

ASSEMBLY, No. 5734

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 17, 2021

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Co-Sponsored by:

Assemblywoman Vainieri Huttie and Assemblyman Verrelli

SYNOPSIS

Establishes criminal penalties for production, sale, and use of false COVID-19 vaccination verification card; requires AG to establish COVID-19 vaccination fraud prevention program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/9/2021)

1 AN ACT concerning COVID-19 vaccination fraud and
2 supplementing Title 2C of the New Jersey Statutes and Title 52
3 of the Revised Statutes.

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

7
8 1. a. A person who knowingly sells, offers or exposes for sale,
9 or otherwise transfers, or possesses with the intent to sell, offer, or
10 expose for sale, or otherwise transfer, a document, printed form, or
11 other writing which falsely purports to be a verification issued by a
12 governmental agency of a person having received one or more
13 doses of a vaccination against SARS-CoV-2 is guilty of a crime of
14 the second degree.

15 b. A person who knowingly makes, or possesses devices or
16 materials to make, a document or other writing which falsely
17 purports to be a verification issued by a governmental agency of a
18 person having received one or more doses of a vaccination against
19 SARS-CoV-2 is guilty of a crime of the second degree.

20 c. A person who knowingly exhibits, displays, or utters a
21 document or other writing which falsely purports to be a
22 verification issued by a governmental agency of a person having
23 received one or more doses of a vaccination against SARS-CoV-2 is
24 guilty of a crime of the third degree.

25 d. A person who knowingly possesses a document or other
26 writing which falsely purports to be a verification issued by a
27 governmental agency of a person having received one or more
28 doses of a vaccination against SARS-CoV-2 is guilty of a crime of
29 the fourth degree.

30
31 2. No later than 30 days after the effective date of this act, the
32 Attorney General shall develop a coronavirus disease 2019
33 (COVID-19) vaccination fraud prevention program, which shall
34 focus on preventing and prosecuting the production, sale,
35 distribution, and use of counterfeit SARS-CoV-2 vaccination
36 verification cards and other materials that enable a person who has
37 not received the SARS-CoV-2 vaccine to falsely indicate that the
38 person has received the SARS-CoV-2 vaccine. For this purpose,
39 the Office of the Attorney General shall have access to information
40 contained in the New Jersey Immunization Information System
41 established pursuant to P.L.2004, c.138 (C.26:4-131 et seq.)
42 concerning SARS-CoV-2 vaccinations, for the sole purpose of
43 verifying the SARS-CoV-2 vaccination status of an individual
44 suspected of falsely purporting to have received the SARS-CoV-2
45 vaccine. Any information concerning an individual obtained by the
46 program from the New Jersey Immunization Information System
47 shall be held confidential, and shall not be shared or released by the

1 program for any purpose, other than to directly aid in the
2 investigation and prosecution of COVID-19 vaccination fraud.

3
4 3. This act shall take effect immediately.

5
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7 STATEMENT

8
9 This bill establishes certain criminal penalties in connection with
10 documents that falsely purport to be a verification issued by a
11 governmental agency of a person having received one or more
12 doses of a vaccination against SARS-CoV-2, which is the virus that
13 causes coronavirus disease 2019 (COVID-19), and requires the
14 Attorney General to establish a COVID-19 vaccination fraud
15 prevention program.

16 Under the bill, a person who knowingly sells, offers or exposes
17 for sale, or otherwise transfers, or possesses with the intent to sell,
18 offer or expose for sale, or otherwise transfer a false SARS-CoV-2
19 vaccination verification card, or who makes or possesses the
20 devices or materials to make false SARS-CoV-2 vaccination
21 verification cards, will be guilty of a crime of the second degree,
22 which is punishable by imprisonment for five to 10 years, up to a
23 \$150,000 fine, or both.

24 A person who knowingly exhibits, displays or utters a false
25 COVID-18 vaccination verification card will be guilty of a crime of
26 the third degree, which is punishable by imprisonment for three to
27 five years, up to a \$15,000 fine, or both.

28 A person who knowingly possesses a false COVID-19
29 vaccination verification card will be guilty of a crime of the fourth
30 degree, which is punishable by imprisonment for up to 18 months,
31 up to a \$10,000 fine, or both.

32 The Attorney General will be required to develop a COVID-19
33 vaccination fraud prevention program, which will focus on
34 preventing and prosecuting the production, sale, distribution, and
35 use of counterfeit SARS-CoV-2 vaccination cards and other
36 materials that enable a person who has not received the SARS-CoV-
37 2 vaccine to falsely indicate that the person has received the SARS-
38 CoV-2 vaccine.

39 For this purpose, the Office of the Attorney General will be
40 provided access to information contained in the New Jersey
41 Immunization Information System established pursuant to P.L.2004,
42 c.138 (C.26:4-131 et seq.) concerning SARS-CoV-2 vaccinations,
43 for the sole purpose of verifying the SARS-CoV-2 vaccination
44 status of an individual suspected of falsely purporting to have
45 received the SARS-CoV-2 vaccine. Any information concerning an
46 individual obtained by the program from the New Jersey
47 Immunization Information System will be held confidential, and
48 may not be shared or released by the program for any purpose, other

1 than to directly aid in the investigation and prosecution of COVID-
2 19 vaccination fraud.

3 The Attorney General will be required to develop the COVID-19
4 vaccination fraud program no later than 30 days after the effective
5 date of the bill.