

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 837

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 1996

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 837.

This bill provides that any person who owns private property may request that no newspaper be dropped, placed, deposited or delivered by directing a written communication to the owner, publisher or distributor of that newspaper which makes clear that the owner of the property does not wish to have the newspaper delivered, regards the newspaper as litter and not a Constitutionally-protected form of communication and wishes that delivery be terminated immediately. The bill also prohibits any person who is the employee or agent of a newspaper from continuing to drop, place, deposit or deliver a newspaper to the property of a person who has requested in writing that such delivery be terminated after the 14th day after the receipt of the request by the owner, publisher or distributor.

Any person who engages in this activity repeatedly would be considered to have committed a petty disorderly persons offense. Upon conviction, the person could be penalized with imprisonment for up to 30 days, a fine of up to \$500, or both; in addition, the court may direct the performance of 20 - 40 hours of community service, including litter pickup and removal. A person who is convicted within one year of a previous conviction for the same offense could be penalized with imprisonment for up to 60 days, a fine of up to \$1,000, or both, and with the performance of 40-80 hours of community service, including litter pickup and removal.

COMMITTEE AMENDMENTS

The committee amended the bill to provide the owner, publisher or distributor of a newspaper with a 14-day period after the receipt of the request in which to stop the dropping, placing, depositing or delivery of the newspaper to the private property of an owner.