

45:7-65.1
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 220

NJSA: 45:7-65.1 (Concerns service of food or refreshments on mortuary premises.)

BILL NO: S2807 (Substituted for A4323)

SPONSOR(S) Joseph P. Cryan and others

DATE INTRODUCED: 6/27/2018

COMMITTEE: **ASSEMBLY:** Regulated Professions

SENATE: Commerce
Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:**

SENATE:

DATE OF APPROVAL: 8/9/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted) Yes

S2807

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Regulated Professions

SENATE: Yes Commerce
Budget & Appropriations

(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: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A4323

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Regulated Professions

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: Yes

LEGISLATIVE FISCAL ESTIMATE: No

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@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"NJ to lift ban on food, drink at funeral homes for mourners,"
NJBIZ (New Brunswick, NJ) - August 9, 2019

RWH/JA

P.L. 2019, CHAPTER 220, *approved August 9, 2019*
Senate, No. 2807 (*Second Reprint*)

1 AN ACT concerning the practice of funeral directing and
2 ¹【repealing section 16 of】 amending¹ P.L.1960, c.184.

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

6
7 ¹【1. Section 16 of P.L.1960, c.184 (C.45:7-65.1) is repealed.】¹

8
9 ¹1. Section 16 of P.L.1960, c.184 (C.45:7-65.1) is amended to
10 read:

11 16. a. **【**In the interests of safeguarding public health, no person
12 who operates, maintains, or uses a **】** No mortuary within this State
13 shall **【**serve, or permit or suffer to be served**】** prepare on or about
14 the mortuary premises any food ²【or refreshments】² in conjunction
15 with any funeral or in conjunction with any service offered or
16 provided for the preparation and disposal of dead human bodies.

17 b. A mortuary may provide or distribute, or permit persons
18 attending a funeral or other service, or making funeral
19 arrangements, to distribute and consume ²【refreshments】 food and
20 beverages² on or about the mortuary premises, provided the
21 mortuary complies with applicable State and local health and
22 sanitation requirements and:

23 (1) ²【only nonalcoholic beverages are served】 any beverages
24 served are nonalcoholic²; and

25 (2) ²【refreshments】 food and beverages² are not stored,
26 prepared, distributed, or consumed in areas in which dead human
27 bodies are stored or prepared.¹

28 (cf: P.L.1960, c.184, s.16)

29
30 2. This act shall take effect immediately.

31
32
33
34
35 Concerns service of food or refreshments on mortuary premises.

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:

¹Assembly ARP committee amendments adopted June 6, 2019.

²Assembly floor amendments adopted June 10, 2019.

SENATE, No. 2807

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JUNE 27, 2018

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Co-Sponsored by:

Senators Gopal and Diegnan

SYNOPSIS

Concerns service of food or refreshments on mortuary premises.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2019)

1 AN ACT concerning the practice of funeral directing and repealing
2 section 16 of P.L.1960, c.184.

3

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

6

7 1. Section 16 of P.L.1960, c.184 (C.45:7-65.1) is repealed.

8

9 2. This act shall take effect immediately.

10

11

12

STATEMENT

13

14 This bill repeals section 16 of P.L.1960, c.184 (C.45:7-65.1),
15 which prohibits a person who operates, maintains, or uses a
16 mortuary from serving any food or refreshments in conjunction with
17 any funeral or service offered for the preparation and disposal of
18 dead human bodies. If this bill is enacted into law and the
19 prohibition is lifted, food or refreshments could be served to or
20 catered for the friends and family of the deceased on the premises
21 of a mortuary or funeral home at the discretion of the funeral
22 director.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

SENATE, No. 2807

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 2019

The Assembly Regulated Professions Committee reports favorably and with committee amendments Senate Bill No. 2807.

As amended, this bill provides that no mortuary within New Jersey shall prepare food or refreshments on the mortuary premises in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies.

In addition, the bill directs that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume refreshments on or about the mortuary premises, provided the mortuary complies with applicable State and local health and sanitation requirements, only nonalcoholic beverages are served, and refreshments are not stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

COMMITTEE AMENDMENTS:

The committee amendments remove the section of the bill repealing section 16 of P.L.1960, c.184 (C.45:7-65.1) and provide that refreshments may be provided, distributed, or consumed under certain circumstances. The amendments provide that no mortuary within New Jersey shall prepare food or refreshments on the mortuary premises in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies.

In addition, the amendments direct that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume refreshments on or about the mortuary premises, provided the mortuary complies with applicable State and local health and sanitation requirements, only nonalcoholic beverages are served, and refreshments are not stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2807

STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

The Senate Commerce Committee reports favorably Senate Bill No. 2807.

This bill repeals section 16 of P.L.1960, c.184 (C.45:7-65.1), which prohibits a person who operates, maintains, or uses a mortuary from serving any food or refreshments in conjunction with any funeral or service offered for the preparation and disposal of dead human bodies. If this bill is enacted into law and the prohibition is lifted, food or refreshments could be served to or catered for the friends and family of the deceased on the premises of a mortuary or funeral home at the discretion of the funeral director.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2807

STATE OF NEW JERSEY

DATED: MARCH 4, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2807.

Senate Bill No. 2807 repeals section 16 of P.L.1960, c.184 (C.45:7-65.1), which prohibits a person who operates, maintains, or uses a mortuary from serving any food or refreshments in conjunction with any funeral or service offered for the preparation and disposal of dead human bodies. If this bill is enacted into law and the prohibition is lifted, food or refreshments could be served to or catered for the friends and family of the deceased on the premises of a mortuary or funeral home at the discretion of the funeral director.

FISCAL IMPACT:

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

STATEMENT TO
[First Reprint]
SENATE, No. 2807

with Assembly Floor Amendments
(Proposed by Assemblywoman PINKIN)

ADOPTED: JUNE 10, 2019

This floor amendment clarifies that no mortuary within New Jersey may prepare any food in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies. This floor amendment further clarifies that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume food and beverages, rather than refreshments. The amendment provides that any beverages served must be nonalcoholic, rather than providing that only nonalcoholic beverages may be served. Lastly, the amendment clarifies that food and beverages, rather than refreshments, may not be stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

ASSEMBLY, No. 4323

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JULY 30, 2018

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Co-Sponsored by:

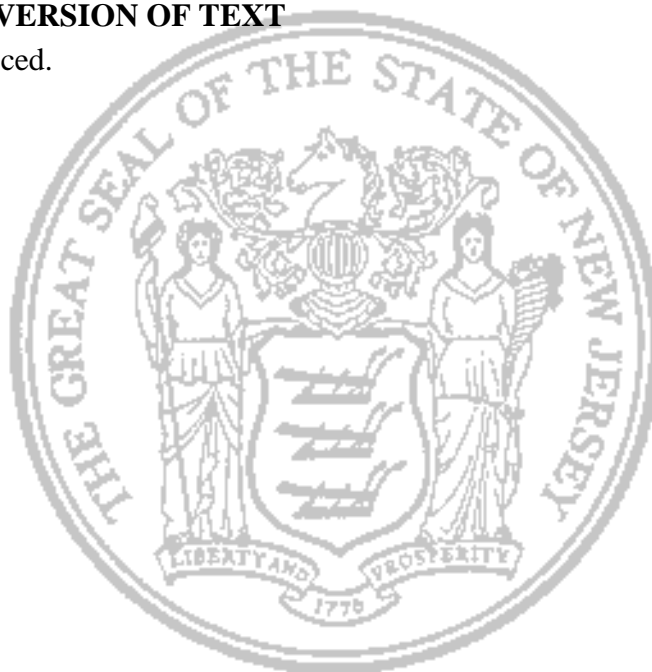
Assemblymen Houghtaling, Mukherji, Mejia, DePhillips, Assemblywoman Jimenez, Assemblyman Spearman, Assemblywoman Jones, Assemblymen Land, Milam and Wimberly

SYNOPSIS

Concerns service of food or refreshments on mortuary premises.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2019)

1 AN ACT concerning the practice of funeral directing and repealing
2 section 16 of P.L.1960, c.184.

3

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

6

7 1. Section 16 of P.L.1960, c.184 (C.45:7-65.1) is repealed.

8

9 2. This act shall take effect immediately.

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STATEMENT

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14 This bill repeals section 16 of P.L.1960, c.184 (C.45:7-65.1),
15 which prohibits a person who operates, maintains, or uses a
16 mortuary from serving any food or refreshments in conjunction with
17 any funeral or service offered for the preparation and disposal of
18 dead human bodies. If this bill is enacted into law and the
19 prohibition is lifted, food or refreshments could be served to or
20 catered for the friends and family of the deceased on the premises
21 of a mortuary or funeral home at the discretion of the funeral
22 director.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4323

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 2019

The Assembly Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 4323.

As amended, this bill provides that no mortuary within New Jersey shall prepare food or refreshments on the mortuary premises in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies.

In addition, the bill directs that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume refreshments on or about the mortuary premises, provided the mortuary complies with applicable State and local health and sanitation requirements, only nonalcoholic beverages are served, and refreshments are not stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

COMMITTEE AMENDMENTS:

The committee amendments remove the section of the bill repealing section 16 of P.L.1960, c.184 (C.45:7-65.1) and provide that refreshments may be provided, distributed, or consumed under certain circumstances. The amendments provide that no mortuary within New Jersey shall prepare food or refreshments on the mortuary premises in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies.

In addition, the amendments direct that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume refreshments on or about the mortuary premises, provided the mortuary complies with applicable State and local health and sanitation requirements, only nonalcoholic beverages are served, and refreshments are not stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4323

with Assembly Floor Amendments
(Proposed by Assemblywoman PINKIN)

ADOPTED: JUNE 10, 2019

This floor amendment clarifies that no mortuary within New Jersey may prepare any food in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies. This floor amendment further clarifies that a mortuary may provide or distribute, or permit persons attending a funeral or other service, or making funeral arrangements, to distribute and consume food and beverages, rather than refreshments. The amendment provides that any beverages served must be nonalcoholic, rather than providing that only nonalcoholic beverages may be served. Lastly, the amendment clarifies that food and beverages, rather than refreshments, may not be stored, prepared, distributed, or consumed in areas in which dead human bodies are stored or prepared.

Governor Murphy Takes Action on Legislation

08/9/2019

TRENTON - Today, Governor Phil Murphy signed the following bills into law:

A312 (Pinkin, Conaway, Giblin, Holley, Danielsen, Mukherji, Wimberly/Vitale, Rice) - Requires certain health care facilities to provide information concerning palliative care and hospice care services.

A841 (Land, Calabrese/Andrzejczak) - Provides for establishment of county college certificate programs to meet needs of certain regional employers.

A1700 (Dancer, Vainieri Huttie, Calabrese/Cruz-Perez, Cunningham) - Expands eligibility criteria for designating certain areas as being in need of redevelopment.

A2004 (Karabinchak, Mazzeo, Pinkin, Coughlin/Diegnan) - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

A3937 (DeAngelo, Reynolds-Jackson, Verrelli/Turner) - Allows local government water system employees to reside in all municipalities served by water system.

A4115 (Benson, DeAngelo, Holley/Greenstein) - Clarifies that certain students are eligible for NJ STARS and NJ STARS II scholarship upon initial enrollment at institution of higher education on part-time basis.

A4223 (Johnson, Rooney/Weinberg, Lagana) - Requires State Treasurer to pay county prosecutor's expenses for overseeing certain law enforcement agencies.

A4938 (Tucker, Pinkin, Vainieri Huttie/Ruiz, Greenstein) - Requires DOH to establish "My Life, My Plan" program to support women of childbearing age in developing reproductive life plan.

A5021 (Quijano, Bramnick, Reynolds-Jackson, Pinkin, Downey/Vitale, Kean) - Requires Medicaid coverage for group prenatal care services under certain circumstances.

A5322 (Burzichelli, Milam, Houghtaling, Taliaferro/Sweeney, Oroho, Beach, Andrzejczak) - Establishes program for cultivation, handling, processing, transport, and sale of hemp; repeals New Jersey Industrial Hemp Pilot Program.

A5392 (Quijano, Murphy/Vitale, Scutari) - Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

A5595 (Milam, Houghtaling, Dancer, Wirths/Oroho, Pennacchio) - Expands eligibility for EDA small business loan program to specifically include certain farming operations and qualified dairy farmers.

S601 (Smith, Greenstein/Pinkin, McKeon) - Establishes "New Jersey Solar Panel Recycling Commission."

S781 (Sarlo, O'Scanlon/Giblin, DiMaso, Handlin) - Revises penalties for certain violations of law by public movers and warehousemen.

S984 (Vitale, Singleton/Conaway, Mukherji, Murphy) - Establishes certain requirements, including allowable fees, for provision of medical records to patients, legally authorized representatives, and authorized third parties.

S1109 (Ruiz/Munoz, Quijano) - Renames "Physician Orders for Life-Sustaining Treatment Act" as "Practitioner Orders for Life-Sustaining Treatment Act"; permits physician assistants to sign and modify POLST forms; requires continuing education concerning end-of-life care.

S1739 (Oroho, Andrzejczak/Land, Space, Milam) - Renames county corrections officers as county correctional police officers.

S2807 (Cryan, Cruz-Perez/Pinkin, Moriarty, Zwicker) - Concerns service of food or refreshments on mortuary premises.

S2858 (Gopal, Diegnan/Houghtaling, Downey, Johnson) - Prohibits issuance of certain badges to NJT board members, PANYNJ commissioners, and local and State elected officials.

S3212 (Ruiz, Rice/Pintor Marin, Holley) - Permits municipalities to establish temporary supplemental zoning boards of adjustment to address application backlogs.

S3334 (Diegnan, Vitale/Conaway, Pinkin) - Exempts certain surgical technologists from general educational and training requirements.