

✓ 2C:21-2.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:21-2.1; 33:1-77

(Simulated drivers license
or other identifying
document-prohibit sale)

LAWS OF: 1983

CHAPTER: 565

Bill No: A1918

Sponsor(s): McEnroe

Date Introduced: September 30, 1982

Committee: **Assembly:** Judiciary, Law, Public Safety and Defense

Senate: Law, Public Safety and Defense

Amended during passage: Yes

Amendments during passage denoted
by asterisks

Date of Passage:

Assembly: May 26, 1983

Senate: January 9, 1984

Date of Approval: January 17, 1984

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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ASSEMBLY, No. 1918

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 30, 1982

By Assemblyman McENROE

AN ACT concerning ***[the sale of]*** certain documents and forms*,
amending *R. S. 33:1-77** and supplementing Title 2C of the New
Jersey Statutes.

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

1 1. **(New section)** A person who ***knowingly*** sells, offers or
2 exposes for sale a document, printed form or other writing which
3 simulates a drivers' license or other document issued by a govern-
4 mental agency and which could be used as a means of verifying a
5 person's identity or age is guilty of a disorderly persons offense.

1 *2. R. S. 33:1-77 is amended to read as follows:

2 33:1-77. Anyone who sells any alcoholic beverage to a person
3 under the legal age for purchasing alcoholic beverages is a dis-
4 orderly person; provided, however, that the establishment of all
5 of the following facts by a person making any such sale shall con-
6 stitute a defense to any prosecution therefor: (a) that the pur-
7 chaser falsely represented **[in writing or]** by producing a driver's
8 license bearing a photograph of the licensee *or by producing a*
9 *photographic identification card issued pursuant to section 1 of*
10 *P. L. 1968, c. 313 (C. 33:1-81.2) or a similar card issued pursuant to*
11 *the laws of another state or the federal government* that he or she
12 was of legal age to make the purchase, (b) that the appearance of
13 the purchaser was such that an ordinary prudent person would
14 believe him or her to be of legal age to make the purchase, and (c)

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 April 25, 1983.

**—Senate committee amendments adopted December 8, 1983.

15 that the sale was made in good faith relying upon such [written
16 representation or] production of a driver's license bearing a photo-
17 graph of the licensee *or production of a photographic identification*
18 *card **issued pursuant to section 1 of P. L. 1968, c. 313 (C.*
19 *33:1-81.2) or a similar card issued pursuant to the laws of another*
20 *state or the federal government*** and appearance and in the
21 reasonable belief that the purchaser was actually of legal age to
22 make the purchase.*

1 ***[2.]*** *3.* This act shall take effect immediately.

ASSEMBLY, No. 1918

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 30, 1982

By Assemblyman McENROE

AN ACT concerning the sale of certain documents and forms and supplementing Title 2C of the New Jersey Statutes.

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

1 1. A person who sells, offers or exposes for sale a document,
2 printed form or other writing which simulates a drivers' license
3 or other document issued by a governmental agency and which
4 could be used as a means of verifying a person's identity or age
5 is guilty of a disorderly persons offense.

1 2. This act shall take effect immediately.

STATEMENT

This bill would classify as a disorderly persons offense, the sale of a document, printed form or other writing which simulates a drivers' license or other document issued by a governmental entity and which could be used as a means of verifying a person's identity, or age.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1918

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: APRIL 25, 1983

This bill, as amended by the committee, provides as a disorderly persons offense, the sale of a document, printed form or other writing which simulates a driver's license or other document issued by a governmental entity and which could be used as a person's identity of age. An amendment was also made to R. S. 33:1-77 to include the production of a photographic identification card issued pursuant to P. L. 1968, c. 313 or other similar card issued by a governmental entity as a factor to be established in a defense to any prosecution brought under R. S. 33:1-77.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1918

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with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1983

The purpose of Assembly Bill No. 1918 OCR, as amended by the Senate Law, Public Safety and Defense Committee, is to discourage the sale and offering for sale of false identification that simulates a driver's license or any other document issued by a governmental agency by classifying such an act as a disorderly persons offense. A disorderly persons offense is punishable by a fine of up to \$1,000.00, imprisonment for up to six months, or both.

Section 2 of the bill amends R. S. 33:1-77, so that production by the purchaser of alcoholic beverages of a photographic identification card issued pursuant to P. L. 1968, c. 313 (C. 33:1-81.2) or of a similar card issued by another state or the federal government would constitute one of the possible defenses to prosecution for sale of alcoholic beverages to underaged persons.

The Senate Law, Public Safety and Defense Committee amended section 1 of the bill to include the element of intent in the definition of the offense of selling false identification.

The committee also adopted a technical amendment to section 2 of the bill to clarify that the "photographic identification card" referred to on page 2, section 2, lines 17-18 of the bill means a photographic identification card issued pursuant to P. L. 1968, c. 313 (C. 33:1-81.2) or a similar card issued pursuant to the laws of another state or the federal government.