

26:1A-10

LEGISLATIVE HISTORY CHECKLIST
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(State Sanitary Code--
increase penalties for violations)

NJSA: 26:1A-10
LAWS OF: 1993 **CHAPTER:** 55
BILL NO: A1315
SPONSOR(S) Geist and Hartman
DATE INTRODUCED: April 30, 1992
COMMITTEE: **ASSEMBLY:** Health
SENATE: Health
AMENDED DURING PASSAGE: No
DATE OF PASSAGE: **ASSEMBLY:** June 29, 1992
SENATE: February 18, 1993
DATE OF APPROVAL: February 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes
COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes
FISCAL NOTE: Yes
VETO MESSAGE: No
MESSAGE ON SIGNING: No
FOLLOWING WERE PRINTED:
REPORTS: No
HEARINGS: No

KBG:pp

1 AN ACT concerning the State Sanitary Code and amending
2 P.L.1947, c.177.

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

6 1. Section 10 of P.L.1947, c.177 (C.26:1A-10) is amended to
7 read as follows:

8 10. Each violation of any provision of the State Sanitary Code
9 shall constitute a separate offense and shall be punishable by a
10 penalty of not less than [twenty-five dollars (\$25.00) nor more
11 than one hundred dollars (\$100.00)] \$50 nor more than \$1,000.
12 Each such penalty shall be sued for and recovered in a civil
13 action, in any court of competent jurisdiction, by and in the name
14 of the State Department of Health or by and in the name of the
15 local board of health of the municipality in which the violation
16 occurred.

17 Any penalty recovered in any such action shall be paid to the
18 plaintiff therein. When the plaintiff is the State Department of
19 Health, the penalty recovered shall be paid by the department to
20 the State Treasurer. When the plaintiff is a local board of health,
21 the penalty recovered shall be paid by the local board into the
22 treasury of the municipality within which the local board has
23 jurisdiction.

24 (cf: P.L.1953, c.26, s.1)

25 2. This act shall take effect immediately.

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STATEMENT

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30 This bill increases the minimum and maximum penalties for
31 violating the State Sanitary Code established pursuant to
32 P.L.1947, c.177 (C.26:1A-1 et seq.), from \$25 and \$100, to \$50
33 and \$1,000, respectively. The current penalties have not been
34 increased since 1947, and the increased amounts are intended to
35 provide a more realistic incentive for compliance with the
36 provisions of the State Sanitary Code. These amounts are the
37 same as the minimum and maximum penalties which a
38 municipality can impose for a violation of its local sanitation
39 ordinance.

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Increases penalties for violating the State Sanitary Code.

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.

ASSEMBLY, No. 1315
STATE OF NEW JERSEY

INTRODUCED APRIL 30, 1992

By Assemblymen GEIST and Hartmann

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ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1315

STATE OF NEW JERSEY

DATED: JUNE 8, 1992

The Assembly Health and Human Services Committee favorably reports Assembly Bill No. 1315.

This bill increases the minimum and maximum penalties for violating the State Sanitary Code established pursuant to P.L.1947, c.177 (C.26:1A-1 et seq.), from \$25 and \$100, to \$50 and \$1,000, respectively. The current penalties have not been increased since 1947, and the increased amounts are intended to provide a more realistic incentive for compliance with the provisions of the State Sanitary Code. These amounts are the same as the minimum and maximum penalties which a municipality may impose for a violation of its local sanitation ordinance.

SENATE HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1315

STATE OF NEW JERSEY

DATED: OCTOBER 8, 1992

The Senate Health and Human Services Committee favorably reports Assembly Bill No. 1315.

This bill increases the minimum and maximum penalties for violating the State Sanitary Code established pursuant to P.L.1947, c.177 (C.26:1A-1 et seq.), from \$25 and \$100, to \$50 and \$1,000, respectively. The current penalties have not been increased since 1947, and the increased amounts are intended to provide a more realistic incentive for compliance with the provisions of the State Sanitary Code. These amounts are the same as the minimum and maximum penalties which a municipality can impose for a violation of its local sanitation ordinance.

LEGISLATIVE FISCAL ESTIMATE TO
ASSEMBLY, No. 1315
STATE OF NEW JERSEY

DATED: July 13, 1992

Assembly Bill No. 1315 of 1992 increases the minimum and maximum penalties for violating the State Sanitary Code from \$25 and \$100 to \$50 and \$1,000, respectively.

The Department of Health (DOH) and the Office of Management and Budget have not provided any fiscal information on this legislation.

The Office of Legislative Services notes that DOH's FY 1993 budget request estimated \$21,000 in various penalties would be collected in FY 1993. As the minimum penalty is being doubled, an additional \$21,000 in penalties should be collected, at a minimum, by DOH. OLS is not able to estimate the amount of additional revenues local boards of health would realize as data on the amount collected by local boards of health for violations of the State Sanitary Code are not readily available.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.