

2A:170-29+30

March 26, 1970

185 W. State Street
Trenton, N. J.

LEGISLATIVE HISTORY OF R.S. 2A:170-29 and 30
(Disorderly persons - offensive language & behavior)

- L. 1898, Chapter 239, 3 - S151
Introduced February 14 by W.M. Johnson.
No statement on bill.
Not amended during passage.
This law was part of the Revision of 1898. The commission responsible for this revision issued no reports concerning their work.
- L. 1912, Chapter 114 - A71
Introduced January 22 by Stickel.
No statement on bill.
Not amended during passage.
- L. 1924, Chapter 173 - S188
Introduced January 28 by Harrison.
Bill has statement (copy enclosed).
Not amended during passage.
- 1937 Revision - no changes after 1st draft.
no reporter's notes.
- 1952 Revision - no changes after tentative draft.
Reporter's note: "Substitute for portions of 2:202 and 2:202-8, and add new matter re telephoning communications".
- L. 1965, Chapter 172 - A372
Introduced February 1 by Gelber and others.
Bill has statement (copy enclosed).
Not amended during passage.

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SENATE, NO. 188

(P. L., p. 942, chapter 239.)

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1924.

By Mr. HARRISON.

(By Request.)

Referred to Committee on Labor, Industries, and Social Welfare.

A SUPPLEMENT to an act entitled "An act concerning disorderly persons (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 Any person who shall loiter in any public place, in any quasi-public place, or in
2 or upon any private property not his or her own within this State, being under the
3 influence of intoxicating liquor, or who, not being under such influence, shall there
4 indulge in and utter loud and offensive or indecent language, shall be deemed and
5 adjudged a disorderly person.

STATEMENT.

The purpose of this act is to supply the deficiency of the present law which subjects disorderly persons to prosecution as such only when their disorderly conduct takes place in the public streets or in other public places. Our courts have held that loud and offensive or indecent language when indulged in in railroad trains, in saloons, and in church, do not constitute disorderly conduct, such places not being "public" within the meaning of the law. It is not enough, however, to provide that such quasi-public places be deemed public for the purpose of the Disorderly Persons Act, since relief should be given to the public in case of disorderly conduct on private property. When the law of disorderly persons originated, every man was not only entitled but was expected to eject from his premises by force and arms all those who made themselves a nuisance there,

but in these days of refin
police power for the pro
right to invoke the same.

ivilization property owners are accustomed to look to the
tion of disorder on their property and should have the legal

ASSEMBLY, No. 372

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 1, 1965

By Assemblymen C. MORAITES and KIMMELMAN

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning disorderly persons, and amending section 2A:170-29 of the New Jersey Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section 2A:170-29 of the New Jersey Statutes is amended to read
2 as follows:

3 2A:170-29. 1. Any person who utters loud and offensive or profane or
4 indecent language in any public street or other public place, public conveyance,
5 or place to which the public is invited; or

6 2. Any person who in any place, public or private,
7 a. Addresses or makes audible and offensive remarks to or concerning

8 any passing person; or
9 b. Obstructs, molests or interferes with any person lawfully therein; or

10 3. Any person who telephones another and addresses to such person any
11 profane, lewd, lascivious, indecent or disgusting remarks; or

12 4. Any person who repeatedly telephones another for the purpose of
13 annoying or molesting such person—

14 Is a disorderly person if he commits an offense under paragraphs 3 or 4 of this section may be

15 deemed to have taken place at either the place at which the telephone call
16 was made or the place at which the telephone call was received.

17 2. This act shall take effect immediately.

STATEMENT NO. 878

This bill is to overcome a judge's interpretation that "indecent or disgusting remarks" must be lewd or lascivious to constitute an offense.

INTRODUCED FEBRUARY 1, 1985

BY ASSEMBLY DEPUTY SPEAKERS MORRIS and KIMMELMAN

REFERRED TO COMMITTEE ON REVISION AND AMENDMENT OF LAWS

AS AMENDED CONCERNING DISORDERLY PERSONS, AND AMENDING SECTION 2A:170-20 OF THE

NEW JERSEY STATUTES.

1. The bill is introduced by the Senate and General Assembly of the State of New

2. Jersey.

3. Section 2A:170-20 of the New Jersey Statutes is amended to read

4. as follows:

5. 2A:170-20. 1. Any person who utters loud and offensive or profane or

6. indecent language in any public street or other public place, public convey-

7. ance or place to which the public is invited; or

8. 2. Any person who in any place, public or private,

9. a. Addresses or makes audible and offensive remarks to or concerning

10. any passing person; or

11. b. Obstructs, protests or interferes with any person lawfully therein; or

12. c. Any person who telephones another and addresses to such person any

13. obscene, lewd, lascivious, indecent or disgusting remarks; or

14. d. Any person who repeatedly telephones another for the purpose of

15. harassing or molesting such person;

16. as a disorderly person.

17. Any offense committed under paragraphs 3. or 4. of this section shall be