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HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

"Two Oroho-sponsored bills become law," New Jersey Herald, February 8, 2017

RWH/JA

P.L.2017, CHAPTER 9, *approved February 6, 2017*
Senate, No. 2321 (*Third Reprint*)

1 AN ACT concerning excessive price increases during a state of
2 emergency, and amending P.L.2001, c.297.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 3 of P.L.2001, c.297 (C.56:8-109) is amended to
8 read as follows:

9 3. It shall be an unlawful practice for any person to sell or offer
10 to sell ²**[during a state of emergency or]** ²**[within 30 days of the**
11 **termination]** ³**[for] within** ³**[10] 30** ¹ **days** ³**[following] after** ³ **the**
12 **declaration** of a state of emergency, ³**[unless extended by the**
13 **Governor for periods of time up to 10 days in duration]** or for such
14 **other period of time as the Governor may specify in the declaration**
15 **of a state of emergency**³, in the area for which the state of
16 emergency has been declared, any merchandise which is consumed
17 or used as a direct result of an emergency or which is consumed or
18 used to preserve, protect, or sustain the life, health, safety or
19 comfort of persons or their property for a price that constitutes an
20 excessive price increase. ³**The Governor may by executive order**
21 **extend the period during which this prohibition remains in force.**³

22 (cf: P.L.2001, c.297, s.3)

23
24 2. This act shall take effect immediately.

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29

Concerns excessive price increases during state of emergency.

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 SCM committee amendments adopted September 8, 2016.

²Senate floor amendments adopted September 15, 2016.

³Senate floor amendments adopted October 20, 2016.

SENATE, No. 2321

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED JUNE 6, 2016

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Concerns excessive price increases during state of emergency.

CURRENT VERSION OF TEXT

As introduced.



S2321 OROHO

2

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7 1. Section 3 of P.L.2001, c.297 (C.56:8-109) is amended to
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9 3. It shall be an unlawful practice for any person to sell or offer
10 to sell during a state of emergency or **within 30 days of the**
11 **termination** for 10 days following the declaration of a state of
12 emergency, unless extended by the Governor for periods of time up
13 to 10 days in duration, in the area for which the state of emergency
14 has been declared, any merchandise which is consumed or used as a
15 direct result of an emergency or which is consumed or used to
16 preserve, protect, or sustain the life, health, safety or comfort of
17 persons or their property for a price that constitutes an excessive
18 price increase.

19 (cf: P.L.2001, c.297, s.3)

20

21 2. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill amends existing statutory language regarding price-
27 gouging during a state of emergency by specifying that the period
28 during which excessive price increases are prohibited will be in 10
29 day intervals following the declaration of a state of emergency.

30 Current law prohibits excessive price increases during a state of
31 emergency or within 30 days of the termination of that state of
32 emergency in the area for which the state of emergency has been
33 declared. This bill stipulates that excessive price increases will be
34 prohibited during a state of emergency or 10 days following the
35 declaration of a state of emergency, unless the Governor extends the
36 prohibition for periods of time up to 10 days in duration.

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.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[Third Reprint]

SENATE, No. 2321

STATE OF NEW JERSEY

DATED: DECEMBER 15, 2016

The Assembly Appropriations Committee reports favorably Senate Bill No. 2321 (3R).

This bill changes existing statutory language regarding price-gouging during a state of emergency by specifying that the period during which excessive price increases are prohibited will begin upon the declaration of the state of emergency and continue for an initial 30 days following that declaration except as otherwise declared or extended by the Governor.

Current law prohibits excessive price increases during a state of emergency or within 30 days of the termination of that state of emergency in the area for which the state of emergency has been declared.

This bill stipulates that excessive price increases will be prohibited for an initial period of 30 days following the declaration of a state of emergency, or other period as the Governor may specify in the declaration, and the Governor may extend this period by subsequent executive order.

As reported, this bill is identical to Assembly Bill No. 3774, as amended and reported by the committee.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2321

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 8, 2016

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2321.

As amended by the committee, this bill amends existing statutory language regarding price-gouging during a state of emergency by specifying that the period during which excessive price increases are prohibited will begin upon the declaration of the state of emergency and continue for an initial 30 days following that declaration, and may be extended by the Governor for periods of up to 10 days in duration..

Current law prohibits excessive price increases during a state of emergency or within 30 days of the termination of that state of emergency in the area for which the state of emergency has been declared. This bill, as amended, stipulates that excessive price increases will be prohibited during a state of emergency and for an initial period of 30 days following the declaration of a state of emergency, unless the Governor extends the prohibition for periods of time up to 10 days in duration.

COMMITTEE AMENDMENTS

The committee amended the bill to increase, from 10 days to 30 days, the initial amount of time following a declaration of a state of emergency that excessive price increases are prohibited.

STATEMENT TO
[First Reprint]
SENATE, No. 2321

with Assembly Floor Amendments
(Proposed by Senator OROHO)

ADOPTED: SEPTEMBER 15, 2016

This Senate amendment clarifies the initial time period during which it shall be unlawful for a person to impose an excessive price increase on certain merchandise, following a declaration of a state of emergency.

STATEMENT TO
[Second Reprint]
SENATE, No. 2321

with Senate Floor Amendments
(Proposed by Senator OROHO)

ADOPTED: OCTOBER 20, 2016

These amendments provide that the state of emergency price control, or prohibition on the sale of merchandise at an excessive price, under the consumer fraud act, will be in effect for an initial period of 30 days after the declaration of a state of emergency by the Governor, but also preserve flexibility by allowing the Governor to appropriately tailor the price control period as part of the emergency declaration.

Currently under the law, it is an unlawful practice for any person to sell or offer to sell, during a state of emergency or within 30 days of the termination of a state of emergency, in the area for which the state of emergency has been declared, any merchandise which is consumed or used as a direct result of an emergency or which is consumed or used to preserve, protect, or sustain the life, health, safety or comfort of persons or their property for a price that constitutes an excessive price increase.

The amendment establishes the price control period at 30 days if the Governor does not specify a different amount of time in the emergency declaration. The amendment also allows the Governor to extend the period during which this prohibition remains in force, as warranted, by executive order.

ASSEMBLY, No. 3774

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 19, 2016

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)
Assemblyman JOHN S. WISNIEWSKI
District 19 (Middlesex)

SYNOPSIS

Concerns excessive price increases during state of emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/7/2016)

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2 emergency, and amending P.L.2001, c.297.

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12 emergency, unless extended by the Governor for periods of time up
13 to 10 days in duration, in the area for which the state of emergency
14 has been declared, any merchandise which is consumed or used as a
15 direct result of an emergency or which is consumed or used to
16 preserve, protect, or sustain the life, health, safety or comfort of
17 persons or their property for a price that constitutes an excessive
18 price increase.

19 (cf: P.L.2001, c.297, s.3)

20

21 2. This act shall take effect immediately.

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STATEMENT

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26 This bill amends existing statutory language regarding price-
27 gouging during a state of emergency by specifying that the period
28 during which excessive price increases are prohibited will be in 10
29 day intervals following the declaration of a state of emergency.

30 Current law prohibits excessive price increases during a state of
31 emergency or within 30 days of the termination of that state of
32 emergency in the area for which the state of emergency has been
33 declared. This bill stipulates that excessive price increases will be
34 prohibited during a state of emergency or 10 days following the
35 declaration of a state of emergency, unless the Governor extends the
36 prohibition for periods of time up to 10 days in duration.

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.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3774

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 15, 2016

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3774, with committee amendments.

This bill as amended, changes existing statutory language regarding price-gouging during a state of emergency by specifying that the period during which excessive price increases are prohibited will begin upon the declaration of the state of emergency and continue for an initial 30 days following that declaration except as otherwise declared or extended by the Governor.

Current law prohibits excessive price increases during a state of emergency or within 30 days of the termination of that state of emergency in the area for which the state of emergency has been declared.

This bill stipulates that excessive price increases will be prohibited for an initial period of 30 days following the declaration of a state of emergency, or other period as the Governor may specify in the declaration, and the Governor may extend this period by subsequent executive order.

As amended and reported, this bill is identical to Senate Bill No. 2321 (3R), as also reported by the committee.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

COMMITTEE AMENDMENTS:

The amendments: increase the duration of the period from 10 days following the declaration to 30 days following the declaration, unless the Governor specifies another greater or lesser period in the declaration of the state of emergency; allow the Governor to extend the prohibition for any further period instead of the 10-day periods originally provided by the bill; and clarify that any extension is by executive order.

Governor Chris Christie Takes Action On Pending Legislation

Monday, February 6, 2017 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today signed legislation, S-2156/A-3424, requiring medical professionals to educate children and teenagers about addiction risks before issuing prescription drugs.

“This critical prevention legislation will stem the growing tide of drug addiction in New Jersey that has been largely caused by the misuse of prescription drugs or prescription drugs getting into the wrong hands,” Governor Christie said. “Coupled with dozens of other new reforms underway, including a comprehensive in-school curriculum for kindergarteners through 12th graders, we can stop this fatal disease from decimating another generation. Piece by piece, I am proud that my administration, with bipartisan cooperation from the legislature, is creating a holistic model for America to curb this epidemic impacting all residents, families, communities and businesses.”

Governor Christie also took action on the following legislation:

BILL SIGNINGS:

S-602/A-1138 (Cunningham, T. Kean/Holley, Chiaravalloti) - “New Jersey International Arbitration, Mediation, and Conciliation Act”

SCS for S-727/A-3955 (Cruz-Perez, Van Drew/Barclay, Wimberly, Holley) - “New Jersey Open Data Initiative” to require certain information be provided on Internet to public and State agencies

S-879/A-4237 (Greenstein, Bateman/Sumter, Benson) - Prohibits termination of law enforcement officer or firefighter based upon determination that officer or firefighter is physically unable to perform duties under certain circumstances

S-1066/A-3649 (Singer, Beck/S. Kean, Ribble, Mukherji, Pinkin, Vainieri Huttle, Schaer) - Allows filing of birth certificate to be delayed for religious reasons, for up to 15 days after birth, in order to allow for naming of child

S-1131/A-3489 (Rice/Tucker, Houghtaling, Mukherji, Wimberly) - Provides for notification of emergency contact in event of death of senior citizen in certain housing facilities

S-1474/A-2786 (Ruiz/Benson, Sumter, Caride, McKnight, Vainieri Huttle, Pintor Marin, Wimberly) - Requires teacher preparation program for instructional certificate to include certain amount of instruction or clinical experience in special education and for students with disabilities endorsement to include credit hours in autism spectrum disorder

S-1830/A-3411 (Rice, Vitale, Turner/Muoio, Benson, Singleton, Greenwald, Pinkin, Downey, Sumter, Wimberly) - Requires DOH regulations regarding elevated blood lead levels in children, and appropriate responses thereto, to be consistent with latest Centers for Disease Control and Prevention recommendations

S-2156/A-3424 (Weinberg, Vitale/Lagana, Pinkin, Vainieri Huttle, Caride, Caputo, Wimberly, Moriarty) - Requires prescribers to discuss addiction risk associated with certain drugs prior to issuing prescription to minor patient

S-2321/A-3774 (Oroho, Beach/Burzichelli, Wisniewski, Mosquera, Houghtaling, Wimberly) - Concerns excessive price increases during state of emergency

S-2364/A-3946 (Oroho, Stack/Burzichelli, Dancer, Mukherji, Holley, A.M. Bucco) - Establishes pilot program appointing third party vendors to administer commercial driver license testing

S-2370/A-3904 (Whelan/Burzichelli) – Authorizes operation of lottery courier services

S-2477/A-4083 (Sarlo, Oroho/Schaer, Space, Mukherji, Singleton) - Concerns certain unused portions of tax credits issued to insurance premiums taxpayers under the Business Employment Incentive Program; exempts certain purchasers of business development incentives from certain State tax notification requirements

S-2731/A-4326 (Greenstein, Bateman/Muoio, Burzichelli, Mazzeo, Mukherji) - Authorizes New Jersey Environmental Infrastructure Trust to expend additional sums to make loans for environmental infrastructure projects for FY2017

S-2732/A-4327 (Codey, Gill/Zwicker, Conaway, Danielsen, Muoio, Mukherji, Gusciora) - Amends list of environmental infrastructure projects approved for long-term funding for FY2017 to include new projects and revise allowable loan amounts for already approved projects

BILLS VETOED:

S-600/A-3625 (Cunningham, Stack/McKnight, Chiaravalloti, Mukherji) – CONDITIONAL - Requires DOH to authorize Jersey City to issue certified copies of birth certificates by September 1, 2017

S-1585/A-3335 (Rice, Ruiz/Sumter, Pintor Marin, Wimberly, Mukherji, Gusciora) – – CONDITIONAL - Establishes program allowing certain applicants to perform community service in lieu of paying motor vehicle surcharges

S-2267/A-2771 (Diegnan, Greenstein/Webber, O'Scanlon, A.M. Bucco) - CONDITIONAL - Establishes asset forfeiture reporting requirements

S-2347/A-3723 (Rice, Ruiz/Pintor Marin, Giblin) – CONDITIONAL - Permits certain municipalities to impose and collect payroll tax of up to 1% of employer's payroll

S-2575/A-4187 (Sweeney, Whelan/Burzichelli) – ABSOLUTE - Disqualifies casino license applicant for five-year period if person substantially closed casino property in State; revokes license; reinstates license eligibility under certain circumstances

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