

[First Reprint]  
ASSEMBLY, No. 2684

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1997

By Assemblymen GIBSON and BAGGER

1 AN ACT concerning the possession of tobacco products by minors and  
2 supplementing Title 2A of the New Jersey 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. a. It shall be illegal for any person under the age of 18 years to  
8 possess or have under his control tobacco or any tobacco product  
9 including cigars, cigarettes and smokeless tobacco.

10 b. A law enforcement officer may confiscate any tobacco or  
11 tobacco product possessed in violation of subsection a. of this  
12 section.

13 c. If a violation of subsection a. of this section occurs on the  
14 property of any public or private elementary or secondary school, the  
15 principal of the school and any other school employee authorized by  
16 the principal is authorized to confiscate the illegally possessed tobacco  
17 or tobacco product.

18 <sup>1</sup>d. The provisions of this section shall not be construed to apply to  
19 a person under the age of 18 years:

20 (1) while actually engaged in the performance of employment when  
21 the possession of tobacco or a tobacco product is necessary to the  
22 performance of the person's employment duties; or

23 (2) who possesses tobacco or a tobacco product when that  
24 possession is part of a law enforcement effort in connection with  
25 N.J.S.2A:170-51 which is approved by the Department of Health and  
26 Senior Services.<sup>1</sup>

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28 2. This act shall take effect immediately.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AHL committee amendments adopted November 17, 1997 .

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3 Makes possession of tobacco products by minors illegal.