

ASSEMBLY, No. 1946

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblywoman WEINBERG, Assemblyman ZISA,
Assemblywoman Buono, Assemblyman Barnes,
Assemblywoman Friscia and Assemblyman Gusciora

1 AN ACT concerning cigarette vending machines and supplementing
2 P.L.1948, c.65 (C.54:40A-1 et seq.) and Title 26 of the Revised
3 Statutes.

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

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8 1. a. A retail dealer operating a cigarette vending machine licensed
9 pursuant to section 202 of P.L.1948, c.65 (C.54:40A-4) shall not sell
10 any beverage or food product including, but not limited to, soft drinks,
11 juice, candy, chewing gum or other snack foods, in a vending machine
12 that sells cigarettes.

13 b. The Department of the Treasury shall notify all persons holding
14 or applying for a cigarette vending machine license at the time of
15 license renewal or application for a new license, as the case may be,
16 that a vending machine licensed to sell cigarettes shall not be permitted
17 to sell any beverage or food product if cigarettes are also sold from
18 the same machine.

19 c. Notwithstanding the provisions of this section to the contrary,
20 the prohibition on the sale of beverage or food products in a vending
21 machine that sells cigarettes shall not apply to a vending machine in a
22 workplace that is not ordinarily open or accessible to the public.

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24 2. A retail dealer operating a cigarette vending machine in violation
25 of this act is liable to a civil penalty of \$500 for the first offense and
26 \$1,000 for the second and each subsequent offense, for each day the
27 violation continues.

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29 3. a. A penalty recovered under the provisions of P.L. , c.
30 (C.)(pending before the Legislature as this bill) shall be recovered
31 by and in the name of the local board of health. The penalty shall be
32 paid into the treasury of the municipality where the violation occurred,
33 but shall be appropriated to the local board of health for use by the
34 local health agency in enforcing the prohibition on sale and commercial
35 distribution of tobacco products to persons under the age of 18 years.

