

ASSEMBLY, No. 5086

STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED DECEMBER 9, 2024

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblywoman CLAIRE S. SWIFT

District 2 (Atlantic)

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Co-Sponsored by:

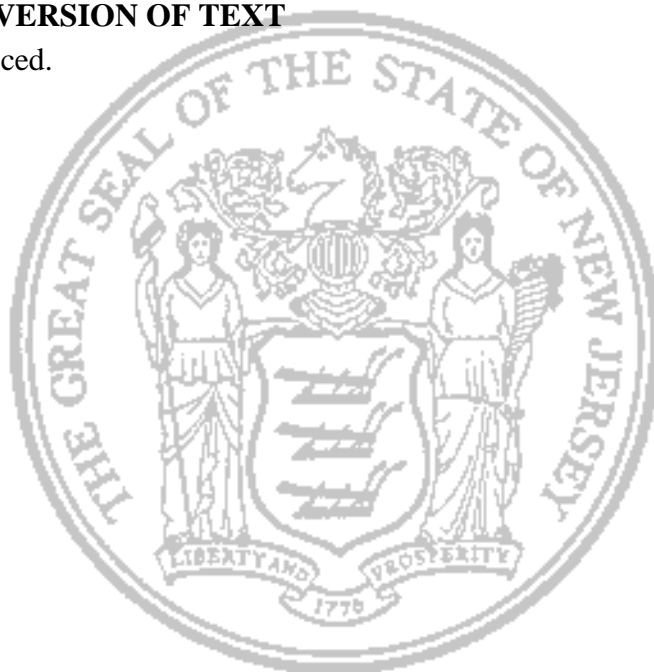
**Assemblymen Stanley, Calabrese, Assemblywomen Hall, Donlon,
Assemblyman Sampson and Assemblywoman Pintor Marin**

SYNOPSIS

Revises penalty for underage gambling to be civil penalty; provides for all associated fines to be used for gambling addiction treatment.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/30/2025)

1 AN ACT concerning the penalties for underage gambling and
2 amending P.L.1977, c.110.

3

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

6

7 1. Section 119 of P.L.1977, c.110 (C.5:12-119) is amended to
8 read as follows:

9 119. Gaming by Certain Persons Prohibited; Penalties; Defenses.

10 a. A person under the age at which a person is authorized to
11 purchase and consume alcoholic beverages shall not enter, or wager
12 in, a licensed casino or simulcasting facility; provided, however, that
13 the person may enter a casino or simulcasting facility by way of
14 passage to another room, and provided further, however, that any
15 person licensed or registered under the provisions of the "Casino
16 Control Act," P.L.1977, c.110 (C.5:12-1 et seq.), may enter a casino
17 or simulcasting facility in the regular course of the person's permitted
18 activities.

19 Any person who violates this subsection shall be **guilty of a**
20 **disorderly persons offense** and shall be fined not less than \$500 and
21 **not more than \$1,000** liable to a civil penalty of up to \$500 for the
22 first offense, up to \$1,000 for the second offense, and up to \$2,000
23 for the third offense and any offense thereafter, which shall be
24 collected by the commissioner in a summary proceeding before a
25 court of competent jurisdiction pursuant to the "Penalty Enforcement
26 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

27 b. Any licensee or employee of a casino who allows a person
28 under the age at which a person is authorized to purchase and
29 consume alcoholic beverages to remain in or wager in a casino or
30 simulcasting facility **is guilty of a disorderly persons offense** shall
31 be liable to the same civil penalty established pursuant to subsection
32 a. of this section; except that the establishment of all of the following
33 facts by a licensee or employee allowing any underage person to
34 remain shall constitute a defense to any **prosecution** proceeding
35 therefor:

36 (1) That the underage person falsely represented in writing that
37 he or she was at or over the age at which a person is authorized to
38 purchase and consume alcoholic beverages;

39 (2) That the appearance of the underage person was such that an
40 ordinary prudent person would believe him or her to be at or over the
41 age at which a person is authorized to purchase and consume
42 alcoholic beverages; and

43 (3) That the admission was made in good faith, relying upon such
44 written representation and appearance, and in the reasonable belief

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.

1 that the underage person was actually at or over the age at which a
2 person is authorized to purchase and consume alcoholic beverages.

3 c. A person who knowingly allows or permits another person
4 who is under his or her lawful care, custody, or control and who is
5 under the age at which a person is authorized to purchase and
6 consume alcoholic beverages to wager or attempt to wager in a
7 licensed casino or simulcasting facility in violation of subsection a.
8 of this section **【is guilty of a disorderly persons offense】** shall be
9 liable to the same civil penalty established pursuant to subsection a.
10 of this section.

11 d. All penalties assessed under this section shall be paid into the
12 General Fund for appropriation by the Legislature to the Department
13 of Human Services for prevention and education and treatment
14 programs for compulsive gambling that meet the criteria developed
15 pursuant to section 2 of P.L.1993, c.229 (C.26:2-169), such as those
16 provided by the Council on Compulsive Gambling of New Jersey.
17 (cf: P.L.2019, c.276, s.8)

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19 2. This act shall take effect immediately.

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STATEMENT

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24 Under current law, anyone who gambles at a casino or
25 simulcasting facility while under the legal age of 21 is guilty of a
26 disorderly persons offense. A person who allows someone under the
27 age of 21 to gamble, while they are in that person's legal care or
28 custody, is also guilty of a disorderly persons offense. A licensee or
29 employee of a casino who allows someone under the age of 21 to
30 gamble is guilty of a disorderly persons offense as well.

31 This bill changes the penalties for each of these actions from that
32 of a disorderly persons offense, which is of a criminal nature, to
33 instead be a civil fine of up to \$500 for the first offense, up to \$1,000
34 for the second offense, and up to \$2,000 for any offense thereafter.
35 The fines collected will used for prevention, education, and treatment
36 programs for compulsive gambling, such as those provided by the
37 Council on Compulsive Gambling of New Jersey.