

2C:33-16

LEGISLATIVE HISTORY CHECKLIST

NJSA 2C:33-16 (Alcoholic beverages--school property--  
prohibit possession by adults)

LAWS 1981 CHAPTER 197

Bill No. A67

Sponsor(s) Flynn

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Law, Public Safety and Defense

Amended during passage Yes ~~No~~ Amendments denoted by asterisks

according to Governor's recommendations  
Date of Passage: Assembly April 17, 1980 Re-enacted 5-14-81

Senate Feb. 9, 1981 Re-enacted 6-8-81

Date of approval July 9, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto Message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

Companion bill, mentioned in sponsor's statement:  
A3262 (L.1979, c.264)

Testimony, mentioned in statements:  
974,90 New Jersey. Legislature. Assembly. Judiciary,  
L767 Law, Public Safety and Defense Committee.  
1979 Public hearing, held 1-23-79, 2-5-79 &  
2-6-79. Trenton, 1979.

6/22/81  
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**ASSEMBLY, No. 67**

**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Assemblyman FLYNN

AN ACT concerning the unauthorized bringing of alcoholic beverages onto school premises, and supplementing chapter 33 of 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. Any person of legal age to purchase alcoholic beverages, who  
2 knowingly and without the express written permission of the school  
3 board, its delegated authority, or any school principal, brings or  
4 possesses any alcoholic beverages on any property used for school  
5 purposes which is owned by any school or school board, is guilty  
6 of a **\*\*\*[\*petty\*]\*\*** disorderly persons offense.

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.**

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4 possesses any alcoholic beverages on any property used for school  
5 purposes which is owned by any school or school board, is guilty  
6 of a disorderly persons offense.

1 2. This act shall take effect immediately.

STATEMENT

This bill would make the unauthorized bringing of alcoholic beverages by adults onto school premises a disorderly persons offense. It is a companion piece to another bill already passed by the Assembly which makes the possession or consumption of alcoholic beverages by under-age persons on school premises a petty disorderly persons offense.

Teachers and school authorities have noted the increasing numbers of children turning up drunk in school. Testimony indicates that much of this alcohol is consumed on the playground, and is being supplied by adults, often recent graduates who return to hangout with their school age friends. There is no reason for unauthorized alcoholic beverages to be on school grounds in any case, and setting penal code sanctions for the unauthorized bringing of alcoholic beverages onto school grounds will help reduce the incidence of drunkenness in the schools.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 67**  
with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 21, 1980

This bill would make the unauthorized bringing of alcoholic beverages by adults onto school premises a petty disorderly persons offense.

Teachers and school authorities have noted the increasing numbers of children turning up drunk in school. Testimony indicates that much of this alcohol is consumed on the playground, and is being supplied by adults, often recent graduates who return to hangout with their school age friends. There is no reason for unauthorized alcoholic beverages to be on school grounds in any case, and setting penal code sanctions for the unauthorized bringing of alcoholic beverages onto school grounds will help reduce the incidence of drunkenness in the schools.

Committee amendment changed the penalty from a disorderly persons to a petty disorderly persons offense, to better accord this act with other similar youth/alcohol related statutes.

SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 67**  
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**STATE OF NEW JERSEY**

DATED: JANUARY 19, 1981

This bill would make the unauthorized bringing of alcoholic beverages by adults onto school premises a petty disorderly persons offense.

Consumption of alcoholic beverages by school children has recently been increasing. Often such alcoholic beverages are supplied to children by adults, including recent school graduates. The committee believes that enactment of a penal sanction will help to reduce the numbers of such incidents.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

May 4, 1981

ASSEMBLY BILL NO. 67 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 67 (OCR) with my objections for reconsideration.

This bill prohibits persons of legal age to purchase alcoholic beverages from bringing such beverages "on any property used for school purposes which is owned by any school or school board," absent express written authority. A violation of this provision would constitute a petty disorderly persons offense.

I believe this is sound public policy. However, the bill presents an anomaly which should be corrected.

Under N.J.S.A. 2C:33-15, persons under the legal age to purchase liquor are prohibited from possessing liquor "in any school..." among other places. Violations of this statute constitute disorderly persons offenses.

Since the legal age to purchase liquor is now 19, enactment of this bill in its present form would mean that (1) juvenile violators would be subject to delinquency proceedings under 2C:33-15a, a disorderly persons offense; (2) violators who are 18 years old would also be prosecuted for a disorderly persons offense under 2C:33-15a, while (3) violators who are 19 years of age or older would be prosecuted for a petty disorderly persons offense under this bill.

I therefore return herewith Assembly Bill No. 67 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, section 1, line 6: Delete "petty"

Respectfully,

/s/ Brendan Byrne

GOVERNOR

Attest:

/s/ Harold L. Hodes

CHIEF OF STAFF, SECRETARY