

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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RWH/JA

P.L. 2019, CHAPTER 388, *approved January 21, 2020*
Senate, No. 834 (*First Reprint*)

1 AN ACT concerning non-prescription diabetes test devices and
2 supplementing Title 45 of the Revised Statutes.

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

6
7 1. As used in this act:

8 “Board” means the New Jersey State Board of Pharmacy
9 established pursuant to P.L.2003, c.280 (C.45:14-40 et seq.)

10 “Non-prescription diabetes test device” means a glucose meter or
11 test strip for use in the treatment of prediabetic or diabetic
12 individuals that may be sold without a prescription and that is
13 labeled for use by the consumer in accordance with applicable State
14 and federal law.

15
16 2. ¹a.¹ A manufacturer of a non-prescription diabetes test
17 device that is distributed within New Jersey shall make the names
18 of its authorized distributors available on its Internet Web site
19 ¹[and shall provide the board with the names of its authorized
20 distributors. Within 30 days of receiving that information from a
21 manufacturer of a non-prescription diabetes test device, the board
22 shall post the names of authorized distributors of non-prescription
23 diabetes test devices on the board’s Internet Web site]¹. A
24 manufacturer of a non-prescription diabetes test device shall, within
25 30 days of making a change to its authorized distributors, update its
26 Internet Web site ¹[and inform the board of] to reflect any¹
27 changes to its authorized distributors. ¹[Within 30 days of
28 receiving notice of any change from a manufacturer of a non-
29 prescription diabetes test device, the board shall post the updated
30 list of the manufacturer’s authorized distributors on its Internet Web
31 site]

32 b. It shall be an unlawful practice and a violation of P.L.1960,
33 c.39 (C.56:8-1 et seq.) for any retail mercantile establishment to sell
34 or offer to sell to a consumer in New Jersey a non-prescription
35 diabetes test device that was not acquired directly from the
36 manufacturer or from one of the manufacturer’s authorized

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 amendments adopted in accordance with Governor's
recommendations January 9, 2020.

1 distributors, unless the device is plainly marked by a stamp, tag,
 2 label or sign that is either affixed to the device or located at the
 3 point of sale disclosing that the device was not acquired directly
 4 from the manufacturer or from an authorized distributor of the
 5 manufacturer.

6 c. It shall be an unlawful practice and a violation of P.L.1960,
 7 c.39 (C.56:8-1 et seq.) for any retail mercantile establishment to sell
 8 or offer to sell to a consumer in New Jersey a non-prescription
 9 diabetes test device that was previously sold and repackaged, unless
 10 the device is plainly marked by a stamp, tag, label or sign that is
 11 either affixed to the device or located at the point of sale disclosing
 12 that the device was previously sold and re-packaged.

13 d. For the purposes of this section, a “retail mercantile
 14 establishment” means any place of business where merchandise is
 15 exposed or offered for sale at retail to members of the public. This
 16 term shall include entities that use the Internet or other electronic
 17 means to expose or offer merchandise for sale at retail to consumers
 18 in New Jersey¹ .

19

20 3. In addition to the responsibilities given to the board pursuant
 21 to the “New Jersey Pharmacy Practice Act,” P.L.2003, c.280
 22 (C.45:14-40 et seq.), the board shall require that a pharmacy that
 23 dispenses non-prescription diabetes test devices pursuant to
 24 prescriptions shall retain records of its acquisition, inventory, and sale
 25 of those non-prescription diabetes test devices. The records shall be
 26 maintained in a manner prescribed by the board by regulation, and
 27 shall be retained for a period of not less than three years. The board
 28 shall have authority to inspect records at all reasonable hours.

29

30 ¹[4. The board may embargo any non-prescription diabetes test
 31 device that a board inspector finds or has probable cause to believe
 32 was not purchased either directly from the manufacturer or from the
 33 non-prescription diabetes test device manufacturer’s authorized
 34 distributors as identified in section 2 of P.L. , c. (C.)
 35 (pending before the Legislature as this bill). Procedures for
 36 embargoing of such devices shall be established by the board by
 37 regulation pursuant to the “Administrative Procedure Act,”
 38 P.L.1968, c.410 (C.52:14B-1 et seq.), consistent with the
 39 requirements of subsection c. of section 9 of P.L.2003, c.280
 40 (C.45:14-48).]¹

41

42 ¹[5.] 4.¹ A pharmacist who ¹[submits a reimbursement claim
 43 for] sells, offers for sale, or otherwise dispenses to the public¹ a
 44 non-prescription diabetes test device ¹[to a health insurance carrier,
 45 pharmacy benefit manager, government agency, or other third-party
 46 payer when] that¹ the pharmacist ¹[knew] knows¹ or reasonably
 47 should have known ¹[that the pharmacy did not purchase the

1 diabetes test device] was not acquired by the pharmacy¹ either
2 directly from the manufacturer or from one of the manufacturer's
3 authorized distributors ¹[identified pursuant to section 2 of P.L. ,
4 c. (C.) (pending before the Legislature as this bill)]¹ shall be
5 subject to disciplinary action pursuant to section 8 of P.L.1978, c.73
6 (C.45:1-21).

7
8 ¹[6.] 5.¹ The New Jersey State Board of Pharmacy shall, in
9 accordance with the "Administrative Procedure Act," P.L.1968,
10 c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the
11 board deems necessary to carry out the provisions of this act.

12
13 ¹[7.] 6.¹ This act shall take effect on the first day of the
14 seventh month next following the date of enactment.

15
16
17 _____
18
19 Prohibits resale of non-prescription diabetes test devices by
20 pharmacists.

SENATE, No. 834

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Prohibits resale of non-prescription diabetes test devices by pharmacists.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 7/27/2018)

1 AN ACT concerning non-prescription diabetes test devices and
2 supplementing Title 45 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 “Board” means the New Jersey State Board of Pharmacy
9 established pursuant to P.L.2003, c.280 (C.45:14-40 et seq.)

10 “Non-prescription diabetes test device” means a glucose meter or
11 test strip for use in the treatment of prediabetic or diabetic
12 individuals that may be sold without a prescription and that is
13 labeled for use by the consumer in accordance with applicable State
14 and federal law.

15

16 2. A manufacturer of a non-prescription diabetes test device
17 that is distributed within New Jersey shall make the names of its
18 authorized distributors available on its Internet Web site and shall
19 provide the board with the names of its authorized distributors.
20 Within 30 days of receiving that information from a manufacturer
21 of a non-prescription diabetes test device, the board shall post the
22 names of authorized distributors of non-prescription diabetes test
23 devices on the board’s Internet Web site. A manufacturer of a non-
24 prescription diabetes test device shall, within 30 days of making a
25 change to its authorized distributors, update its Internet Web site
26 and inform the board of changes to its authorized distributors.
27 Within 30 days of receiving notice of any change from a
28 manufacturer of a non-prescription diabetes test device, the board
29 shall post the updated list of the manufacturer’s authorized
30 distributors on its Internet Web site.

31

32 3. In addition to the responsibilities given to the board pursuant
33 to the “New Jersey Pharmacy Practice Act,” P.L.2003, c.280
34 (C.45:14-40 et seq.), the board shall require that a pharmacy that
35 dispenses non-prescription diabetes test devices pursuant to
36 prescriptions shall retain records of its acquisition, inventory, and sale
37 of those non-prescription diabetes test devices. The records shall be
38 maintained in a manner prescribed by the board by regulation, and
39 shall be retained for a period of not less than three years. The board
40 shall have authority to inspect records at all reasonable hours.

41

42 4. The board may embargo any non-prescription diabetes test
43 device that a board inspector finds or has probable cause to believe
44 was not purchased either directly from the manufacturer or from the
45 non-prescription diabetes test device manufacturer’s authorized
46 distributors as identified in section 2 of P.L. , c. (C.)
47 (pending before the Legislature as this bill). Procedures for
48 embargoing of such devices shall be established by the board by

1 regulation pursuant to the “Administrative Procedure Act,”
2 P.L.1968, c.410 (C.52:14B-1 et seq.), consistent with the
3 requirements of subsection c. of section 9 of P.L.2003, c.280
4 (C.45:14-48).

5
6 5. A pharmacist who submits a reimbursement claim for a non-
7 prescription diabetes test device to a health insurance carrier,
8 pharmacy benefit manager, government agency, or other third-party
9 payer when the pharmacist knew or reasonably should have known
10 that the pharmacy did not purchase the diabetes test device either
11 directly from the manufacturer or from one of the manufacturer’s
12 authorized distributors identified pursuant to section 2 of P.L. ,
13 c. (C.) (pending before the Legislature as this bill) shall be
14 subject to disciplinary action pursuant to section 8 of P.L.1978, c.73
15 (C.45:1-21).

16
17 6. The New Jersey State Board of Pharmacy shall, in
18 accordance with the “Administrative Procedure Act,” P.L.1968,
19 c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the
20 board deems necessary to carry out the provisions of this act.

21
22 7. This act shall take effect on the first day of the seventh
23 month next following the date of enactment.

24

25

26

STATEMENT

27

28 This bill prohibits the resale of non-prescription diabetes test
29 devices by pharmacists.

30 The intent of the bill is to police the “grey market” for non-
31 prescription diabetes test devices that are acquired outside of the
32 authorized supply chain. Some unethical pharmacies and medical
33 equipment suppliers acquire devices illegally from foreign
34 countries, or acquire unused devices from patients at a price lower
35 than wholesale but higher than the patient’s out-of-pocket cost.
36 These pharmacies and medical equipment suppliers then repackage
37 and sell the products for a profit, billing insurers and government
38 programs for the full price of the product and collecting rebates
39 from manufacturers.

40 The bill requires that a manufacturer of a non-prescription
41 diabetes test device that is distributed within New Jersey must make
42 the names of its authorized distributors available on its Internet
43 Web site, and provide the Board of Pharmacy with the names of its
44 authorized distributors, and update that list within 30 days of
45 making any change in its authorized distributors. Within 30 days of
46 receiving that information, the board would post the names of
47 authorized distributors of non-prescription diabetes test devices on
48 the board’s Internet Web site.

1 The bill further provides that a pharmacy that dispenses non-
2 prescription diabetes test devices pursuant to prescriptions shall retain
3 records of its acquisition, inventory, and sale of those non-prescription
4 diabetes test devices. The records must be maintained in a manner
5 prescribed by the board by regulation, and must be retained for a
6 period of not less than three years. The board would have authority to
7 inspect records at all reasonable hours.

8 The bill grants the board authority to embargo any non-
9 prescription diabetes test device that a board inspector finds or has
10 probable cause to believe was not purchased either directly from the
11 manufacturer or from the non-prescription diabetes test device
12 manufacturer's authorized distributors. Procedures for embargoing
13 of such devices would be established by the board by regulation,
14 consistent with the requirements of current law for the embargo of
15 products held by a pharmacist whose license is suspended or
16 revoked.

17 A pharmacist who submits a reimbursement claim for a non-
18 prescription diabetes test device to a health insurance carrier,
19 pharmacy benefit manager, government agency, or other third-party
20 payer when the pharmacist knew or reasonably should have known
21 that the pharmacy did not purchase the diabetes test device either
22 directly from the manufacturer or from one of the manufacturer's
23 authorized distributors would be subject to disciplinary action by
24 the board.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 834

STATE OF NEW JERSEY

DATED: JUNE 18, 2019

The Assembly Appropriations Committee reports favorably Senate Bill No. 834.

This bill prohibits the resale of non-prescription diabetes test devices by pharmacists.

The bill requires that a manufacturer of a non-prescription diabetes test device that is distributed within New Jersey must make the names of its authorized distributors available on its Internet Web site, and provide the Board of Pharmacy with the names of its authorized distributors, and update that list within 30 days of making any change in its authorized distributors. Within 30 days of receiving that information, the board would post the names of authorized distributors of non-prescription diabetes test devices on the board's Internet Web site.

The bill further provides that a pharmacy that dispenses non-prescription diabetes test devices pursuant to prescriptions shall retain records of its acquisition, inventory, and sale of those non-prescription diabetes test devices. The records must be maintained in a manner prescribed by the board by regulation, and must be retained for a period of not less than three years. The board would have authority to inspect records at all reasonable hours.

The bill grants the board authority to embargo any non-prescription diabetes test device that a board inspector finds or has probable cause to believe was not purchased either directly from the manufacturer or from the non-prescription diabetes test device manufacturer's authorized distributors. Procedures for the embargo of such devices would be established by the board by regulation, consistent with the requirements of current law for the embargo of products held by a pharmacist whose license is suspended or revoked.

A pharmacist who submits a reimbursement claim for a non-prescription diabetes test device to a health insurance carrier, pharmacy benefit manager, government agency, or other third-party payer when the pharmacist knew or reasonably should have known that the pharmacy did not purchase the diabetes test device either directly from the manufacturer or from one of the manufacturer's authorized distributors would be subject to disciplinary action by the board.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 834

STATE OF NEW JERSEY

DATED: SEPTEMBER 24, 2018

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 834.

This bill prohibits the resale of non-prescription diabetes test devices by pharmacists.

The bill requires that a manufacturer of a non-prescription diabetes test device that is distributed within New Jersey must make the names of its authorized distributors available on its Internet Web site, and provide the Board of Pharmacy with the names of its authorized distributors, and update that list within 30 days of making any change in its authorized distributors. Within 30 days of receiving that information, the board would post the names of authorized distributors of non-prescription diabetes test devices on the board's Internet Web site.

The bill further provides that a pharmacy that dispenses non-prescription diabetes test devices pursuant to prescriptions shall retain records of its acquisition, inventory, and sale of those non-prescription diabetes test devices. The records must be maintained in a manner prescribed by the board by regulation, and must be retained for a period of not less than three years. The board would have authority to inspect records at all reasonable hours.

The bill grants the board authority to embargo any non-prescription diabetes test device that a board inspector finds or has probable cause to believe was not purchased either directly from the manufacturer or from the non-prescription diabetes test device manufacturer's authorized distributors. Procedures for the embargo of such devices would be established by the board by regulation, consistent with the requirements of current law for the embargo of products held by a pharmacist whose license is suspended or revoked.

A pharmacist who submits a reimbursement claim for a non-prescription diabetes test device to a health insurance carrier, pharmacy benefit manager, government agency, or other third-party payer when the pharmacist knew or reasonably should have known that the pharmacy did not purchase the diabetes test device either directly from the manufacturer or from one of the manufacturer's authorized distributors would be subject to disciplinary action by the board.

The intent of the bill is to police the “grey market” for non-prescription diabetes test devices that are acquired outside of the authorized supply chain. Some unethical pharmacies and medical equipment suppliers acquire devices illegally from foreign countries, or acquire unused devices from patients at a price lower than wholesale but higher than the patient’s out-of-pocket cost. These pharmacies and medical equipment suppliers then repackage and sell the products for a profit, billing insurers and government programs for the full price of the product and collecting rebates from manufacturers.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY, No. 4186

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 18, 2018

Sponsored by:

Assemblywoman PATRICIA EGAN JONES

District 5 (Camden and Gloucester)

Assemblywoman ELIANA PINTOR MARIN

District 29 (Essex)

SYNOPSIS

Prohibits resale of non-prescription diabetes test devices by pharmacists.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/14/2019)

1 AN ACT concerning non-prescription diabetes test devices and
2 supplementing Title 45 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 “Board” means the New Jersey State Board of Pharmacy
9 established pursuant to P.L.2003, c.280 (C.45:14-40 et seq.)

10 “Non-prescription diabetes test device” means a glucose meter or
11 test strip for use in the treatment of prediabetic or diabetic
12 individuals that may be sold without a prescription and that is
13 labeled for use by the consumer in accordance with applicable State
14 and federal law.

15

16 2. A manufacturer of a non-prescription diabetes test device
17 that is distributed within New Jersey shall make the names of its
18 authorized distributors available on its Internet Web site and shall
19 provide the board with the names of its authorized distributors.
20 Within 30 days of receiving that information from a manufacturer
21 of a non-prescription diabetes test device, the board shall post the
22 names of authorized distributors of non-prescription diabetes test
23 devices on the board’s Internet Web site. A manufacturer of a non-
24 prescription diabetes test device shall, within 30 days of making a
25 change to its authorized distributors, update its Internet Web site
26 and inform the board of changes to its authorized distributors.
27 Within 30 days of receiving notice of any change from a
28 manufacturer of a non-prescription diabetes test device, the board
29 shall post the updated list of the manufacturer’s authorized
30 distributors on its Internet Web site.

31

32 3. In addition to the responsibilities given to the board pursuant
33 to the “New Jersey Pharmacy Practice Act,” P.L.2003, c.280
34 (C.45:14-40 et seq.), the board shall require that a pharmacy that
35 dispenses non-prescription diabetes test devices pursuant to
36 prescriptions shall retain records of its acquisition, inventory, and sale
37 of those non-prescription diabetes test devices. The records shall be
38 maintained in a manner prescribed by the board by regulation, and
39 shall be retained for a period of not less than three years. The board
40 shall have authority to inspect records at all reasonable hours.

41

42 4. The board may embargo any non-prescription diabetes test
43 device that a board inspector finds or has probable cause to believe
44 was not purchased either directly from the manufacturer or from the
45 non-prescription diabetes test device manufacturer’s authorized
46 distributors as identified in section 2 of P.L. , c. (C.)
47 (pending before the Legislature as this bill). Procedures for
48 embargoing of such devices shall be established by the board by

1 regulation pursuant to the “Administrative Procedure Act,”
2 P.L.1968, c.410 (C.52:14B-1 et seq.), consistent with the
3 requirements of subsection c. of section 9 of P.L.2003, c.280
4 (C.45:14-48).

5
6 5. A pharmacist who submits a reimbursement claim for a non-
7 prescription diabetes test device to a health insurance carrier,
8 pharmacy benefit manager, government agency, or other third-party
9 payer when the pharmacist knew or reasonably should have known
10 that the pharmacy did not purchase the diabetes test device either
11 directly from the manufacturer or from one of the manufacturer’s
12 authorized distributors identified pursuant to section 2 of
13 P.L. , c. (C.) (pending before the Legislature as this bill)
14 shall be subject to disciplinary action pursuant to section 8 of
15 P.L.1978, c.73 (C.45:1-21).

16
17 6. The New Jersey State Board of Pharmacy shall, in
18 accordance with the “Administrative Procedure Act,” P.L.1968,
19 c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the
20 board deems necessary to carry out the provisions of this act.

21
22 7. This act shall take effect on the first day of the seventh
23 month next following the date of enactment.

24
25
26 STATEMENT

27
28 This bill prohibits the resale of non-prescription diabetes test
29 devices by pharmacists.

30 The intent of the bill is to police the “grey market” for non-
31 prescription diabetes test devices that are acquired outside of the
32 authorized supply chain. Some unethical pharmacies and medical
33 equipment suppliers acquire devices illegally from foreign
34 countries, or acquire unused devices from patients at a price lower
35 than wholesale but higher than the patient’s out-of-pocket cost.
36 These pharmacies and medical equipment suppliers then repackage
37 and sell the products for a profit, billing insurers and government
38 programs for the full price of the product and collecting rebates
39 from manufacturers.

40 The bill requires that a manufacturer of a non-prescription
41 diabetes test device that is distributed within New Jersey must make
42 the names of its authorized distributors available on its Internet
43 Web site, and provide the Board of Pharmacy with the names of its
44 authorized distributors, and update that list within 30 days of
45 making any change in its authorized distributors. Within 30 days of
46 receiving that information, the board would post the names of
47 authorized distributors of non-prescription diabetes test devices on
48 the board’s Internet Web site.

1 The bill further provides that a pharmacy that dispenses non-
2 prescription diabetes test devices pursuant to prescriptions shall retain
3 records of its acquisition, inventory, and sale of those non-prescription
4 diabetes test devices. The records must be maintained in a manner
5 prescribed by the board by regulation, and must be retained for a
6 period of not less than three years. The board would have authority to
7 inspect records at all reasonable hours.

8 The bill grants the board authority to embargo any non-
9 prescription diabetes test device that a board inspector finds or has
10 probable cause to believe was not purchased either directly from the
11 manufacturer or from the non-prescription diabetes test device
12 manufacturer's authorized distributors. Procedures for embargoing
13 of such devices would be established by the board by regulation,
14 consistent with the requirements of current law for the embargo of
15 products held by a pharmacist whose license is suspended or
16 revoked.

17 A pharmacist who submits a reimbursement claim for a non-
18 prescription diabetes test device to a health insurance carrier,
19 pharmacy benefit manager, government agency, or other third-party
20 payer when the pharmacist knew or reasonably should have known
21 that the pharmacy did not purchase the diabetes test device either
22 directly from the manufacturer or from one of the manufacturer's
23 authorized distributors would be subject to disciplinary action by
24 the board.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4186

STATE OF NEW JERSEY

DATED: JUNE 18, 2019

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4186.

This bill prohibits the resale of non-prescription diabetes test devices by pharmacists.

The intent of the bill is to police the “grey market” for non-prescription diabetes test devices that are acquired outside of the authorized supply chain. Some unethical pharmacies and medical equipment suppliers acquire devices illegally from foreign countries, or acquire unused devices from patients at a price lower than wholesale but higher than the patient’s out-of-pocket cost. These pharmacies and medical equipment suppliers then repackage and sell the products for a profit, billing insurers and government programs for the full price of the product and collecting rebates from manufacturers.

The bill requires that a manufacturer of a non-prescription diabetes test device that is distributed within New Jersey must make the names of its authorized distributors available on its Internet Web site, and provide the Board of Pharmacy with the names of its authorized distributors, and update that list within 30 days of making any change in its authorized distributors. Within 30 days of receiving that information, the board would post the names of authorized distributors of non-prescription diabetes test devices on the board’s Internet Web site.

The bill further provides that a pharmacy that dispenses non-prescription diabetes test devices pursuant to prescriptions shall retain records of its acquisition, inventory, and sale of those non-prescription diabetes test devices. The records must be maintained in a manner prescribed by the board by regulation, and must be retained for a period of not less than three years. The board would have authority to inspect records at all reasonable hours.

The bill grants the board authority to embargo any non-prescription diabetes test device that a board inspector finds or has probable cause to believe was not purchased either directly from the manufacturer or from the non-prescription diabetes test device manufacturer’s authorized distributors. Procedures for embargoing of such devices would be established by the board by regulation, consistent with the requirements of current law for the embargo of products held by a pharmacist whose license is suspended or revoked.

A pharmacist who submits a reimbursement claim for a non-prescription diabetes test device to a health insurance carrier, pharmacy benefit manager, government agency, or other third-party payer when the pharmacist knew or reasonably should have known that the pharmacy did not purchase the diabetes test device either directly from the manufacturer or from one of the manufacturer's authorized distributors would be subject to disciplinary action by the board.

As reported, this bill is identical to Senate Bill No. 834, as also reported from the committee on this date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

Governor Murphy Takes Action on Legislation

08/23/2019

Governor Murphy Takes Action on Legislation

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

A3118 (Burzichelli, Schepisi, Jasey/Bucco, Thompson) - Establishes licensure for master hearth specialists.

A4420 (Holley/Scutari) - Modifies certain fees charged by check casher licensees.

A4482 (Verrelli, Murphy, Downey/Greenstein) - Establishes "Task Force on the Prevention of Sexual Violence Against Persons with Developmental Disabilities" in DHS.

A5293 (Pinkin, Zwicker, Lopez, McKeon/Smith, Bateman, Greenstein) - Makes various changes to laws governing remediation of contaminated sites.

A5390 (Tucker, Mukherji, Timberlake/Gopal, Oroho) - Provides in-State tuition at public institutions of higher education to individuals living in NJ who are entitled to educational assistance under US Department of Veterans Affairs' Vocational Rehabilitations and Employment Program.

S499 (Vitale, Madden/Downey, Houghtaling, Zwicker) - Provides for improved system for eligibility determination for Medicaid and NJ FamilyCare.

[Copy of Statement on S499](#)

S785 (Sarlo, Lagana/Calabrese, Mukherji) - Requires Police Training Commission to develop supplemental training course for certain county corrections officers.

S1014 (Rice/Wimberly, Mukherji) - Changes composition of State Employment and Training Commission.

S1126 (Bucco, Doherty, Bucco/Coughlin, Webber) - Requires public school districts to provide instruction on "New Jersey Safe Haven Infant Protection Act" as part of New Jersey Student Learning Standards.

S1403 (Diegnan, Singleton/DeAngelo, Mazzeo, Sumter) - Permits service credit transferred from another State-administered retirement system to apply toward creditable service requirement for retirement in SPRS.

S1887 (Singleton, Greenstein/DeAngelo, Wirths, Space) - Directs Commissioner of Labor and Workforce Development to establish pilot program to assist certain unemployed and underemployed individuals to complete industry-valued Credentials in 12 months.

S1948 (Vitale/Quijano, Holley, Lopez) - Makes Supplemental Nutrition Assistance Program Employment and Training Provider Demonstration Project permanent and renames program.

S2507 (Singleton, Pou/Danielsen, DeCroce) - Prohibits sale or lease of access to certain dental provider network contracts.

S2538 (Singleton, Pennacchio/Kean, Murphy, DeCroce, Armato) - Makes New Jersey National Guard members with NGB-22 form eligible for certain veterans' benefits.

S2660 (Gopal, Sarlo/Downey, Houghtaling, Schaer) - Establishes grant program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics; appropriates \$5 million to DOE.

[Copy of Statement on S2660](#)

S2690 (Ruiz, Cryan, Beach, Turner, Andrzejczak/McKeon, Dancer, Land) - Prohibits pharmacy benefits managers and carriers from engaging in "clawback" and "gag clause" practices; requires certain disclosures by pharmacists; requires Director of Division of Consumer Affairs to conduct public information campaign.

S2691 (Kean, Cunningham/Quijano, Vainieri Huttle, Reynolds-Jackson) - Makes supplemental appropriation of \$100,000 to Commission on Human Trafficking.

[Copy of Statement on S2691](#)

S3100 (Weinberg, Addiego/Benson, Vainieri Huttle, Mukherji) - Revises definition of hemophilia and expands hemophilia treatment program.

SJR73 (Singleton/Murphy, Verrelli, Dancer) - Urges U.S. Congress to pass "Military Hunger Prevention Act."

Governor Murphy conditionally vetoed the following bills:

A3717 (Mukherji, Downey, Houghtaling/Greenstein, Gopal) - Prohibits pharmacy benefits managers from making certain retroactive reductions in claims payments to pharmacies; requires pharmacy benefits managers to disclose certain product information to pharmacies.

[Copy of Statement on A3717](#)

A5363 (Burzichelli, Benson, Murphy/Gopal) - Requires carriers that offer health benefits plans to provide new or existing subscribers with notification of certain hospital and health system contract expirations.

[Copy of Statement on A5363](#)

S834 (Scutari, Greenstein/Jones, Pintor Marin) - Prohibits resale of non-prescription diabetes test devices by pharmacists.

[Copy of Statement on S834](#)

S2804 (Ruiz, Turner/Lopez, McKnight, Verrelli) - Requires young children entering public schools or Head Start Programs for first time to have comprehensive eye examination completed.

[Copy of Statement on S2804](#)

S3075 (Weinberg, Ruiz/Lampitt, Mukherji, Vainieri Huttle) - Requires DOH to regulate and license embryo storage facilities.

[Copy of Statement on S3075](#)

S3309 (Vitale, Greenstein/Greenwald, Pintor Marin, Reynolds-Jackson) - Establishes New Jersey Violence Intervention Program to fund violence reduction initiatives.

[Copy of Statement on S3309](#)

S3330 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) - Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria.

[Copy of Statement on S3330](#)

S3661 (Singleton, Oroho/Jasey, Wirths, Webber) - Clarifies assessment payment and election participation requirements in planned real estate developments.

[Copy of Statement on S3661](#)

Governor Murphy absolute vetoed the following bills and resolutions:

A4135 (Land, Taliaferro/Sweeney, Andrzejczak) - Concerns use of digital parking meters to monitor parking compliance; establishes fund to encourage designated drivers.

[Copy of Statement on A4135](#)

AJR158 (Houghtaling, Downey, Mosquera/Gopal) - Establishes New Jersey Task Force on Medicaid Financial

Resource Limits.

[Copy of Statement on AJR158](#)

S1364 (Andrzejczak/Land, Milam) - Provides funding from the General Fund to the Greater Wildwoods Tourism Improvement and Development Authority; appropriates \$4 million.

[Copy of Statement on S1364](#)

August 23, 2019

SENATE BILL NO. 834

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 834 with my recommendations for reconsideration.

Senate Bill No. 834 purports to prohibit the resale of non-prescription diabetes test strips. Currently, pharmacies and similar retail establishments are legally permitted to resell blood glucose test strips without any obligation to inform the customer that the product was not obtained from an authorized manufacturer or had previously been sold and repackaged. These strips, essential for diabetics who need to exercise control over their disease through daily blood glucose level tests, are often untenably expensive and represent a disproportionate amount of the overall cost of care for uninsured and underinsured individuals.

This problem has been further exacerbated by a loophole in federal law that allows retailers and suppliers to bill patients for the resold goods at a profit. The Food and Drug Administration, while recognizing that resale is currently legal under federal law, has cautioned consumers against using pre-owned strips that may have expired or been improperly stored because of the potential for inaccurate test results. Precise results from self-administered glucose tests can mean the difference between life and death for those with diabetes.

While I support the goal of protecting New Jerseyans from a practice that puts profits over people's well-being, and applaud the bill's sponsors for highlighting this issue and seeking to curb retailers from billing insurers for these resold strips, I firmly believe that additional safeguards are necessary to achieve that worthy objective. Thus, I am recommending that the bill be amended to prohibit the sale of unauthorized or previously sold

goods without notice to the consumer regarding the origin and current condition of the strips. I am hopeful that by requiring greater transparency in sales transactions, we will enable New Jersey patients to be better-equipped to make informed decisions about their care.

Directly addressing this practice at the point of sale will better protect consumers who might otherwise overlook authorized manufacturer information posted on the Board of Pharmacy's (the "Board") website. The recommended amendments also reflect the reality that the Board does not have the appropriate resources to embargo devices that are improperly sold at these establishments, and therefore would be unable to effectively carry out that function as described in the bill.

Therefore, I herewith return Senate Bill No. 834 and recommend that it be amended as follows:

<u>Page 2, Section 2, Line 16:</u>	After "2." insert "a."
<u>Page 2, Section 2, Line 18:</u>	Delete "and shall" and insert "."
<u>Page 2, Section 2, Lines 19-22:</u>	Delete in their entirety
<u>Page 2, Section 2, Line 23:</u>	Delete "devices on the board's Internet Web site."
<u>Page 2, Section 2, Line 26:</u>	Delete "and inform the board of" and insert "to reflect any"
<u>Page 2, Section 2, Lines 27-30:</u>	Delete in their entirety
<u>Page 2, Section 2, Line 31:</u>	Insert "b. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) for any retail mercantile establishment to sell or offer to sell to a consumer in New Jersey a non-prescription diabetes test device that was not acquired directly from the manufacturer or from one of the manufacturer's authorized distributors, unless the device is plainly marked by a stamp, tag, label or sign that is either affixed to the device or located at the point of sale disclosing that the device was not acquired directly from the

manufacturer or from an authorized distributor of the manufacturer.

c. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) for any retail mercantile establishment to sell or offer to sell to a consumer in New Jersey a non-prescription diabetes test device that was previously sold and repackaged, unless the device is plainly marked by a stamp, tag, label or sign that is either affixed to the device or located at the point of sale disclosing that the device was previously sold and re-packaged.

d. For purposes of this section, a "retail mercantile establishment" means any place of business where merchandise is exposed or offered for sale at retail to members of the public. This term shall include entities that use the Internet or other electronic means to expose or offer merchandise for sale at retail to consumers in New Jersey."

<u>Page 2, Section 4, Lines 42-48:</u>	Delete in their entirety
<u>Page 3, Section 4, Lines 1-4:</u>	Delete in their entirety
<u>Page 3, Section 5, Line 6:</u>	Delete "5." and insert "4."
<u>Page 3, Section 5, Line 6:</u>	Delete "who submits a reimbursement claim for" and insert "sells, offers for sale, or otherwise dispenses to the public"
<u>Page 3, Section 5, Line 7:</u>	Delete "to a health insurance carrier,"
<u>Page 3, Section 5, Line 8:</u>	Delete in its entirety
<u>Page 3, Section 5, Line 9:</u>	Delete "payer when" and insert "that"
<u>Page 3, Section 5, Line 9:</u>	Delete "knew" and insert "knows"
<u>Page 3, Section 5, Line 10:</u>	Delete "that the pharmacy did not purchase the diabetes test device" and insert "was not acquired by the pharmacy"
<u>Page 3, Section 5, Lines 12-13:</u>	Delete "identified pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature as this bill)"

Page 3, Section 6, Line 17:

Delete "6." and insert "5."

Page 3, Section 7, Line 22:

Delete "7." and insert "6."

Respectfully,

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor

Governor Murphy Takes Action on Legislation

01/21/2020

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

S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space) – Requires certain contractors to register under "The Public Works Contractor Registration Act"

S-358/A-4587 (Rice/Sumter, Reynolds-Jackson) – Establishes database with certain information about individuals elected to public office in this State

S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy) – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle) – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso) – Makes various changes to "Criminal Injuries Compensation Act of 1971"

S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle) – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty) – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey) – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson) – Authorizes use of certain electric school buses

S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano) – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson) – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer) – Increases workers' compensation for loss of hand or foot

S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin) – Prohibits resale of non-prescription diabetes test devices by pharmacists

S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight) – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera) – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

State correctional facilities

S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake) – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak) – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey) – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano) – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson) – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn) – Designates Seeing Eye® dog as State Dog

S-3036/A-1697 (Lagana, Scutari/Dancer, Downey) – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson) – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake) – Establishes youth apprenticeship pilot program in Department of Education

S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter) – Establishes five year Apprentice Assistance and Support Services Pilot Program

S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker) – Requires certain medical facilities to undertake end-of-life planning and training

S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz) – Requires emergency departments to take certain measures concerning palliative care for patients

S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti) – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land) – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

S-3227/A-5261 (Gopal/Tully, Pinkin, Swain) – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle) – Prohibits sale or distribution of flavored vapor products

[Copy of Statement](#)

S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle) – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttle) – Establishes Task Force on Maximizing Employment for People with Disabilities

S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttle, Downey) – Authorizes certain health care and social service resources to be made available during Code Blue alert

S-3581/A-5963 (Singleton/Lopez, Quijano) – Prohibits certain business financing contracts that contain judgment by confession provisions

S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight) – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths) – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space) – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling) – Prohibits local governments from imposing fines on alarm companies in certain circumstances

S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon) – Adds member from Retired Judges Association of New Jersey to State Investment Council

SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin) – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

S-3920 wGR/A-5552 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy) – Concerns labor harmony agreements for hospitality projects

SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon) – Establishes Recycling Market Development Council

S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttle) – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

S-4025/A-5695 (Pou/Wimberly, Sumter) – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

S-4162/A-6014 (Smith, Greenstein/Vainieri Huttle, Pinkin, Houghtaling) – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

S-4165/A-4364 (Rice/Giblin, Caputo, Tucker) – Expands University Hospital board of directors membership from 11 to 13 members

S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt) – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley) – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey) – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese) – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

S-4275/A-6088 (Smith, Greenstein/Burzichelli) – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land) – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey) – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy) – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin) – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

S-4286/A-5890 (Vitale/Swain, Jones) – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttle, Zwicker) – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez) – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli) – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land) – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain) – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker) – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter) – Establishes the "New Jersey State Commission on Urban Violence"

SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttle, Schepisi) – Designates March 19th "Women in Public Office Day" in New Jersey

SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce) – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin) – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz) – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz) – Requires DHS to study social isolation occurring in certain population groups

A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado) – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

A-5432/S-3796 (Milam, Land/Andrzejczak) – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado) – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez) – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo) – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman) – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado) – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari) – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney) – Concerns responsibility of contractors for wage claims against subcontractors

A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown) – Allows certain persons to qualify for casino key employee license and casino employee registration

A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg) – Authorizes DOH to notify elected officials of financial distress of certain hospitals

A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale) – Expands hospital reporting requirements

A-5970/S-4201 (Lopez, Speight, Chaparro/Codey) – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado) – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton) – Makes changes to New Jersey Infrastructure Bank's enabling act

A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton) – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

A-6119/S-4336 (Egan, Houghtaling/Madden) – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein) – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado) – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden) – Designates April of each year as "Financial Literacy Month" in New Jersey

AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado) – Designates February in each year as "Career and Technical Education Month" in New Jersey

Governor Murphy declined to sign the following bills, meaning they expire without becoming law:

S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly) – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer) – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo) – Concerns installation of electric vehicle charging stations in common interest communities

S-2425/A-3851 (Singleton, Andrzejczak/Conaway) – Revises law relating to common interest communities

S-2429/A-4028 (Scutari, Pou/Bramnick, Downey) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy) – Requires public schools to administer written screenings for depression for students in certain grades

S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter) – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

S-2957/A-4712 (Stack/Mukherji, Chaparro) – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce) – Establishes the "Energy Infrastructure Public-Private Partnership Act"

S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy) – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo) – Provides tuition fee waiver apprenticeship courses

S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land) – The "Electronic Construction Procurement Act"

S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano) – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttie, Chiaravalloti, McKnight) – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce) – Establishes certain requirements for stop loss insurance offered to small employers

S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer) – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones) – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

S-3888/A-5585 (Ruiz/Dancer, Pintor Marin) – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter) – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin) – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones) – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

A-491/S-4340 (Jimenez/Sacco, Stack) – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden) – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho) – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

A-1526/S-1048 (Zwicker, Johnson/Vitale) – Concerns payment of independent contractors

A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho) – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith) – Requires paint producers to implement or participate in paint stewardship program

A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak) – Establishes "Electronic Permit Processing Review System"

A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan) – Establishes expedited construction inspection program

A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan) – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana) – Requires reporting of opioid deaths

A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado) – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney) – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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