ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND AGRICULTURE COMMITTEE

STATEMENT TO

[First Reprint]
ASSEMBLY, No. 3992

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 24, 2025

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably and with committee amendments Assembly Bill No. 3992 (1R).

As amended, this bill increases the penalties for certain prohibited sales of tobacco and vapor products.

The bill amends current law to revise the prohibition on the sale of tobacco to persons under the age of 21. Under the bill, no retailer is to sell to a person under 21 years of age any "tobacco product," which is defined in the bill to mean: any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by other means, including, but not limited to, a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, or snus; any vapor product; and any component, part, or accessory of a product containing, made of, or derived from tobacco or nicotine or a vapor product, regardless of whether the component, part, or accessory contains tobacco or nicotine. "Tobacco product" includes, but is not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes. "Tobacco product" does not include any drug, device, or combination product approved by the federal Food and Drug Administration pursuant to the "Federal Food, Drug, and Cosmetic Act," 21 U.S.C. s.301 et seq.

The bill increases fines for a violation of the above prohibition from not less than $250 to $750 for the first violation, from not less than $500 to $1,500 for the second violation, and from $1,000 to $3,000 for the third and each subsequent violation. Five percent of the penalties recovered under the bill are to be transferred to the Department of Health and are to be used by the department to fund educational programs and outreach initiatives to inform the public, retailers, and minors of the dangers of vapor products and the consequences of selling or using vapor products illegally. The bill further specifies that penalties for certain violations of the law concerning the sale and public use of tobacco products and vapor

products be paid to the entity responsible for enforcement for the municipality in which the violation occurs.

The bill provides that the Office of Tobacco Control and Prevention in the Department of Health (office) is to establish a process by which retail dealers report to the office efforts on behalf of the retail dealer to comply with the above prohibition. The office is to also establish a mechanism by which an individual may anonymously report to the office a violation of the above prohibition.

COMMITTEE AMENDMENTS:

The committee amendments provide that:

1) penalties for certain violations of the law concerning the sale and public use of tobacco products and vapor products be paid to the entity responsible for enforcement for the municipality in which the violation occurs rather than into the treasury of the municipality for general use by the municipality; and

2) the Office of Tobacco Control and Prevention in the Department of Health is to establish a process by which retail dealers report efforts to comply with certain provisions of the bill and a mechanism by which an individual may anonymously report certain violations of the bill's provisions.