient” means any component of a cosmetic as defined by 21
18 C.F.R. 700.3.

19 “Manufacturer” means any person whose name appears on the
20 label of a cosmetic product pursuant to the requirements of 21 C.F.R.
21 701.12.

22 “Supplier” means any entity that supplies, directly or through a
23 third party, any ingredient used in the formulation of a manufacturer’s
24 cosmetic.

25 b. No ²[person or]² manufacturer shall sell or offer for sale in the
26 State any cosmetic that was developed or manufactured using an
27 animal test, if the test was conducted or contracted by the
28 manufacturer or any supplier of the manufacturer on or after ²[January
29 1,]² ¹[2020] ²[2021¹] the effective date of P.L. , c. (C.)
30 (pending before the Legislature as this bill².

31 c. The prohibitions in subsection b. of this section do not apply to
32 cosmetics developed or manufactured using an animal test if:

33 (1) The animal test is required by a federal or State regulatory
34 authority and:

35 (a) the ingredient that requires an animal test is in wide use and
36 cannot be replaced by another ingredient,

37 (b) a specific human health problem is associated with the
38 ingredient and the need to conduct an animal test on the ingredient is
39 justified and supported by a research protocol, 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 SCM committee amendments adopted January 21, 2021.

²Assembly ACO committee amendments adopted June 2, 2021.

1 (c) there is no non-animal test ¹method or strategy¹ that is
2 accepted by the relevant federal or State regulatory authority as a
3 means to gather the relevant data;

4 (2) The animal test is conducted ¹outside of the United States¹ to
5 comply with a requirement of a foreign regulatory authority, if no
6 evidence derived from the test is relied upon to substantiate the safety
7 of the cosmetic pursuant to federal or State regulations; ¹**or**¹

8 (3) The animal test is conducted on a product or ingredient subject
9 to the requirements of chapter V of the federal “Food, Drug, and
10 Cosmetic Act,” 21 U.S.C. s.351 et seq. ¹; or

11 (4) The animal test is conducted for non-cosmetic purposes
12 pursuant to a requirement of a federal, State, or foreign regulatory
13 authority. No evidence derived from animal testing after the effective
14 date of P.L. , c. (C.) (pending before Legislature as this bill)
15 may be relied upon to establish the safety of a cosmetic pursuant to
16 federal or State regulation unless:

17 (a) there is no non-animal method or strategy recognized by any
18 federal agency or the Organisation for Economic Co-operation and
19 Development for the relevant safety endpoints for the ingredient;

20 (b) there is documented evidence of the non-cosmetic intent of the
21 test; and

22 (c) there is a history of use of the ingredient outside of cosmetics
23 at least one year prior to the reliance on the data.¹

24 d. ¹**or**¹The prohibitions in subsection b. of this section do not apply
25 to cosmetics that were sold in the State or tested on animals prior to
26 January 1, 2020, even if the cosmetic is manufactured after that date]
27 The provisions of this section shall not apply to animal testing
28 conducted on an ingredient or cosmetic if the testing took place prior
29 to ²**or**²January 1, 2021¹ the effective date of P.L. , c. (C.)
30 (pending before the Legislature as this bill). This section shall not
31 prevent a manufacturer from reviewing, assessing, or retaining data
32 resulting from animal testing².

33 e. ¹**or**¹Any Each sale or offer for sale made by a ¹ ²**or**²person or²
34 manufacturer ¹**or**¹that violates in violation of¹ this section shall be
35 subject to a penalty of up to \$1,000 ¹**or**¹for each offense¹, to be
36 collected in a civil action by a summary proceeding under the “Penalty
37 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.). If
38 the violation is of a continuing nature, each day during which it
39 continues constitutes an additional, separate, and distinct offense. The
40 director of the Division of Consumer Affairs in the Department of Law
41 and Public Safety may enforce the provisions of this section. The
42 Superior Court and the municipal court shall have jurisdiction to
43 enforce the provisions of the “Penalty Enforcement Law of 1999.”

44 f. The Division of Consumer Affairs may institute a civil action
45 for injunctive relief to enforce this act and to prohibit and prevent a
46 violation of this act, and the court may proceed in the action in a
47 summary manner.

1 ¹g. Nothing in this act shall be construed to impose liability on
2 news media that accept or publish advertising that may fall within the
3 scope of the statute.¹
4

5 2. This act shall take effect ²**[immediately]** on the first day of the
6 fourth month next following the date of enactment.²
7

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9

10

11 Prohibits sale of cosmetic products that have been tested on
12 animals.

SENATE, No. 1726

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senators Turner, Diegnan, Stack and Gopal

SYNOPSIS

Prohibits sale of cosmetic products that have been tested on animals.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2020)

1 AN ACT concerning cosmetic products that have been tested on
2 animals and supplementing Title 4 of the Revised Statutes.

3

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

6

7 1. a. For the purposes of this section:

8 “Animal test” means the internal or external application of a
9 cosmetic, or any ingredient thereof, to a body part of a live,
10 nonhuman vertebrate.

11 “Cosmetic” means any substance intended to be applied to or
12 introduced into any part of the human body for the purposes of
13 cleansing, promoting attractiveness, or altering the appearance,
14 including, but not limited to, lipstick, make-up, deodorant,
15 shampoo, and conditioner.

16 “Ingredient” means any component of a cosmetic as defined by
17 21 C.F.R. 700.3.

18 “Manufacturer” means any person whose name appears on the
19 label of a cosmetic product pursuant to the requirements of 21
20 C.F.R. 701.12.

21 “Supplier” means any entity that supplies, directly or through a
22 third party, any ingredient used in the formulation of a
23 manufacturer’s cosmetic.

24 b. No person or manufacturer shall sell or offer for sale in the
25 State any cosmetic that was developed or manufactured using an
26 animal test, if the test was conducted or contracted by the
27 manufacturer or any supplier of the manufacturer on or after
28 January 1, 2020.

29 c. The prohibitions in subsection b. of this section do not apply
30 to cosmetics developed or manufactured using an animal test if:

31 (1) The animal test is required by a federal or State regulatory
32 authority and:

33 (a) the ingredient that requires an animal test is in wide use and
34 cannot be replaced by another ingredient,

35 (b) a specific human health problem is associated with the
36 ingredient and the need to conduct an animal test on the ingredient
37 is justified and supported by a research protocol, and

38 (c) there is no non-animal test that is accepted by the relevant
39 federal or State regulatory authority as a means to gather the
40 relevant data;

41 (2) The animal test is conducted to comply with a requirement
42 of a foreign regulatory authority, if no evidence derived from the
43 test is relied upon to substantiate the safety of the cosmetic pursuant
44 to federal or State regulations; or

45 (3) The animal test is conducted on a product or ingredient
46 subject to the requirements of chapter V of the federal “Food, Drug,
47 and Cosmetic Act,” 21 U.S.C. s.351 et seq.

48 d. The prohibitions in subsection b. of this section do not apply

1 to cosmetics that were sold in the State or tested on animals prior to
2 January 1, 2020, even if the cosmetic is manufactured after that
3 date.

4 e. Any person or manufacturer that violates this section shall
5 be subject to a penalty of up to \$1,000 for each offense, to be
6 collected in a civil action by a summary proceeding under the
7 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10
8 et seq.). If the violation is of a continuing nature, each day during
9 which it continues constitutes an additional, separate, and distinct
10 offense. The director of the Division of Consumer Affairs in the
11 Department of Law and Public Safety may enforce the provisions of
12 this section. The Superior Court and the municipal court shall have
13 jurisdiction to enforce the provisions of the “Penalty Enforcement
14 Law of 1999.”

15 f. The Division of Consumer Affairs may institute a civil
16 action for injunctive relief to enforce this act and to prohibit and
17 prevent a violation of this act, and the court may proceed in the
18 action in a summary manner.

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill would prohibit the sale or offer for sale of cosmetics
26 that were developed or manufactured using animal tests on or after
27 January 1, 2020.

28 Current law prohibits performing animal tests on products in
29 New Jersey when there is an appropriate validated alternative test
30 method. This bill would strengthen this prohibition with respect to
31 cosmetics products, barring the sale of all cosmetics that were
32 tested on animals, even if those tests were performed outside the
33 State. Animal tests for cosmetics are frequently painful and
34 harmful to the animal. Furthermore, alternative testing methods,
35 such as the use of engineered human tissue and the use of computer
36 models, are often cheaper and more accurate than animal testing, in
37 addition to being cruelty-free.

38 The bill would not apply to cosmetics that were sold in the State
39 or tested on animals before January 1, 2020. In addition, the bill
40 would not apply to cosmetics that are required by a federal or State
41 regulatory agency to be tested on animals, provided that certain
42 conditions apply. The bill would also not apply to cosmetics that
43 are required by a foreign regulatory agency to be tested on animals,
44 as long as the safety of such cosmetics is independently verified
45 using non-animal tests.

46 Violations of the provisions of the bill are punishable by fines of
47 up to \$1,000. The director of the Division of Consumer Affairs in
48 the Department of Law and Public Safety would be permitted to
49 enforce the provisions of this bill.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1726

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Senate Bill No. 1726 (1R).

As amended and reported by the committee, this bill would prohibit the sale or offer for sale of cosmetics that were developed or manufactured using animal tests on or after the effective date of the bill.

Current law prohibits performing animal tests on products in New Jersey when there is an appropriate validated alternative test method. This bill would strengthen this prohibition with respect to cosmetics products, barring the sale of all cosmetics that were tested on animals, even if those tests were performed outside the State. Animal tests for cosmetics are frequently painful and harmful to the animal. Furthermore, alternative testing methods, such as the use of engineered human tissue and the use of computer models, are often cheaper and more accurate than animal testing, in addition to being cruelty-free.

The provisions of the bill do not apply to testing conducted on an ingredient or cosmetic if the testing took place prior to the effective date of the bill. In addition, the bill would not apply to testing required by a federal or State regulatory authority, provided that certain conditions apply. Also exempt from the bill are animal tests that are conducted for non-cosmetic purposes pursuant to a requirement of a federal, State, or foreign regulatory authority, so long as no evidence derived from the animal testing is relied upon to establish the safety of a cosmetic pursuant to federal or State regulations. Additionally, the bill does not prevent a manufacturer from reviewing, assessing, or retaining data resulting from animal testing.

Each sale or offer for sale is punishable by fines of up to \$1,000. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety would be permitted to enforce the provisions of this bill.

Lastly, nothing in the bill is to be construed as imposing liability on news media that accept or publish advertising that could fall within the scope of the bill.

As reported by the committee, Senate Bill No. 1726 (1R) is identical to Assembly Bill No. 795, which also was reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amended the bill to:

(1) provide that the prohibition on the sale of cosmetics developed or manufactured using an animal test applies to cosmetics for which the test was conducted or contracted by the manufacturer or any supplier of the manufacturer on or after the effective date of the bill, rather than January 1, 2021;

(2) provide that the bill would not prevent a manufacturer from reviewing, assessing, or retaining data resulting from animal testing;

(3) provide that the bill would apply only to a manufacturer, as that term is defined in the bill, rather than a manufacturer or a person; and

(4) change the effective date of the bill from immediately to the first day of the fourth month next following the date of enactment.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1726

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 21, 2021

The Senate Commerce Committee reports favorably and with amendments Senate Bill No. 1726.

As amended, this bill would prohibit the sale or offer for sale of cosmetics that were developed or manufactured using animal tests on or after January 1, 2021.

Current law prohibits performing animal tests on products in New Jersey when there is an appropriate validated alternative test method. This bill would strengthen this prohibition with respect to cosmetics products, barring the sale of all cosmetics that were tested on animals, even if those tests were performed outside the State. Animal tests for cosmetics are frequently painful and harmful to the animal. Furthermore, alternative testing methods, such as the use of engineered human tissue and the use of computer models, are often cheaper and more accurate than animal testing, in addition to being cruelty-free.

The provisions of the bill do not apply to testing conducted on an ingredient or cosmetic if the testing took place prior to January 1, 2021. In addition, the bill would not apply to testing required by a federal or State regulatory authority, provided that certain conditions apply. Also exempt from the bill are animal tests that are conducted for non-cosmetic purposes pursuant to a requirement of a federal, State, or foreign regulatory authority, so long as no evidence derived from the animal testing is relied upon to establish the safety of a cosmetic pursuant to federal or State regulations.

Each sale or offer for sale is punishable by fines of up to \$1,000. The director of the Division of Consumer Affairs in the Department of Law and Public Safety would be permitted to enforce the provisions of this bill.

Lastly, nothing in the bill is to be construed as imposing liability on news media that accept or publish advertising that could fall within the scope of the bill.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) change the definition of “cosmetic” to mean the same as the term is defined in the “Federal Food, Drug, and Cosmetic Act”;

(2) provide that the prohibition on the sale of cosmetics developed or manufactured using an animal test applies to cosmetics for which the test was conducted or contracted by the manufacturer or any supplier of the manufacturer on or after January 1, 2021, rather than January 1, 2020;

(3) provide that the prohibitions pursuant to the bill do not apply to cosmetics developed or manufactured using an animal test if the animal test is conducted for non-cosmetic purposes pursuant to a requirement of a federal, State, or foreign regulatory authority and meets certain other conditions; and

(4) provide that the provisions of the bill are not to be construed to impose liability on news media that accept or publish advertising that may fall within the scope of the statute.

ASSEMBLY, No. 795

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

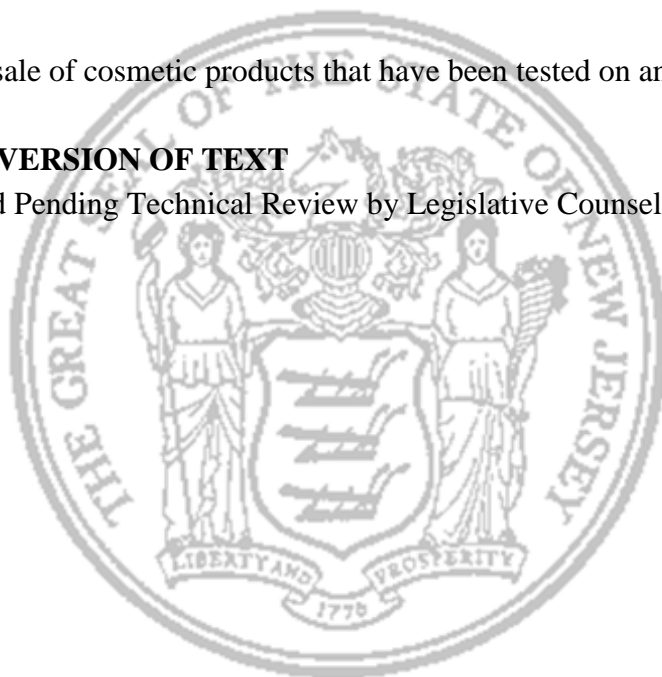
Assemblymen Tully, Rooney, Mejia, Assemblywoman Reynolds-Jackson, Assemblyman Benson, Assemblywomen Jasey, Murphy, Stanfield, Assemblymen Conaway, Catalano, Moriarty, Assemblywoman Quijano, Assemblyman Giblin, Assemblywoman Chaparro, Assemblyman Holley, Assemblywomen Vainieri Huttle, Timberlake, Assemblymen Johnson, Chiaravalloti, Armato and Mazzeo

SYNOPSIS

Prohibits sale of cosmetic products that have been tested on animals.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/1/2021)

1 AN ACT concerning cosmetic products that have been tested on
2 animals and supplementing Title 4 of the Revised Statutes.

3

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

6

7 1. a. For the purposes of this section:

8 “Animal test” means the internal or external application of a
9 cosmetic, or any ingredient thereof, to a body part of a live,
10 nonhuman vertebrate.

11 “Cosmetic” means any substance intended to be applied to or
12 introduced into any part of the human body for the purposes of
13 cleansing, promoting attractiveness, or altering the appearance,
14 including, but not limited to, lipstick, make-up, deodorant,
15 shampoo, and conditioner.

16 “Ingredient” means any component of a cosmetic as defined by
17 21 C.F.R. 700.3.

18 “Manufacturer” means any person whose name appears on the
19 label of a cosmetic product pursuant to the requirements of 21
20 C.F.R. 701.12.

21 “Supplier” means any entity that supplies, directly or through a
22 third party, any ingredient used in the formulation of a
23 manufacturer’s cosmetic.

24 b. No person or manufacturer shall sell or offer for sale in the
25 State any cosmetic that was developed or manufactured using an
26 animal test, if the test was conducted or contracted by the
27 manufacturer or any supplier of the manufacturer on or after
28 January 1, 2020.

29 c. The prohibitions in subsection b. of this section do not apply
30 to cosmetics developed or manufactured using an animal test if:

31 (1) The animal test is required by a federal or State regulatory
32 authority and:

33 (a) the ingredient that requires an animal test is in wide use and
34 cannot be replaced by another ingredient,

35 (b) a specific human health problem is associated with the
36 ingredient and the need to conduct an animal test on the ingredient
37 is justified and supported by a research protocol, and

38 (c) there is no non-animal test that is accepted by the relevant
39 federal or State regulatory authority as a means to gather the
40 relevant data;

41 (2) The animal test is conducted to comply with a requirement
42 of a foreign regulatory authority, if no evidence derived from the
43 test is relied upon to substantiate the safety of the cosmetic pursuant
44 to federal or State regulations; or

45 (3) The animal test is conducted on a product or ingredient
46 subject to the requirements of chapter V of the federal “Food, Drug,
47 and Cosmetic Act,” 21 U.S.C. s.351 et seq.

1 d. The prohibitions in subsection b. of this section do not apply
2 to cosmetics that were sold in the State or tested on animals prior to
3 January 1, 2020, even if the cosmetic is manufactured after that
4 date.

5 e. Any person or manufacturer that violates this section shall
6 be subject to a penalty of up to \$1,000 for each offense, to be
7 collected in a civil action by a summary proceeding under the
8 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10
9 et seq.). If the violation is of a continuing nature, each day during
10 which it continues constitutes an additional, separate, and distinct
11 offense. The director of the Division of Consumer Affairs in the
12 Department of Law and Public Safety may enforce the provisions of
13 this section. The Superior Court and the municipal court shall have
14 jurisdiction to enforce the provisions of the “Penalty Enforcement
15 Law of 1999.”

16 f. The Division of Consumer Affairs may institute a civil
17 action for injunctive relief to enforce this act and to prohibit and
18 prevent a violation of this act, and the court may proceed in the
19 action in a summary manner.
20

21 2. This act shall take effect immediately.
22
23

24 STATEMENT
25

26 This bill would prohibit the sale or offer for sale of cosmetics
27 that were developed or manufactured using animal tests on or after
28 January 1, 2020.

29 Current law prohibits performing animal tests on products in
30 New Jersey when there is an appropriate validated alternative test
31 method. This bill would strengthen this prohibition with respect to
32 cosmetics products, barring the sale of all cosmetics that were
33 tested on animals, even if those tests were performed outside the
34 State. Animal tests for cosmetics are frequently painful and
35 harmful to the animal. Furthermore, alternative testing methods,
36 such as the use of engineered human tissue and the use of computer
37 models, are often cheaper and more accurate than animal testing, in
38 addition to being cruelty-free.

39 The bill would not apply to cosmetics that were sold in the State
40 or tested on animals before January 1, 2020. In addition, the bill
41 would not apply to cosmetics that are required by a federal or State
42 regulatory agency to be tested on animals, provided that certain
43 conditions apply. The bill would also not apply to cosmetics that
44 are required by a foreign regulatory agency to be tested on animals,
45 as long as the safety of such cosmetics is independently verified
46 using non-animal tests.

47 Violations of the provisions of the bill are punishable by fines of
48 up to \$1,000. The director of the Division of Consumer Affairs in

A795 VERRELLI, SWAIN

4

- 1 the Department of Law and Public Safety would be permitted to
- 2 enforce the provisions of this bill.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 795

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 02, 2021

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 795.

As amended and reported by the committee, this bill would prohibit the sale or offer for sale of cosmetics that were developed or manufactured using animal tests on or after the effective date of the bill.

Current law prohibits performing animal tests on products in New Jersey when there is an appropriate validated alternative test method. This bill would strengthen this prohibition with respect to cosmetics products, barring the sale of all cosmetics that were tested on animals, even if those tests were performed outside the State. Animal tests for cosmetics are frequently painful and harmful to the animal. Furthermore, alternative testing methods, such as the use of engineered human tissue and the use of computer models, are often cheaper and more accurate than animal testing, in addition to being cruelty-free.

The provisions of the bill do not apply to testing conducted on an ingredient or cosmetic if the testing took place prior to the effective date of the bill. In addition, the bill would not apply to testing required by a federal or State regulatory authority, provided that certain conditions apply. Also exempt from the bill are animal tests that are conducted for non-cosmetic purposes pursuant to a requirement of a federal, State, or foreign regulatory authority, so long as no evidence derived from the animal testing is relied upon to establish the safety of a cosmetic pursuant to federal or State regulations. Additionally, the bill would not prevent a manufacturer from reviewing, assessing, or retaining data resulting from animal testing.

Each sale or offer for sale is punishable by fines of up to \$1,000. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety would be permitted to enforce the provisions of this bill.

Lastly, nothing in the bill is to be construed as imposing liability on news media that accept or publish advertising that could fall within the scope of the bill.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As reported by the committee, Assembly Bill No. 795 is identical to Senate Bill No. 1726 (1R), which also was reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) change the definition of “cosmetic” to mean the same as the term is defined in the “Federal Food, Drug, and Cosmetic Act”;

(2) provide that the prohibition on the sale of cosmetics developed or manufactured using an animal test applies to cosmetics for which the test was conducted or contracted by the manufacturer or any supplier of the manufacturer on or after the effective date of the bill, rather than January 1, 2020;

(3) provide that the prohibitions pursuant to the bill do not apply to cosmetics developed or manufactured using an animal test if the animal test is conducted for non-cosmetic purposes pursuant to a requirement of a federal, State, or foreign regulatory authority and meets certain other conditions;

(4) provide that the provisions of the bill are not to be construed to impose liability on news media that accept or publish advertising that may fall within the scope of the statute;

(5) provide that the bill would not prevent a manufacturer from reviewing, assessing, or retaining data resulting from animal testing;

(6) provide that the bill would apply only to a manufacturer, as that term is defined in the bill, rather than a manufacturer or a person; and

(7) change the effective date of the bill from immediately to the first day of the fourth month next following the date of enactment.

Governor Murphy Takes Action on Legislation

11/8/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle) – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce) – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley) – Requires residential landlords to install covers on steam radiators upon request of tenant

S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle) – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle) – Requires certain student identification cards to contain telephone number for suicide prevention hotline

SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley) – Revises cybersecurity, asset management, and related reporting requirements in “Water Quality Accountability Act”

S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli) – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy) – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway) – Requires public water systems to offer drinking water tests to customers in certain circumstances

S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle) – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson) – Permits counties and municipalities to bond for alternative fuel vehicles

S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin) – Concerns disclosure of certain information prior to sale of real estate

S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly) – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey) – Authorizes imposition of fee for connection to municipal electric distribution system

S-1259/A-2628 (Singleton/Murphy) – Concerns labor contractors

S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker) – Prohibits sale of cosmetic products that have been tested on animals

- S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttle, Jasey, McKnight)** – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations
- S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight)** – Concerns certain restrictive covenants on real property
- S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson)** – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services
- S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttle)** – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program
- S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttle, Chiaravalloti)** – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes
- S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji)** – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology
- S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji)** – Establishes alternate route to expedite certification of teachers at early college high school programs
- S-3318/A-5893 (Sweeney, Pou/Vainieri Huttle, Caputo, Karabinchak)** – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey
- S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin)** – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions
- S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter)** – Establishes Kean University as public urban research university
- S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey)** – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation
- SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight)** – Designates June 2 of each year as “Gun Violence Awareness Day”
- SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttle)** – Condemns hate and violent extremism and commits to defense of safe and just democracy
- A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach)** – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge
- A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty)** – Prohibits municipal licensure of children operating temporary businesses
- A-2311/S-356 (Calabrese, Jasey/Cryan, Codey)** – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities
- A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton)** – Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development
- ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith)** – Requires certain newly constructed warehouses to be solar-ready buildings

A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal) – Increases fee for New Jersey Waterfowl Stamps

A-4138/S-2701 (Vainieri Huttle, Benson, Giblin/Gopal, Codey) – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari) – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale) – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco) – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey) – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

A-4633/S-2856 (Giblin, DeCroce/Pou) – Permits certain nonresident Certified Public Accountants to provide attest services

A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari) – Clarifies classification in this State of criminal offenses committed in other states or under federal law

A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner) – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

A-4861/S-3041 (Vainieri Huttle, Armato, Verrelli/Vitale, Gopal) – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden) – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

A-5059/S-3031 (Conaway, Vainieri Huttle, Benson/Sweeney, Vitale) – Requires DOH to establish certain nursing education and professional advancement programs

A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan) – Permits dentists to administer vaccines under certain circumstances

A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal) – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan) – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan) – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean) – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton) – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

S-108/A-169 (Gill, Turner/Caputo, Wirths) – **CONDITIONAL** - Concerns speech rights of student journalists at public schools and public institutions of higher education

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S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttie) – CONDITIONAL - Establishes “Stillbirth Resource Center” and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – CONDITIONAL - Creates special education unit within the Office of Administrative Law; requires annual report

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S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – CONDITIONAL - Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – CONDITIONAL - Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates \$5 million

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S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – CONDITIONAL - Mandates training on culturally responsive teaching for all candidates for teaching certification

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S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – CONDITIONAL - Expands scope of inmate reentry assistance and benefits

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S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – CONDITIONAL - Establishes New Jersey Easy Enrollment Health Insurance Program

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S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – CONDITIONAL - Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttie) – CONDITIONAL - Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – CONDITIONAL - Establishes “Rental Assistance Navigation Program” in DCA; makes appropriation

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A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – CONDITIONAL - Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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A-2455/S-2204 (Benson, Vainieri Huttie, DeAngelo/Greenstein, Oroho) – CONDITIONAL - Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – CONDITIONAL - Establishes three year Financial Empowerment Pilot Program

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A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – CONDITIONAL - Allows deduction of promotional gaming credit from gross revenue on sports wagering

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A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – CONDITIONAL - Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL - Concerns labor harmony agreements in retail and distribution center projects

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A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – CONDITIONAL - Requires that certain provider subsidy payments for child care services be based on enrollment

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A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – CONDITIONAL - Requires disclosure letter be included with mail falsely implying State government connection

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A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – CONDITIONAL - Establishes expedited construction inspection program

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A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – CONDITIONAL - Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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A-5353/S-3421 (Conaway, Vainieri Huttie, Benson/Madden, Turner) – CONDITIONAL - Provides for certification of temporary nurse aides

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A-5599/S-3916 (Chiaravalloti, Vainieri Huttie, McKnight/Scutari, Gill) – CONDITIONAL - Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

S-415/A-4685 (Turner/Quijano, Verrelli) – ABSOLUTE - Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – CONDITIONAL - Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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S-2261/A-4265 (Singleton/Conaway) – ABSOLUTE - Revises law relating to common interest communities

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S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – ABSOLUTE - Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsen) – ABSOLUTE - Establishes county-based mitigation plan to allow businesses to operate during pandemic

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S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – ABSOLUTE - Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates \$1.8 million

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S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE - Concerns construction code enforcing agency fee revenue

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A-2722/S-1862 (Mukherji/Gopal, Oroho) – ABSOLUTE - Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – ABSOLUTE - Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – ABSOLUTE - Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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