

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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HEARINGS: No

NEWSPAPER ARTICLES: No

RWH / MMcB

P.L. 2018, CHAPTER 80, *approved August 10, 2018*
Assembly, No. 2189 (*First Reprint*)

1 AN ACT concerning the public school curriculum and
2 supplementing chapter 35 of Title 18A of the New Jersey
3 Statutes.

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

- 7
8 1. The Legislature finds and declares that:
9 a. The teenage practice of “sexting,” sending a sexually
10 explicit text message, is a nationwide ¹**[problem that has**
11 **perplexed]** issue for students.¹ parents, school administrators, and
12 law enforcement officials. ¹**[A Study by the National Campaign to**
13 **Prevent Teen and Unplanned Pregnancy released data which**
14 **indicated that 19% of teens aged 13 to 19 had sent a sexually-**
15 **suggestive picture or video of themselves to someone via email, cell**
16 **phone, or through another form of online interaction, while 31%**
17 **had received a nude or semi-nude picture from someone else.]**¹
18 b. What many teens do not realize is that, by law, a sexual
19 image of any person under the age of 18 is child pornography.
20 Prosecutors in several states have charged teenagers who have
21 engaged in this behavior with criminal offenses, including
22 distribution of child pornography.
23 c. Pursuant to a law which became effective in April, 2012, the
24 New Jersey Legislature provided for a diversionary program for
25 juveniles who are criminally charged for “sexting” or posting sexual
26 images and permits them to participate in a remedial education or
27 counseling program as an alternative to criminal prosecution.
28 d. Beyond the legal consequences of this behavior, however,
29 sexting also has significant non-legal consequences including, but
30 not limited to, the effect on relationships, loss of educational and
31 employment opportunities, and being barred or removed from
32 school programs and extracurricular activities.
33 e. Because of the unique characteristics of cyberspace and the
34 Internet, a single sext has the potential to cause long-term and
35 possibly unforeseen consequences, and result in severe
36 embarrassment, ridicule, cyber-bullying, and lasting mental and
37 emotional trauma.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 7, 2018.

1 f. ¹Teachers, guidance counselors, and school officials are
2 having to contend with and care for panic-stricken and depressed
3 victims of malicious sexts who will not return to class, and may
4 even resort to self-inflicted injury or suicide.

5 g. ¹ It is imperative that students understand at a young age the
6 severity of sending sexually explicit text messages and the impact
7 that these actions have on the students themselves, their victims,
8 and the community and that they receive instruction on how and
9 why to refrain from this very dangerous behavior.

10
11 2. A board of education shall include instruction on the social,
12 emotional, and legal consequences of distributing ¹and soliciting¹
13 sexually explicit images through electronic means once during
14 middle school in an appropriate place in the curriculum as part of
15 the school district's implementation of the New Jersey Student
16 Learning Standards in Comprehensive Health and Physical
17 Education. The Commissioner of Education shall provide school
18 districts with age-appropriate sample learning activities and
19 resources designed to implement this requirement.

20
21 3. This act shall take effect in the first full school year
22 following the date of enactment.

23
24
25
26

27 Requires school districts to include instruction on consequences
28 of distributing and soliciting sexually explicit images through
29 electronic means as part of New Jersey Student Learning Standards
30 in Comprehensive Health and Physical Education.

ASSEMBLY, No. 2189

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 8, 2018

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Co-Sponsored by:

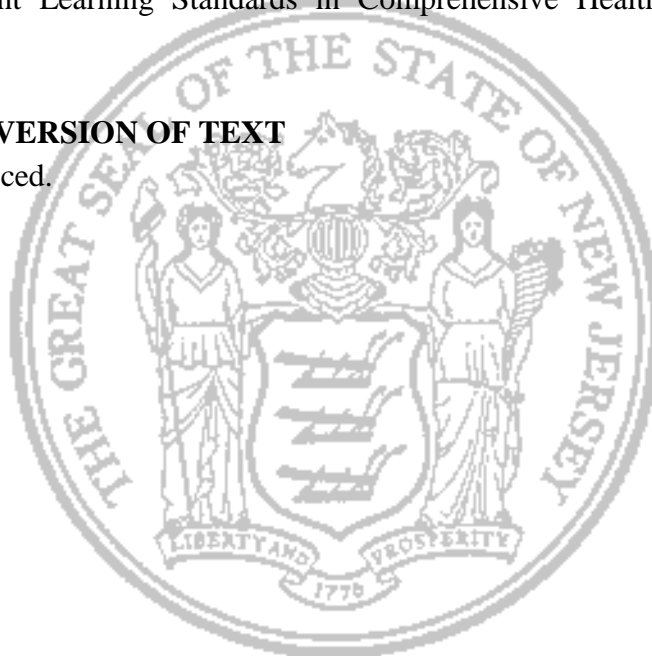
**Assemblywomen Jones, Mosquera, DiMaso, Schepisi, Assemblyman Wolfe,
Assemblywoman Murphy, Assemblyman Thomson and Assemblywoman
Vainieri Huttle**

SYNOPSIS

Requires school districts to include instruction on consequences of distributing sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/16/2018)

1 AN ACT concerning the public school curriculum and
2 supplementing chapter 35 of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. The Legislature finds and declares that:

9 a. The teenage practice of “sexting,” sending a sexually explicit
10 text message, is a nationwide problem that has perplexed parents,
11 school administrators, and law enforcement officials. A Study by
12 the National Campaign to Prevent Teen and Unplanned Pregnancy
13 released data which indicated that 19% of teens aged 13 to 19 had
14 sent a sexually-suggestive picture or video of themselves to
15 someone via email, cell phone, or through another form of online
16 interaction, while 31% had received a nude or semi-nude picture
17 from someone else.

18 b. What many teens do not realize is that, by law, a sexual image
19 of any person under the age of 18 is child pornography. Prosecutors
20 in several states have charged teenagers who have engaged in this
21 behavior with criminal offenses, including distribution of child
22 pornography.

23 c. Pursuant to a law which became effective in April, 2012, the
24 New Jersey Legislature provided for a diversionary program for
25 juveniles who are criminally charged for “sexting” or posting sexual
26 images and permits them to participate in a remedial education or
27 counseling program as an alternative to criminal prosecution.

28 d. Beyond the legal consequences of this behavior, however,
29 sexting also has significant non-legal consequences including, but
30 not limited to, the effect on relationships, loss of educational and
31 employment opportunities, and being barred or removed from
32 school programs and extracurricular activities.

33 e. Because of the unique characteristics of cyberspace and the
34 Internet, a single sext has the potential to cause long-term and
35 possibly unforeseen consequences, and result in severe
36 embarrassment, ridicule, cyber-bullying, and lasting mental and
37 emotional trauma.

38 f. Teachers, guidance counselors, and school officials are having
39 to contend with and care for panic-stricken and depressed victims of
40 malicious sexts who will not return to class, and may even resort to
41 self-inflicted injury or suicide.

42 g. It is imperative that students understand at a young age the
43 severity of sending sexually explicit text messages and the impact
44 that these actions have on the students themselves, their victims,
45 and the community and that they receive instruction on how and
46 why to refrain from this very dangerous behavior.

1 2. A board of education shall include instruction on the social,
2 emotional, and legal consequences of distributing sexually explicit
3 images through electronic means once during middle school in an
4 appropriate place in the curriculum as part of the school district's
5 implementation of the New Jersey Student Learning Standards in
6 Comprehensive Health and Physical Education. The Commissioner
7 of Education shall provide school districts with age-appropriate
8 sample learning activities and resources designed to implement this
9 requirement.

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11 3. This act shall take effect in the first full school year following
12 the date of enactment.

13

14

15

STATEMENT

16

17 This bill requires a board of education to include instruction on
18 the social, emotional, and legal consequences of distributing
19 sexually explicit images through electronic means, a practice
20 commonly referred to as "sexting," once during the middle school
21 grades in an appropriate place in the curriculum as part of the
22 district's implementation of the New Jersey Student Learning
23 Standards in Comprehensive Health and Physical Education.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2189

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2018

The Assembly Education Committee reports favorably Assembly Bill No. 2189.

This bill requires a board of education to include instruction on the social, emotional, and legal consequences of distributing sexually explicit images through electronic means, a practice commonly referred to as “sexting,” once during the middle school grades in an appropriate place in the curriculum as part of the district’s implementation of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2189

STATE OF NEW JERSEY

DATED: MAY 14, 2018

The Senate Education Committee favorably reports Assembly Bill No. 2189.

This bill requires a board of education to include instruction on the social, emotional, and legal consequences of distributing sexually explicit images through electronic means, a practice commonly referred to as “sexting,” once during the middle school grades in an appropriate place in the curriculum as part of the district’s implementation of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

As reported by the committee, this bill is identical to Senate Bill No. 2092, which also was reported by the committee on this same date.

STATEMENT TO
ASSEMBLY, No. 2189

with Assembly Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: JUNE 7, 2018

These floor amendments provide that in addition to the required instruction on the consequences of distributing sexually explicit images through electronic means, the instruction required to be provided under the provisions of the bill must also cover the consequences of soliciting these images. The floor amendments also delete from the “findings and declarations” section of the bill references to data from a particular national study and references to malicious texts.

SENATE, No. 2092

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MARCH 5, 2018

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Requires school districts to include instruction on consequences of distributing sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/6/2018)

1 AN ACT concerning the public school curriculum and
2 supplementing chapter 35 of Title 18A of the New Jersey
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4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
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12 Study by the National Campaign to Prevent Teen and Unplanned
13 Pregnancy released data which indicated that 19% of teens aged 13
14 to 19 had sent a sexually-suggestive picture or video of themselves
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16 interaction, while 31% had received a nude or semi-nude picture
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23 c. Pursuant to a law which became effective in April, 2012, the
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21 grades in an appropriate place in the curriculum as part of the
22 district's implementation of the New Jersey Student Learning
23 Standards in Comprehensive Health and Physical Education.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2092

STATE OF NEW JERSEY

DATED: MAY 14, 2018

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As reported by the committee, this bill is identical to Assembly Bill No. 2189, which also was reported by the committee on this same date.

STATEMENT TO
SENATE, No. 2092

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: JUNE 7, 2018

These floor amendments provide that in addition to the required instruction on the consequences of distributing sexually explicit images through electronic means, the instruction required to be provided under the provisions of the bill must also cover the consequences of soliciting these images. The floor amendments also delete from the “findings and declarations” section of the bill references to data from a particular national study and references to malicious texts.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

08/10/2018

TRENTON – Governor Phil Murphy today signed the following bills into law:

A837 (Land, Andrzejczak, DeAngelo, Mazzeo/Diegnan, Van Drew) – Requires public utility to charge veterans' organization residential rate for service delivered to property at which veterans' organization primarily operates.

A1531 (Zwicker, Lopez, Mukherji/Kean, Singer, Pou) – Revises law concerning reciprocity for out-of-State professional and occupational licenses.

A2178 (Schaer, Calabrese, Wimberly/Sarlo) – Permits conduct of raffles at large sporting venues.

A2189 (Lampitt, Downey, Danielsen/Ruiz, Corrado) – Requires school districts to include instruction on consequences of distributing and soliciting sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

A2193 (Jones, Benson, Lampitt/Diegnan, Ruiz) – Directs State of Board of Education to authorize computer science endorsement to instructional certificate.

A2366 (Vainieri Huttel, Mukherji, Benson/Weinberg, Stack) – Requires DOH to develop New Jersey Report Card of Hospital Maternity Care.

A3861 (Quijano, DeAngelo, Giblin/Vitale, Gopal) – Concerns unemployment compensation and labor disputes.

A4169 (Pintor Marin, Mukherji, Lampitt/Stack) – Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2019.

A4170 (Taliaferro, Carter, Caputo/Sweeney) – Appropriates funds to DEP for environmental infrastructure projects for FY2019.

A4210 (Armato, Freiman, Jasey/Codey, Oroho) – Appropriates \$15,294,000 from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects.

A4211 (Reynolds-Jackson, Chiaravalloti, Andrzejczak/Greenstein, Bateman) – Appropriates \$9.703 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects.

A4228 (Murphy, Conaway, Space/Singleton) – Requires SHBP and SEHBP to establish and contract for

Medicare Primary Assignment and Audit Program ensuring that all persons in SHBP and SEHBP eligible for Medicare as primary provider.

A4255 (Andrzejczak, Land, Mazzeo/Van Drew) – FY2019 supplemental appropriation of \$1.2 million to Shellfish and Marine Fisheries Management for Bureau of Marine Fisheries in DEP.

S430 (Pou, Oroho/Giblin) – Concerns certain real estate licenses.

S647 (Beach, Cruz-Perez/Jones, Lampitt, Barclay, Taliaferro) – Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions.

S847 (Turner, Diegnan/Jasey, Murphy) – Requires school districts to provide daily recess period for students in grade kindergarten through 5; permits denial of recess for violation of code of student conduct but student must be provided restorative justice activities.

S1247 (Rice, Kean/Greenwald, Mukherji) – Authorizes certain local government utilities to impose additional connection fees; requires certain new credits and reductions for these fees.

S2645 (Singleton/Pinkin, McKeon, Reynolds-Jackson, Murphy) – Makes various changes to New Jersey Infrastructure Bank's enabling act.

S2763 (Scutari/Carter, Kennedy) – Revises special charter for City of Plainfield.

[Back to Top](#)

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Home

Administration

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[Lt. Governor Sheila](#)

[Oliver](#)

[First Lady Tammy](#)

[Snyder Murphy](#)

[Cabinet](#)

[Boards, Commissions](#)

[& Authorities](#)

[Internship](#)

[Opportunities](#)

Key Initiatives

[Economy & Jobs](#)

[Education](#)

[Environment](#)

[Health](#)

[Law & Justice](#)

[Transportation](#)

News & Events

[Press Releases](#)

[Public Addresses](#)

[Executive Orders](#)

[Statements on](#)

Social

[Facebook](#)

[Twitter](#)

[Instagram](#)

[Snapchat](#)

[YouTube](#)

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[Scheduling Requests](#)

[Contact Us](#)

[NJ Home](#)

[Services A to Z](#)

[Departments/Agencies](#)

[FAQs](#)

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Newark, N.J.

Bill Signings

08/10/2018

The Governor has acted on the following bills today:

BILL SIGNINGS:

S-430/A-2726 (Pou, Oroho/Giblin) - Concerns certain real estate licensees

SCS for S-647/ACS for A-1186 (Beach, Cruz-Perez/Jones, Lampitt, Taliaferro) - Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions

S-847/A-4076 (Turner, Diegnan/Jasey, Murphy) - Requires school districts to provide daily recess period for students in grade kindergarten through 5; permits denial of recess for violation of code of student conduct but student must be provided restorative justice activities

S-1247/A-2779 (Rice, T. Kean/Greenwald, Mukherji) - Authorizes certain local government utilities to impose additional connection fees; requires certain new credits and reductions for these fees

S-2645/A-4173 (Singleton/Pinkin, McKeon, Reynolds-Jackson, Murphy) - Makes various changes to New Jersey Infrastructure Bank's enabling act

S-2763/A-4220 (Scutari/Carter, Kennedy) - Revises special charter for City of Plainfield

A-837/S-2446 (Land, Andrzejczak, DeAngelo, Mazzeo/Diegnan, Van Drew) - Requires public utility to charge veterans' organization residential rate for service delivered to property at which veterans' organization primarily operates

A-1531/S-522 (Zwicker, Lopez, Mukherji/T. Kean, Singer, Pou) - Revises law concerning reciprocity for out-of-State professional and occupational licenses

A-2178/S-1231 (Schaer, Calabrese, Wimberly/Sarlo) - Permits conduct of raffles at large sporting venues

A-2189/S-2092 (Lampitt, Downey, Danielsen/Ruiz, Corrado) - Requires school districts to include instruction on consequences of distributing and soliciting sexually explicit images through electronic means as part of New Jersey Student Learning Standards in Comprehensive Health and Physical Education

A-2193/S-1816 (Jones, Benson, Lampitt/Diegnan, Ruiz) - Directs State Board of Education to authorize computer science education endorsement to instructional certificate

A-2366/S-1786 (Vainieri Huttel, Mukherji, Benson/Weinberg, Stack) - Requires DOH to develop New Jersey Report Card of Hospital Maternity Care

A-3861/S-1046 (Quijano, DeAngelo, Giblin/Vitale, Gopal) - Concerns unemployment compensation and labor disputes

A-4169/S-2647 (Pintor Marin, Mukherji, Lampitt/Stack) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY2019

A-4170/S-2646 (Taliaferro, Carter, Caputo/Sweeney) - Appropriates funds to DEP for environmental infrastructure projects for FY2019

A-4210/S-2728 (Armato, Freiman, Jasey/Codey, Oroho) - Appropriates \$15,294,000 from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

A-4211/S-2729 (Reynolds-Jackson, Chiaravalloti, Andrzejczak/Greenstein, Bateman) - Appropriates \$9.703 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-4228/S-2771 (Murphy, Conaway, Space/Singleton) - Requires SHBP and SEHBP to establish and contract for Medicare Primary Assignment and Audit Program ensuring that all persons in SHBP and SEHBP eligible for Medicare have Medicare as primary provider

A-4255/S-2793 (Andrzejczak, Land, Mazzeo/Van Drew) - FY2019 supplemental appropriation of \$1.2 million to Shellfish and Marine Fisheries Management for Bureau of Marine Fisheries in DEP

[Back to Top](#)

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Home

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[Governor Phil Murphy](#)

[Lt. Governor Sheila](#)

[Oliver](#)

[First Lady Tammy](#)

[Snyder Murphy](#)

[Cabinet](#)

[Boards, Commissions](#)

[& Authorities](#)

[Internship](#)

[Opportunities](#)

[Governor's Residence](#)

[- Drumthwacket](#)

Key Initiatives

[Economy & Jobs](#)

[Education](#)

[Environment](#)

[Health](#)

[Law & Justice](#)

[Transportation](#)

News & Events

[Press Releases](#)

[Public Addresses](#)

[Executive Orders](#)

[Statements on](#)

[Legislation](#)

[Administration Reports](#)

Social

[Facebook](#)

[Twitter](#)

[Instagram](#)

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[YouTube](#)

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