

**SENATE, No. 3454**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED FEBRUARY 11, 2021

**Sponsored by:**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Senator NILSA I. CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Addresses underage possession or consumption of various forms of cannabis, including legal consequences for such activities set forth in legislation passed by both Houses of Legislature.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT addressing possession or consumption of various forms of  
2 cannabis by certain persons, and amending and supplementing  
3 various parts of the statutory law.

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

7  
8 1. The title of P.L.1979, c.264 is amended to read as follows:

9 AN ACT concerning certain **[alcoholic beverage and cannabis item]**  
10 offenses by persons under the legal age to purchase **[alcoholic**  
11 **beverages and cannabis]** various regulated items, and  
12 supplementing chapter 33 of Title 2C of the New Jersey Statutes.  
13 (cf: P.L.2021, c. , s.72)

14  
15 2. Section 1 of P.L.1979, c.264 (C.2C:33-15) is amended to  
16 read as follows:

17 1. a. (1) Any person under the legal age to purchase alcoholic  
18 beverages who knowingly possesses without legal authority or who  
19 knowingly consumes any alcoholic beverage in any school, public  
20 conveyance, public place, or place of public assembly, or motor  
21 vehicle, is guilty of a petty disorderly persons offense, and shall, in  
22 the case of an adult under the legal age to purchase alcoholic  
23 beverages, be fined not less than \$250.

24 (2) (a) Any person under the legal age to purchase cannabis  
25 items who is between 18 years of age and under 21 years of age,  
26 and who knowingly possesses without legal authority or who  
27 knowingly consumes marijuana, hashish, or any cannabis item [,  
28 the amount of which may be lawfully possessed by a person of the  
29 legal age to purchase cannabis items pursuant to section 46. of  
30 P.L. , c. (C. ) (passed both Houses on December 17, 2020 as  
31 Second Reprint of Assembly Bill No. 21),] in any school, public  
32 conveyance, public place, or place of public assembly, or motor  
33 vehicle **[, is guilty of a petty disorderly persons offense, and]** shall  
34 **[, in the case of an adult under the legal age to purchase cannabis**  
35 **items,]** be **[fined not less than \$250]** subject to a civil penalty of up  
36 to \$50 based upon a probable cause finding of a violation by a law  
37 enforcement officer, which shall be recovered in a summary  
38 proceeding before either the municipal court having jurisdiction or  
39 the Superior Court in the name of the State pursuant to the “Penalty  
40 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).  
41 The penalty shall be remitted to the State Treasurer for deposit in  
42 the Alcohol Education, Rehabilitation and Enforcement Fund  
43 established pursuant to section 3 of P.L.1983, c.531 (C.26:2B-32),  
44 and used to fund community services, including resources that serve  
45 persons with alcohol use disorder and persons with a substance use

**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.

1 disorder as well as educational programs, through annual county-  
2 level comprehensive plans that may incorporate government  
3 programs and services, and private organizations, including  
4 volunteer groups, prepared in accordance with section 4 of  
5 P.L.1983, c.531 (C.26:2B-33).

6 (b) Any person under the legal age to purchase cannabis items  
7 who is under 18 years of age, and who knowingly possesses without  
8 legal authority or who knowingly consumes marijuana, hashish, or  
9 any cannabis item **】, the amount of which exceeds what may be**  
10 lawfully possessed by a person of the legal age to purchase cannabis  
11 items pursuant to section 46 of P.L. , c. (C. ) (passed both  
12 Houses on December 17, 2020 as Second Reprint of Assembly Bill  
13 No. 21), or who knowingly consumes any cannabis item **】 in any**  
14 school, public conveyance, public place, or place of public  
15 assembly, or motor vehicle **】, is guilty of a disorderly persons**  
16 offense, and **】 shall** **】, in the case of an adult under the legal age to**  
17 purchase cannabis items, **】 be** **【fined not less than \$500】** subject to  
18 the following consequences:

19 (i) for a first violation, a written warning issued by a law  
20 enforcement officer to the underage person. The written warning  
21 shall include the person's name, address, and date of birth, and a  
22 copy of the warning containing this information, plus a description  
23 of the relevant facts and circumstances that support the officer's  
24 determination of probable cause that the person committed the  
25 violation, shall be temporarily maintained in accordance with this  
26 section only for the purposes of determining a second or subsequent  
27 violation subject to the consequences set forth in subparagraph  
28 (ii) or (iii) of this subparagraph. Notwithstanding the provisions of  
29 section 3 of P.L.1991, c.169 (C.33:1-81.1a) concerning written  
30 notification of a violation of this section to the parent, guardian or  
31 other person having legal custody of the underage person, a written  
32 notification shall not be provided pursuant to that section for a first  
33 violation of this subparagraph.

34 (ii) for a second violation, a written warning issued by a law  
35 enforcement officer to the underage person indicating that a second  
36 violation has occurred, which includes the person's name, address,  
37 and date of birth, and a written notification concerning the second  
38 violation, along with a copy of the written warning for the person's  
39 first violation, shall be provided to the parent, guardian or other  
40 person having legal custody of the underage person in accordance  
41 with section 3 of P.L.1991, c.169 (C.33:1-81.1a). The written  
42 notification shall include a referral to a public or private agency or  
43 organization included in a county-level comprehensive plan used to  
44 fund community services prepared in accordance with section 4 of  
45 P.L.1983, c.531 (C.26:2B-33) that can assist with opportunities to  
46 access further social services, including counseling, tutoring  
47 programs, mentoring services, and faith-based or other community

1 initiatives. A copy of the second written warning to the underage  
2 person, and the written notification to the parent, guardian or other  
3 person having legal custody of the underage person concerning the  
4 second warning, plus a description of the relevant facts and  
5 circumstances that support the officer's determination of probable  
6 cause that the person committed the second violation, shall be  
7 temporarily maintained in accordance with this section only for the  
8 purposes of determining a subsequent violation subject to the  
9 consequences set forth in subparagraph (iii) of this  
10 subparagraph.

11 (iii) for a third or subsequent violation based upon a probable  
12 cause finding by a law enforcement officer, a civil penalty of up to  
13 \$50 or the performance of community service in lieu of payment of  
14 the penalty, which may be imposed without requiring a finding that  
15 a person does not have the ability to pay the penalty in full,  
16 notwithstanding the provisions of section 1 of P.L.2009, c.317  
17 (C.2B:12-23.1), and a written notification concerning the third or  
18 subsequent violation shall be provided to the parent, guardian or  
19 other person having legal custody of the underage person in  
20 accordance with section 3 of P.L.1991, c.169 (C.33:1-81.1a).  
21 Whenever the civil penalty is imposed, it shall be recovered in a  
22 summary proceeding before either the municipal court having  
23 jurisdiction or the Superior Court in the name of the State pursuant  
24 to the "Penalty Enforcement Law of 1999," P.L.1999, c.274  
25 (C.2A:58-10 et seq.). The penalty shall be remitted to the State  
26 Treasurer for deposit in the Alcohol Education, Rehabilitation and  
27 Enforcement Fund established pursuant to section 3 of P.L.1983,  
28 c.531 (C.26:2B-32), and used to fund community services,  
29 including resources that serve persons with alcohol use disorder and  
30 persons with a substance use disorder as well as educational  
31 programs, through annual county-level comprehensive plans that  
32 may incorporate government programs and services, and private  
33 organizations, including volunteer groups, prepared in accordance  
34 with section 4 of P.L.1983, c.531 (C.26:2B-33). Whenever  
35 community service is imposed by the court in lieu of payment of the  
36 civil penalty, the value of each hour of service shall be considered  
37 to be not less than the State minimum wage established by the  
38 "New Jersey State Wage and Hour Law," P.L.1966, c.113 (C.34:11-  
39 56a et seq.), or federal minimum wage established by 29 U.S.C.  
40 s.206, or any successor State or federal law, whichever wage is  
41 higher, and the community service imposed shall not exceed \$50 in  
42 value. In addition to the imposition of a civil penalty or community  
43 service, the court shall include a referral to a public or private  
44 agency or organization included in a county-level comprehensive  
45 plan used to fund community services prepared in accordance with  
46 section 4 of P.L.1983, c.531 (C.26:2B-33) that can assist with  
47 opportunities to access further social services, including counseling,  
48 tutoring programs, mentoring services, and faith-based or other

1 community initiatives. All law enforcement and court records  
2 concerning the disposition of a third or subsequent violation shall  
3 be temporarily maintained in accordance with this section only to  
4 the extent necessary to enforce a civil penalty or community service  
5 imposed by the court, and the court's referral for treatment and  
6 other assistance, as well as for the purposes of determining a  
7 subsequent violation subject to the consequences set forth in this  
8 subsubparagraph.

9 (c) (i) A person under the legal age to purchase cannabis items  
10 is not capable of giving lawful consent to a search to determine a  
11 violation of this section, and a law enforcement officer shall not  
12 request that a person consent to a search for that purpose.

13 (ii) The odor of marijuana, hashish, cannabis, or cannabis item,  
14 or burnt marijuana, hashish, cannabis, or cannabis item, shall not  
15 constitute reasonable articulable suspicion to initiate an  
16 investigatory stop of a person, nor shall it constitute probable cause  
17 to initiate a search of a person or that person's personal property to  
18 determine a violation of paragraph (2) of this subsection.  
19 Additionally, the unconcealed possession of an alcoholic beverage,  
20 marijuana, hashish, or cannabis item in violation of paragraph (1) or  
21 (2) of this subsection, observed in plain sight by a law enforcement  
22 officer, shall not constitute probable cause to initiate a search of a  
23 person or that person's personal property to determine any further  
24 violation of either paragraph or any other violation of law.

25 (d) A person under the legal age to purchase cannabis items who  
26 violates paragraph (2) of this subsection for possessing or  
27 consuming marijuana, hashish, or a cannabis item shall not be  
28 subject to arrest, and shall not be subject to detention or otherwise  
29 be taken into custody by a law enforcement officer except to the  
30 extent required to issue a written warning, provide notice of a  
31 violation to a parent, guardian or other person having legal custody  
32 of the underage person in accordance with section 3 of P.L.1991,  
33 c.169 (C.33:1-81.1a), or issue a summons for a third or subsequent  
34 violation, unless the person is being arrested, detained, or otherwise  
35 taken into custody for also committing another violation of law for  
36 which that action is legally permitted or required.

37 (e) Consistent with the provisions of subsection c. of section 1 of  
38 P.L.2020, c.129 (C.40A:14-118.5), the video and audio recording  
39 functions of a law enforcement officer's body worn camera, as  
40 defined in that section, shall be activated whenever the law  
41 enforcement officer is responding to a call for service related to a  
42 violation or suspected violation of paragraph (2) of this subsection  
43 for possessing or consuming marijuana, hashish, or a cannabis item,  
44 or at the initiation of any other law enforcement or investigative  
45 encounter between an officer and a person related to a violation or  
46 suspected violation of that paragraph, and shall remain activated  
47 until the encounter has fully concluded and the officer leaves the  
48 scene of the encounter; provided, however, that the video and audio

1 recording functions of a body worn camera shall not be deactivated  
2 pursuant to subparagraph (a) of paragraph (2) of subsection c. of  
3 P.L.2020, c.129 (C.40A:14-118.5), based on a request to deactivate  
4 the camera by a person who is the subject of a responsive call for  
5 service or law enforcement or investigative encounter related to a  
6 violation or suspected violation of paragraph (2) of this subsection.

7 (f) As part of the process for the issuance of a written warning to  
8 a person for a violation of subparagraph (b) of paragraph (2) of this  
9 subsection based upon probable cause, the law enforcement officer  
10 may take possession of any marijuana, hashish, or cannabis item  
11 from the person, and any drug or cannabis paraphernalia for use  
12 with the marijuana, hashish, or cannabis item. The existence and  
13 description of the marijuana, hashish, or cannabis item, and any  
14 drug or cannabis paraphernalia shall be included in the relevant  
15 facts and circumstances catalogued in the determination of probable  
16 cause record temporarily maintained in accordance with this section  
17 to determine subsequent possession or consumption violations, and  
18 the enforcement of court dispositions. Any marijuana, hashish,  
19 cannabis item, or drug or cannabis paraphernalia obtained by the  
20 law enforcement officer shall either be destroyed or secured for use  
21 in law enforcement training or educational programs in accordance  
22 with applicable law and directives issued by the Attorney General.

23 (g) With respect to any violation of subparagraph (b) of  
24 paragraph (2) of this subsection concerning the possession or  
25 consumption of marijuana, hashish, or any cannabis item:

26 (i) a person under the legal age to purchase cannabis items shall  
27 not be photographed or fingerprinted, notwithstanding any  
28 provisions of section 2 of P.L.1982, c.79 (C.2A:4A-61) to the  
29 contrary;

30 (ii) any copy of any written warning issued to a person under the  
31 legal age to purchase cannabis items, written notification provided  
32 to the person's parent, guardian or other person having legal  
33 custody in accordance with section 3 of P.L.1991, c.169 (C.33:1-  
34 81.1a), or record pertaining to a third or subsequent violation  
35 subject to a summary proceeding for imposition of a civil penalty or  
36 community service shall be segregated and maintained in a separate  
37 physical location or electronic repository or database from any  
38 other records maintained by a law enforcement agency, and  
39 reported to the Attorney General in a manner so that they are  
40 similarly segregated and maintained in a separate physical location  
41 or electronic repository or database from other law enforcement  
42 records accessible to the Attorney General and State and local law  
43 enforcement agencies, and shall not be transferred to or copied and  
44 placed in any other physical location or electronic repository or  
45 database containing any other law enforcement records. These  
46 records shall only be used to the extent necessary to determine a  
47 subsequent violation of subparagraph (b) of paragraph (2) of this  
48 subsection or enforce a civil penalty or community service imposed

1 by a court, and shall not be revealed, reviewed, or considered in any  
2 manner with respect to any current or subsequent juvenile  
3 delinquency matter, including but not limited to, a charge, filing,  
4 eligibility or decision for diversion or discharge, or sentencing,  
5 other disposition, or related decision affecting the juvenile, or with  
6 respect to any current or subsequent prosecution for committing an  
7 offense or other violation of law, including but not limited to, a  
8 charge, filing, eligibility or decision for diversion or discharge, or  
9 sentencing, other disposition, or related decision affecting an adult  
10 under 21 years of age. Also, these records shall be deemed  
11 confidential and shall not be subject to public inspection or copying  
12 pursuant to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),  
13 and their existence shall not be acknowledged based upon any  
14 inquiry in the same manner as if the records were expunged records  
15 pursuant to the provisions of subsection a. of N.J.S.2C:52-15.

16 The Attorney General may use the records to generate the  
17 number of occurrences and other statistics concerning first, second,  
18 third and subsequent violations of subparagraph (b) of paragraph (2)  
19 of this subsection, the municipal, county or other geographic areas  
20 within which first, second, third and subsequent violations occur,  
21 and the law enforcement agencies involved in first, second, third  
22 and subsequent violations, which are to be compiled and made  
23 available by the Attorney General in accordance with section 3 of  
24 P.L. , c. (C. ) (pending before the Legislature as this bill).  
25 The identity of any person named in a record shall not be revealed  
26 or included in the information to be compiled and made available in  
27 accordance with that section.

28 The records of violations shall only be maintained temporarily  
29 and shall be destroyed or permanently deleted as set forth in  
30 subsubparagraph (iii) of this subparagraph; and

31 (iii) all of the records maintained by a law enforcement agency  
32 and reported to the Attorney General as described in  
33 subsubparagraph (ii) of this subparagraph shall be destroyed or  
34 permanently deleted by the law enforcement agency and Attorney  
35 General on the second anniversary following the creation of the  
36 record concerning a violation, or not later than the last day of the  
37 month in which that second anniversary date falls, except that a  
38 record shall be maintained upon request by the person named in the  
39 record or representative thereof, the law enforcement officer who  
40 made the record, or the law enforcement agency currently  
41 maintaining the record if it involves a law suit, disciplinary  
42 complaint, or criminal prosecution arising from the violation  
43 described in the record, based on an assertion that the record has  
44 evidentiary or exculpatory value. Upon final disposition of the  
45 matter for which the extended record retention was requested, the  
46 record shall be destroyed or permanently deleted.

47 b. Whenever **[this offense]** a violation of paragraph (1) of  
48 subsection a. of this section concerning the possession or

1 consumption of an alcoholic beverage is committed in a motor  
2 vehicle, the court shall, in addition to the sentence authorized **for**  
3 **the offense** under that paragraph, suspend or postpone for six  
4 months the driving privilege of the defendant. Upon the conviction  
5 of finding of guilt of any person under this section, the court shall  
6 forward a report to the New Jersey Motor Vehicle Commission  
7 stating the first and last day of the suspension or postponement  
8 period imposed by the court pursuant to this section. If a person at  
9 the time of the imposition of a sentence is less than 17 years of age,  
10 the period of license postponement, including a suspension or  
11 postponement of the privilege of operating a motorized bicycle,  
12 shall commence on the day the sentence is imposed and shall run  
13 for a period of six months after the person reaches the age of 17  
14 years.

15 If a person at the time of the imposition of a sentence has a valid  
16 driver's license issued by this State, the court shall immediately  
17 collect the license and forward it to the commission along with the  
18 report. If for any reason the license cannot be collected, the court  
19 shall include in the report the complete name, address, date of birth,  
20 eye color, and sex of the person as well as the first and last date of  
21 the license suspension period imposed by the court.

22 The court shall inform the person orally and in writing that if the  
23 person is convicted of operating a motor vehicle during the period  
24 of license suspension or postponement, the person shall be subject  
25 to the penalties set forth in R.S.39:3-40. A person shall be required  
26 to acknowledge receipt of the written notice in writing. Failure to  
27 receive a written notice or failure to acknowledge in writing the  
28 receipt of a written notice shall not be a defense to a subsequent  
29 charge of a violation of R.S.39:3-40.

30 If the person convicted or found guilty under this section is not a  
31 New Jersey resident, the court shall suspend or postpone, as  
32 appropriate, the non-resident driving privilege of the person based  
33 on the age of the person and submit to the commission the required  
34 report. The court shall not collect the license of a non-resident  
35 convicted under this section. Upon receipt of a report by the court,  
36 the commission shall notify the appropriate officials in the licensing  
37 jurisdiction of the suspension or postponement.

38 c. In addition to the general **penalty** penalties prescribed **for**  
39 **a disorderly persons offense** under this section, the court may  
40 require any person who violates **this act** paragraph (1) of  
41 subsection a. of this section for possession or consumption of an  
42 alcoholic beverage to participate in an alcohol or drug abuse  
43 education or treatment program, authorized by the Division of  
44 Mental Health and Addiction Services in the Department of Human  
45 Services, for a period not to exceed **the maximum period of**  
46 **confinement prescribed by law for the offense for which the**  
47 **individual has been convicted** 30 days. Any participation in an



1 alcohol or drug abuse education or treatment program by a person  
2 who violates paragraph (2) of subsection a. of this section for  
3 possession or consumption of marijuana, hashish, or a cannabis  
4 item shall be addressed in accordance with that paragraph.

5 d. Nothing in this act shall apply to possession of alcoholic  
6 beverages by any such person while actually engaged in the  
7 performance of employment pursuant to an employment permit  
8 issued by the Director of the Division of Alcoholic Beverage  
9 Control, or for a bona fide hotel or restaurant, in accordance with  
10 the provisions of R.S.33:1-26, or while actively engaged in the  
11 preparation of food while enrolled in a culinary arts or hotel  
12 management program at a county vocational school or post-  
13 secondary educational institution; and nothing in this section shall  
14 apply to possession of cannabis items by any such person while  
15 actually engaged in the performance of employment by a cannabis  
16 establishment, distributor, or delivery service as permitted pursuant  
17 to the “New Jersey Cannabis Regulatory, Enforcement Assistance,  
18 and Marketplace Modernization Act,” P.L. , c. (C. ) (passed  
19 both Houses on December 17, 2020 as Second Reprint of Assembly  
20 Bill No. 21).

21 e. The provisions of section 3 of P.L.1991, c.169 (C.33:1-  
22 81.1a) shall apply to a parent, guardian or other person with legal  
23 custody of a person under 18 years of age who is found to be in  
24 violation of this section.

25 f. An underage person and one or two other persons shall be  
26 immune from prosecution under this section if:

27 (1) one of the underage persons called 9-1-1 and reported that  
28 another underage person was in need of medical assistance due to  
29 alcohol consumption , or the consumption of marijuana, hashish, or  
30 a cannabis item;

31 (2) the underage person who called 9-1-1 and, if applicable, one  
32 or two other persons acting in concert with the underage person  
33 who called 9-1-1 provided each of their names to the 9-1-1  
34 operator;

35 (3) the underage person was the first person to make the 9-1-1  
36 report; and

37 (4) the underage person and, if applicable, one or two other  
38 persons acting in concert with the underage person who made the 9-  
39 1-1 call remained on the scene with the person under the legal age  
40 in need of medical assistance until assistance arrived and  
41 cooperated with medical assistance and law enforcement personnel  
42 on the scene.

43 The underage person who received medical assistance also shall  
44 be immune from prosecution under this section.

45 g. For purposes of this section, an alcoholic beverage includes  
46 powdered alcohol as defined by R.S.33:1-1, **[and]** a cannabis item  
47 includes any item available for lawful consumption pursuant to the  
48 “New Jersey Cannabis Regulatory, Enforcement Assistance, and

1 Marketplace Modernization Act,” P.L. , c. (C. ) (passed both  
2 Houses on December 17, 2020 as Second Reprint of Assembly Bill  
3 No. 21), the terms “marijuana” and “hashish” have the same  
4 meaning as set forth in N.J.S.2C:35-2, and the terms “drug  
5 paraphernalia” and “cannabis paraphernalia” have the same  
6 meaning as set forth in N.J.S.2C:36-1 and section 3 of P.L. ,  
7 c. (C. ) (passed both Houses on December 17, 2020 as Second  
8 Reprint of Assembly Bill No. 21), respectively.

9 (cf: P.L.2021, c. , s.73)

10

11 3. (New section) a. (1) The Attorney General shall biannually  
12 issue a comprehensive report detailing the number of occurrences  
13 and other statistics, without revealing or including any personal  
14 identifying information, concerning first, second, third and  
15 subsequent violations of subparagraph (b) of paragraph (2) of  
16 subsection a. of section 1 of P.L.1979, c.264 (C.2C:33-15)  
17 involving the possession or consumption of marijuana, hashish, or  
18 cannabis items by persons under the legal age to purchase cannabis  
19 items, the municipal, county or other geographic areas within which  
20 first, second, third and subsequent violations occur, and the law  
21 enforcement agencies involved in first, second, third and  
22 subsequent violations, covering the previous six-month period. The  
23 initial report shall be issued by June 30, 2021, the second report  
24 shall be issued by January 30, 2022, and then the next report issued  
25 every six months thereafter. Each report shall also be submitted to  
26 the Governor and the Legislature pursuant to section 2 of P.L.1991,  
27 c.164 (C.52:14-19.1).

28 (2) The Attorney General shall also make available to the task  
29 force established pursuant to subsection b. of this section for their  
30 periodic review, all body worn camera recordings of law  
31 enforcement officers responding to a call for service related to a  
32 violation or suspected violation of paragraph (2) of subsection a. of  
33 section 1 of P.L.1979, c.264 (C.2C:33-15), or at the initiation of any  
34 other law enforcement or investigative encounter between and  
35 officer and a person related to a violation or suspected violation of  
36 that paragraph, which recordings are required to be made in  
37 accordance with subparagraph (e) of that paragraph. The identity of  
38 any person included in a recording reviewed by the task force shall  
39 be kept confidential by the members of the task force and any staff  
40 provided to the task force by the Department of Law and Public  
41 Safety pursuant to paragraph (6) of subsection b. of this section to  
42 support its work.

43 b. (1) A taskforce shall be established in the Department of  
44 Law and Public Safety, comprised of 26 members to review each  
45 Attorney General report and any requested amount of law  
46 enforcement body worn camera recordings described in subsection  
47 a. of this section, and make recommendations thereon to the  
48 Governor and Legislature related to law enforcement activities to

1 address the enforcement of underage possession or consumption of  
2 marijuana, hashish, or cannabis items in violation of section 1 of  
3 P.L.1979, c.264 (C.2C:33-15), as well as the broader issue of  
4 underage possession or consumption of these substances.

5 (2) The membership of the taskforce shall include the following  
6 individuals:

7 (a) the Attorney General, or a designee;

8 (b) the Public Defender, or a designee;

9 (c) the Commissioner of the Department of Children and  
10 Families, or a designee;

11 (d) the Commissioner of Education, or a designee;

12 (e) a representative from the Juvenile Justice Commission,  
13 appointed by the Governor;

14 (f) a representative from the Division of Criminal Justice in the  
15 Department of Law and Public Safety, appointed by the Governor;

16 (g) the Chair of the Governor's Juvenile Justice Delinquency and  
17 Prevention Committee;

18 (h) two members appointed by the Governor upon the  
19 recommendation of the President of the Senate, at least one of  
20 whom shall be a member of the Legislative Black Caucus or  
21 Legislative Latino Caucus, determined in coordination with the  
22 members recommended by the Speaker of the General Assembly  
23 pursuant to subparagraph (i) of this paragraph, so that there is at  
24 least one member of each caucus serving as a member of the task  
25 force;

26 (i) two members appointed by the Governor upon the  
27 recommendation of the Speaker of the General Assembly, at least  
28 one of whom shall be a member of the Legislative Black Caucus or  
29 Legislative Latino Caucus, determined in coordination with the  
30 members recommended by the Senate President pursuant to  
31 subparagraph (h) of this paragraph, so that there is at least one  
32 member of each caucus serving as a member of the task force;

33 (j) a Judge of the Superior Court, who is currently assigned to  
34 the Chancery Division, Family Part for juvenile delinquency  
35 matters, to be chosen by the Administrative Director of the Courts;

36 (k) a representative from the New Jersey Institute for Social  
37 Justice, appointed by the Governor;

38 (l) a representative from the American Civil Liberties Union of  
39 New Jersey, appointed by the Governor;

40 (m) a representative from the County Prosecutors Association of  
41 New Jersey who is actively and presently involved in juvenile  
42 matters, appointed by the Governor;

43 (n) a representative from the New Jersey Juvenile Officers  
44 Association, appointed by the Governor;

45 (o) one representative each from the Annie E. Casey Foundation  
46 and Vera Institute of Justice, both appointed by the Governor;

47 (p) a representative of the NAACP New Jersey State Conference,  
48 appointed by the Governor;

1 (q) a representative of Salvation and Social Justice, appointed by  
2 the Governor;

3 (r) a representative from the County Youth Services  
4 Commission Administrators, appointed by the Governor;

5 (s) a representative from the faith-based ethical community in  
6 New Jersey, appointed by the Governor;

7 (t) a representative of an employee organization representing  
8 employees who work at juvenile justice facilities, appointed by the  
9 Governor; and

10 (u) three representatives who have been involved with the New  
11 Jersey juvenile justice system, appointed by the Governor,  
12 including at least one representative of a non-profit organization  
13 that deals with juvenile justice issues and at least one individual  
14 who has been subject to the custody of the juvenile justice system.

15 (3) All members appointed by the Governor, other than the  
16 members of the Legislature recommended for appointment, shall  
17 serve at the pleasure of the Governor. The members of the  
18 Legislature shall serve on the task force during their elective term  
19 of office. Any vacancies in the membership of the task force shall  
20 be filled in the same manner as the original appointments were  
21 made.

22 (4) Members of the task force shall serve without compensation,  
23 but shall be reimbursed for necessary expenditures incurred in the  
24 performance of their duties as members of the task force within the  
25 limits of funds appropriated or otherwise made available to the task  
26 force for its purposes.

27 (5) The task force shall organize as soon as practicable  
28 following the appointment of its members. The task force shall  
29 choose a chairperson from among its members and shall appoint a  
30 secretary who need not be a member of the task force.

31 (6) The Department of Law and Public Safety shall provide such  
32 stenographic, clerical, and other administrative assistants, and such  
33 professional staff as the task force requires to carry out its work.

34

35 4. Section 41 of P.L. , c. (C. ) (passed both Houses of  
36 the Legislature on December 17, 2020 as Second Reprint of  
37 Assembly Bill No. 21) is amended to read as follows:

38 41. Cannabis Regulatory, Enforcement Assistance, and  
39 Marketplace Modernization Fund.

40 a. All fees and penalties collected by the commission, and all  
41 tax revenues on retail sales of cannabis items, and all tax revenues  
42 collected pursuant to the provisions of the “Jake Honig  
43 Compassionate Use Medical Cannabis Act,” P.L.2009, c.307  
44 (C.24:6I-1 et al.), except for amounts credited to the Property Tax  
45 Reform Account in the Property Tax Relief Fund pursuant to  
46 paragraph 7 of Section I of Article VIII of the New Jersey  
47 Constitution, as well as all revenues, if any, collected for the Social  
48 Equity Excise Fee pursuant to section 39 of P.L. , c. (C. )

1 (passed both Houses of the Legislature on December 17, 2020 as  
2 Second Reprint of Assembly Bill No. 21), shall be deposited in a  
3 special nonlapsing fund which shall be known as the “Cannabis  
4 Regulatory, Enforcement Assistance, and Marketplace  
5 Modernization Fund [.]” with 15 percent of the monies deposited  
6 being placed into an account within the fund to be known as the  
7 “Underage Deterrence and Prevention Account.”

8 b. Monies in the fund, other than any monies derived from the  
9 Social Equity Excise Fee to be appropriated annually in accordance  
10 with subsection d. of this section and the monies placed into the  
11 “Underage Deterrence and Prevention Account” within the fund for  
12 the commission to fund programs and services in accordance with  
13 subsection e. of this section, shall be appropriated annually as  
14 follows:

15 (1) at least 70 percent of all tax revenues on retail sales of  
16 cannabis items shall be appropriated for investments, including  
17 through grants, loans, reimbursements of expenses, and other  
18 financial assistance, in municipalities defined as an “impact zone”  
19 pursuant to section 3 of P.L. , c. (C. ) (passed both Houses  
20 of the Legislature on December 17, 2020 as Second Reprint of  
21 Assembly Bill No. 21), as well as provide direct financial assistance  
22 to qualifying persons residing therein as recommended by the  
23 commission; and

24 (2) the remainder of the monies in the fund shall be appropriated  
25 by the Legislature to include the following:

26 (a) to oversee the development, regulation, and enforcement of  
27 activities associated with the personal use of cannabis pursuant to  
28 P.L. , c. (C. ) (passed both Houses of the Legislature on  
29 December 17, 2020 as Second Reprint of Assembly Bill No. 21),  
30 and assist with assuming responsibility from the Department of  
31 Health for the further development and expansion, regulation, and  
32 enforcement of activities associated with the medical use of  
33 cannabis pursuant to the “Jake Honig Compassionate Use Medical  
34 Cannabis Act,” P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015,  
35 c.158 (C.18A:40-12.22 et al.);

36 (b) to reimburse the expenses incurred by any county or  
37 municipality for the training costs associated with the attendance  
38 and participation of a police officer from its law enforcement unit,  
39 as those terms are defined in section 2 of P.L.1961, c.56 (C.52:17B-  
40 67), in a program provided by an approved school, also defined in  
41 that section, which trains and certifies the police officer, including a  
42 police officer with a working dog as that term is defined in section  
43 1 of P.L.2006, c.88 (C.10:5-29.7), as a Drug Recognition Expert for  
44 detecting, identifying, and apprehending drug-impaired motor  
45 vehicle operators, and pay for the same training costs incurred by  
46 the Division of State Police in the Department of Law and Public  
47 Safety for the training of a State police officer or trooper, including  
48 an officer or trooper with a working dog, as a Drug Recognition

1 Expert, as well as its costs in furnishing additional program  
2 instructors to provide Drug Recognition Expert training to police  
3 officers, troopers, and working dogs. A municipality or county  
4 seeking reimbursement shall apply to the commission, itemizing the  
5 costs, with appropriate proofs, for which reimbursement is  
6 requested and provide a copy of the certificate issued to the police  
7 officer to indicate the successful completion of the program by the  
8 police officer, and that officer's working dog, if applicable; and

9 (c) for further investments, including through grants, loans,  
10 reimbursements of expenses, and other financial assistance, in  
11 municipalities defined as an "impact zone" pursuant to section 3 of  
12 P.L. , c. (C. ) (passed both Houses of the Legislature on  
13 December 17, 2020 as Second Reprint of Assembly Bill No. 21), as  
14 well as provide direct financial assistance to qualifying persons  
15 residing therein as recommended by the commission.

16 The monies appropriated pursuant to paragraph (1) of this  
17 subsection shall be offset by any revenue constitutionally dedicated  
18 to municipalities defined as an "impact zone" pursuant to section 3  
19 of P.L. , c. (C. ) (passed both Houses of the Legislature on  
20 December 17, 2020 as Second Reprint of Assembly Bill No. 21).

21 c. Any remaining available monies, after the appropriation of  
22 those monies in the fund in accordance with subsection b. of this  
23 section, shall be deposited in the State's General Fund.

24 d. (1) (a) Not less than 60 days prior to the first day of each  
25 State fiscal year, the commission shall consult and make  
26 recommendations to the Governor and Legislature for making social  
27 equity appropriations based upon the amount of any revenues  
28 collected during the current fiscal year for the Social Equity Excise  
29 Fee pursuant to section 39 of P.L. , c. (C. ) (passed both  
30 Houses of the Legislature on December 17, 2020 as Second Reprint  
31 of Assembly Bill No. 21), or, if the commission has not imposed or  
32 adjusted the excise fee in the current fiscal year pursuant to that  
33 section, then appropriations to be made from the General Fund in an  
34 amount equal to the revenues that would have been collected had it  
35 imposed or adjusted the fee, in order to invest, through grants,  
36 loans, reimbursements of expenses, and other financial assistance,  
37 in private for-profit and non-profit organizations, public entities,  
38 including any municipality defined as an "impact zone" pursuant to  
39 section 3 of P.L. , c. (C. ) (passed both Houses of the  
40 Legislature on December 17, 2020 as Second Reprint of Assembly  
41 Bill No. 21), as well as provide direct financial assistance to  
42 qualifying persons as determined by the commission, in order to  
43 create, expand, or promote educational and economic opportunities  
44 and activities, and the health and well-being of both communities  
45 and individuals.

46 (b) Not less than 30 days prior to submitting its  
47 recommendations to the Governor and Legislature pursuant to  
48 subparagraph (a) of this paragraph, the commission shall hold at

1 least three regional public hearing throughout the State, with at least  
2 one hearing in the northern, central, and southern regions of the  
3 State, to solicit the public input on the social equity investments to  
4 be made as described in this section.

5 (2) The commission's recommendations to the Governor and  
6 Legislature may include, but are not limited to, recommending  
7 investments in the following categories of social equity programs:

8 (a) educational support, including literacy programs, extended  
9 learning time programs that endeavor to close the achievement gap  
10 and provide services for enrolled students after the traditional  
11 school day, GED application and preparedness assistance, tutoring  
12 programs, vocational programming, and financial literacy;

13 (b) economic development, including the encouragement and  
14 support of community activities so as to stimulate economic activity  
15 or increase or preserve residential amenities, and business  
16 marketing, and job skills and readiness training, specific  
17 employment training, and apprenticeships;

18 (c) social support services, including food assistance, mental  
19 health services, substance use disorders treatment and recovery,  
20 youth recreation and mentoring services, life skills support services,  
21 and reentry and other rehabilitative services for adults and juveniles  
22 being released from incarceration; and

23 (d) legal aid for civil and criminal cases.

24 (3) The commission may also, subject to the annual  
25 appropriations act, recommend that it retain a portion of the Social  
26 Equity Excise Fee to administer startup grants, low-interest loans,  
27 application fee assistance, and job training programs through the  
28 commission's Office of Minority, Disabled Veterans and Women  
29 Cannabis Business Development established by section 32 of  
30 P.L.2019, c.153 (24:6I-25).

31 (4) Prior to the first day of each fiscal year, the Legislature shall  
32 provide to the commission a statement which lists the investments,  
33 including the investment recipients and investment amount, to be  
34 made by appropriations as set forth in paragraph (1) of this  
35 subsection based upon recommendations presented to the Governor  
36 and Legislature pursuant to paragraphs (1) through (3) of this  
37 subsection, and how the investment is intended to support and  
38 advance social equity as described in this subsection.

39 e. The monies deposited in the "Underage Deterrence and  
40 Prevention Account" within the fund shall be used by the  
41 commission, based on the acceptance of applications submitted on a  
42 form and through an approval or denial process promulgated by the  
43 commission, to fund private for-profit and non-profit organizations,  
44 and county and municipal programs and services that offer social  
45 services, educational, recreational, and employment opportunities,  
46 and local economic development designed to encourage, improve,  
47 and support youthful community activities to divert and prevent

1 persons under 18 years of age from activities associated with the  
2 consumption of cannabis items, or marijuana or hashish.

3 (cf: P.L.2021, c. , s.41)

4

5 5. (New section) a. A person who is not otherwise subject to  
6 the penalty provisions for a licensed cannabis establishment,  
7 distributor, or delivery service, or agent or employee thereof, for  
8 selling or otherwise providing a cannabis item to a person under 21  
9 years of age as set forth in section 64 of P.L. , c. (C. )  
10 (passed both Houses of the Legislature on December 17, 2020 as  
11 Second Reprint of Assembly Bill No. 21), shall not, either directly  
12 or indirectly by an agent or employee, sell, offer for sale, distribute  
13 for commercial purpose or otherwise at no cost or minimal cost or  
14 with coupons or rebate offers, give, or furnish, any cannabis item as  
15 defined in section 3 of P.L. , c. (C. ) (passed both Houses of  
16 the Legislature on December 17, 2020 as Second Reprint of  
17 Assembly Bill No. 21) to a person under 21 years of age.

18 b. A person who violates the provisions of subsection a. of this  
19 section who actually sells or otherwise provides a cannabis item to  
20 a person under 21 years of age, shall be liable to a civil penalty of  
21 not less than \$250 for the first violation, not less than \$500 for the  
22 second violation, and \$1,000 for the third and each subsequent  
23 violation. The civil penalty shall be collected pursuant to the  
24 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10  
25 et seq.), in a summary proceeding before the municipal court having  
26 jurisdiction. An official authorized by the Cannabis Regulatory  
27 Commission established pursuant to section 31 of P.L.2019, c.153  
28 (C.24:6I-24), or authorized by statute or ordinance to enforce the  
29 State or local health codes or a law enforcement officer having  
30 enforcement authority in that municipality may issue a summons for  
31 a violation of the provisions of subsection a. of this section, and  
32 may serve and execute all process with respect to the enforcement  
33 of this section consistent with the Rules of Court. A penalty  
34 recovered under the provisions of this subsection shall be recovered  
35 by and in the name of the State by the local health agency. The  
36 penalty shall be paid into the treasury of the municipality in which  
37 the violation occurred for the general uses of the municipality.

38 c. The establishment of all of the following shall constitute a  
39 defense to any action brought pursuant to subsection a. of this  
40 section:

41 (1) that the purchaser or the recipient of the cannabis item  
42 falsely represented, by producing a driver's license or non-driver  
43 identification card issued by the New Jersey Motor Vehicle  
44 Commission, a similar card issued pursuant to the laws of another  
45 state or the federal government of Canada, a photographic  
46 identification card issued by a county clerk, or other form of  
47 government-issued identification described in subparagraph (a) of  
48 paragraph (6) of subsection a. of section 18 of P.L. , c. (C. )



1 (passed both Houses of the Legislature on December 17, 2020 as  
2 Second Reprint of Assembly Bill No. 21), that the purchaser or  
3 recipient was of legal age to make the purchase or receive the  
4 cannabis item;

5 (2) that the appearance of the purchaser or recipient was such  
6 that an ordinary prudent person would believe the purchaser or  
7 recipient to be of legal age to make the purchase or receive the  
8 cannabis item; and

9 (3) that the sale or distribution was made in good faith, relying  
10 upon the production of the identification set forth in paragraph (1)  
11 of this subsection, the appearance of the purchaser or recipient, and  
12 in the reasonable belief that the purchaser or recipient was of legal  
13 age to make the purchase or receive the sample.

14 d. A penalty imposed pursuant to this section shall be in  
15 addition to any penalty that may be imposed pursuant to section 3  
16 of P.L.1999, c.90 (C.2C:33-13.1).

17

18 6. (New Section) The Cannabis Regulatory Commission  
19 established pursuant to section 31 of P.L.2019, c.153 (C.24:6I-24)  
20 and the Commissioner of Health are authorized to coordinate and  
21 enforce the provisions of section 5 of P.L. , c. (C. ) (pending  
22 before the Legislature as this bill) with respect to the prohibition on  
23 the sale or distribution of cannabis items, as defined in section 3 of  
24 P.L. , c. (C. ) (passed both Houses of the Legislature on  
25 December 17, 2020 as Second Reprint of Assembly Bill No. 21), to  
26 persons under 21 years of age. The commission, or commissioner,  
27 or both, may delegate the enforcement authority provided in this  
28 section to local health agencies, subject to the availability of  
29 sufficient funding. The commission, in consultation with the  
30 commissioner, shall report on the enforcement program's progress,  
31 results of enforcement efforts, and other matters the commission  
32 deems appropriate in the commission's annual report on personal  
33 use cannabis activities that is prepared pursuant to paragraph (3) of  
34 subsection a. of section 14 of P.L.2009, c.307 (C.24:6I-12).

35

36 7. The title of P.L.1995, c.304 is amended to read as follows:

37 **AN ACT** concerning penalties for the sale and distribution of  
38 **【tobacco】 certain regulated products** to persons under the age of  
39 **【18】 21 years**, amending N.J.S.2A:170-51 and P.L.1987, c.423,  
40 and supplementing chapter 170 of Title 2A of the New Jersey  
41 Statutes.

42 (cf: P.L.1995, c.304, title)

43

44 8. Section 3 of P.L.1995, c.304 (C.2A:170-51.1) is amended to  
45 read as follows:

46 3. A person 21 years of age or older who purchases a tobacco  
47 product or cannabis item as defined section 3 of P.L. ,  
48 c. (C. ) (passed both Houses of the Legislature on December

1 17, 2020 as Second Reprint of Assembly Bill No. 21) for a person  
2 who is under 21 years of age is a petty disorderly person.

3 (cf: P.L.2017, c.118, s.1)

4

5 9. Section 3 of P.L.1999, c.90 (C.2C:33-13.1) is amended to  
6 read as follows:

7 3. a. A person who sells or gives to a person under 21 years of  
8 age any cigarettes made of tobacco or of any other matter or  
9 substance which can be smoked, or any cigarette paper or tobacco  
10 in any form, including smokeless tobacco, or any electronic  
11 smoking device that can be used to deliver nicotine or other  
12 substances to the person inhaling from the device, including, but not  
13 limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any  
14 cartridge or other component of the device or related product, or  
15 any cannabis item as defined in section 3 of P.L. , c. (C. )  
16 (passed both Houses of the Legislature on December 17, 2020 as  
17 Second Reprint of Assembly Bill No. 21), including an employee of  
18 a retail dealer licensee under P.L.1948, c.65 (C.54:40A-1 et seq.) or  
19 employee of a licensed cannabis establishment, cannabis distributor,  
20 or cannabis delivery service under P.L. , c. (C. ) (passed  
21 both Houses of the Legislature on December 17, 2020 as Second  
22 Reprint of Assembly Bill No. 21), who actually sells or otherwise  
23 provides a tobacco product **[or]** , electronic smoking device , or  
24 cannabis item to a person under 21 years of age, shall be punished  
25 by a fine as provided for a petty disorderly persons offense. A  
26 person who has been previously punished under this section and  
27 who commits another offense under it may be punishable by a fine  
28 of twice that provided for a petty disorderly persons offense.

29 b. The establishment of all of the following shall constitute a  
30 defense to any prosecution brought pursuant to subsection a. of this  
31 section:

32 (1) that the purchaser or recipient of the tobacco product **[or]** ,  
33 electronic smoking device , or cannabis item falsely represented, by  
34 producing **[either]** a driver's license or non-driver identification  
35 card issued by the New Jersey Motor Vehicle Commission, a  
36 similar card issued pursuant to the laws of another state or the  
37 federal government of Canada, **[or]** a photographic identification  
38 card issued by a county clerk, or other form of government-issued  
39 identification described in subparagraph (a) of paragraph (6) of  
40 subsection a. of section 18 of P.L. , c. (C. ) (passed both  
41 Houses of the Legislature on December 17, 2020 as Second Reprint  
42 of Assembly Bill No. 21), that the purchaser or recipient was of  
43 legal age to purchase or receive the tobacco product **[or]** ,  
44 electronic smoking device, or cannabis item;

45 (2) that the appearance of the purchaser or recipient of the  
46 tobacco product **[or]** , electronic smoking device , or cannabis item  
47 was such that an ordinary prudent person would believe the

1 purchaser or recipient to be of legal age to purchase or receive the  
2 tobacco product **[or]** , electronic smoking device , or cannabis  
3 item; and

4 (3) that the sale or distribution of the tobacco product **[or]** ,  
5 electronic smoking device , or cannabis item was made in good  
6 faith, relying upon the production of the identification set forth in  
7 paragraph (1) of this subsection, the appearance of the purchaser or  
8 recipient, and in the reasonable belief that the purchaser or recipient  
9 was of legal age to purchase or receive the tobacco product **[or]** ,  
10 electronic smoking device , or cannabis item .

11 c. A penalty imposed pursuant to this section shall be in  
12 addition to any penalty that may be imposed pursuant to section 1  
13 of P.L.2000, c.87 (C.2A:170-51.4) concerning tobacco products or  
14 electronic smoking devices, or section 64 of P.L. , c. (C. )  
15 (passed both Houses of the Legislature on December 17, 2020 as  
16 Second Reprint of Assembly Bill No. 21) or section 5 of P.L. ,  
17 c. (C. ) (pending before the Legislature as this bill) concerning  
18 cannabis items.

19 (cf: P.L.2017, c.118, s.3)

20

21 10. Section 46 of P.L. , c. (C. ) (passed both Houses of  
22 the Legislature on December 17, 2020 as Second Reprint of  
23 Assembly Bill No. 21) is amended to read as follows:

24 46. Personal Use of Cannabis Items.

25 Notwithstanding any other provision of law, the following acts  
26 are not unlawful and shall not be an offense or a basis for seizure or  
27 forfeiture of assets under N.J.S.2C:64-1 et seq. or other applicable  
28 law for persons 21 years of age or older, provided the acts are  
29 consistent with the relevant definitions set forth in section 3 of  
30 P.L. , c. (C. ) (passed both Houses of the Legislature on  
31 December 17, 2020 as Second Reprint of Assembly Bill No. 21),  
32 and when an act involves a cannabis item, it was first obtained  
33 directly from a licensed cannabis retailer or delivered by a licensed  
34 cannabis delivery service making delivery of a purchase order  
35 fulfilled by that licensed cannabis retailer for off-premises delivery,  
36 evidenced by it being in its original packaging or by a sales slip,  
37 invoice, receipt, or other statement or memorandum:

38 a. Possessing, displaying, purchasing, or transporting: cannabis  
39 paraphernalia; one ounce (28.35 grams) or less of useable cannabis;  
40 the equivalent of one ounce (28.35 grams) or less of usable  
41 cannabis as a cannabis product in solid, liquid, or concentrate form,  
42 based upon an equivalency calculation for different product forms  
43 set by the Cannabis Regulatory Commission, established pursuant  
44 to section 31 of P.L.2019, c.153 (C.24:6I-24), in its regulations, and  
45 for which the commission may utilize research conducted in other  
46 states on the issue of product equivalency calculations when setting  
47 this equivalency; or 5 grams (0.176 ounce) or less of cannabis resin.  
48 Possessing, displaying, purchasing, or transporting at any one time

1 any amount of any cannabis items described herein in an amount  
2 greater than as permitted pursuant to this subsection shall be  
3 considered a violation of the “Comprehensive Drug Reform Act of  
4 1987,” P.L.1987, c.106 (N.J.S.2C:35-1 et al.), and subject the  
5 person to prosecution as if the person possessed, displayed,  
6 purchased, or transported marijuana or hashish in violation of that  
7 act;

8 b. Transferring without remuneration: one ounce (28.35 grams)  
9 or less of useable cannabis; the equivalent of one ounce (28.35  
10 grams) or less of usable cannabis as a cannabis product in solid,  
11 liquid, or concentrate form, based upon the equivalency calculation  
12 for different product forms set by the commission pursuant to  
13 subsection a. of this section; or five grams (0.176 ounce) or less of  
14 cannabis resin to a person who is of legal age for purchasing  
15 cannabis items, provided that such transfer is for non-promotional,  
16 non-business purposes. Transferring at any one time any amount of  
17 any cannabis items described herein in an amount greater than as  
18 permitted pursuant to this subsection **],** or to a person who is not of  
19 legal age to purchase cannabis items,**]** shall be considered a  
20 violation of the “Comprehensive Drug Reform Act of 1987,”  
21 P.L.1987, c.106 (N.J.S.2C:35-1 et al.), and subject the person to  
22 prosecution as if the person distributed marijuana or hashish in  
23 violation of that act **], unless the transfer] .** Transferring to a  
24 person who is not of legal age that was done by a cannabis  
25 establishment, distributor, or delivery service licensed pursuant to  
26 P.L. , c. (C. ) (passed both Houses of the Legislature on  
27 December 17, 2020 as Second Reprint of Assembly Bill No. 21), or  
28 an employee or agent thereof, **[in which case it] or by any other**  
29 **person,** is **[a civil violation and the] subject to a civil penalty as** set  
30 forth in subsection b. of section 64 of P.L. , c. (C. ) (passed  
31 both Houses of the Legislature on December 17, 2020 as Second  
32 Reprint of Assembly Bill No. 21) **[shall apply] or section 5 of**  
33 **P.L. , c. (C. ) (pending before the Legislature as this bill), as**  
34 **applicable, and a fine as set forth in section 3 of P.L.1999, c.90**  
35 **(C.2C:33-13.1);**

36 c. Taking delivery of or consuming a lawfully possessed  
37 cannabis item, provided that nothing in this section shall permit a  
38 person to smoke, vape, or aerosolize any cannabis item in a public  
39 place. This prohibition includes the smoking, vaping, or  
40 aerosolizing of a cannabis item in any public place pursuant to law  
41 that prohibits the smoking of tobacco, including N.J.S.2C:33-13 and  
42 the “New Jersey Smoke-Free Air Act,” P.L.2005, c.383 (C.26:3D-  
43 55 et seq.), and any indoor public place, as that term is defined in  
44 section 3 of P.L.2005, c.383 (C.26:3D-57), or portion thereof, even  
45 if the smoking of tobacco is otherwise permitted in that place or  
46 portion thereof pursuant to the “New Jersey Smoke-Free Air Act”;  
47 except that the smoking, vaping, or aerosolizing of a cannabis item

1 shall be permitted in a cannabis consumption area as set forth in  
2 section 28 of P.L.2019, c.153 (C.24:6I-21), and may be permitted  
3 by the person or entity that owns or controls a hotel, motel, or other  
4 lodging establishment as defined in section 1 of P.L.1967, c.95  
5 (C.29:4-5) in up to 20 percent of its guest rooms. The smoking,  
6 vaping, or aerosolizing of a cannabis item may also be prohibited or  
7 otherwise regulated in multifamily housing that is a multiple  
8 dwelling as defined in section 3 of P.L.1967, c.76 (C.55:13A-3), as  
9 decided by the person or entity that owns or controls the  
10 multifamily housing, or prohibited or otherwise regulated in the  
11 structure or specific units of the structure of a cooperative as  
12 defined in section 3 of P.L.1987, c.381 (C.46:8D-3) by the  
13 corporation or other legal entity that owns the structure, or  
14 prohibited or otherwise regulated in the units of a condominium, as  
15 those terms are defined by section 3 of P.L.1969, c.257 (C.46:8B-  
16 3), if approved by the association for the condominium and a  
17 majority of all of the condominium's unit owners, as those terms  
18 are defined in that section. Except as otherwise provided by P.L. ,  
19 c. (C. ) (passed both Houses of the Legislature on December  
20 17, 2020 as Second Reprint of Assembly Bill No. 21), any penalties  
21 that may be assessed for the smoking of tobacco where prohibited  
22 under the "New Jersey Smoke-Free Air Act" shall be applicable to  
23 the smoking, vaping, or aerosolizing of cannabis items where  
24 prohibited. Concerning the consumption of any cannabis item,  
25 other than by smoking, vaping, or aerosolizing: a person or entity  
26 that owns or controls a property, other than multifamily housing  
27 that is a multiple dwelling as defined in section 3 of P.L.1967, c.76  
28 (C.55:13A-3), the structure or specific units of the structure of a  
29 cooperative as defined in section 3 of P.L.1987, c.381 (C.46:8D-3),  
30 a unit of a condominium, as those terms are defined by section 3 of  
31 P.L.1969, c.257 (C.46:8B-3), or a site in a mobile home park as  
32 defined in section 3 of P.L.1983, c.386 (C.40:55D-102), which site  
33 is leased to the owner of a manufactured home, as defined in that  
34 section, that is installed thereon, may prohibit or otherwise regulate  
35 the consumption of cannabis items on or in that property, including  
36 a casino hotel facility as defined in section 19 of P.L.1977, c.110  
37 (C.5:12-19) with respect to a hotel property, a casino as defined in  
38 section 6 of P.L.1977, c.110 (C.5:12-6), or casino simulcasting  
39 facility authorized pursuant to the "Casino Simulcasting Act,"  
40 P.L.1992, c.19 (C.5:12-191 et al.); and a municipality may enact an  
41 ordinance making it an unlawful act for any person 21 years of age  
42 or older to consume, other than by smoking, vaping, or  
43 aerosolizing, any cannabis item in a public place, including any  
44 indoor public place as that term is defined in section 3 of P.L.2005,  
45 c.383 (C.26:3D-57), or portion thereof, and providing a civil  
46 penalty for a violation in accordance with section 77 of P.L. ,  
47 c. (C. ) (passed both Houses of the Legislature on December  
48 17, 2020 as Second Reprint of Assembly Bill No. 21); and

1 d. Assisting another person to engage in any of the acts  
2 described in subsections a. through c. of this section, provided that  
3 the person being assisted is of legal age to purchase cannabis items  
4 and the assistance being provided is without remuneration.

5 (cf: P.L.2021, c. , s.46)

6  
7 11. Section 64 of P.L. , c. (C. ) (passed both Houses of  
8 the Legislature on December 17, 2020 as Second Reprint of  
9 Assembly Bill No. 21) is amended to read as follows:

10 64. Prohibition of Persons Under the Legal Age Purchasing  
11 Cannabis or Cannabis Resin.

12 Consistent with the relevant definitions set forth in section 3 of  
13 P.L. , c. (C. ) (passed both Houses of the Legislature on  
14 December 17, 2020 as Second Reprint of Assembly Bill No. 21):

15 a. A cannabis establishment licensee, cannabis distributor  
16 licensee, or cannabis delivery service licensee, either directly or  
17 indirectly by an agent or employee, shall not sell, offer for sale,  
18 distribute for commercial purpose at no cost or minimal cost, or  
19 give or furnish for consumption, any cannabis items to a person  
20 under 21 years of age.

21 b. Any licensee or employee or agent of a licensee who  
22 **【allows】** violates subsection a. of this section who sells or  
23 otherwise provides a person under **【the age of】** 21 **【to procure】**  
24 years of age cannabis items which, pursuant to section 46 of P.L. ,  
25 c. (C. ) (passed both Houses of the Legislature as Second  
26 Reprint of Assembly Bill No. 21) are **【not unlawful】** lawful for  
27 persons 21 years of age or older to procure for personal use, shall be  
28 subject to a civil penalty of not less than \$250 for the first violation;  
29 \$500 for the second violation; and \$1,000 for the third and each  
30 subsequent violation; a penalty imposed pursuant to this subsection  
31 shall be in addition **【subject】** to any penalty that may be imposed  
32 pursuant to section 3 of P.L.1999, c.90 (C.2C:33-13.1). Subject to a  
33 hearing, a licensee's license may also be revoked, suspended, or  
34 otherwise limited. The penalties provided for in this subsection  
35 shall be recovered by a summary proceeding pursuant to the  
36 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10  
37 et seq.).

38 c. The establishment of all of the following facts by a licensee,  
39 employee, or agent, allowing any such person under **【the age of】** 21  
40 years of age to procure cannabis items shall constitute a defense to  
41 any violation of the provisions of subsection a. **【or b.】** of this  
42 section:

43 (1) That the purchaser or recipient of the cannabis item falsely  
44 represented that the purchaser or recipient was of legal age to make  
45 the purchase or receive the cannabis item, by producing a driver's  
46 license or non-driver identification card issued by the New Jersey  
47 Motor Vehicle Commission, a similar card issued pursuant to the

1 laws of another state or the federal government of Canada, a  
2 photographic identification card issued by a county clerk, or other  
3 form of government-issued identification **【card as set forth】**  
4 described in subparagraph (a) of paragraph (6) of subsection a. of  
5 section 18 of P.L. , c. (C. ) (passed both Houses of the  
6 Legislature on December 17, 2020 as Second Reprint of Assembly  
7 Bill No. 21), to determine the consumer's identity and age; **【and】**

8 (2) That the appearance of the purchaser or recipient was such  
9 that an ordinary prudent person would believe the purchaser or  
10 recipient to be of legal age to purchase or receive the cannabis item;  
11 and

12 (3) That the sale or distribution was made in good faith, relying  
13 upon the production of the identification set forth in paragraph (1)  
14 of this subsection, the appearance of the purchaser or recipient, and  
15 in the reasonable belief that the purchaser or recipient was actually  
16 of legal age to make the purchase or receive the cannabis item.

17 d. **【It shall be unlawful for a】** A person under **【the age of】** 21  
18 **【to】** years of age shall not purchase, acquire, or attempt to  
19 purchase or acquire a cannabis item, even if the cannabis item may  
20 be legally purchased by persons at or above the legal age for  
21 purchasing cannabis items.

22 For purposes of this subsection, purchasing a cannabis item  
23 includes accepting a cannabis item, and acquiring a cannabis item  
24 includes consuming a cannabis item.

25 e. **【It shall be unlawful for a】** A person under **【the age of】** 21  
26 **【to】** years of age shall not present or offer to a cannabis  
27 establishment, distributor, or delivery service, or the cannabis  
28 establishment's, distributor's, or delivery service's agent or  
29 employee, any written or oral evidence of age or other personal  
30 identifying information that is false, fraudulent, or not actually the  
31 person's own, including the use of a driver's license or other  
32 government-issued form of identification in violation of section 1 of  
33 P.L.1983, c.565 (C.2C:21-2.1), N.J.S.2C:21-17, section 5 of  
34 P.L.2003, c.184 (C.2C:21-17.2), or section 6 of P.L.1968, c.313  
35 (C.33:1-81.7), for the purpose of:

36 (1) Purchasing, attempting to purchase, or otherwise procuring  
37 or attempting to procure cannabis items; or

38 (2) Gaining access to a cannabis establishment's, distributor's,  
39 or delivery service's premises.

40 f. Except as permitted by the commission by rule or regulation,  
41 or as necessary on an emergency basis, a person under legal age for  
42 purchasing cannabis items may not enter or attempt to enter any  
43 portion of a licensed premises that is posted or otherwise identified  
44 as being prohibited to the use of persons under legal age for  
45 purchasing cannabis items, unless accompanied by and supervised  
46 by a parent or legal guardian.

1 g. [Any person under the legal age to purchase cannabis, who  
2 knowingly possesses without legal authority or who knowingly  
3 consumes any cannabis item, in any school, public conveyance,  
4 public place, place of public assembly, or motor vehicle, shall be  
5 guilty of an offense as set forth in section 1 of P.L.1979, c.264  
6 (C.2C:33-15). Any person under the legal age to purchase  
7 cannabis, who knowingly possesses without legal authority or who  
8 knowingly consumes, any cannabis item on private property shall  
9 be guilty of a municipal violation as set forth in section 1 of  
10 P.L.2000, c.33 (C.40:48-1.2).] (Deleted by amendment, P.L. \_\_\_\_\_,  
11 c. ) (pending before the Legislature as this bill)

12 h. The prohibitions of this section do not apply to a person  
13 under the legal age for purchasing cannabis items who is acting  
14 under the direction of the commission or under the direction of  
15 State or local law enforcement agencies for the purpose of  
16 investigating possible violations of the laws prohibiting the sale of  
17 cannabis items to persons who are under the legal age for  
18 purchasing cannabis items.

19 i. The prohibitions of this section do not apply to a person  
20 under the legal age for purchasing cannabis items who is acting  
21 under the direction of a licensee for the purpose of investigating  
22 possible violations by employees of the licensee of laws prohibiting  
23 sales of cannabis items to persons who are under the legal age for  
24 purchasing cannabis items.  
25 (cf: P.L.2021, c. , s.64)

26  
27 12. Section 1 of P.L.1983, c.565 (C.2C:21-2.1) is amended to  
28 read as follows:

29 1. a. A person who knowingly sells, offers or exposes for sale,  
30 or otherwise transfers, or possesses with the intent to sell, offer or  
31 expose for sale, or otherwise transfer, a document, printed form or  
32 other writing which falsely purports to be a driver's license, birth  
33 certificate or other document issued by a governmental agency and  
34 which could be used as a means of verifying a person's identity or  
35 age or any other personal identifying information is guilty of a  
36 crime of the second degree.

37 b. A person who knowingly makes, or possesses devices or  
38 materials to make, a document or other writing which falsely  
39 purports to be a driver's license, birth certificate or other document  
40 issued by a governmental agency and which could be used as a  
41 means of verifying a person's identity or age or any other personal  
42 identifying information is guilty of a crime of the second degree.

43 c. A person who knowingly exhibits, displays or utters a  
44 document or other writing which falsely purports to be a driver's  
45 license, birth certificate or other document issued by a  
46 governmental agency and which could be used as a means of  
47 verifying a person's identity or age or any other personal identifying  
48 information is guilty of a crime of the third degree. A violation of



1 N.J.S.2C:28-7, constituting a disorderly persons offense, section 1  
2 of P.L.1979, c.264 (C.2C:33-15), section 64 of P.L. , c. (C. )  
3 (passed both Houses of the Legislature on December 17, 2020 as  
4 Second Reprint of Assembly Bill No. 21), R.S.33:1-81 or section 6  
5 of P.L.1968, c.313 (C.33:1-81.7) in a case where the person uses the  
6 personal identifying information of another to illegally purchase an  
7 alcoholic beverage or for using the personal identifying information  
8 of another to misrepresent the person's age for the purpose of  
9 obtaining tobacco, cannabis item, or other consumer product denied  
10 to persons under 21 years of age shall not **],** except as otherwise set  
11 forth in this subsection, **]** constitute an offense under this subsection  
12 if the actor received only that benefit or service and did not  
13 perpetrate or attempt to perpetrate any additional injury or fraud on  
14 another. **[**If a person used the personal identifying information of  
15 another to misrepresent the person's age for the purpose of illegally  
16 obtaining any cannabis item available for lawful consumption  
17 pursuant to the "New Jersey Cannabis Regulatory, Enforcement  
18 Assistance, and Marketplace Modernization Act," P.L. ,  
19 c. (C. ) (passed both Houses of the Legislature as Second  
20 Reprint of Assembly Bill No. 21), the person shall be subject to a  
21 civil penalty of \$50. The civil penalty provided for in this  
22 subsection shall be collected pursuant to the "Penalty Enforcement  
23 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary  
24 proceeding before the municipal court having jurisdiction. A civil  
25 penalty recovered under the provisions of this subsection shall be  
26 recovered by and in the name of the State by the local municipality.  
27 The penalty shall be paid into the treasury of the municipality in  
28 which the violation occurred for the general use of the  
29 municipality.]

30 d. A person who knowingly possesses a document or other  
31 writing which falsely purports to be a driver's license, birth  
32 certificate or other document issued by a governmental agency and  
33 which could be used as a means of verifying a person's identity or  
34 age or any other personal identifying information is guilty of a  
35 crime of the fourth degree. A violation of N.J.S.2C:28-7,  
36 constituting a disorderly persons offense, section 1 of P.L.1979,  
37 c.264 (C.2C:33-15), section 64 of P.L. , c. (C. ) (passed both  
38 Houses of the Legislature on December 17, 2020 as Second Reprint  
39 of Assembly Bill No. 21), R.S.33:1-81 or section 6 of P.L.1968,  
40 c.313 (C.33:1-81.7) in a case where the person uses the personal  
41 identifying information of another to illegally purchase an alcoholic  
42 beverage or for using the personal identifying information of  
43 another to misrepresent his age for the purpose of obtaining  
44 tobacco, cannabis item, or other consumer product denied to  
45 persons under 21 years of age shall not **],** except as otherwise set  
46 forth in this subsection, **]** constitute an offense under this subsection  
47 if the actor received only that benefit or service and did not

1     perpetrate or attempt to perpetrate any additional injury or fraud on  
2     another. **【If the personal identifying information of another is used**  
3     to obtain any cannabis item available for lawful consumption  
4     pursuant to the “New Jersey Cannabis Regulatory, Enforcement  
5     Assistance, and Marketplace Modernization Act,” P.L.         ,  
6     c. (C.         ) (passed both Houses of the Legislature as Second  
7     Reprint of Assembly Bill No. 21), the person shall be subject to a  
8     civil penalty of \$50. The penalty provided for in this subsection  
9     shall be collected pursuant to the “Penalty Enforcement Law of  
10    1999,” P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary  
11    proceeding before the municipal court having jurisdiction. A  
12    penalty recovered under the provisions of this subsection shall be  
13    recovered by and in the name of the State by the local municipality.  
14    The penalty shall be paid into the treasury of the municipality in  
15    which the violation occurred for the general use of the  
16    municipality.】

17    e. In addition to any other disposition authorized by this Title,  
18    the provisions of section 24 of P.L.1982, c.77 (C.2A:4A-43), or any  
19    other statute indicating the dispositions that may be ordered for an  
20    adjudication of delinquency, and, notwithstanding the provisions of  
21    subsection c. of N.J.S.2C:43-2, every person convicted of, or  
22    adjudicated delinquent or penalized for a violation of any offense  
23    defined in this section shall forthwith forfeit his right to operate a  
24    motor vehicle over the highways of this State for a period to be  
25    fixed by the court at not less than six months or more than two  
26    years which shall commence on the day the sentence is imposed. In  
27    the case of any person who at the time of the imposition of the  
28    sentence is less than 17 years of age, the period of the suspension of  
29    driving privileges authorized herein, including a suspension of the  
30    privilege of operating a motorized bicycle, shall commence on the  
31    day the sentence is imposed and shall run for a period as fixed by  
32    the court of not less than six months or more than two years after  
33    the day the person reaches the age of 17 years. If the driving  
34    privilege of any person is under revocation, suspension, or  
35    postponement for a violation of any provision of this Title or Title  
36    39 of the Revised Statutes at the time of any conviction or  
37    adjudication of delinquency for a violation of any offense defined in  
38    this chapter or chapter 36 of this Title, the revocation, suspension,  
39    or postponement period imposed herein shall commence as of the  
40    date of termination of the existing revocation, suspension or  
41    postponement.

42    The court before whom any person is convicted of, or  
43    adjudicated delinquent or penalized for a violation of any offense  
44    defined in this section shall collect forthwith the New Jersey  
45    driver's license or licenses of that person and forward the license or  
46    licenses to the Chief Administrator of the New Jersey Motor  
47    Vehicle Commission along with a report indicating the first and last  
48    day of the suspension or postponement period imposed by the court

1 pursuant to this section. If the court is for any reason unable to  
2 collect the license or licenses of the person, the court shall cause a  
3 report of the conviction or adjudication of delinquency to be filed  
4 with the director. The report shall include the complete name,  
5 address, date of birth, eye color and sex of the person and shall  
6 indicate the first and last day of the suspension or postponement  
7 period imposed by the court pursuant to this section. The court  
8 shall inform the person orally and in writing that if the person is  
9 convicted of personally operating a motor vehicle during the period  
10 of license suspension or postponement imposed pursuant to this  
11 section, the person shall, upon conviction, be subject to the  
12 penalties set forth in R.S.39:3-40. A person shall be required to  
13 acknowledge receipt of the written notice in writing. Failure to  
14 receive a written notice or failure to acknowledge in writing the  
15 receipt of a written notice shall not be a defense to a subsequent  
16 charge of a violation of R.S.39:3-40. If the person is the holder of a  
17 driver's license from another jurisdiction, the court shall not collect  
18 the license, but shall notify forthwith the director who shall notify  
19 the appropriate officials in that licensing jurisdiction. The court  
20 shall, however, in accordance with the provisions of this section,  
21 revoke the person's non-resident driving privileges in this State.

22 In addition to any other condition imposed, a court, in its  
23 discretion, may suspend, revoke or postpone the driving privileges  
24 of a person admitted to supervisory treatment under N.J.S.2C:36A-1  
25 or N.J.S.2C:43-12 without a plea of guilty or finding of guilt.  
26 (cf: P.L.2021, c. , s.65)  
27

28 13. N.J.S.2C:21-17 is amended to read as follows:

29 2C:21-17. Impersonation; Theft of identity; crime.

30 a. A person is guilty of a crime if the person engages in one or  
31 more of the following actions by any means including, but not  
32 limited to, the use of electronic communications or an Internet  
33 website:

34 (1) Impersonates another or assumes a false identity and does an  
35 act in such assumed character or false identity for the purpose of  
36 obtaining a benefit for himself or another or to injure or defraud  
37 another;

38 (2) Pretends to be a representative of some person or  
39 organization and does an act in such pretended capacity for the  
40 purpose of obtaining a benefit for himself or another or to injure or  
41 defraud another;

42 (3) Impersonates another, assumes a false identity or makes a  
43 false or misleading statement regarding the identity of any person,  
44 in an oral or written application for services, for the purpose of  
45 obtaining services;

46 (4) Obtains any personal identifying information pertaining to  
47 another person and uses that information, or assists another person  
48 in using the information, in order to assume the identity of or

1 represent himself as another person, without that person's  
2 authorization and with the purpose to fraudulently obtain or attempt  
3 to obtain a benefit or services, or avoid the payment of debt or other  
4 legal obligation or avoid prosecution for a crime by using the name  
5 of the other person; or

6 (5) Impersonates another, assumes a false identity or makes a  
7 false or misleading statement, in the course of making an oral or  
8 written application for services, with the purpose of avoiding  
9 payment for prior services. Purpose to avoid payment for prior  
10 services may be presumed upon proof that the person has not made  
11 full payment for prior services and has impersonated another,  
12 assumed a false identity or made a false or misleading statement  
13 regarding the identity of any person in the course of making oral or  
14 written application for services.

15 As used in this section:

16 "Benefit" means, but is not limited to, any property, any  
17 pecuniary amount, any services, any pecuniary amount sought to be  
18 avoided or any injury or harm perpetrated on another where there is  
19 no pecuniary value.

20 b. (Deleted by amendment, P.L.2005, c.224).

21 c. A person who violates subsection a. of this section is guilty  
22 of a crime as follows:

23 (1) If the actor obtains a benefit or deprives another of a benefit  
24 in an amount less than \$500 and the offense involves the identity of  
25 one victim, the actor shall be guilty of a crime of the fourth degree  
26 except that a second or subsequent conviction for such an offense  
27 constitutes a crime of the third degree; or

28 (2) If the actor obtains a benefit or deprives another of a benefit  
29 in an amount of at least \$500 but less than \$75,000, or the offense  
30 involves the identity of at least two but less than five victims, the  
31 actor shall be guilty of a crime of the third degree; or

32 (3) If the actor obtains a benefit or deprives another of a benefit  
33 in the amount of \$75,000 or more, or the offense involves the  
34 identity of five or more victims, the actor shall be guilty of a crime  
35 of the second degree.

36 d. A violation of N.J.S.2C:28-7, constituting a disorderly  
37 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15), section  
38 64 of P.L. , c. (C. ) (passed both Houses of the Legislature  
39 on December 17, 2020 as Second Reprint of Assembly Bill No. 21),  
40 R.S.33:1-81 or section 6 of P.L.1968, c.313 (C.33:1-81.7) in a case  
41 where the person uses the personal identifying information of  
42 another to illegally purchase an alcoholic beverage or for using the  
43 personal identifying information of another to misrepresent the  
44 person's age for the purpose of obtaining tobacco, cannabis item,  
45 or other consumer product denied to persons under 21 years of age  
46 shall not [ , except as otherwise set forth in this subsection, ]  
47 constitute an offense under this section if the actor received only  
48 that benefit or service and did not perpetrate or attempt to perpetrate

1 any additional injury or fraud on another. **¶**If a person used the  
2 personal identifying information of another to misrepresent the  
3 person’s age for the purpose of illegally obtaining any cannabis item  
4 available for lawful consumption pursuant to the “New Jersey  
5 Cannabis Regulatory, Enforcement Assistance, and Marketplace  
6 Modernization Act,” P.L. , c. (C. ) (passed both Houses of  
7 the Legislature as Second Reprint of Assembly Bill No. 21), the  
8 person shall be subject to a civil penalty of \$50. The civil penalty  
9 provided for in this subsection shall be collected pursuant to the  
10 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10  
11 et seq.), in a summary proceeding before the municipal court having  
12 jurisdiction. A civil penalty recovered under the provisions of this  
13 subsection shall be recovered by and in the name of the State by the  
14 local municipality. The penalty shall be paid into the treasury of  
15 the municipality in which the violation occurred for the general use  
16 of the municipality. **¶**

17 e. The sentencing court shall issue such orders as are necessary  
18 to correct any public record or government document that contains  
19 false information as a result of a theft of identity. The sentencing  
20 court may provide restitution to the victim in accordance with the  
21 provisions of section 4 of P.L.2002, c.85 (C.2C:21-17.1).  
22 (cf: P.L.2021, c. , s.66)

23  
24 14. Section 5 of P.L.2003, c.184 (C.2C:21-17.2) is amended to  
25 read as follows:

26 5. a. A person is guilty of a crime of the second degree if, in  
27 obtaining or attempting to obtain a driver's license, birth certificate  
28 or other document issued by a governmental agency which could be  
29 used as a means of verifying a person's identity, age or any other  
30 personal identifying information, that person knowingly exhibits,  
31 displays or utters a document or other writing which falsely  
32 purports to be a driver's license, birth certificate or other document  
33 issued by a governmental agency or which belongs or pertains to a  
34 person other than the person who possesses the document.

35 b. Notwithstanding the provisions of N.J.S.2C:1-8 or any other  
36 law, a conviction under this section shall not merge with a  
37 conviction of any other criminal offense, nor shall such other  
38 conviction merge with a conviction under this section, and the court  
39 shall impose separate sentences upon each violation of this section  
40 and any other criminal offense.

41 c. A violation of N.J.S.2C:28-7, constituting a disorderly  
42 persons offense, section 1 of P.L.1979, c.264 (C.2C:33-15), section  
43 64 of P.L. , c. (C. ) (passed both Houses of the Legislature  
44 on December 17, 2020 as Second Reprint of Assembly Bill No. 21),  
45 R.S.33:1-81 or section 6 of P.L.1968, c.313 (C.33:1-81.7) in a case  
46 where the person uses the personal identifying information of  
47 another to illegally purchase an alcoholic beverage or for using the  
48 personal identifying information of another to misrepresent his age

1 for the purpose of obtaining tobacco, cannabis item, or other  
2 consumer product denied to persons under 21 years of age shall not  
3 **【, except as otherwise set forth in this subsection,】** constitute an  
4 offense under this section if the actor received only that benefit or  
5 service and did not perpetrate or attempt to perpetrate any  
6 additional injury or fraud on another. **【If the personal identifying**  
7 **information of another is used to obtain any cannabis item available**  
8 **for lawful consumption pursuant to the “New Jersey Cannabis**  
9 **Regulatory, Enforcement Assistance, and Marketplace Modernization**  
10 **Act,” P.L. , c. (C. ) (passed both Houses of the Legislature**  
11 **as Second Reprint of Assembly Bill No. 21), the person shall be**  
12 **subject to a civil penalty of \$50. The civil penalty provided for in**  
13 **this subsection shall be collected pursuant to the “Penalty**  
14 **Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.),**  
15 **in a summary proceeding before the municipal court having**  
16 **jurisdiction. A civil penalty recovered under the provisions of this**  
17 **subsection shall be recovered by and in the name of the State by the**  
18 **local municipality. The penalty shall be paid into the treasury of**  
19 **the municipality in which the violation occurred for the general use**  
20 **of the municipality.】**

21 (cf: P.L.2021, c. , s.67)

22

23 15. (New section) a. (1) The Police Training Commission in  
24 the Department of Law and Public Safety shall adopt a training  
25 course regarding law enforcement interactions with persons under  
26 the lawful age to purchase cannabis items based upon the  
27 legalization of a personal use cannabis marketplace pursuant to the  
28 “New Jersey Cannabis Regulatory, Enforcement Assistance, and  
29 Marketplace Modernization Act,” P.L. , c. (C. ) (passed both  
30 Houses of the Legislature on December 17, 2020 as Second Reprint  
31 of Assembly Bill No. 21), the decriminalization of marijuana and  
32 hashish pursuant to P.L. , c. (C. ) (passed both Houses of the  
33 Legislature on December 17, 2020 as Third Reprint of Assembly  
34 Committee Substitute for Assembly Bill Nos. 1897 and 4269), and  
35 the enforcement of violations of applicable statutes associated with  
36 the underage possession or consumption of marijuana, hashish, or  
37 cannabis items pursuant to those enactments and the companion  
38 enactment, P.L. , c. (C. ) (pending before the Legislature as  
39 this bill), and which includes the recognition of and methods to  
40 address and avoid racial disparities and implicit bias, and means for  
41 interacting with vulnerable juvenile populations. The training  
42 course shall be administered by the employing agency as part of the  
43 in-service training provided to each local police officer in each law  
44 enforcement unit operating in this State.

45 (2) Prior to being appointed to permanent status as a local police  
46 officer in a law enforcement unit, an individual shall be required to  
47 complete the training course adopted under paragraph (1) of this  
48 subsection. Every local police officer appointed prior to the

1 effective date of this section shall, within 18 months of that  
2 effective date, satisfactorily complete a training course on law  
3 enforcement interactions as described in paragraph (1) of this  
4 subsection.

5 (3) The Police Training Commission shall adopt rules and  
6 regulations, pursuant to the "Administrative Procedure Act,"  
7 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of  
8 this section.

9 b. Within 45 days of the effective date of P.L. , c. (C. )  
10 (pending before the Legislature as this bill), the Attorney General  
11 shall prepare a notice explaining the provisions of the enactments  
12 set forth in paragraph (1) of subsection a. of this section pertaining  
13 to persons under the lawful age to purchase cannabis items and the  
14 of violations of applicable statutes associated with the underage  
15 possession or consumption of marijuana, hashish, or cannabis items,  
16 and transmit the notice to the chief or director of every municipal  
17 police department, every municipal prosecutor, every county  
18 prosecutor, and the Superintendent of the New Jersey State Police.  
19 The notice shall be disseminated to every law enforcement officer  
20 and shall be re-enforced at roll calls and academy service training  
21 and continuing education programs so as to ensure that all officers  
22 and prosecutors are educated of their responsibilities under the  
23 relevant enactments.

24

25 16. This act shall take effect immediately.

26

27

28

#### STATEMENT

29

30 This bill would revise the consequences associated with the  
31 underage possession or consumption of illegal marijuana or hashish,  
32 or legalized cannabis items which may only be lawfully possessed  
33 by persons 21 years of age or older pursuant to Article IV, Section  
34 VII, paragraph 13 of the New Jersey Constitution and the enabling  
35 legislation to establish a legal, regulated cannabis marketplace, the  
36 Second Reprint of Assembly Bill No. 21, titled the "New Jersey  
37 Cannabis Regulatory, Enforcement Assistance, and Marketplace  
38 Modernization Act," which passed both Houses of the Legislature  
39 on December 17, 2020. Additionally, it addresses penalties for  
40 person who wrongfully supply legalized cannabis items to underage  
41 persons, funding for programs and services to help deter and  
42 prevent underage possession and consumption of cannabis items, or  
43 illegal marijuana or hashish, and revised training for law  
44 enforcement officers concerning interactions with underage persons  
45 regarding such activities.

#### Underage Possession or Consumption

46 The bill would make the underage possession or consumption of  
47 marijuana, hashish, or any cannabis item a civil penalty of up to \$50  
48

1 for persons between 18 years of age and under 21 years of age. The  
2 penalty would be recovered in a summary proceeding before either  
3 the municipal court having jurisdiction or the Superior Court in the  
4 name of the State pursuant to the "Penalty Enforcement Law of  
5 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The penalty shall be  
6 remitted to the State Treasurer for deposit in the Alcohol Education,  
7 Rehabilitation and Enforcement Fund established pursuant to  
8 section 3 of P.L.1983, c.531 (C.26:2B-32), and used to fund  
9 community services, including resources that serve persons with  
10 alcohol use disorder and persons with a substance use disorder as  
11 well as educational programs, through annual county-level  
12 comprehensive plans that may incorporate government programs  
13 and services, and private organizations, including volunteer groups,  
14 prepared in accordance with section 4 of P.L.1983, c.531 (C.26:2B-  
15 33).

16 For a person under the age of 18 years who committed a  
17 possession or consumption violation, such person would be subject  
18 to the following consequences:

19 - for a first violation, a written warning issued by a law  
20 enforcement officer to the underage person. The written warning  
21 would include the person's name, address, and date of birth, and a  
22 copy of the warning containing this information, plus a description  
23 of the relevant facts and circumstances that support the officer's  
24 determination of probable cause that the person committed the  
25 violation, would be temporarily maintained in accordance with the  
26 bill only for the purposes of determining a second or subsequent  
27 violation

28 - for a second violation, a written warning issued by a law  
29 enforcement officer to the underage person indicating that a second  
30 violation has occurred, which includes the person's name, address,  
31 and date of birth, and a written notification concerning the second  
32 violation, along with a copy of the written warning for the person's  
33 first violation, would be provided to the parent, guardian or other  
34 person having legal custody of the underage person in accordance  
35 with section 3 of P.L.1991, c.169 (C.33:1-81.1a). The written  
36 notification would include a referral to a public or private agency or  
37 organization included in a county-level comprehensive plan used to  
38 fund community services prepared in accordance with section 4 of  
39 P.L.1983, c.531 (C.26:2B-33) that can assist with opportunities to  
40 access further social services, including counseling, tutoring  
41 programs, mentoring services, and faith-based or other community  
42 initiatives. A copy of the second written warning with a description  
43 of the relevant facts and circumstances that support the officer's  
44 determination of probable cause that the person committed the  
45 second violation, would be temporarily maintained in accordance  
46 with the bill only for the purposes of determining a third or  
47 subsequent violation.



1 - for a third or subsequent violation based upon a probable cause  
2 finding by a law enforcement officer, a civil penalty of up to \$50 or  
3 the performance of community service in lieu of payment of the  
4 penalty, and a written notification concerning the third or  
5 subsequent violation would be provided to the parent, guardian or  
6 other person having legal custody of the underage person in  
7 accordance with section 3 of P.L.1991, c.169 (C.33:1-81.1a).  
8 Whenever the civil penalty was imposed, it would be recovered in a  
9 summary proceeding in either municipal court or the Superior Court  
10 and, like the civil penalty imposed on a person over 18 years of age,  
11 would be remitted to the State Treasurer for deposit in the Alcohol  
12 Education, Rehabilitation and Enforcement Fund, and used to fund  
13 community services, including resources that serve persons with  
14 alcohol use disorder and persons with a substance use disorder as  
15 well as educational programs, through annual county-level  
16 comprehensive plans that may incorporate government programs  
17 and services, and private organizations, including volunteer groups.  
18 Whenever community service was imposed by the court in lieu of  
19 payment of the civil penalty, the value of each hour of service  
20 would be considered to be not less than the State minimum wage  
21 established by the "New Jersey State Wage and Hour Law,"  
22 P.L.1966, c.113 (C.34:11-56a et seq.), or federal minimum wage  
23 established by 29 U.S.C. s.206, or any successor State or federal  
24 law, whichever wage is higher, and the community service imposed  
25 could not exceed \$50 in value. In addition, for a third or  
26 subsequent violation, the court would include a referral to a public  
27 or private agency or organization included in a county-level  
28 comprehensive plan as described above. All law enforcement and  
29 court records concerning the disposition of a third or subsequent  
30 violation would be temporarily maintained in accordance with the  
31 bill only to the extent necessary to enforce a civil penalty or  
32 community service imposed by the court, and the court's referral for  
33 treatment and other assistance, as well as for the purposes of  
34 determining a subsequent violation.

35 A person under the legal age to purchase cannabis items would  
36 not be capable, under the provisions of the bill, of giving lawful  
37 consent to a search to determine an underage possession or  
38 consumption violation, and a law enforcement officer would not be  
39 permitted to request that a person consent to a search for that  
40 purpose.

41 The odor of marijuana, hashish, cannabis, or cannabis item, or  
42 burnt marijuana, hashish, cannabis, or cannabis item, would not  
43 constitute reasonable articulable suspicion to initiate an  
44 investigatory stop of a person, nor would it constitute probable  
45 cause to initiate a search of a person or that person's personal  
46 property to determine an underage possession or consumption  
47 violation. Additionally, the unconcealed, underage possession of an  
48 alcoholic beverage, marijuana, hashish, or cannabis item, observed

1 in plain sight by a law enforcement officer, would not constitute  
2 probable cause to initiate a search of a person or that person's  
3 personal property to determine any further unlawful possession or  
4 consumption violation or any other violation of law.

5 A person under the legal age to purchase cannabis items who  
6 commits a violation for possessing or consuming marijuana,  
7 hashish, or a cannabis item would not be subject to arrest, and  
8 would not be subject to detention or otherwise be taken into custody  
9 by a law enforcement officer except to the extent required to issue a  
10 written warning, provide notice of a violation to a parent, guardian  
11 or other person having legal custody of the underage person, or  
12 issue a summons for a third or subsequent violation, unless the  
13 person is being arrested, detained, or otherwise taken into custody  
14 for also committing another violation of law for which that action is  
15 legally permitted or required.

16 Consistent with the provisions of subsection c. of section 1 of  
17 P.L.2020, c.129 (C.40A:14-118.5), the video and audio recording  
18 functions of a law enforcement officer's body worn camera, as  
19 defined in that section, would be required to be activated whenever  
20 the law enforcement officer is responding to a call for service  
21 related to an underage possession or consumption violation or  
22 suspected violation, or at the initiation of any other law  
23 enforcement or investigative encounter between an officer and a  
24 person related to a violation or suspected violation, and would be  
25 required to remain activated until the encounter has fully concluded  
26 and the officer leaves the scene of the encounter.

27 As part of the process for the issuance of a written warning to a  
28 person for a violation pursuant to the bill based upon probable  
29 cause, the law enforcement officer could take possession of any  
30 marijuana, hashish, or cannabis item from the person, and any drug  
31 or cannabis paraphernalia for use with the marijuana, hashish, or  
32 cannabis item. The existence and description of the marijuana,  
33 hashish, or cannabis item, and any drug or cannabis paraphernalia  
34 would be included in the relevant facts and circumstances  
35 catalogued in the determination of probable cause record  
36 temporarily maintained in accordance with bill. Any marijuana,  
37 hashish, cannabis item, or drug or cannabis paraphernalia obtained  
38 by the law enforcement officer would either be destroyed or secured  
39 for use in law enforcement training or educational programs in  
40 accordance with applicable law and directives issued by the  
41 Attorney General.

42 With respect to any violation concerning the underage possession  
43 or consumption of marijuana, hashish, or any cannabis item:

44 - a person under the legal age to purchase cannabis items shall  
45 not be photographed or fingerprinted, notwithstanding any  
46 provisions of section 2 of P.L.1982, c.79 (C.2A:4A-61) to the  
47 contrary;

1 - any copy of any written warning issued to a person under the  
2 legal age to purchase cannabis items, written notification provided  
3 to the person's parent, guardian or other person having legal  
4 custody, or record pertaining to a third or subsequent violation  
5 subject to a summary proceeding for imposition of a civil penalty or  
6 community service would be segregated and maintained in a  
7 separate physical location or electronic repository or database from  
8 any other records maintained by a law enforcement agency, and  
9 reported to the Attorney General in a manner so that they are  
10 similarly segregated and maintained in a separate physical location  
11 or electronic repository or database from other law enforcement  
12 records accessible to the Attorney General and State and local law  
13 enforcement agencies, and could not be transferred to or copied and  
14 placed in any other physical location or electronic repository or  
15 database containing any other law enforcement records. These  
16 records would only be used, as previously described, to the extent  
17 necessary to determine a subsequent underage possession or  
18 consumption violation or enforce a civil penalty or community  
19 service imposed by a court.

20 Such records would not be revealed, reviewed, or considered in  
21 any manner with respect to any current or subsequent juvenile  
22 delinquency matter, including but not limited to, a charge, filing,  
23 eligibility or decision for diversion or discharge, or sentencing,  
24 other disposition, or related decision affecting the juvenile, or with  
25 respect to any current or subsequent prosecution for committing an  
26 offense or other violation of law, including but not limited to, a  
27 charge, filing, eligibility or decision for diversion or discharge, or  
28 sentencing, other disposition, or related decision affecting an adult  
29 under 21 years of age. Also, these records shall be deemed  
30 confidential and shall not be subject to public inspection or copying  
31 pursuant to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),  
32 and their existence shall not be acknowledged based upon any  
33 inquiry in the same manner as if the records were expunged records  
34 pursuant to the provisions of subsection a. of N.J.S.2C:52-15.

35 The Attorney General could use the records to generate the  
36 number of occurrences and other statistics concerning first, second,  
37 third and subsequent violations, the municipal, county or other  
38 geographic areas within which first, second, third and subsequent  
39 violations occur, and the law enforcement agencies involved in  
40 first, second, third and subsequent violations, which would to be  
41 compiled and made publicly available by the Attorney General in  
42 biannual reports, with the first such report scheduled to be issued by  
43 June 30, 2021, the second one issued by January 30, 2022, and then  
44 the next report issued every six months thereafter. The identity of  
45 any person named in a record would not be revealed or included in  
46 the information to be compiled and made available.

47 All of the records maintained by a law enforcement agency and  
48 reported to the Attorney General would be destroyed or

1 permanently deleted by the law enforcement agency and Attorney  
2 General on the second anniversary following the creation of the  
3 record concerning a violation, or not later than the last day of the  
4 month in which that second anniversary date falls, except that a  
5 record would be maintained upon request by the person named in  
6 the record or representative thereof, the law enforcement officer  
7 who made the record, or the law enforcement agency currently  
8 maintaining the record if it involves a law suit, disciplinary  
9 complaint, or criminal prosecution arising from the violation  
10 described in the record, based on an assertion that the record has  
11 evidentiary or exculpatory value. Upon final disposition of the  
12 matter for which the extended record retention was requested, the  
13 record shall be destroyed or permanently deleted.

14 For underage violations, the bill would also establish an  
15 immunity from prosecution for: any underage person in need of  
16 medical assistance due to the consumption of marijuana or hashish;  
17 the underage person who called 9-1-1 to get that person assistance;  
18 and up to two other persons acting in concert with the underage  
19 person who made the call. This immunity is the same immunity  
20 already provided for situations involving the underage consumption  
21 of alcohol, and expanded to the underage consumption of cannabis  
22 items by the recently passed “New Jersey Cannabis Regulatory,  
23 Enforcement Assistance, and Marketplace Modernization Act.”

24 Additionally, the \$50 civil penalty created by that act for using  
25 another person’s driver’s license or other government-issued  
26 identification card, or using a false identity, to obtain cannabis  
27 items would be eliminated. The current law does not provide for  
28 any form of punishment when another’s identity or a false identity  
29 is used to obtain tobacco products or alcoholic beverages, so this  
30 would be an approach consistent with the existing State’s approach  
31 on such uses or identification cards or false identities.

32 A taskforce would be established in the Department of Law and  
33 Public Safety, comprising of 26 ex-official members and members  
34 appointed by the Governor representing law enforcement, juvenile  
35 justice interests, and community and non-profit groups to review  
36 each Attorney General biannual report described above and any  
37 requested amount of law enforcement body worn camera recordings  
38 mandated by the bill concerning interactions on underage  
39 possession and consumption violations or potential violations, and  
40 make recommendations thereon to the Governor and Legislature  
41 related to law enforcement activities to address the enforcement of  
42 underage possession or consumption of marijuana, hashish, or  
43 cannabis items, as well as the broader issue of underage possession  
44 or consumption of these substances.

45 To assist with efforts to deter and prevent persons under the legal  
46 age to purchase cannabis items from engaging in activities  
47 associated with underage use of cannabis items, or illegal marijuana  
48 or hashish, the bill would revise provisions in the recently passed

1 legislation establishing a legalized cannabis market that create the  
2 “Cannabis Regulatory, Enforcement Assistance, and Marketplace  
3 Modernization Fund,” and establish an account within that fund to  
4 be known as the “Underage Deterrence and Prevention Account.”  
5 From all of the monies from retail sales of cannabis items and  
6 various other cannabis-related sources that are deposited in the  
7 fund, 15 percent of such would be placed in the internal account.  
8 These monies would be used by the Cannabis Regulatory  
9 Commission to fund private for-profit and non-profit organizations,  
10 and county and municipal programs and services that offer social  
11 services, educational, recreational, and employment opportunities,  
12 and local economic development designed to encourage, improve,  
13 and support youthful community activities to divert and prevent  
14 persons under 18 year of age from engaging in activities associated  
15 with underage use of cannabis items, or illegal marijuana or  
16 hashish.

17 Suppliers of Cannabis Items to Underage Persons

18 The bill would establish the following civil penalties for persons  
19 who sell or otherwise provide cannabis items to underage persons:  
20 not less than \$250 for a first violation; not less than \$500 for a  
21 second violation; and \$1,000 for a third and each subsequent  
22 violation. These are the same civil penalties applicable to licensed  
23 tobacco retailers and persons who provide tobacco products to  
24 underage persons. See P.L.2019, c.396, s.1 (C.2A:170-51.14).  
25 The “Cannabis Regulatory, Enforcement Assistance, and  
26 Marketplace Modernization Act,” specifically in section 64, would  
27 also establish the same civil penalties for licensed businesses, and  
28 their agents and employees, who commit such acts, so to prevent a  
29 doubling of the civil penalty, the bill specifies that its penalty would  
30 apply to any person who is not otherwise subject to the civil penalty  
31 under that act.

32 Any official authorized by the Cannabis Regulatory  
33 Commission, or, like with tobacco product enforcement, any  
34 official authorized by statute or ordinance to enforce the State or  
35 local health codes, or a law enforcement officer could issue  
36 summons for violations. Additionally, like tobacco product  
37 enforcement, the civil penalty would be recovered by the local  
38 health agency for the jurisdiction in which a violation occurred, and  
39 the money collected would be paid into the treasury of the  
40 corresponding municipality for the municipality’s own general uses.  
41 The commission, along with the Commissioner of Health, would be  
42 authorized to coordinate efforts to enforce the bill’s provisions for  
43 punishing violators, as well as delegate enforcement authority to  
44 local health agencies, just as the Commissioner of Health may do so  
45 currently with respect to enforcement efforts concerning tobacco  
46 products. The commission would report on enforcement efforts  
47 concerning underage sales or other transfers in its annual report on  
48 personal use cannabis activities that would be prepared pursuant to

1 the “Cannabis Regulatory, Enforcement Assistance, and  
2 Marketplace Modernization Act.”

3 In addition to a civil penalty, a fine for selling or otherwise  
4 providing a cannabis item to an underage person could be imposed,  
5 which would be the same fine that may currently be imposed when  
6 the action involves a tobacco product. See P.L.1999, c.90, s.3  
7 (C.2C:33-13.1). The fine would be based on the fine imposed for  
8 committing a petty disorderly persons offense, which is a fine of up  
9 to \$500, and this fine could be doubled for second or subsequent  
10 violations.

11 Further, a person 21 years of age or older who purchased a  
12 cannabis item as a “straw man” on behalf of a person who is under  
13 21 years of age could be adjudged a petty disorderly person, subject  
14 to a term of imprisonment of up to 30 days, a fine of up to \$500, or  
15 both.

#### 16 Law Enforcement Training

17 The Police Training Commission in the Department of Law and  
18 Public Safety would adopt a training course regarding law  
19 enforcement interactions with persons under the lawful age to  
20 purchase cannabis items based upon the legalization of a personal  
21 use cannabis marketplace pursuant to the “New Jersey Cannabis  
22 Regulatory, Enforcement Assistance, and Marketplace  
23 Modernization Act,” the decriminalization of marijuana and hashish  
24 pursuant to P.L. , c. (C. ) (passed both Houses of the  
25 Legislature on December 17, 2020 as Third Reprint of Assembly  
26 Committee Substitute for Assembly Bill Nos. 1897 and 4269), and  
27 the enforcement of violations of applicable statutes associated with  
28 the underage possession or consumption of marijuana, hashish, or  
29 cannabis items pursuant to those enactments and this companion  
30 bill. This training would include the recognition of and methods to  
31 address and avoid racial disparities and implicit bias, and means for  
32 interacting with vulnerable juvenile populations. The training  
33 course would be administered by the employing agency as part of  
34 the in-service training provided to each local police officer in each  
35 law enforcement unit operating in this State. Prior to being  
36 appointed to permanent status as a local police officer in a law  
37 enforcement unit, an individual would be required to complete the  
38 training course. Every local police officer appointed prior to the  
39 effective date of the bill would, within 18 months of that effective  
40 date, satisfactorily complete a training course on such law  
41 enforcement interactions.

42 Additionally, within 45 days of the bill’s effective date, the  
43 Attorney General would prepare a notice explaining the provisions  
44 of the aforementioned enactments pertaining to persons under the  
45 lawful age to purchase cannabis items and violations of the  
46 applicable statutes associated with the underage possession or  
47 consumption of marijuana, hashish, or cannabis items, and transmit  
48 the notice to the chief or director of every municipal police

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1 department, every municipal prosecutor, every county prosecutor,  
2 and the Superintendent of the New Jersey State Police. The notice  
3 would be disseminated to every law enforcement officer and would  
4 be re-enforced at roll calls and academy service training and  
5 continuing education programs so as to ensure that all officers and  
6 prosecutors are educated of their responsibilities under the relevant  
7 enactments.