

**SENATE, No. 2779**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED JUNE 25, 2018

**Sponsored by:**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**SYNOPSIS**

Prohibits smoking in guest rooms of certain hotels.

**CURRENT VERSION OF TEXT**

As introduced.



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1 AN ACT concerning smoking in hotel guest rooms, amending  
2 P.L.2005, c.383 and repealing section 6 of P.L.2005, c.383.

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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. Section 5 of P.L.2005, c.383 (C.26:3D-59) is amended to  
8 read as follows:

9 5. The provisions of this act shall not apply to:

10 a. any cigar bar or cigar lounge that, in the calendar year  
11 ending December 31, 2004, generated 15% or more of its total  
12 annual gross income from the on-site sale of tobacco products and  
13 the rental of on-site humidors, not including any sales from vending  
14 machines, and is registered with the local board of health in the  
15 municipality in which the bar or lounge is located. The registration  
16 shall remain in effect for one year and shall be renewable only if:  
17 (1) in the preceding calendar year, the cigar bar or lounge generated  
18 15% or more of its total annual gross income from the on-site sale  
19 of tobacco products and the rental of on-site humidors, and (2) the  
20 cigar bar or cigar lounge has not expanded its size or changed its  
21 location since December 31, 2004;

22 b. any tobacco retail establishment, or any area the tobacco  
23 retail establishment provides for the purposes of smoking;

24 c. any tobacco business when the testing of a cigar or pipe  
25 tobacco by heating, burning or smoking is a necessary and integral  
26 part of the process of making, manufacturing, importing or  
27 distributing cigars or pipe tobacco;

28 d. private homes, private residences and private automobiles;

29 e. the area within the perimeter of:

30 (1) any casino as defined in section 6 of P.L.1977, c.110  
31 (C.5:12-6) approved by the Casino Control Commission that  
32 contains at least 150 stand-alone slot machines, 10 table games, or  
33 some combination thereof approved by the commission, which  
34 machines and games are available to the public for wagering; and

35 (2) any casino simulcasting facility approved by the Casino  
36 Control Commission pursuant to section 4 of P.L.1992, c.19  
37 (C.5:12-194) that contains a simulcast counter and dedicated seating  
38 for at least 50 simulcast patrons or a simulcast operation and at least  
39 10 table games, which simulcast facilities and games are available  
40 to the public for wagering; **[and]**

41 f. research laboratories and other facilities that have been  
42 approved by the Department of Health to permit smoking for the  
43 purpose of medical research related to the health effects of smoking,  
44 in an indoor facility that is separately ventilated for the purpose of  
45 medical or scientific research that is conducted under physician

**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.

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1 supervision and has been approved by an Investigational Review  
2 Board (IRB), if the facility is used solely and exclusively for  
3 clinical research activities; and

4 g. the guest rooms of an approved casino hotel as defined in  
5 section 19 of P.L.1977, c.110 (C.5:12-19).

6 (cf: P.L.2017, c.271, s.1)

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8 2. Section 6 of P.L.2005, c.383 (C.26:3D-60) is repealed.

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10 3. This act shall take effect on the first day of the third month  
11 following the date of enactment.

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**STATEMENT**

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16 This bill prohibits smoking in any of the guest rooms in hotels,  
17 motels, or other lodging establishments in the State, except for  
18 guest rooms in approved casino hotels. Current law allows a hotel,  
19 motel or other lodging establishment to permit smoking in up to 20  
20 percent of its guest rooms. This bill repeals that provision of law,  
21 and adds the guest rooms of approved casino hotels to the list of  
22 establishments and premises that are not subject to the provisions of  
23 the “New Jersey Smoke-Free Air Act.”