

**ASSEMBLY, No. 5256**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED JANUARY 12, 2021

**Sponsored by:**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblymen Benson and Caputo**

**SYNOPSIS**

Concerns manufacturing of clear masks and promotes public awareness of clear mask use during public health emergencies.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/12/2021)**

1    **AN ACT** concerning clear masks and supplementing chapter 13 of  
2       Title 26 of the Revised Statutes.

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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.   As used in this act:

8       “Clear mask” means a transparent mask that provides a full view  
9       of a person’s face, offers similar protective benefits as surgical or  
10      cloth masks by preventing the transmission of disease and filtering  
11      aerosols, and supports the communication needs of individuals that  
12      are deaf or hard of hearing.

13      “Department” means Department of Health.

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15      2.   a.   The Department of Health, in consultation with the  
16      Department of Human Services, shall develop design and  
17      manufacturing standards for clear masks that consider the following  
18      disease prevention and safety factors and other factors as  
19      determined by the department: fluid resistance, flammability,  
20      particle filtration, air flow resistance, and biocompatibility. The  
21      department shall establish separate standards that are appropriate  
22      for clear masks used in a medical setting and for clear masks used  
23      in an educational setting.

24      b.   Following the development of design and manufacturing  
25      standards for clear masks, the department shall identify the models  
26      of clear masks that currently exist and meet the appropriate  
27      standards for medical and education settings and publish such  
28      guidance on its Internet website.

29  
30      3.   During a public health emergency declared by the Governor  
31      pursuant to section 3 of P.L.2005, c.222, in which the use of a face  
32      mask in public is required to reduce the transmission of disease, the  
33      Department of Health, in consultation with the Department of  
34      Human Services, shall engage in comprehensive outreach efforts  
35      and public awareness campaigns to promote the use of clear masks  
36      to support the communication needs of the deaf and hard of hearing  
37      community. The department may use all available media, including  
38      print, radio, televisions, social media, and the Internet to provide  
39      information on the importance of using clear masks and to identify  
40      any models of clear masks currently available that are safe to use in  
41      a public health emergency and supportive of the communication  
42      needs of the deaf and hard of hearing community.

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44      4.   The Commissioner of Health, pursuant to the  
45      “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et  
46      seq.), shall promulgate rules and regulations to effectuate the  
47      provisions of this act.

1       5. This act shall take effect immediately.

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STATEMENT

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6       This bill requires the Department of Health, in consultation with  
7 the Department of Human Services, to develop design and  
8 manufacturing standards for clear masks and to promote the public  
9 awareness of clear mask use during public health emergencies that  
10 would require the use of a face mask in public to reduce disease  
11 transmission.

12       A clear mask is a transparent mask that provides a full view of  
13 a person's face, offers similar protective benefits as surgical or  
14 cloth masks by preventing the transmission of disease and filtering  
15 aerosols, and supports the communication needs of individuals that  
16 are deaf or hard of hearing.

17       This bill requires the Department of Health to establish separate  
18 standards that are appropriate for clear masks used in a medical  
19 setting and for clear masks used in an educational setting.  
20 Following the development of design and manufacturing standards  
21 for clear masks, the department will also identify the models of  
22 clear masks that currently exist and meet the appropriate standards  
23 for medical and education settings and will publish such guidance  
24 on its Internet website.

25       During public health emergencies that require the use of a face  
26 mask in public to reduce disease transmission, this bill requires the  
27 Department of Health, in consultation with the Department of  
28 Human Services, to engage in comprehensive outreach efforts and  
29 public awareness campaigns to promote the use of clear masks. The  
30 department may use all available media, including print, radio,  
31 televisions, social media, and the Internet to provide information on  
32 the importance of using clear masks and to identify any models of  
33 clear masks currently available that are safe to use in a public health  
34 emergency and supportive of the communication needs of the deaf  
35 and hard of hearing community.