New Jersey Climate Superfund Act
S3545/A4696

Time is Running Out

Urge the Senate President, Assembly Speaker, and Governor Murphy to Pass the New Jersey Climate Superfund Act

The Next Six Weeks Are Critical for Making New Jersey More Affordable and Securing $50 Billion for Major Infrastructure Improvements

- New Jersey has weeks to pass the strongest "polluter pay" law in the nation to hold Big Oil and Gas companies accountable. New York and Vermont have already passed similar bills, with New York's assessment set at $75 billion.
- The NJ Superfund Act establishes a $50 billion, 20-year infrastructure investment toolbox to advance Democrats' vision for a safer, more affordable state.
- If the bill is not passed in the lame-duck session, the bill dies and must be reintroduced in 2026, further delaying Big Oil and Gas companies' first payments to the state of $2.5 billion a year.

The Bill Has Majority Support in the Assembly & Positive Statements from Governor Murphy and Governor-Elect Sherrill

- In the Assembly, the bill has passed the Environment Committee and has 41 co-sponsors—a majority of the 80-member body.
- The Senate has likewise advanced the bill out of its Environment Committee and has 18 cosponsors—close to a majority of the 40-member body.
- When asked at the Newark Labor Day parade if he'll sign the Climate Superfund Act, Governor Murphy is recorded as saying "I'm trying to."
- Governor-Elect Sherrill responded to a recent TV reporter question about the Climate Superfund Act, saying: "I am going to see what they are do in the lame-duck and what we have to do going forward. I certainly want to get as much money as possible into supporting redevelopment of our state."
- Whether the bill gets a floor vote now rests with Senate President Nick Scutari and Assembly Speaker Craig Coughlin, who have not stated a clear public position on the bill.

The Climate Superfund Act Delivers on Democrats' Affordability Promise and Values

- Every New Jersey community is now paying rising costs from worsening floods, storms, and extreme heat. Right now, residents and businesses are covering 100% of cleanup and recovery costs, driving up property taxes, insurance premiums, and utility bills.
- With tight state budgets and unprecedented federal cuts to FEMA and critical infrastructure projects, requiring the world's largest oil and gas companies to pay their fair share is essential to making New Jersey affordable and safe.

Comprehensive Legal Review Already Conducted & NY/VT Briefs Eviscerate Big Oil and DOJ's Arguments

- The bill is modeled on New York's law, incorporating all amendments passed to withstand legal challenges.

- New York's and Vermont's governors, and legislatures have already conducted extensive legal reviews.
- Attorneys General from New York and Vermont have filed comprehensive briefs that eviscerate opponents' assertions, including claims that the bill is unconstitutional.

November Elections Were a Clear Mandate to Stand Up Against Trump and His Big Oil Funders:

- In November 2025, New Jerseyans voted overwhelmingly for Democratic leadership and rejected Trump and his MAGA agenda. Yet President Trump, his DOJ, MAGA-aligned state attorneys general, and major oil companies have already launched coordinated lobbying and legal attacks—mirroring their opposition to similar laws in New York and Vermont.
- Big Oil is fighting so aggressively against this bill because they cannot pass costs on to consumers. They are also challenging states' sovereign powers to hold them accountable.

Overwhelming Public and Municipal Support

- Statewide polling shows overwhelming support across nearly every demographic group, including in South Jersey.
- 120 local elected officials from across the state have signed a letter urging the bill's passage.
- Over 60 municipalities, plus Essex and Hudson counties, have passed resolutions in support.
- 100+ labor, environmental, social justice, and other community organizations back the bill.

Don't Count on Trump for Disaster Assistance & Infrastructure Funding

- President Trump has denied disaster declarations in Illinois, Vermont, and Wisconsin for political reasons, including immigration. New Jersey has a lot to lose. From 2011 to 2024, New Jersey has the fifth-highest per capita spending on climate disasters in the nation. Every New Jersey county has experienced at least five disasters.
- President Trump has cut and frozen funding for FEMA and critical infrastructure projects (including the Gateway project).
- The Climate Superfund Act, specifically protects New Jerseyans by backstopping these funding cuts with potentially billions of dollars for "disaster preparedness and recovery programs," and infrastructure projects that President Trump and the MAGA Congress are now cutting.

$50 Billion Great Reasons to Pass This Bill

- Generates a revenue stream that will create more than 18,000 annual jobs, including union construction jobs (bill includes project labor agreements, prevailing wage, and apprenticeship requirements).
- Funds roads and transit infrastructure projects.
- Lowers electric bills by funding self-sufficient microgrids that will also improve electric reliability.
- Funds energy-efficient cooling systems and other weatherization upgrades in public and private buildings, including schools and public housing.
- Equips police and firefighters to respond to disasters.
- Improves sewer, stormwater, and drinking water systems.
- Supports public health programs that keep residents safe.
- Provides direct financial relief for home buyouts.
- Funds disaster preparedness and recovery.

No Gas Price Increase. No Impact on Energy Production

- Leading economists—including a Nobel Prize winner, a former World Bank Chief Economist, and sworn expert testimony—conclude that the bill does not increase gasoline prices. The assessment will be absorbed through profits. The bill also does not affect U.S. energy supply or production.

No New Emissions Regulations, Fees, Carbon Taxes, or Authority to Deny Permits

- The bill explicitly prohibits NJDEP from regulating emissions or imposing new costs on consumers or non-covered businesses.
- This bill does not give NJDEP any authority to deny permits or slow down projects and development.

1.1 Million New Jersey Businesses Benefit

- Because the bill only applies to companies responsible for more than one billion tons of global emissions, no small business or state utility—including PSEG and NJ Resources—would be assessed under the bill. Even the state's largest employers are not covered.
- Fewer than 100 of the world's largest oil and gas companies are responsible for payments.
- When Big Oil and Gas companies pay more, 1.1 million New Jersey businesses pay less.

Opposition

- The largest oil and gas companies are leading the opposition and have filed litigation against New York and Vermont's laws. It is cheaper for Big Oil companies to litigate than to pay their fair share.
- After a White House meeting with big oil CEOs and President Trump, the Department of Justice and MAGA-aligned AGs (e.g., WV and TX) joined efforts to overturn these laws.
- They are fighting this bill precisely because they cannot shift costs onto consumers (in contrast to carbon and gas taxes).

Strong and Diverse Legislative Support Including Senate Majority Leader

- Assembly: Collazos-Gill, Carter, Swain, Schaer, Spearman, and Schnall are among 41 sponsors/co-sponsors/yes votes.
- Senate: Majority Leader Ruiz, McKeon, Stack, Lagana, and Gopal are among 18 sponsors/co-sponsors.