

LEGISLATIVE HISTORY CHECKLIST

NJSA: 54:40A-4.1 (Tobacco and smokeless tobacco--
clarify ban)

LAWS OF: 1987 **CHAPTER:** 423

BILL NO: A2682

Sponsor(s): Stuhltrager, Catrillo and Collins

Date Introduced: May 22, 1986

Committee: **Assembly:** Law, Public Safety, Defense and Corrections
Senate: Law, Public Safety and Defense

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: **Assembly:** December 18, 1986
Senate: December 14, 1987

Date of Approval: January 14, 1988

following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping-- attached:

"Kean signs legislation on cigarette age limit . . ." 1-15-88 Star Ledger.

P. L. 1987, CHAPTER 423, *approved January 14, 1988*

1986 Assembly No. 2682 (*Second Official Copy Reprint*)

AN ACT concerning the sale of tobacco to persons under the age of
 [16] *18* and amending N. J. S. 2A:170-51 ***and supplementing P. L. 1948, c. 65***.

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

1 1. N. J. S. 2A:170-51 is amended to read as follows:

2 2A:170-51. Any person who directly or indirectly, acting as agent
 3 or otherwise, sells, gives or furnishes to a minor under the age of
 4 ***[16]*** *18* years, any cigarettes made of tobacco or of any other
 5 matter or substance which can be smoked, or any cigarette paper
 6 or tobacco in any form, *including smokeless tobacco*, ***[is a dis-*
 7 *orderly person and]*** shall be punished by a fine of ***[not more**
 8 **than \$100.00]*** *\$250.00*.

1 ***2. (New section) Notwithstanding any other provision of law*
 2 *to the contrary, a person to whom a license is issued pursuant to*
 3 *P. L. 1948, c. 65 (C. 54:40A-1) shall as a condition of the license*
 4 *post a sign at the point of display of the tobacco products and at*
 5 *the point of sale. The sign shall be at least two inches by two inches*
 6 *square and shall read as follows:*

7 *A person who sells or offers to sell a tobacco product to a person*
 8 *under 18 years of age shall be fined \$250.00.***

1 *****[2.]**** **3.*** This act shall take effect on the first day of the
 2 *****[second]**** **third*** month after enactment.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted December 11, 1986.

**—Senate committee amendments adopted June 11, 1987.

ASSEMBLY, No. 2682

STATE OF NEW JERSEY

INTRODUCED MAY 22, 1986

By Assemblymen STUHLTRAGER, CATRILLO and Collins

AN ACT concerning the sale of tobacco to persons under the age of
16 and amending N. J. S. 2A:170-51.

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

1 1. N. J. S. 2A:170-51 is amended to read as follows:

2 2A:170-51. Any person who directly or indirectly, acting as agent
3 or otherwise, sells, gives or furnishes to a minor under the age of
4 16 years, any cigarettes made of tobacco or of any other matter or
5 substance which can be smoked, or any cigarette paper or tobacco
6 in any form, *including smokeless tobacco*, is a disorderly person and
7 shall be punished by a fine of not more than \$100.00.

1 2. This act shall take effect on the first day of the second month
2 after enactment.

STATEMENT

This bill clarifies the language of N. J. S. 2A:170-51 to make certain that the sale of smokeless tobacco, which includes snuff and chewing tobacco, to minors under the age of 16, is understood to be a disorderly persons offense subject to a fine of up to \$100.00 and up to six months in jail.

The U. S. Surgeon General has concluded the use of smokeless tobacco represents a significant health risk and is not a safe substitute for smoking cigarettes. He also has warned that the use of smokeless tobacco may lead to an increased incidence of oral cancer.

CRIME—INVESTIGATION, ARREST, PROSECUTION

Clarifies ban on sale of smokeless tobacco to persons under age 16.

Matter printed in italics thus is new matter.

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ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2682

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 2682 with amendments.

As amended, Assembly Bill No. 2682 amends N. J. S. 2A:170-51 to prohibit the sale of tobacco products, including snuff and chewing tobacco, to persons under the age of 18 years. A violation would be a disorderly persons offense carrying a fine of \$250.00.

The committee amended the bill to increase from 16 to 18 years the age limitation and to increase the fine from \$100.00 to \$250.00.

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SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2682

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 1987

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill No. 2682 OCR with amendments.

As amended, Assembly Bill No. 2682 amends N. J. S. 2A:170-51 to prohibit the sale of tobacco products, including smokeless tobacco, to persons under the age of 18 years. A violation would carry a fine of \$250.00.

Under current law, a person is prohibited from selling tobacco products to a minor under the age of 16 years and a violation is considered a disorderly persons offense resulting in a fine of not more than \$100.00.

The committee amended the bill to require all persons who hold licenses to sell tobacco products to post a sign at the point of display and point of sale stating that the sale of tobacco products to persons under 18 is against the law and a fine of \$250.00 will be imposed for a violation.

As released by the committee, this bill is identical to Senate Bill No. 1276 with Senate committee amendments adopted June 11, 1987.