ASSEMBLY, No. 3121

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED MAY 18, 2006

Sponsored by:
Assemblyman JOSEPH CRYAN
District 20 (Union)

SYNOPSIS

Precludes DHSS from restricting smoking in areas of indoor public places and workplaces that are not structurally enclosed.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning smoking on the premises of indoor public places and workplaces and amending P.L.2005, c.383.

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

1. Section 10 of P.L.2005, c.383 (C.26:3D-64) is amended to read as follows:

10. The Commissioner of Health and Senior Services, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of this act.

The rules and regulations shall:

a. be limited in their application to enclosed indoor areas of public access and workplaces and shall not apply to any exterior area that is adjacent to an indoor public place or workplace, except for the grounds of a public or nonpublic elementary or secondary school as provided in section 4 of P.L.2005, c.383 (C.26:3D-58); and

b. permit smoking in an indoor area of public access or workplace during any seasonal or other period when it is not structurally enclosed.

(cf: P.L.2005, c.383, s.10)

2. This act shall take effect immediately.

STATEMENT

This bill amends the “New Jersey Smoke-Free Air Act,” N.J.S.A.26:3D-55 et seq., to clarify the rules and regulations to be adopted by the Commissioner of Health and Senior Services for the purpose of implementing that law.

The bill stipulates that these rules and regulations are to:

- be limited in their application to enclosed indoor areas of public access and workplaces and will not apply to any exterior area that is adjacent to an indoor public place or workplace, except for the grounds of a public or nonpublic elementary or secondary school as provided in N.J.S.A.26:3D-58; and
- permit smoking in an indoor area of public access or workplace during any seasonal or other period when it is not structurally enclosed.

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.