

ASSEMBLY, No. 1448

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

**Assemblymen DePhillips, Clifton, DiMaio, Assemblywomen Vainieri
Huttle, Chaparro, Tucker, Assemblymen Bramnick, Peters, Caputo,
Giblin and Assemblywoman Dunn**

SYNOPSIS

Prohibits persons under 21 years of age from possessing electronic smoking devices.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 7/9/2020)

1 **AN ACT** concerning the possession of electronic smoking devices
2 by persons under 21 years of age and supplementing Title 2A of
3 the New Jersey Statutes.

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

7
8 1. a. No person under 21 years of age shall knowingly possess
9 an electronic smoking device that can be used to deliver nicotine or
10 other substances to the person inhaling from the device, including,
11 but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or
12 any cartridge or other component of the device or related product.

13 b. A person who violates the provisions of subsection a. of this
14 section shall be subject to a civil penalty of \$25. The civil penalty
15 shall be collected pursuant to the “Penalty Enforcement Law of
16 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary
17 proceeding before the municipal court having jurisdiction. An
18 official authorized by statute or ordinance to enforce the State or
19 local health codes, or a law enforcement officer having enforcement
20 authority in that municipality, may issue a summons for a violation
21 of the provisions of subsection a. of this section, and may serve and
22 execute all process with respect to the enforcement of this section
23 consistent with the Rules of Court. A penalty recovered under the
24 provisions of this subsection shall be recovered by and in the name
25 of the State by the local health agency. The penalty shall be paid
26 into the treasury of the municipality in which the violation occurred
27 for the general uses of the municipality.

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29 2. This act shall take effect immediately.

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STATEMENT

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34 This bill prohibits persons under 21 years of age from possessing
35 an electronic smoking device, which is defined as a device that can
36 be used to deliver nicotine or other substances to the person
37 inhaling from the device, including, but not limited to, an electronic
38 cigarette, cigar, cigarillo, or pipe, or any cartridge or other
39 component of the device or related product. A person who violates
40 the provisions of this bill shall be subject to a civil penalty of \$25.