

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:4A-23

(Smoking in educational institutions--violations by juveniles--municipal court jurisdiction)

LAWS OF: 1986

CHAPTER 16

BILL NO: A985

Sponsor(s): Doria

Date Introduced: Pre-filed

Committee: Assembly: Judiciary

Senate: Law, Public Safety and Defense

Amended during passage: Yes

Amendments during passage denoted by amendments.

Date of Passage:

Assembly:

February 3, 1986

Senate:

April 17, 1986

Date of Approval:

May 20, 1986

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

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5-20-86

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ASSEMBLY, No. 985

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman DORIA

AN ACT concerning juveniles and amending P. L. 1982, c. 77.

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

1 1. Section 4 of P. L. 1982, c. 77 (C. 2A:4A-23) is amended to
2 read as follows:

3 4. Definition of delinquency. As used in this act, "delinquency"
4 means the commission of an act by a juvenile which if committed
5 by an adult would constitute:

6 a. A crime;

7 b. A disorderly persons offense or petty disorderly persons
8 offense; or

9 c. A violation of any other penal statute, ordinance or regula-
10 tion.

11 But, the commission of (1) an act which constitutes a violation
12 of chapter 3, 4, 6 or 8 of Title 39 of the Revised Statutes by a
13 juvenile of or over the age of 17 years; (2) an act relating to the
14 ownership or operation of a motorized bicycle which constitutes
16 by a juvenile of any age; **[or]** (3) an act which constitutes a vio-
17 lation of articles 3 or 6 of chapter 4 of Title 39 of the Revised Stat-
18 utes pertaining to pedestrians and bicycles, by a juvenile of any
19 age; *or (4) the commission of an act which constitutes a violation*
20 *of *P. L. 1981, c. 318 (C. 26:3D-1 et seq.), P. L. 1981, c. 319 (C.*
21 *26:3D-7 et seq.), * P. L. 1981, c. 320 (C. 26:3D-15 et seq.), *P. L.*
22 *1985, c. 185 (C. 26:3E-7 et seq.), P. L. 1985, c. 186 (C. 26:3D-32*
23 *et seq.), N. J. S. 2C:33-13, P. L. 1985, c. 318 (C. 26:3D-38 et seq.),*
24 *P. L. 1985, c. 381 (C. 26:3D-46 et seq.),* or of any amendment or*

**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 January 27, 1986.**

25 *supplement thereof, by a juvenile of any age shall not constitute*
26 *delinquency as defined in this act. *The municipal court having*
27 *jurisdiction over a case involving a violation by a juvenile of a*
28 *section of Title 26 listed in this subsection, or N. J. S. 2C:33-13,*
29 *shall forward a copy of the record of conviction in that case to*
30 *the Family Part intake service of the county where the municipal*
31 *court is located.**

1 2. This act shall take effect immediately.

JUVENILE JUSTICE

Provides that violations by juveniles of the statutes restricting
smoking are within the jurisdiction of the municipal court.

ASSEMBLY, No. 985

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman DORIA

ASSEMBLY, No. 1182

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1984

By Assemblymen DORIA, HERMAN, RANIERI, CUPROWSKI,
VAINIERI, LARocca, Assemblywoman GARVIN, Assembly-
men NAPLES, PALAIA and ROCCO

AN ACT concerning juveniles and amending P. L. 1982, c. 77.

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

1 1. Section 4 of P. L. 1982, c. 77 (C. 2A:4A-23) is amended to
2 read as follows:

3 4. Definition of delinquency. As used in this act, "delinquency"
4 means the commission of an act by a juvenile which if committed
5 by an adult would constitute:

6 a. A crime;

7 b. A disorderly persons offense or petty disorderly persons
8 offense; or

9 c. A violation of any other penal statute, ordinance or regula-
10 tion.

11 But, the commission of (1) an act which constitutes a violation
12 of chapter 3, 4, 6 or 8 of Title 39 of the Revised Statutes by a
13 juvenile of or over the age of 17 years; (2) an act relating to the
14 ownership or operation of a motorized bicycle which constitutes
16 by a juvenile of any age; **[or]** (3) an act which constitutes a vio-
17 lation of articles 3 or 6 of chapter 4 of Title 39 of the Revised Stat-
18 utes pertaining to pedestrians and bicycles, by a juvenile of any
19 age; or (4) *the commission of an act which constitutes a violation*
20 *of P. L. 1981, c. 320 (C. 26:3D-15 et seq.), or of any amendment or*
21 *supplement thereof, by a juvenile of any age shall not constitute*
22 delinquency as defined in this act.

1 2. This act shall take effect immediately.

**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.

STATEMENT

This bill provides that violations by juveniles of the recently enacted statute restricting smoking in educational institutions are within the jurisdiction of the municipal court.

ASSEMBLY JUDICIARY COMMITTEE
STATEMENT TO
ASSEMBLY, No. 985
STATE OF NEW JERSEY

DATED: JANUARY 24, 1986

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 985.

This bill amends the Code of Juvenile Justice so that violations by juveniles of the law restricting smoking in educational institutions are within the jurisdiction of the municipal court instead of the Family Court. The committee amended the bill to have it also apply to violations by juveniles of smoking control laws concerning elevators, health care facilities, indoor public places, buses, retail food stores, government buildings, and restaurants.

Further amendments require municipal courts to forward records of a juvenile's conviction under these laws to the Family Court intake service of the county in which the municipal court is located. This would enable the Family Court to use its resources in investigating and responding to problems a juvenile may have that may be indicated by the smoking offense.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 985

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STATE OF NEW JERSEY

DATED: MARCH 24, 1986

The Senate Law, Public Safety and Defense Committee favorably reports Assembly Bill No. 985 OCR.

This bill amends the Code of Juvenile Justice so that violations by juveniles of the laws restricting smoking in educational institutions, elevators, health care facilities, indoor public places, buses, retail food stores, government buildings, and restaurants fall under the jurisdiction of the municipal court, rather than the Family Court which has jurisdiction over most juvenile offenses.

The bill also requires municipal courts to forward records of a juvenile's conviction under these laws to the Family Court intake service of the county in which the municipal court is located. This referral will enable the Family Court to use its resources in investigating and responding to problems a juvenile may have that may be indicated by the smoking offense.