

SENATE, No. 2063

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

Makes six-month driver license suspension optional penalty for casino gambling by person under legal age of 21.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the penalty for casino gambling by certain
2 persons and amending P.L.1977, c.110.

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

6
7 1. Section 119 of P.L.1977, c.110 (C.5:12-119) is amended to
8 read as follows:

9 119. a. A person under the age at which a person is
10 authorized to purchase and consume alcoholic beverages shall not
11 enter, or wager in, a licensed casino or simulcasting facility;
12 provided, however, that the person may enter a casino or
13 simulcasting facility by way of passage to another room, and
14 provided further, however, that any person licensed or registered
15 under the provisions of the "Casino Control Act," P.L.1977, c.110
16 (C.5:12-1 et seq.), may enter a casino or simulcasting facility in the
17 regular course of the person's permitted activities.

18 Any person who violates this subsection shall be guilty of a
19 disorderly persons offense and shall be fined not less than \$500 and
20 not more than \$1,000. The court may also require any person who
21 violates this subsection to participate in a compulsive gambling
22 prevention, education, and treatment program that shall meet the
23 criteria developed pursuant to section 2 of P.L.1993, c.229 (C.26:2-
24 169), such as those provided by the Council on Compulsive
25 Gambling of New Jersey.

26 b. Any licensee or employee of a casino who allows a person
27 under the age at which a person is authorized to purchase and
28 consume alcoholic beverages to remain in or wager in a casino or
29 simulcasting facility is guilty of a disorderly persons offense;
30 except that the establishment of all of the following facts by a
31 licensee or employee allowing any underage person to remain shall
32 constitute a defense to any prosecution therefor:

33 (1) That the underage person falsely represented in writing that
34 he or she was at or over the age at which a person is authorized to
35 purchase and consume alcoholic beverages;

36 (2) That the appearance of the underage person was such that an
37 ordinary prudent person would believe him or her to be at or over
38 the age at which a person is authorized to purchase and consume
39 alcoholic beverages; and

40 (3) That the admission was made in good faith, relying upon
41 such written representation and appearance, and in the reasonable
42 belief that the underage person was actually at or over the age at
43 which a person is authorized to purchase and consume alcoholic
44 beverages.

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.

S2063 BEACH

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1 c. A person who knowingly allows or permits another person
2 who is under his or her lawful care, custody, or control and who is
3 under the age at which a person is authorized to purchase and
4 consume alcoholic beverages to wager or attempt to wager in a
5 licensed casino or simulcasting facility in violation of subsection a.
6 of this section is guilty of a disorderly persons offense.
7 (cf: P.L.2019, c.276, s.8)

8

9 2. This act shall take effect immediately.

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STATEMENT

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14 Under current law, the penalty for a person who enters or gambles
15 at a casino when the person is under 21 years of age includes a
16 mandatory six-month driver license suspension or postponement. This
17 bill would make the suspension or postponement an option that the
18 court could impose, based on the facts and circumstances of the
19 violation from which the court may conclude that such a penalty is
20 warranted, and the court will be required to consider the potential
21 effect of the loss of driving privileges on the person's ability to be
22 pursue education or employment.