

ASSEMBLY, No. 5666

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:
Assemblywoman MAUREEN ROWAN
District 2 (Atlantic)

SYNOPSIS

Upgrades trespass in or upon casino gaming property to fourth degree crime.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning criminal trespass and amending N.J.S.2C:18-1
2 and N.J.S.2C:18-3.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. N.J.S.2C:18-1 is amended to read as follows:

8 2C:18-1. In this chapter, unless a different meaning **【plainly is】**
9 is plainly required:

10 "Casino gaming property" means a licensed casino and hotel
11 complex approved by the Casino Control Commission and regulated
12 by the Division of Gaming Enforcement for casino operations.

13 **【**"Structure" means any building, room, ship, vessel, car, vehicle,
14 or airplane and also means any place for carrying on business
15 therein, whether or not a person is actually present.

16 "Utility Company Property" means property owned by a public
17 utility, as defined in R.S.48:2-13, or by a municipality, county,
18 water district, authority, or other public agency and which is used
19 for the purpose of providing electric, gas or water utility service. **】**

20 "Operational area" means **【any】** a portion of a public airport,
21 from which access by the public is prohibited by fences or
22 appropriate signs, and includes runways, taxiways, all ramps, cargo
23 ramps and apron areas, aircraft parking and storage areas, fuel
24 storage areas, maintenance areas, and any other area of a public
25 airport used or intended to be used for landing, takeoff or surface
26 maneuvering of aircraft.

27 "Residential dwelling or accommodation" means a permanent
28 structure intended as and currently being utilized as a residence by a
29 private person or persons and any place adapted for overnight
30 accommodation of persons.

31 "Sterile area" means a portion of an airport, as set forth in an
32 airport security program approved by the Transportation Security
33 Administration, that provides passengers access to boarding aircraft
34 and to which the access generally is controlled by the
35 Transportation Security Administration, an aircraft operator
36 pursuant to 49 C.F.R. part 1544, or an air carrier pursuant to 49
37 C.F.R. part 1546, through the screening of persons and property.

38 "Structure" means a building, room, ship, vessel, car, vehicle, or
39 airplane and also means a place for carrying on business therein,
40 whether or not a person is actually present.

41 **【**"Residential dwelling or accommodation" means a permanent
42 structure intended as and currently being utilized as a residence by a
43 private person or persons and any place adapted for overnight
44 accommodation of persons. **】**

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 "Utility company property" means property owned by a public
2 utility, as defined in R.S.48:2-13, or by a municipality, county,
3 water district, authority, or other public agency and which is used
4 for the purpose of providing electric, gas, or water utility service.
5 (cf: P.L.2024, c.83, s.4)

6
7 2. N.J.S.2C:18-3 is amended to read as follows:

8 2C:18-3. a. Unlicensed entry of structures. A person commits
9 **【an】** a disorderly persons offense if, knowing that **【he】** the person
10 is not licensed or privileged to do so, **【he】** the person enters or
11 surreptitiously remains in **【any research facility,】** a structure, or
12 separately secured or occupied portion thereof**【, or in or upon**
13 utility company property, or in the sterile area or operational area of

14 an airport**】**.
15 An offense under this subsection is a crime of the fourth degree
16 if it is committed in **【a school or on school property.** The offense is
17 a crime of the fourth degree if it is committed in a dwelling. An
18 offense under this section is a crime of the fourth degree if it is
19 committed in a research facility, power generation facility, waste
20 treatment facility, public sewage facility, water treatment facility,
21 public water facility, nuclear electric generating plant or any facility
22 which stores, generates or handles any hazardous chemical or
23 chemical compounds. An offense under this subsection is a crime
24 of the fourth degree if it is committed in or upon utility company
25 property. An offense under this subsection is a crime of the fourth
26 degree if it is committed in the sterile area or operational area of an
27 airport. Otherwise it is a disorderly persons offense. **】 or upon:**

- 28 (1) a school or school property;
29 (2) a residential dwelling or accommodation;
30 (3) a research facility;
31 (4) a power generation facility;
32 (5) a waste treatment facility;
33 (6) a public sewage facility;
34 (7) a water treatment facility;
35 (8) a public water facility;
36 (9) a nuclear electric generating plant;
37 (10) a facility which stores, generates, or handles a hazardous
38 chemical or a chemical compound;
39 (11) a utility company property;
40 (12) a sterile area or operational area of an airport; or
41 (13) a casino gaming property.

42 b. Defiant **【trespasser】** trespass. A person commits a petty
43 disorderly persons offense if, knowing that **【he】** the person is not
44 licensed or privileged to do so, **【he】** the person enters or remains in
45 **【any】** a place as to which notice against trespass is given by:

- 46 (1) **【Actual】** actual communication to the actor; **【or】**

1 (2) **【Posting】** posting in a manner prescribed by law or
2 reasonably likely to come to the attention of intruders; or

3 (3) **【Fencing】** fencing or other enclosure manifestly designed to
4 exclude intruders.

5 c. Peering into windows or other openings of a residential
6 dwelling **【places】** or accommodation. A person commits a crime of
7 the fourth degree if, knowing that **【he】** the person is not licensed or
8 privileged to do so, **【he】** the person peers into a window or other
9 opening of a residential dwelling or **【other structure adapted for**
10 **overnight accommodation】** accommodation for the purpose of
11 invading the privacy of another person and under circumstances in
12 which a reasonable person in the residential dwelling or **【other**
13 **structure】** accommodation would not expect to be observed.

14 d. Defenses. It is an affirmative defense to prosecution under
15 this section that:

16 (1) **【A】** a structure involved in an offense under subsection a.
17 was abandoned;

18 (2) **【The】** the structure was at the time open to members of the
19 public and the actor complied with all lawful conditions imposed on
20 access to or remaining in the structure; or

21 (3) **【The】** the actor reasonably believed that the owner of the
22 structure, or other person empowered to license access thereto,
23 would have licensed **【he】** the actor to enter or remain, or, in the
24 case of subsection c. of this section, to peer.

25 (cf: P.L.2013, c.138, s.2)

26

27 3. This act shall take effect immediately.

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29

STATEMENT

30

31 This bill provides that trespass in or upon a casino gaming
32 property is a crime of the fourth degree.

33 A crime of the fourth degree is punishable by imprisonment for
34 up to 18 months, a fine of up to \$10,000, or both.

35 Under current law, trespass in or upon a casino gaming property
36 is generally considered a “defiant trespass,” a petty disorderly
37 persons offense, under State law. A petty disorderly persons
38 offense is punishable by imprisonment for up to 30 days, a fine of
39 up to \$500, or both.

40 The bill defines a “casino gaming property” as a licensed casino
41 and hotel complex approved by the Casino Control Commission and
42 regulated by the Division of Gaming Enforcement for casino
43 operations.

44 In addition, the bill amends statutes pertaining to criminal
45 trespass to clarify locations subject to enhanced penalties for
46 criminal trespass, align definitions used in the statutes with
47 P.L.2024, c.83, and enhance readability.