

ASSEMBLY, No. 788

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman JACK CONNERS

District 7 (Burlington and Camden)

Assemblyman FREDERICK SCALERA

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Requires cigarette receptacles to be placed at entrances of buildings in which smoking is prohibited.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning placement of cigarette receptacles and
2 supplementing P.L.1983, c.383 (C.52:27D-192 et seq.).

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

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7 1. The person having control of an indoor public place or
8 workplace that is subject to the provisions of the “New Jersey
9 Smoke-Free Air Act,” P.L.2005, c. 383 et seq. (C.26:3D-55 et seq.),
10 shall place a cigarette receptacle at the exterior of every public
11 entrance.

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13 2. A person who violates the provisions of section 1 of P.L. ,
14 c. (C.) (pending before the Legislature as this bill), shall be
15 subject to a fine of not more than \$500, which may be collected and
16 enforced by the local enforcing agency as defined in subsection g.
17 of section 5 of P.L.1983, c.383 (C.52:27D-196) by summary
18 proceedings pursuant to the “Penalty Enforcement Law of 1999,”
19 P.L.1999, c.274 (C.2A:58-10 et seq.).

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21 3. The Commissioner of Community Affairs shall, pursuant to
22 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1
23 et seq.), adopt such rules and regulations as may be necessary to
24 implement this act.

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26 4. This act shall take effect immediately.

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STATEMENT

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31 This bill requires persons having control of an indoor public
32 place or workplace to place cigarette receptacles at the exterior of
33 each public entrance if the place is smoke-free under “New Jersey
34 Smoke-Free Air Act,” N.J.S.A. 26:3D-55 et seq.

35 A person who violates the provisions of the bill would be subject
36 to a fine of not more than \$500, which may be collected and
37 enforced by the Department of Community Affairs, a municipal or
38 county department or agency, or a fire district authorized by
39 municipal ordinance to enforce the “Uniform Fire Safety Act,”
40 N.J.S.A.52:27D-192 et seq. by summary proceedings pursuant to
41 the “Penalty Enforcement Law of 1999,” N.J.S.A.2A:58-10 et seq.

42 The Commissioner of Community Affairs is to promulgate rules
43 and regulations as may be necessary to implement the provisions of
44 this bill.

45 The placement of cigarette receptacles near entrances to
46 buildings that are smoke-free will reduce the risk of fires caused by
47 discarded lit cigarettes.