

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3692

STATE OF NEW JERSEY

DATED: MAY 13, 2021

The Senate Judiciary Committee reports favorably Senate Bill No. 3692.

This bill establishes certain criminal penalties in connection with documents that falsely purport to be a verification issued by a governmental agency of a person having received one or more doses of a vaccination against SARS-CoV-2, which is the virus that causes coronavirus disease 2019 (COVID-19), and additionally requires the Attorney General to establish a COVID-19 vaccination fraud prevention program.

Under the bill, a person who knowingly sells, offers or exposes for sale, or otherwise transfers, or possesses with the intent to sell, offer or expose for sale, or otherwise transfer a false SARS-CoV-2 vaccination verification card, or who makes, or possesses the devices or materials to make, false SARS-CoV-2 vaccination verification cards, would be guilty of a crime of the second degree, which is punishable by imprisonment for five to 10 years, a fine of up to a \$150,000, or both.

A person who knowingly exhibits, displays or utters a false SARS-CoV-2 vaccination verification card would be guilty of a crime of the third degree, which is punishable by imprisonment for three to five years, a fine of up to \$15,000, or both.

A person who knowingly possesses a false SARS-CoV-2 vaccination verification card would be guilty of a crime of the fourth degree, which is punishable by imprisonment for up to 18 months, a fine of up to \$10,000, or both.

Additionally, the Attorney General would be required to develop, no later than 30 days after the effective date of the bill (effective immediately), a COVID-19 vaccination fraud prevention program, which would focus on preventing and prosecuting the production, sale, distribution, and use of counterfeit SARS-CoV-2 vaccination cards and other materials that enable a person who has not received the SARS-CoV-2 vaccine to falsely indicate that the person has received the SARS-CoV-2 vaccine.

For this purpose, the Office of the Attorney General would be provided access to information contained in the New Jersey Immunization Information System established pursuant to P.L.2004, c.138 (C.26:4-131 et seq.) concerning SARS-CoV-2 vaccinations, for the sole purpose of verifying the SARS-CoV-2 vaccination status of an individual suspected of falsely purporting to have received the SARS-

CoV-2 vaccine. Any information concerning an individual obtained by the fraud prevention program from the New Jersey Immunization Information System would be held confidential, and may not be shared or released by the program for any purpose, other than to directly aid in the investigation and prosecution of COVID-19 vaccination fraud.