

# ASSEMBLY LOCAL GOVERNMENT COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2031

# STATE OF NEW JERSEY

DATED: SEPTEMBER 16, 1996

The Assembly Local Government Committee reports favorably Assembly Bill No. 2031.

Assembly Bill No. 2031 permits municipalities to enact local ordinances prohibiting certain gambling activities in a public place. Generally municipalities are preempted by the provisions of the criminal code, Title 2C, from enacting or enforcing any ordinance or other local law or regulation conflicting with, or preempted by, any provision of the criminal code. Chapter 37 of Title 2C sets forth gambling offenses. However, there are a number of gambling activities which are not criminalized. This bill permits municipalities to prohibit these types of currently legal gambling activities in public places. R.S. 40:49-5 sets forth the penalties which a municipality may prescribe for violation of an ordinance. Generally these penalties include imprisonment for any term not exceeding 90 days, a fine not exceeding \$1000.00 or community service not exceeding 90 days. The sponsor believes that municipalities may benefit from the authority to regulate public gambling as a tool to maintain public safety and peace. The intent is to address street gambling such as dice games. Street corner gambling such as crap games may draw crowds, disturb neighbors and result in disputes. There is no intent to reach these gambling activities in private residences since there is no likelihood of disturbing the public in those circumstances.