

26:3D-17

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 203

NJSA: 26:3D-17 (Prohibits smoking in college and university dormitories)

BILL NO: S2332 (Substituted for A3659)

SPONSOR(S): Buono and others

DATE INTRODUCED: February 7, 2005

COMMITTEE: **ASSEMBLY:**

SENATE: Health, Human Services and Senior Citizens

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 20, 2005

SENATE: June 20, 2005

DATE OF APPROVAL: August 22, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (2nd reprint enacted)

S2332

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

A3659

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

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

"N.J. dorms become smoke-free, a U.S. first," 8-23-2005 Star Ledger, p.7

"New Jersey bans smoking in all college dormitories," 8-23-2005 New York Times, p.7

"Codey signs law banning smoking in college dorms," 8-23-2005 The Times, p.A3

"Governor snuffs out smoking in dorms," 8-23-2005 The Record, p.A3

"State outlaws smoking in dorms," 8-23-2005 Courier News p.A1

IS 9/24/07

P.L. 2005, CHAPTER 203, *approved August 22, 2005*
Senate, No. 2332 (*Second Reprint*)

1 AN ACT prohibiting smoking in college and university dormitories and
2 amending P.L.1981, c.320.

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.1981, c.320 (C.26:3D-17) is amended to read
8 as follows:

9 3. a. The appropriate governing body, board or individual
10 responsible for or who has control of the administration of a school,
11 college, university, or professional training school, either public or
12 private, except the board of education of a school district, shall make
13 and enforce suitable regulations controlling the smoking of tobacco on
14 their premises, except in those areas within the premises wherein
15 smoking is prohibited by municipal ordinance under authority of
16 R.S.40:48-1 and 40:48-2 or by any other statute or regulation adopted
17 pursuant to law for purposes of protecting life and property from fire.
18 The governing body, board or individual may, but need not, designate
19 certain areas within the premises as areas in which smoking is
20 permitted. Smoking in classrooms, lecture halls and auditoriums shall
21 be prohibited except as part of a classroom instruction or a theatrical
22 production. Smoking shall be prohibited in any ²portion of a ²building
23 used as a student dormitory that is owned and operated ¹or otherwise
24 utilized¹ by a school or institution of higher education.

25 b. The board of education of each school district shall make and
26 enforce regulations to prohibit the smoking of tobacco anywhere in its
27 buildings or on school grounds, except as part of a classroom
28 instruction or a theatrical production.

29 (cf: P.L.2001, c.226, s.1)

30

31 2. This act shall take effect on the 60th day after enactment.

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36 Prohibits smoking in college and university dormitories.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted February 28, 2005.

² Assembly floor amendments adopted May 16, 2005.

SENATE, No. 2332

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED FEBRUARY 7, 2005

Sponsored by:

Senator BARBARA BUONO

District 18 (Middlesex)

Senator FRED MADDEN

District 4 (Camden and Gloucester)

SYNOPSIS

Prohibits smoking in college and university dormitories.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/1/2005)

1 AN ACT prohibiting smoking in college and university dormitories and
2 amending P.L.1981, c.320.

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.1981, c.320 (C.26:3D-17) is amended to read
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10 responsible for or who has control of the administration of a school,
11 college, university, or professional training school, either public or
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13 and enforce suitable regulations controlling the smoking of tobacco on
14 their premises, except in those areas within the premises wherein
15 smoking is prohibited by municipal ordinance under authority of
16 R.S.40:48-1 and 40:48-2 or by any other statute or regulation adopted
17 pursuant to law for purposes of protecting life and property from fire.
18 The governing body, board or individual may, but need not, designate
19 certain areas within the premises as areas in which smoking is
20 permitted. Smoking in classrooms, lecture halls and auditoriums shall
21 be prohibited except as part of a classroom instruction or a theatrical
22 production. Smoking shall be prohibited in any building used as a
23 student dormitory that is owned and operated by a school or
24 institution of higher education.

25 b. The board of education of each school district shall make and
26 enforce regulations to prohibit the smoking of tobacco anywhere in its
27 buildings or on school grounds, except as part of a classroom
28 instruction or a theatrical production.

29 (cf: P.L.2001, c.226, s.1)

30

31 2. This act shall take effect on the 60th day after enactment.

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STATEMENT

35

36 This bill amends N.J.S.A.26:3D-17 to prohibit smoking in college
37 and university dormitories. Specifically, the provisions of the bill
38 apply to any building used as a student dormitory that is owned and
39 operated by a school or institution of higher education. This bill will
40 lend statutory impetus to the growing movement among colleges and
41 universities nationwide to ban smoking in student residence halls.

42 The bill takes effect on the 60th day after enactment.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2332

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2005

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2332.

As amended by committee, this bill amends N.J.S.A.26:3D-17 to prohibit smoking in college and university dormitories. Specifically, the provisions of the bill apply to any building used as a student dormitory that is owned and operated or otherwise utilized by a school or institution of higher education. The bill takes effect on the 60th day after enactment.

N.J.S.A.26:3D-17 currently prohibits smoking in classrooms, lecture halls and auditoriums.

The committee amended the bill to add the phrase "or otherwise utilized" to the description of student dormitories that are covered under the provisions of the bill.

As amended, this bill is similar to Assembly Bill No. 3659 (Mckeon/Weinberg).

STATEMENT TO
[First Reprint]
SENATE, No. 2332

with Assembly Floor Amendments
(Proposed By Assemblyman McKEON)

ADOPTED: MAY 16, 2005

These amendments provide that smoking is to be prohibited in any portion of a building used as a student dormitory that is owned and operated or otherwise utilized by a school or institution of higher education.

ASSEMBLY, No. 3659

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JANUARY 10, 2005

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Assemblymen Panter and Chiappone

SYNOPSIS

Prohibits smoking in college and university dormitories.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/2/2005)

1 AN ACT prohibiting smoking in college and university dormitories and
2 amending P.L.1981, c.320.

3

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

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7 1. Section 3 of P.L.1981, c.320 (C.26:3D-17) is amended to read
8 as follows:

9 3. a. The appropriate governing body, board or individual
10 responsible for or who has control of the administration of a school,
11 college, university, or professional training school, either public or
12 private, except the board of education of a school district, shall make
13 and enforce suitable regulations controlling the smoking of tobacco on
14 their premises, except in those areas within the premises wherein
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16 R.S.40:48-1 and 40:48-2 or by any other statute or regulation adopted
17 pursuant to law for purposes of protecting life and property from fire.
18 The governing body, board or individual may, but need not, designate
19 certain areas within the premises as areas in which smoking is
20 permitted. Smoking in classrooms, lecture halls and auditoriums shall
21 be prohibited except as part of a classroom instruction or a theatrical
22 production. Smoking shall be prohibited in any building used as a
23 student dormitory that is owned and operated by a school or
24 institution of higher education.

25 b. The board of education of each school district shall make and
26 enforce regulations to prohibit the smoking of tobacco anywhere in its
27 buildings or on school grounds, except as part of a classroom
28 instruction or a theatrical production.

29 (cf: P.L.2001, c.226, s.1)

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31 2. This act shall take effect on the 60th day after enactment.

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STATEMENT

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36 This bill amends N.J.S.A.26:3D-17 to prohibit smoking in college
37 and university dormitories. Specifically, the provisions of the bill
38 apply to any building used as a student dormitory that is owned and
39 operated by a school or institution of higher education. This bill will
40 lend statutory impetus to the growing movement among colleges and
41 universities nationwide to ban smoking in student residence halls.

42 The bill takes effect on the 60th day after enactment.

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 HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3659

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2005

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 3659.

As amended by the committee, this bill amends N.J.S.A.26:3D-17 to prohibit smoking in college and university dormitories. Specifically, the provisions of the bill apply to any building used as a student dormitory that is owned and operated or otherwise utilized by a school or institution of higher education.

The bill takes effect on the 60th day after enactment.

COMMITTEE AMENDMENTS

The committee amendments to the bill apply its provisions to any building utilized as a student dormitory by a school or institution of higher education.

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TRENTON, NJ 08625

Contact: Kelley Heck
609-777-2600

RELEASE: August 22, 2005

Codey Signs Major Dormitory Safety Legislation

(TRENTON) – Acting Governor Richard J. Codey today signed legislation to prohibit smoking in public and private college and university dormitories.

“Today we are creating safer, healthier residence halls,” Codey said. “Prohibiting smoking greatly reduces the risk of fires and creates a comfortable environment, free of dangerous secondhand smoke.”

Codey signed Senate bill S2332 at Drew University in Madison. Codey was joined by bill sponsor Senator Barbara Buono, as well as State Health Commissioner Fred M. Jacobs, M.D., J.D. Other primary bill sponsors include Senator Fred H. Madden (D-Camden, Gloucester), Assemblyman John F. McKeon (D-Essex) and Loretta Weinberg (D-Bergen).

"College students will be able to breathe easier this fall, both from the cleaner air in their rooms and the knowledge that one more safety hazard has been reduced," said Buono (D-Middlesex). "Students at our colleges and universities should realize that while they have the right to choose to smoke and chance the risks that come along with it, those who live in the same dorm shouldn't have to deal with the hazards of cigarette smoke. By requiring smokers to go outside to light up, we are drastically reducing the chance of a fire and reduce others exposure to secondhand smoke."

This is the first law in the nation to prohibit smoking in both private and public institutions. This law will significantly reduce fire risk on campus. Smoking is currently the second leading cause of fire injuries on campus. Additionally, it will also reduce exposure to secondhand smoke, which kills more than 1,000 New Jerseyans annually.

“When it comes to college dormitories, health and safety must be the top priorities of school officials,” said Madden (D-Camden, Gloucester). “This bill strikes a balance by recognizing that many college students are adults who can buy cigarettes, but it preserves the safety of dormitories where large numbers of students live, study and sleep. The signing of this measure shows New Jersey’s commitment to the safety and well being of its students.”

McKeon said, "Since students rank as the number one target for cigarette marketing, college campuses provide the perfect setting for tobacco companies to recruit customers. But with the dramatic increase in student smokers comes an increase in cigarette-related hazards like dormitory fires. Tragic fires at Seton Hall, Chapel Hill, Bloomsburg, and other universities

only underscore the need for stricter, precautionary measures."

Weinberg said, "This measure is as much about health risk as it is about fire safety. The dangers of secondhand smoke are well documented. While I respect an individual's right to smoke, I do not feel this right supercedes the rights of others who wish to remain healthy and smoke-free."

Commissioner Jacobs said, "This legislation will have a material effect on the health of college students by eliminating in their living facilities this known hazard, this proven carcinogen, this documented danger. The science is irrefutable. The danger is preventable and this legislation is an important first step in protecting the citizens of this state from the hazards of secondhand smoke."

On February 14, 2005, a cigarette ignited a dorm fire at Drew University, bringing attention to the dangers of smoking in college residential housing. Previously, state law allowed colleges and universities to designate smoking in specific dorm rooms and allowed students to choose whether they lived with a smoker or non-smoker.