5:9-1 et seq. LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2017 **CHAPTER:** 11

NJSA: 5:9-1 et seq. (Authorizes operation of lottery courier services.)

BILL NO: S2370 (Substituted for A3904)

SPONSOR(S) Whelan and others

DATE INTRODUCED: 6-16-2016

COMMITTEE: ASSEMBLY: Tourism, Gaming and the Arts

SENATE: State Government, Wagering, Tourism & Historic Preservation

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: 12-19-2016

SENATE: 8-1-2016

DATE OF APPROVAL: 2-6-2017

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted)

Yes

S2370

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3904

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
FOLLOWING WERE PRINTED: To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstateli	ib.org
REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

RWH/JA

[&]quot;NJ residents can play lottery at home," myCentralJersey.com, February 6, 2017 "Critics: Lottery ticket delivery could be detrimental to gambling addicts," news12, February 7, 2017

[&]quot;Governor Oks home delivery of Lotto tickets," The Star-Ledger, February 7, 2017
"Christie gives OK to deliveries of lottery tickets," The Jersey Journal, February 8, 2017
"New Jersey law 1st to legalize lottery courier services," New Jersey Herald, February 11, 2017

P.L.2017, CHAPTER 11, approved February 6, 2017 Senate, No. 2370

AN ACT concerning lottery courier services and supplementing P.L.1970, c.13 (C.5:9-1 et seq.).

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

- 1. a. For the purposes of this act, "courier service" means a person or business entity that is registered with the State Lottery Commission to purchase State Lottery tickets on behalf of individuals within the State and deliver those tickets to those individuals in the State as a for-profit service.
- b. (1) Upon receipt of an application from a courier service, the commission shall register and authorize the courier service to purchase and deliver State lottery tickets within the State of New Jersey. The registration of any courier service shall include, but shall not be limited to, a check of credit reporting sources, other State departments and agencies, and criminal justice agencies. The commission shall substantiate the moral character and integrity of the owners, operators, directors, key personnel, and couriers of a courier service that submits a registration application.
- (2) The commission shall supervise registered courier services in a manner necessary to ensure that the integrity and reputation of the New Jersey lottery is maintained. The commission shall accept complaints concerning such services and investigate those complaints. The commission shall investigate suspected violations of the statutes and regulations by such services and impose sanctions for violations. The commission may suspend or revoke the registration of a courier service for violations or for such other reasons as shall be set forth in the rules and regulations promulgated by the commission.
- (3) In accordance with the rules and regulation promulgated by the commission, a registered courier service shall maintain an Internet site and shall display prominently on that site:
- a warning of the risk of being defrauded if purchasing lottery tickets through a courier service that is not registered by the commission;
- the identical gambling addiction warning required of licensed New Jersey casinos; and
- information on how to seek help for a gambling problem though do education, by telephone, from the Internet, or by other electronic means.
 - (4) In accordance with the rules and regulation promulgated by the commission, a registered courier service shall safeguard the

personal information, including credit card numbers, and properly verify the age and physical location of customers utilizing the service.

- (5) In accordance with the rules and regulation promulgated by the commission, the courier service shall be permitted to redeem a lottery ticket on behalf of a customer utilizing the service in a manner that is secure for that customer and transparent to the public.
- c. In lieu of delivery of a purchased lottery ticket to a customer utilizing the courier service, a courier service may store such ticket on behalf of that customer, with the customer's consent, if the courier service provides an electronic receipt of the ticket purchased with the numbers of the ticket shown on the receipt. A customer utilizing the courier service shall have the option at all times to obtain the ticket for the purpose of redemption. A courier service storing a ticket on behalf of a customer shall maintain a secure database of all stored lottery tickets, linked to the respective customers. The courier service shall notify the customer of a winning ticket value and maximum prize within 24 hours of a drawing. The commission shall conduct, and a courier service shall submit as a condition of registration, to random audits of the database.
 - d. No portion or percentage of lottery winnings shall be charged, accepted, given, or payable to the courier service as a fee for the purchase or delivery or for the redemption of a ticket.

The operation of a registered courier service shall not constitute a violation of N.J.S.2C:37-2 or N.J.S.2C:37-3, or the sale of lottery tickets. The charging of a fee by a courier service for the purchase and delivery of a ticket shall not constitute a violation of section 14 of P.L.1970, c.13 (C.5:9-14).

A courier service shall not be licensed as a lottery sales agent under section 11 of P.L.1970, c.13 (C.5:9-11).

- e. A person or business entity operating a lottery courier service without being registered and authorized by the commission pursuant to this section shall be guilty of a crime of the third degree.
- f. The commission shall promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), as may be needed to effectuate the provisions of this section.

2. This act shall take effect on the first day of the ninth month following enactment, except that the commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

This bill would require the State Lottery Commission to register and authorize the operation of courier services for the purchase and delivery solely of State lottery tickets within the State of New Jersey. No lottery ticket courier service would be permitted to operate unless it has been registered with the State Lottery Commission and has been authorized by the commission to operate as a courier service. This bill would protect all lottery purchasers, and in particular senior citizens, from unregulated and uncontrolled operators who would purchase and deliver State lottery tickets for a fee or commission without governmental regulation or oversight.

Under this bill, the owners, operators, directors, couriers, and other key employees of lottery courier services would be investigated pursuant to rules and regulations established by the Lottery Commission as directed by this bill. Further, the bill provides a criminal penalty for anyone attempting to conduct lottery courier services who has not been registered or authorized under this bill and regulations.

The bill further provides that a courier service may charge a fee for such service, but may not collect any portion of any lottery winnings in connection with the courier service. Moreover, a courier service would be able to store lottery tickets on behalf of its customers with proper consent and the maintenance of a database that would be subject to random audits by the commission.

Under this bill, the operation of a courier service would not constitute the sale of lottery tickets, and lottery courier services would not be permitted to obtain lottery sales agent licenses. Additionally, the authorized operation of a lottery courier service would not constitute gambling under this bill.

The bill further provides that the commission may establish regulations allowing for courier services to redeem winning tickets on behalf of customers, if proper steps are taken to ensure security for the customer and transparency to the public.

The bill also requires that gambling addiction warnings be provided to customers by the lottery courier service on its website, as well as a notice to customers of the risk of using an unauthorized lottery courier service.

Authorizes operation of lottery courier services.

SENATE, No. 2370

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED JUNE 16, 2016

Sponsored by:
Senator JIM WHELAN
District 2 (Atlantic)
Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Authorizes operation of lottery courier services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/20/2016)

AN ACT concerning lottery courier services and supplementing P.L.1970, c.13 (C.5:9-1 et seq.).

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

- 1. a. For the purposes of this act, "courier service" means a person or business entity that is registered with the State Lottery Commission to purchase State Lottery tickets on behalf of individuals within the State and deliver those tickets to those individuals in the State as a for-profit service.
- b. (1) Upon receipt of an application from a courier service, the commission shall register and authorize the courier service to purchase and deliver State lottery tickets within the State of New Jersey. The registration of any courier service shall include, but shall not be limited to, a check of credit reporting sources, other State departments and agencies, and criminal justice agencies. The commission shall substantiate the moral character and integrity of the owners, operators, directors, key personnel, and couriers of a courier service that submits a registration application.
- (2) The commission shall supervise registered courier services in a manner necessary to ensure that the integrity and reputation of the New Jersey lottery is maintained. The commission shall accept complaints concerning such services and investigate those complaints. The commission shall investigate suspected violations of the statutes and regulations by such services and impose sanctions for violations. The commission may suspend or revoke the registration of a courier service for violations or for such other reasons as shall be set forth in the rules and regulations promulgated by the commission.
- (3) In accordance with the rules and regulation promulgated by the commission, a registered courier service shall maintain an Internet site and shall display prominently on that site:
- a warning of the risk of being defrauded if purchasing lottery tickets through a courier service that is not registered by the commission;
- 37 the identical gambling addiction warning required of licensed38 New Jersey casinos; and
 - information on how to seek help for a gambling problem though education, by telephone, from the Internet, or by other electronic means.
 - (4) In accordance with the rules and regulation promulgated by the commission, a registered courier service shall safeguard the personal information, including credit card numbers, and properly verify the age and physical location of customers utilizing the service.
- 47 (5) In accordance with the rules and regulation promulgated by 48 the commission, the courier service shall be permitted to redeem a

lottery ticket on behalf of a customer utilizing the service in a manner that is secure for that customer and transparent to the public.

- c. In lieu of delivery of a purchased lottery ticket to a customer utilizing the courier service, a courier service may store such ticket on behalf of that customer, with the customer's consent, if the courier service provides an electronic receipt of the ticket purchased with the numbers of the ticket shown on the receipt. A customer utilizing the courier service shall have the option at all times to obtain the ticket for the purpose of redemption. A courier service storing a ticket on behalf of a customer shall maintain a secure database of all stored lottery tickets, linked to the respective customers. The courier service shall notify the customer of a winning ticket value and maximum prize within 24 hours of a drawing. The commission shall conduct, and a courier service shall submit as a condition of registration, to random audits of the database.
- d. No portion or percentage of lottery winnings shall be charged, accepted, given, or payable to the courier service as a fee for the purchase or delivery or for the redemption of a ticket.

The operation of a registered courier service shall not constitute a violation of N.J.S.2C:37-2 or N.J.S.2C:37-3, or the sale of lottery tickets. The charging of a fee by a courier service for the purchase and delivery of a ticket shall not constitute a violation of section 14 of P.L.1970, c.13 (C.5:9-14).

A courier service shall not be licensed as a lottery sales agent under section 11 of P.L.1970, c.13 (C.5:9-11).

- e. A person or business entity operating a lottery courier service without being registered and authorized by the commission pursuant to this section shall be guilty of a crime of the third degree.
- f. The commission shall promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), as may be needed to effectuate the provisions of this section.
- 2. This act shall take effect on the first day of the ninth month following enactment, except that the commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

 This bill would require the State Lottery Commission to register and authorize the operation of courier services for the purchase and delivery solely of State lottery tickets within the State of New Jersey. No lottery ticket courier service would be permitted to operate unless it has been registered with the State Lottery Commission and has been authorized by the commission to operate as a courier service. This bill would protect all lottery purchasers, and in particular senior citizens, from unregulated and uncontrolled operators who would purchase and deliver State lottery tickets for a fee or commission without governmental regulation or oversight.

Under this bill, the owners, operators, directors, couriers, and other key employees of lottery courier services would be investigated pursuant to rules and regulations established by the Lottery Commission as directed by this bill. Further, the bill provides a criminal penalty for anyone attempting to conduct lottery courier services who has not been registered or authorized under this bill and regulations.

The bill further provides that a courier service may charge a fee for such service, but may not collect any portion of any lottery winnings in connection with the courier service. Moreover, a courier service would be able to store lottery tickets on behalf of its customers with proper consent and the maintenance of a database that would be subject to random audits by the commission.

Under this bill, the operation of a courier service would not constitute the sale of lottery tickets, and lottery courier services would not be permitted to obtain lottery sales agent licenses. Additionally, the authorized operation of a lottery courier service would not constitute gambling under this bill.

The bill further provides that the commission may establish regulations allowing for courier services to redeem winning tickets on behalf of customers, if proper steps are taken to ensure security for the customer and transparency to the public.

The bill also requires that gambling addiction warnings be provided to customers by the lottery courier service on its website, as well as a notice to customers of the risk of using an unauthorized lottery courier service.

ASSEMBLY TOURISM, GAMING AND THE ARTS COMMITTEE

STATEMENT TO

SENATE, No. 2370

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2016

The Assembly Tourism, Gaming and the Arts Committee reports favorably Senate Bill No. 2370.

Under current law, New Jersey lottery tickets can only be purchased by players directly from lottery sales agents. This bill would authorize the operation of courier services for the purchase and delivery of State lottery tickets on behalf of lottery players within the State of New Jersey. No lottery ticket courier service would be permitted to operate unless it has been registered with the State Lottery Commission and has been authorized by the commission to operate as a courier service.

Under this bill, the owners, operators, directors, couriers, and other key employees of a lottery courier service would be investigated pursuant to rules and regulations established by the Lottery Commission as directed by this bill. Further, the bill provides a criminal penalty for anyone attempting to conduct lottery courier services who has not been registered or authorized under this bill and regulations.

The bill further provides that a courier service may charge a fee for such service, but may not collect any portion of any lottery winnings in connection with the courier service. Moreover, a courier service would be able to store lottery tickets on behalf of its customers with proper consent and the maintenance of a database that would be subject to random audits by the commission.

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The bill further provides that the commission may establish regulations allowing for courier services to redeem winning tickets on behalf of customers, if proper steps are taken to ensure security for the customer and transparency to the public.

The bill also requires that gambling addiction warnings be provided to customers by the lottery courier service on its website, as well as a notice to customers of the risk of using an unauthorized lottery courier service.

As reported by the committee, Senate Bill No. 2370 is identical to Assembly Bill No. 3904 which was also reported by the committee on this date.

SENATE STATE GOVERNMENT, WAGERING, TOURISM & HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 2370

STATE OF NEW JERSEY

DATED: JULY 14, 2016

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 2370.

This bill would require the State Lottery Commission to register and authorize the operation of courier services for the purchase and delivery of State lottery tickets within the State of New Jersey. No lottery ticket courier service would be permitted to operate unless the commission registers and authorizes the courier service to purchase and deliver State lottery tickets within the State. This bill would protect all lottery purchasers, and in particular senior citizens, from unregulated and uncontrolled operators who would purchase and deliver State lottery tickets for a fee or commission without governmental regulation or oversight.

Under this bill, the owners, operators, directors, couriers, and other key employees of lottery courier services would be investigated pursuant to rules and regulations established by the commission. Further, the bill provides a criminal penalty for anyone, who the commission has not registered or authorized under this bill and regulations, attempting to conduct lottery courier services.

The bill further provides that a courier service may charge a fee for such service, but may not collect any portion of any lottery winnings in connection with the courier service. Moreover, a courier service would be able to store lottery tickets on behalf of its customers with proper consent, provided that the courier service maintains a database that would be subject to random audits by the commission.

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The bill further provides that the commission may establish regulations allowing for courier services to redeem winning tickets on behalf of customers, if proper steps are taken to ensure security for the customer and transparency to the public. The bill also requires lottery courier services to provide, on their Internet websites, gambling addiction warnings and a notice to customers of the risk of using an unauthorized lottery courier service.

ASSEMBLY, No. 3904

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED JUNE 16, 2016

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Authorizes operation of lottery courier services.

CURRENT VERSION OF TEXT

As introduced.



AN ACT concerning lottery courier services and supplementing P.L.1970, c.13 (C.5:9-1 et seq.).

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

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A3904 BURZICHELLI

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The bill also requires that gambling addiction warnings be provided to customers by the lottery courier service on its website, as well as a notice to customers of the risk of using an unauthorized lottery courier service.

ASSEMBLY TOURISM, GAMING AND THE ARTS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3904

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2016

The Assembly Tourism, Gaming and the Arts Committee reports favorably Assembly Bill No. 3904.

Under current law, New Jersey lottery tickets can only be purchased by players directly from lottery sales agents. This bill would authorize the operation of courier services for the purchase and delivery of State lottery tickets on behalf of lottery players within the State of New Jersey. No lottery ticket courier service would be permitted to operate unless it has been registered with the State Lottery Commission and has been authorized by the commission to operate as a courier service.

Under this bill, the owners, operators, directors, couriers, and other key employees of a lottery courier service would be investigated pursuant to rules and regulations established by the Lottery Commission as directed by this bill. Further, the bill provides a criminal penalty for anyone attempting to conduct lottery courier services who has not been registered or authorized under this bill and regulations.

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As reported by the committee, Assembly Bill No. 3904 is identical to Senate Bill No. 2370 which was also reported by the committee on this date.

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Governor Chris Christie Takes Action On Pending Legislation

Monday, February 6, 2017

Tags: Bill Action

Home > Newsroom > Press Releases > 2017



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, Rible, 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

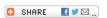
S-2364/A-3946 (Oroho, Stack/Burzichelli, Dancer, Mukherji, Holley, A.M. Bucco) - Establishes pilot program appointing third party vendors to administer commercial driver license testing

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

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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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