

ASSEMBLY, No. 3023

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 24, 2014

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Assemblyman HERB CONAWAY, JR.

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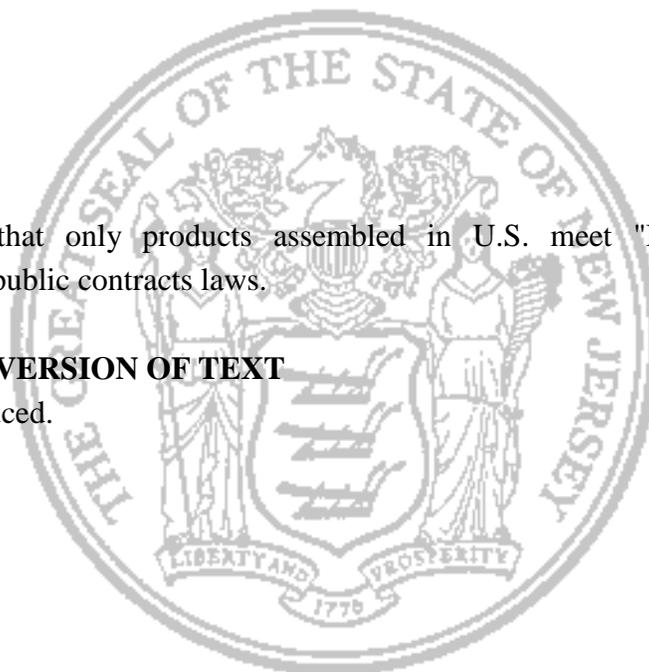
**Assemblywomen Quijano, Vainieri Huttel, Assemblyman Johnson,
Assemblywomen B.DeCroce and Pinkin**

SYNOPSIS

Clarifies that only products assembled in U.S. meet "Buy-American" standards of public contracts laws.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/9/2014)

A3023 SINGLETON, CONAWAY

2

1 AN ACT concerning the purchase of certain goods with public funds
2 and amending various parts of the statutory law.

3

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

6

7 1. N.J.S.18A:18A-20 is amended to read as follows:

8 18A:18A-20. American goods and products to be used where
9 possible. Each board of education shall provide, in the
10 specifications for all contracts for work for which it will pay any
11 part of the cost or work which by contract it will ultimately own
12 and maintain, that only **[manufactured]** products assembled in the
13 United States and farm products **[of]** grown and packaged in the
14 United States, wherever available, be used in such work.

15 (cf: P.L.1999, c.440, s.66)

16

17 2. Section 18 of P.L.1971, c.198 (C.40A:11-18) is amended to
18 read as follows:

19 18. Each local unit shall provide, in the specifications for all
20 contracts for county or municipal work or for work for which it will
21 pay any part of the cost, or work which by contract or ordinance it
22 will ultimately own and maintain, that only **[manufactured]**
23 products assembled in the United States and farm products **[of]**
24 grown and packaged in the United States, wherever available, be
25 used in such work.

26 (cf: P.L.1982, c.107, s.1)

27

28 3. R.S.52:32-1 is amended to read as follows:

29 52:32-1. The State shall make provisions in the specifications
30 for all contracts for State work and for work for which the State
31 pays any part of the cost, that only **[such manufactured]** products
32 assembled in the United States and farm products **[of]** grown and
33 packaged in the United States, whenever available, be used in such
34 work.

35 (cf: R.S.52:32-1)

36

37 4. R.S.52:33-1 is amended to read as follows:

38 52:33-1. Wherever in this chapter the following words are used,
39 they shall be held to have the meanings hereinafter given:

40 "Public work": Any public building, public highway, bridge, or
41 other public betterment, work or improvement of a permanent
42 nature, constructed, reconstructed, repaired or improved wholly at
43 the expense of the public.

44 "Domestic materials": Articles, materials and supplies mined or

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.

1 **【produced】** assembled in the United States, and manufactured
2 articles, materials and supplies **【manufactured】** assembled in the
3 United States.

4 (cf: R.S.52:33-1)

5

6 5. R.S.52:33-2 is amended to read as follows:

7 52:33-2. Notwithstanding any inconsistent provision of any law,
8 and unless the head of the department, or other public officer
9 charged with the duty by law, shall determine it to be inconsistent
10 with the public interest, or the cost to be unreasonable, only
11 domestic materials shall be acquired or used for any public work.

12 This section shall not apply with respect to domestic materials to
13 be used for any public work, if domestic materials of the class or
14 kind to be used are not mined**【,** **【produced】** or **【manufactured】**
15 assembled, as the case may be, in the United States in commercial
16 quantities and of a satisfactory quality.

17 (cf: R.S.52:33-2)

18

19 6. This act shall take effect immediately.

20

21

22 STATEMENT

23

24 This bill clarifies that when the State, or any county,
25 municipality or board of education purchases goods or farm
26 products, the products must be assembled, and farm products must
27 be grown and packaged, in the United States whenever available.

28 New Jersey, like many states, has enacted laws that require the
29 use of American products or goods in the performance of certain
30 public contracts, whenever available. In addition to the provisions
31 in New Jersey statutes for purchases and contracts at the State level,
32 there are also similar provisions specific to the “Public School
33 Contracts Law” and the “Local Public Contracts Law.”

34 There has been some confusion at the State level and in some
35 local units that products owned by an American company but
36 assembled somewhere else in the world would qualify under these
37 provisions. This bill amends those various provisions to eliminate
38 any such confusion.