

ASSEMBLY, No. 1726

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires presence of basic life support ambulance during all competitive eating events.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning competitive eating and supplementing Title 26
2 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. a. Any entity that organizes a competitive eating
8 competition that is held in New Jersey shall ensure that a basic life
9 support ambulance, which shall be staffed by at least one
10 emergency medical technician, is present and readily accessible
11 during any period of active competition, and for a period of no less
12 than one hour following the conclusion of all active competition, in
13 order to render prompt assistance to any contestant who experiences
14 a life-threatening emergency. The entity organizing or
15 administering the competitive eating competition shall immediately
16 suspend the active competition in the event that it reasonably
17 appears that a contestant is experiencing a life-threatening
18 emergency.

19 b. An entity that violates the requirements of subsection a. of
20 this section shall be liable to a civil penalty of not less than \$5,000
21 for a first violation, not less than \$10,000 for a second violation,
22 and not less than \$20,000 for a third or subsequent violation. The
23 penalty shall be collected in the name of the State in a court of
24 competent jurisdiction in a summary proceeding pursuant to the
25 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10
26 et seq.).

27 c. As used in this section:

28 "Active competition" means any period of a competitive eating
29 competition during which contestants are actively consuming food
30 for the purpose of determining which contestant is able to consume
31 the largest quantity of food within a set period of time. A
32 competitive eating competition may be determined to have more
33 than one period of active competition.

34 "Basic life support ambulance" means an emergency medical
35 services vehicle licensed by the Department of Health pursuant to
36 N.J.A.C.8:40-1.1 et seq. or an emergency medical services vehicle
37 staffed by a volunteer or non-volunteer first aid, rescue, and
38 ambulance squad. At a minimum, the vehicle shall be capable of
39 providing emergency and non-emergency transportation services.

40 "Competitive eating competition" means an organized
41 competition in which contestants consume food for the purpose of
42 determining which contestant is able to consume the largest
43 quantity of food within a set period of time. The term shall only
44 apply to competitions for which an event permit is required.

45 "Emergency medical technician" means a person trained in basic
46 life support services as defined in section 1 of P.L.1985, c.351
47 (C.26:2K-21) and who is certified by the Department of Health to
48 perform these services.

2. The Commissioner of Health shall, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations as may be necessary to implement the provisions of this act.

STATEMENT

An entity that violates the requirements of the bill will be subject to a civil penalty of no less than \$5,000 for a first violation, no less than \$10,000 for a second violation, and no less than \$20,000 for a third or subsequent violation.

Competitive eating can result in serious or fatal injuries, including choking, asphyxiation, stomach perforations, ulcers, and long-term damage to the digestive system, and on April 2, 2017, a 20-year old New Jersey resident attending Sacred Heart University died while taking part in a school-sanctioned pancake eating contest. It is the sponsor's belief that requiring trained emergency medical services providers to be on hand during competitive eating events will help prevent adverse and fatal events by allowing the prompt administration of emergency assistance and by ensuring that contestants experiencing a life-threatening emergency can be quickly transported to a licensed facility for appropriate treatment.