

[First Reprint]

ASSEMBLY, No. 4416

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED SEPTEMBER 13, 2018

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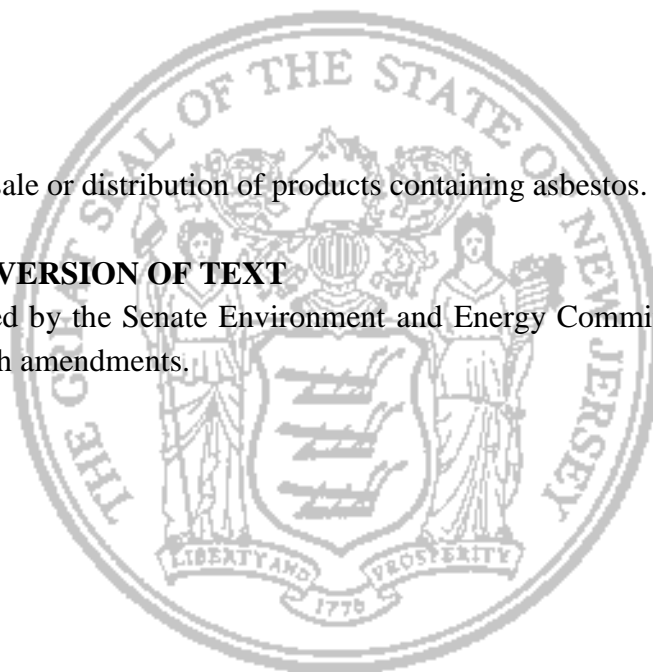
**Assemblyman Johnson, Assemblywoman Pinkin, Assemblyman Moriarty,
Assemblywoman McKnight, Assemblyman Schaer, Senators Bateman and
Pou**

SYNOPSIS

Prohibits sale or distribution of products containing asbestos.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on January 24, 2019, with amendments.



(Sponsorship Updated As Of: 2/22/2019)

1 AN ACT concerning the sale or distribution of products containing
2 asbestos, and supplementing Title 13 of the Revised Statutes.

3

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

6

7 1. a. No person shall sell, offer for sale, or distribute in the
8 State any product that contains asbestos.

9 b. ¹Nothing in this act shall be construed to impose liability on
10 any news media that accept or publish advertising for any product
11 that would otherwise be subject to the provisions of this section.

12 c.¹ As used in this section: "asbestos" means the same as the
13 term is defined in section 3 of P.L.1984, c.173 (C.34:5A-34).

14

15 2. a. The Department of Environmental Protection shall
16 establish a public education program to assure the widespread
17 dissemination of information concerning the prohibition contained
18 in section 1 of this act.

19 b. The department shall have the right to enter, at any time
20 during normal business hours, and upon presentation of appropriate
21 credentials, any retail establishment in order to determine
22 compliance with the provisions of this act.

23

24 3. a. Any person convicted of a violation of this act shall be
25 subject to a penalty of up to \$2,500 for each offense, to be collected
26 by the State in a civil action by a summary proceeding under the
27 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10
28 et seq.). The Superior Court and the municipal court shall have
29 jurisdiction over proceedings for the enforcement of the penalty
30 provided by this section.

31 b. The department may institute a civil action for injunctive
32 relief in the Superior Court to enforce this act and to prohibit and
33 prevent a violation of this act, and the court may proceed in the
34 action in a summary manner.

35

36 4. This act shall take effect on the first day of the fourth month
37 following the date of enactment.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted January 24, 2019.