

**Policy Case Study**  
**New Jersey**  
**Smokefree College Residential Housing Law**

**Policy Description:** On August 22, 2005, New Jersey Acting Governor Richard Codey signed the Smokefree Residential Housing Law. The law prohibits smoking in any portion of a building used as a student dormitory that is owned and operated by a school or institution of higher education.

In addition to providing a clean and safe residential environment for students, the legislation also reduces student exposure to secondhand smoke, and aims to prevent smoking-related fires. The law differs from previous legislation enacted by Wisconsin and Connecticut because it bans smoking in private as well as public colleges and universities.

**Policy Background:** The push to enact the Smokefree Residential Housing Law was led by the New Jersey Group Against Smoking Pollution (GASP). GASP became interested in the issue after: (1) receiving several phone calls from college students complaining about tobacco smoke drifting into their dorm rooms, (2) hearing from college-based tobacco control groups who raised smoking in residence halls as a major concern, and (3) realizing that many students begin smoking in college as a result of exposure to tobacco use in residence halls.

Before GASP identified a legislative sponsor for the policy, they conducted research to provide support for the necessity of the bill. To do this, GASP first examined whether or not other states and/or individual colleges had passed similar legislation. GASP's research revealed that two states—Wisconsin and Connecticut—had passed laws to make college dorms smokefree. However, these laws only covered public colleges and universities and not private ones. GASP's research also revealed that numerous institutions of higher education had adopted smokefree dorm policies on an individual basis.

GASP uncovered additional research that suggested that eliminating smoking in residence halls would be beneficial. First, the American College Health Association's position statement encourages its member colleges and universities to ban smoking in campus-owned and sanctioned housing. Second, research revealed that smoking in residence halls causes colleges and universities to spend large sums of money on smoking cleanup and repairs. Third, smoking increases rates of residence halls fires. And, finally, GASP contacted several colleges that had smokefree dorm policies and found that compliance was not a major issue on these campuses. Once GASP concluded its research, it developed a fact sheet to summarize the information for legislators who might be interested in sponsoring New Jersey's smokefree college residential housing law.

**Garnering Support for the Policy:** GASP contacted several key New Jersey legislators that had previously sponsored bills on tobacco control. GASP soon identified a legislator who was interested in supporting the bill due to its potential to both eliminate secondhand smoke and to prevent fires. In addition to gaining the support of legislators, GASP also solicited the support of New Jersey's statewide tobacco coalition.

### **Drafting the Policy and its Hearings**

By January 2005, the bill sponsors decided that the best route would be to amend the current state law on smoking on school property. Ultimately, the legislation stated:

*"Smoking shall be prohibited in any portion of a building used as a student dormitory that is owned and operated or otherwise utilized by a school or institution of higher education."*

Once a date was scheduled to introduce the bill at the Assembly Health Committee hearing, GASP began identifying people to testify. In order to do this, GASP contacted REBEL University—a New Jersey State Department of Health funded project that involves college students on tobacco control issues—and identified two students from a college near the statehouse who agreed to testify.

GASP encountered two surprises at the bill's Committee hearings. First, legislators took more of an interest in the bill's potential to prevent fires than its promise to protect students from secondhand smoke hazards. Second, positioned in terms of fire prevention, the bill sailed through the Assembly Health Committee, and subsequently through the Senate Health Committee.

Prior to the final vote on the legislation by the Assembly and the Senate, a dorm fire—that started from a cigarette—occurred at Drew University in Madison, New Jersey. Fortunately, no students died or were seriously injured in the fire, but the incident received a great deal of press coverage. By June 2005, both the full Senate and Assembly overwhelmingly passed the Smokefree College Residential Housing Law. The Governor's office planned a press conference for the signing of the law, at Drew University, for August 2005.

**The Governor's Signing of the Policy:** The governor signed the bill on August 22, 2005 at Drew University where a cigarette ignited a dorm fire on Valentine's Day of that same year. The governor's speech described the importance of the legislation by citing its potential to prevent fires and emphasizing the health benefits of protecting college students from secondhand smoke exposure. The timing of both the signing of the legislation and the governor's speech were ideal because the legislature was set to contemplate a strong statewide smokefree air bill later in 2005. This legislation was eventually passed and took effect on April 15, 2006.

**Future:** Following the successful implementation of the New Jersey Smokefree College Residential Housing Law, other states began to take notice. Specifically, the Illinois Coalition Against Tobacco brought the issue to Illinois Senator Fritchey, who became

interested in promoting a similar bill for Illinois. GASP provided its Fact Sheet, a copy of the new smokefree dorm legislation, and other related information. In September 2005, Senator Fritchey held a press conference, and announced that he was going to sponsor a similar smokefree dorm law for Illinois. Ultimately, the law was passed in April of 2006.

**For more information, contact:**

Karen Blumenfeld  
Director, Tobacco Control Policy & Legal Resource Center  
New Jersey GASP  
Karen.blumenfeld@verizon.net

This policy brief was written in January 2007.