

EXECUTIVE ORDER NO. 19

WHEREAS, the top priority of this Administration is to make New Jersey more affordable for all New Jersey residents and families; and

WHEREAS, Americans annually pay tens of billions of dollars in fees – colloquially known as “junk” fees – that are designed either to confuse or deceive consumers, or to take advantage of situational market power; and

WHEREAS, “junk” fees have become nearly ubiquitous across multiple economic sectors and generally include fees which are hidden, worthless, or designed to generate revenue while providing little or no benefit to the consumer, such as fees for certain add-on products, late fees, “pay-to-pay” fees, hotel resort fees, service fees, termination fees, administrative fees, excessive application fees, certain non-lease rental fees, penalty fees, and convenience fees; and

WHEREAS, New Jersey residents have filed numerous fee-related complaints with the Consumer Financial Protection Bureau, the Better Business Bureau, and the Federal Trade Commission; and

WHEREAS, “junk” fees waste the time of hard-working New Jersey residents who expend needless effort trying to ascertain the true price of goods and disputing assessed “junk” fees; and

WHEREAS, a 2024 analysis by the White House Council of Economic Advisors of 10 specific kinds of “junk” fees found those fees alone cost Americans \$90 billion per year, or \$650 per household per year on average; and

WHEREAS, in December 2024, the Federal Trade Commission adopted the Unfair or Deceptive Fees Rule, which prohibited bait-and-switch pricing and other tactics used to hide total prices and mislead people about fees in the live-event ticketing and hotel/short-term lodging industries, and is estimated to save Americans more than \$11 billion and over 53 million hours over the next decade in those sectors alone; and

WHEREAS, "junk" fees distort market competition and harm honest businesses by impeding accurate price comparisons and causing the prices of such businesses to appear artificially inflated; and

WHEREAS, many of New Jersey's low- and middle-income families struggle to afford basic necessities, and "junk" fees can unexpectedly increase the price of goods and services or cause consumers to pay for goods or services they do not want or need; and

WHEREAS, "junk" fees disproportionately impact low-income consumers and consumers of colors; and

WHEREAS, on March 16, 2026, Attorney General Jennifer Davenport and the Division of Consumer Affairs sued one of the nation's largest subprime installment lenders, OneMain Financial, Inc., for charging New Jersey residents approximately \$27 million in "junk" fees between 2021 and 2022 alone; and

WHEREAS, the New Jersey Attorney General's Office and the Division of Consumer Affairs have brought numerous enforcement actions and handled countless consumer complaints related to "junk" fee issues against auto dealers, rental car companies, food delivery apps, financial institutions, mortgage lenders, home improvement contractors, towing companies, utility providers and others;

NOW, THEREFORE, I, MIKIE SHERRILL, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. For purposes of this Order, the following definitions shall apply:

- a. "Junk Fees" shall mean hidden, surprise, or excessively overpriced fees, including those associated with a good or service that provides little or no benefit to the consumer.
- b. "Executive Branch departments and agencies" shall mean any of the principal departments in the Executive Branch of New Jersey State government and any agency, authority, board, bureau, commission, division,

office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

2. All Executive Branch departments and agencies shall take necessary and appropriate steps to evaluate the conduct of industries they oversee and regulate, and to identify potential Junk Fees extracted from consumers in such industries. The evaluations shall include an assessment of State contracts with third parties to the extent such contracts permit Junk Fees.

3. No later than September 14, 2026, all Executive Branch departments and agencies shall provide to the Office of the Governor the following with respect to the industries regulated by each respective department and agency:

- a. an assessment of prevalent Junk Fees and their impact on consumers, including the impact on low-income consumers and consumers of color, where this information is available;
- b. recommended rule proposals to address the adverse impacts of Junk Fees on New Jersey residents;
- c. recommended measures to ensure that "all in" pricing and transparent fee disclosure is standard across State programs and programs regulated by Executive Branch departments and agencies; and
- d. any other recommended measures the Governor can take to reduce and eliminate Junk Fees in New Jersey.

4. In furtherance of Paragraph 2 of this Order, Executive Branch departments and agencies shall be authorized to call upon any department, office, division, or agency of this State to supply them with information or other assistance to discharge their duties under this Order.

5. The Office of the Governor shall review the assessments and recommendations submitted pursuant to this Order and shall coordinate responsive activities among Executive Branch departments and agencies. Additionally, the Governor may consider any additional legislation, gubernatorial measures, and cabinet-level actions to address the impacts of Junk Fees.

6. Any reports, records, recommendations, or other information created pursuant to this Order shall constitute advisory, consultative, and deliberative materials for the Governor's review and, pursuant to N.J.S.A. 47:1A-9(a), shall be deemed to be confidential, non-public, and not subject to the Open Public Records Act, P.L.1963, c.73, as amended and supplemented.

7. This Order shall take effect immediately.

GIVEN, under my hand and seal this
15th day of June,
Two Thousand and Twenty-Six,
and of the Independence of the
United States, the Two Hundred
and Fiftieth.

[seal]

/s/ Mikie Sherrill
Governor

Attest:

/s/ Timothy P. Lydon
Chief Counsel to the Governor