

# 40A:14-178

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2000                    **CHAPTER:** 106

**NJSA:** 40A:14-178                    (Sheriffs officers—training—reimbursement)

**BILL NO:** S256 (Substituted for A784/A403)

**SPONSOR(S):** Bennett and Kyriillos

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:**                    **ASSEMBLY:** Appropriations

**SENATE:** Law and Public Safety

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** June 5, 2000

**SENATE:** June 8, 2000

**DATE OF APPROVAL:** September 8, 2000

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** (Senate Committee substitute (1R) enacted)  
(Amendments during passage denoted by superscript numbers)

**SENATE COMMITTEE SUBSTITUTE FOR S256**

<b>SPONSORS STATEMENT:</b>		No
<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b>	Yes
	<b>SENATE:</b>	Yes
<b>FLOOR AMENDMENT STATEMENTS:</b>		No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>		Yes

**ASSEMBLY COMMITTEE SUBSTITUTE FOR A784/403**

<b>SPONSORS STATEMENT:</b>		No
<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b>	Yes    2-10-00 (Law & P. S.) 3-20-00 (Approp.)
	<b>SENATE:</b>	No
<b>FLOOR AMENDMENT STATEMENTS:</b>		No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>		No
<b>FINAL VERSION</b> (first reprint)		Yes

**THE FOLLOWING BILLS HAVE SPONSOR’S STATEMENTS ONLY** (at the end of the introduced bills):

**S256**

**A784**

**A403**

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

# SENATE, No. 256

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator JOHN O. BENNETT**

**District 12 (Monmouth)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Requires reimbursement of training costs of sheriff's officers in certain instances.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



S256 BENNETT, KYRILLOS

2

1 AN ACT concerning the examination, hiring and training costs of  
2 sheriff's officers and amending P.L.1987, c.47.

3

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

6

7 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read  
8 as follows:

9 1. Whenever a person who resigned as a member of a county or  
10 municipal police department or as a sheriff's officer is appointed to the  
11 police department of another county or municipality or the police  
12 department of an educational institution pursuant to P.L.1970, c.211  
13 (C.18A:6-4.2 et seq.) within 120 days of resignation, and that person  
14 held a probationary appointment at the time of resignation or held a  
15 permanent appointment for 30 days or less prior to resignation, the  
16 county or municipality or educational institution appointing the person  
17 is liable to the former county or municipal employer, as appropriate,  
18 for the total certified costs incurred by the former employer in the  
19 examination, hiring, and training of the person.

20 Whenever a person who resigned as a member of a county or  
21 municipal police department or as a sheriff's officer is appointed to the  
22 police department of another county or municipality or the police  
23 department of an educational institution pursuant to P.L.1970, c.211  
24 (C.18A:6-4.2 et seq.) within 120 days of resignation, and that person,  
25 at the time of resignation held a permanent appointment for more than  
26 30 days but less than two years, the county or municipality or  
27 educational institution appointing the person is liable to the former  
28 county or municipal employer, as appropriate, for one-half of the total  
29 certified costs incurred by the former employer in the examination,  
30 hiring and training of that person.

31 The appointing county or municipality or educational institution  
32 shall notify the former employer immediately upon the appointment of  
33 a former employee and shall reimburse the former employer within 120  
34 days of the receipt of the certified costs.

35 For the purposes of this act, "examination costs" means and  
36 includes, but is not limited to, the costs of all qualifying examinations  
37 and the public advertisements for these examinations, and "training  
38 costs" means the police training course fees and the base salary  
39 received while attending the police training course, as required by  
40 P.L.1961, c.56 (C.52:17B-66 et seq.).

41 (cf: P.L.1989, c.40, s.1)

42

43 2. This act shall take effect immediately.

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

**Matter underlined thus is new matter.**

1 STATEMENT

2

3 This bill would require counties, municipalities and educational  
4 institutions which hire a person who had been employed as a sheriff's  
5 officer to reimburse the county which incurred the costs of examining,  
6 hiring and training that person if, at the time of the person's resignation  
7 from the sheriff's officer position, the person held a probationary  
8 appointment or permanent appointment for less than 30 days. If the  
9 former sheriff's officer held a permanent appointment for more than 30  
10 days, but less than two years, the hiring county, municipality or  
11 educational institution would be required to reimburse the county in  
12 which the officer was examined, hired and trained one-half of those  
13 costs. Reimbursement would be required within 120 days of the  
14 sheriff's officer's resignation.

15 The costs to be reimbursed under the bill include the costs of  
16 qualifying examinations and public advertisements for these  
17 examinations, police training course fees and the base salary received  
18 by the sheriff's officer while attending the police training course.

19 Similar reimbursement requirements currently exist under law when  
20 recently appointed police officers are hired by another jurisdiction.

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 256**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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ADOPTED FEBRUARY 10, 2000

**Sponsored by:**

**Senator JOHN O. BENNETT**

**District 12 (Monmouth)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris)**

**SYNOPSIS**

Requires certain new employers to reimburse certain former employers for law enforcement training costs.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Law and Public Safety Committee.



1 AN ACT concerning certain costs incurred in the training and hiring of  
2 certain law enforcement employees, amending P.L.1987, c.47 and  
3 P.L.1989, c.40, and supplementing chapter 25 of Title 27 of the  
4 Revised Statutes and chapter 27 of Title 52 of the Revised  
5 Statutes.

6

7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9

10 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read  
11 as follows:

12 1. a. Whenever a person who resigned as a member of a county  
13 or municipal [police department] law enforcement agency is appointed  
14 to [the police department of] another county or [municipality or]  
15 municipal law enforcement agency, the police department of an  
16 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
17 seq.) , a State law enforcement agency or the New Jersey Transit  
18 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
19 15.1) within 120 days of resignation, and that person held a  
20 probationary appointment at the time of resignation or held a  
21 permanent appointment for 30 days or less prior to resignation, the  
22 county or [municipality or educational institution] municipal law  
23 enforcement agency, educational institution or State law enforcement  
24 agency appointing the person , or the New Jersey Transit Corporation,  
25 is liable to the former county or municipal employer, as appropriate,  
26 for the total certified costs incurred by the former employer in the  
27 examination, hiring, and training of the person.

28 b. Whenever a person who resigned as a member of a county or  
29 municipal [police department] law enforcement agency is appointed to  
30 [the police department of] another county or [municipality or]  
31 municipal law enforcement agency, the police department of an  
32 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
33 seq.), State law enforcement agency or the New Jersey Transit  
34 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
35 within 120 days of resignation, and that person, at the time of  
36 resignation held a permanent appointment for more than 30 days but  
37 less than two years, the county or [municipality or educational  
38 institution] municipal law enforcement agency, educational institution,  
39 or State law enforcement agency appointing the person, or the New  
40 Jersey Transit Corporation, is liable to the former county or municipal  
41 employer, as appropriate, for one-half of the total certified costs  
42 incurred by the former employer in the examination, hiring and training  
43 of that person.

**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        [The] c. Upon the appointment of a former member of a county  
2 or municipal law enforcement agency, the appointing county or  
3 [municipality or] municipal law enforcement agency, educational  
4 institution, State law enforcement agency or the New Jersey Transit  
5 Corporation shall notify the former employer immediately upon the  
6 appointment of a former employee and shall reimburse the former  
7 employer within 120 days of the receipt of the certified costs.

8        d. For the purposes of this act[, "examination"]:

9        "County or municipal law enforcement agency" means and  
10 includes, but is not limited to, a county or municipal police department  
11 or force, a county corrections department and a county sheriff's office:

12        "Examination costs" means and includes, but is not limited to, the  
13 costs of all qualifying examinations and the public advertisements for  
14 these examinations[, and "training"]:

15        "State law enforcement agency" means and includes, but is not  
16 limited to, the police department of a State agency, the State Police  
17 and the State Department of Corrections; and

18        "Training costs" means the police training course fees and the base  
19 salary received while attending the police training course, as required  
20 by P.L.1961, c.56 (C.52:17B-66 et seq.).

21 (cf: P.L.1989, c.40, s.1)

22  
23        2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to read  
24 as follows:

25        2. a. If a person who was appointed as a police officer of an  
26 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
27 seq.) resigns and is subsequently appointed as a police officer for  
28 another educational institution or for a county or municipal [police  
29 department] law enforcement agency, a State law enforcement agency  
30 or the New Jersey Transit Police Department pursuant to section 2 of  
31 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if  
32 that person held a probationary appointment at the time of resignation  
33 or held a permanent appointment for 30 days or less prior to  
34 resignation, the educational institution [or], county or municipal  
35 [department] law enforcement agency, or State law enforcement  
36 agency appointing the person, or the New Jersey Transit Corporation,  
37 shall be liable to the former educational institution for the total  
38 certified costs incurred by that former educational institution in the  
39 examination, hiring, and training of the person.

40        b. If a person who was appointed as a police officer of an  
41 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
42 seq.) resigns and is subsequently appointed as a police officer for  
43 another educational institution or for a county or municipal [police  
44 department] law enforcement agency, State law enforcement agency  
45 or the New Jersey Transit Police Department pursuant to section 2 of  
46 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if



1 that person held a permanent appointment for more than 30 days but  
2 less than two years at the time of resignation, the educational  
3 institution [or], county or municipal [department] law enforcement  
4 agency or State law enforcement agency appointing the person, or the  
5 New Jersey Transit Corporation, shall be liable to the former  
6 educational institution for one-half of the total certified costs incurred  
7 by that former institution in the examination, hiring, and training of the  
8 person.

9 c. [The ] Upon the appointment of a former police officer of an  
10 educational institution, the appointing educational institution [or],  
11 county or municipal [police department] law enforcement agency,  
12 State law enforcement agency or the New Jersey Transit Corporation  
13 shall notify the former educational institution immediately upon the  
14 appointment of a police officer formerly with that institution and shall  
15 reimburse the institution within 120 days of the receipt of the certified  
16 costs.

17 d. As used in this section[, "examination"]:

18 "County or municipal law enforcement agency" means and  
19 includes, but is not limited to, a county or municipal police department  
20 or force, a county corrections department and a county sheriff's office;

21 "Examination costs" means and includes, but is not limited to, the  
22 costs of all qualifying examinations and public advertisements for these  
23 examinations.

24 "State law enforcement agency" means and includes, but is not  
25 limited to, the police department of a State agency, the State Police  
26 and the State Department of Corrections.

27 "Training costs" means the police training course fees and the base  
28 salary received while attending the police training course as required  
29 by section 3 of P.L.1970, c.211 (C.18A:6-4.4).

30 (cf: P.L.1989, c.40, s.2)

31

32 3. (New section) a. If a person who was appointed as a police  
33 officer of the New Jersey Transit Police Department pursuant to  
34 section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is  
35 subsequently appointed to a county or municipal law enforcement  
36 agency, a police department of an educational institution pursuant to  
37 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement  
38 agency within 120 days of resignation, and if that person held a  
39 probationary appointment at the time of resignation or held a  
40 permanent appointment for 30 days or less prior to resignation, the  
41 appointing county or municipal law enforcement agency, educational  
42 institution or State law enforcement agency shall be liable to the New  
43 Jersey Transit Corporation for the total certified costs incurred by the  
44 corporation in the examination, hiring, and training of the person.

45 b. If a person who was appointed as a police officer of the New  
46 Jersey Transit Police Department pursuant to section 2 of P.L.1989,

1 c.291 (C.27:25-15.1) resigns and is subsequently appointed to a  
2 county or municipal law enforcement agency, the police department of  
3 an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2  
4 et seq.) or a State law enforcement agency within 120 days of  
5 resignation, and if that person held a permanent appointment for more  
6 than 30 days but less than two years at the time of resignation, the  
7 appointing county or municipal law enforcement agency, educational  
8 institution or State law enforcement agency shall be liable to the New  
9 Jersey Transit Corporation for one-half of the total certified costs  
10 incurred by the corporation in the examination, hiring, and training of  
11 the person.

12 c. The appointing county or municipal law enforcement agency,  
13 educational institution or State law enforcement agency shall notify the  
14 New Jersey Transit Corporation immediately upon the appointment of  
15 a police officer formerly employed by the corporation and shall  
16 reimburse the corporation within 120 days of the receipt of the  
17 certified costs.

18 d. As used in this section:

19 "County or municipal law enforcement agency" means and  
20 includes, but is not limited to, a county or municipal police department  
21 or force, a county corrections department and a county sheriff's office.

22 "Examination costs" means and includes, but is not limited to, the  
23 costs of all qualifying examinations and public advertisements for these  
24 examinations.

25 "State law enforcement agency" means and includes, but is not  
26 limited to, the police department of a State agency, the State Police  
27 and the State Department of Corrections.

28 "Training costs" means the police training course fees and the base  
29 salary received while attending the police training course as required  
30 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

31

32 4. (New section) a. If a person who was appointed to a State law  
33 enforcement agency resigns and is subsequently appointed to a county  
34 or municipal law enforcement agency, a police department of an  
35 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
36 seq.), another State law enforcement agency or the New Jersey Transit  
37 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
38 15.1) within 120 days of resignation, and if that person held a  
39 probationary appointment at the time of resignation or held a  
40 permanent appointment for 30 days or less prior to resignation, the  
41 appointing county or municipal law enforcement agency, educational  
42 institution, State law enforcement agency or the New Jersey Transit  
43 Corporation shall be liable to the State law enforcement agency for the  
44 total certified costs incurred by the corporation in the examination,  
45 hiring, and training of the person.

46 b. If a person who was appointed to a State law enforcement

1 agency resigns and is subsequently appointed to a county or municipal  
2 law enforcement agency, a police department of an educational  
3 institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), another  
4 State law enforcement agency or the New Jersey Transit Police  
5 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
6 within 120 days of resignation, and if that person held a permanent  
7 appointment for more than 30 days but less than two years at the time  
8 of resignation, the appointing county or municipal law enforcement  
9 agency, educational institution or State law enforcement agency, or  
10 the New Jersey Transit Corporation, shall be liable to the State law  
11 enforcement agency for one-half of the total certified costs incurred  
12 by the agency in the examination, hiring, and training of the person.

13 c. The appointing county or municipal law enforcement agency,  
14 educational institution, State law enforcement agency or the New  
15 Jersey Transit Corporation shall notify the former employer  
16 immediately upon the appointment of an employee formerly employed  
17 by the State law enforcement agency and shall reimburse the agency  
18 within 120 days of the receipt of the certified costs.

19 d. As used in this section:

20 "County or municipal law enforcement agency" means and  
21 includes, but is not limited to, a county or municipal police department  
22 or force, a county corrections department and a county sheriff's office.

23 "Examination costs" means and includes, but is not limited to, the  
24 costs of all qualifying examinations and public advertisements for these  
25 examinations.

26 "State law enforcement agency" means and includes, but is not  
27 limited to, the police department of a State agency, the State Police  
28 and the State Department of Corrections.

29 "Training costs" means the police training course fees and the base  
30 salary received while attending the police training course as required  
31 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

32

33 5. This act shall take effect immediately.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 256**

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 10, 2000

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No.256.

This Senate committee substitute for Senate Bill No. 256 establishes a reciprocity arrangement among county and municipal law enforcement agencies, institutions of higher education, which include county colleges, State law enforcement agencies and the New Jersey Transit Corporation for the reimbursement of the hiring and training costs incurred when one entity hires a law enforcement officer who resigned from one of the other entities during a probationary appointment or within the first two years of a permanent appointment, and the officer is hired within 120 days of the date of resignation.

Current law already provides for this reciprocal arrangement among county and municipal police departments and educational institutions. The purpose of this substitute is to also include other county and municipal law enforcement agencies, State law enforcement agencies and the New Jersey Transit Corporation in the reciprocal arrangement.

Specifically, the bill requires an appointing entity to reimburse an officer's former employer for the total certified costs that the former employer incurred in examining, hiring and training the officer whenever the officer resigns during a probationary appointment or within the first 30 days of a permanent appointment and the appointing entity hired the officer within 120 days of the date of the officer's resignation. Furthermore, the bill would require an appointing entity to reimburse an officer's former employer for one-half of the total certified costs that the former employer incurred in examining, hiring and training the officer whenever the officer resigns a permanent appointment held for more than 30 days but for less than two years and the appointing entity hired the officer within 120 days of the date of the officer's resignation.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 256**

with Assembly committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 20, 2000

The Assembly Appropriations Committee reports favorably an Senate Committee Substitute for Senate Bill No. 256 with committee amendments.

Senate Bill No. 256 Senate Committee Substitute, as amended, establishes a reciprocity arrangement among county and municipal law enforcement agencies, institutions of higher education, which include county colleges, State law enforcement agencies, excluding the State Police, and the New Jersey Transit Corporation for the reimbursement of the hiring and training costs incurred when one entity hires a law enforcement officer who resigned from one of the other entities during a probationary appointment or within the first two years of a permanent appointment, and the officer is hired within 120 days of the date of resignation.

Current law already provides for this reciprocal arrangement among county and municipal police departments and educational institutions. The purpose of this bill is to also include other county and municipal law enforcement agencies, State law enforcement agencies and the New Jersey Transit Corporation in the reciprocal arrangement.

As amended and reported, this bill is identical to Assembly Bill Nos. 784 and 403 (ACS), as also amended and reported by the committee.

#### FISCAL IMPACT:

The cost of this bill cannot be determined since the reimbursement costs are incurred only in cases where law enforcement officers resign shortly after examination, hiring and training costs have been incurred by the hiring entity. Actual required reimbursement costs will depend on factors such as the cost of benefits package, annual salary of appointee and amount of costs in examination of applicant pool and will vary from employer to employer.

COMMITTEE AMENDMENTS:

At the request of the Attorney General's Office, the committee amended the legislation to remove the State Police from participation in the reciprocity arrangement.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE, No. 256**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: MARCH 23, 2000

**SUMMARY**

**Synopsis:** Requires certain new employers to reimburse certain former employers for law enforcement training costs.

**Type of Impact:** Expenditure by hiring agency.

**Agencies Affected:** State, county, municipality, educational institution or New Jersey Transit Police, as appropriate.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	indeterminate	indeterminate	indeterminate
<b>Local Cost</b>	indeterminate	indeterminate	indeterminate

- ! Reimbursement costs are incurred under the bill only in cases where law enforcement officers resign shortly after examination, hiring and training costs have been incurred by the hiring entity.
- ! Reimbursement at 100 percent of total certified cost is required whenever the officer resigns during a probationary appointment or within the first 30 days of a permanent appointment and the appointing entity hired the officer within 120 days of the date of the officer's resignation.
- ! Reimbursement at 50 percent of total certified cost is required whenever the officer resigns a permanent appointment held for more than 30 days but for less than two years and the appointing entity hired the officer within 120 days of the date of the officer's resignation.
- ! Actual required reimbursement costs will depend on factors such as cost of benefits package, annual salary of appointee and amount of costs incurred in examination of applicant pool, and will likely vary from employer to employer.

**BILL DESCRIPTION**

Senate Committee Substitute for Senate Bill No. 256 of 2000 establishes a reciprocity arrangement among county and municipal law enforcement agencies, institutions of higher

education, which include county colleges, State law enforcement agencies and the New Jersey Transit Corporation for the reimbursement of the hiring and training costs incurred when one entity hires a law enforcement officer who resigned from one of the other entities during a probationary appointment or within the first two years of a permanent appointment, and the officer is hired within 120 days of the date of resignation.

The bill requires an appointing entity to reimburse an officer's former employer for the total certified costs that the former employer incurred in examining, hiring and training the officer whenever the officer resigns during a probationary appointment or within the first 30 days of a permanent appointment and the appointing entity hired the officer within 120 days of the date of the officer's resignation. Furthermore, the bill would require an appointing entity to reimburse an officer's former employer for one-half of the total certified costs that the former employer incurred in examining, hiring and training the officer whenever the officer resigns a permanent appointment held for more than 30 days but for less than two years and the appointing entity hired the officer within 120 days of the date of the officer's resignation.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services is unable to determine the cost of this bill, because the cost to the hiring entity would be incurred only under the limited circumstances where a newly hired officer resigns from a permanent law enforcement appointment after a short tenure in the position. The OLS cannot determine how often such a hiring would occur, or how many similarly situated police officers would be hired annually by a county or municipal law enforcement agency, institution of higher education, State law enforcement agency or the New Jersey Transit Corporation. However, the OLS has determined that the average total cost of hiring a police officer in Morris County, as estimated by the county's police chiefs, is between \$22,000 and \$30,000. This cost includes the tuition at the county police academy, the cost of the trainee's salary, including any overtime hours required by the training, for the 20 weeks of academy training; insurance; uniforms; ammunition and the costs associated with the testing of the applicant pool.

Section: *Local Government*

Analyst: *Cindy Lombardi Hesper*  
*Senior Research Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.



[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 256**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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ADOPTED FEBRUARY 10, 2000

**Sponsored by:**

**Senator JOHN O. BENNETT**

**District 12 (Monmouth)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris)**

**Co-Sponsored by:**

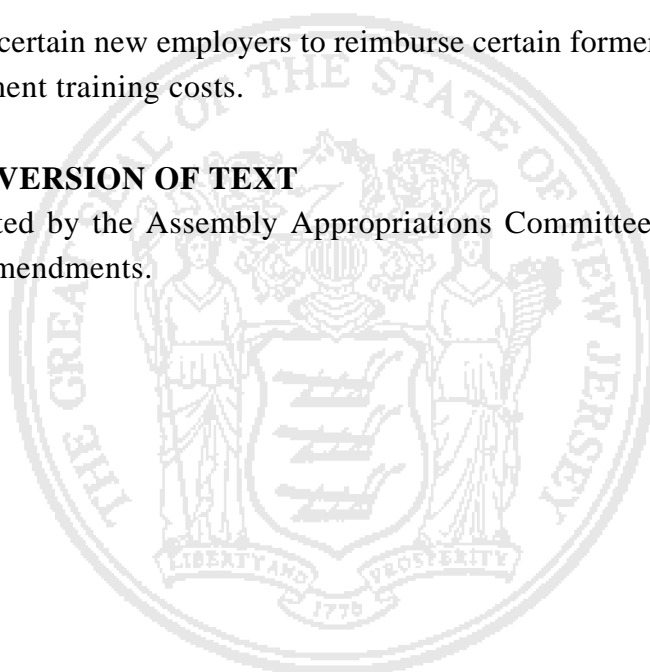
**Assemblymen Holzapfel, T.Smith, Chatzidakis, Steele, Assemblywoman Heck, Assemblyman Asselta and Assemblywoman Previte**

**SYNOPSIS**

Requires certain new employers to reimburse certain former employers for law enforcement training costs.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Appropriations Committee on March 20, 2000, with amendments.



**(Sponsorship Updated As Of: 6/6/2000)**

1 AN ACT concerning certain costs incurred in the training and hiring of  
2 certain law enforcement employees, amending P.L.1987, c.47 and  
3 P.L.1989, c.40, and supplementing chapter 25 of Title 27 of the  
4 Revised Statutes and chapter 27 of Title 52 of the Revised  
5 Statutes.

6  
7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9  
10 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read  
11 as follows:

12 1. a. Whenever a person who resigned as a member of a county  
13 or municipal **[police department]** law enforcement agency is appointed  
14 to **[the police department of]** another county or **[municipality or]**  
15 municipal law enforcement agency, the police department of an  
16 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
17 seq.) , a State law enforcement agency or the New Jersey Transit  
18 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
19 15.1) within 120 days of resignation, and that person held a  
20 probationary appointment at the time of resignation or held a  
21 permanent appointment for 30 days or less prior to resignation, the  
22 county or **[municipality or educational institution]** municipal law  
23 enforcement agency, educational institution or State law enforcement  
24 agency appointing the person, or the New Jersey Transit Corporation,  
25 is liable to the former county or municipal employer, as appropriate,  
26 for the total certified costs incurred by the former employer in the  
27 examination, hiring, and training of the person.

28 b. Whenever a person who resigned as a member of a county or  
29 municipal **[police department]** law enforcement agency is appointed  
30 to **[the police department of]** another county or **[municipality or]**  
31 municipal law enforcement agency, the police department of an  
32 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
33 seq.), State law enforcement agency or the New Jersey Transit Police  
34 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
35 within 120 days of resignation, and that person, at the time of  
36 resignation held a permanent appointment for more than 30 days but  
37 less than two years, the county or **[municipality or educational**  
38 **institution]** municipal law enforcement agency, educational institution,  
39 or State law enforcement agency appointing the person, or the New  
40 Jersey Transit Corporation, is liable to the former county or municipal  
41 employer, as appropriate, for one-half of the total certified costs

**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:**

<sup>1</sup> Assembly AAP committee amendments adopted March 20, 2000.

1 incurred by the former employer in the examination, hiring and training  
2 of that person.

3 [The] c. Upon the appointment of a former member of a county  
4 or municipal law enforcement agency, the appointing county or  
5 [municipality or] municipal law enforcement agency, educational  
6 institution, State law enforcement agency or the New Jersey Transit  
7 Corporation shall notify the former employer immediately upon the  
8 appointment of a former employee and shall reimburse the former  
9 employer within 120 days of the receipt of the certified costs.

10 d. For the purposes of this act[, "examination"]:

11 "County or municipal law enforcement agency" means and  
12 includes, but is not limited to, a county or municipal police department  
13 or force, a county corrections department and a county sheriff's office;

14 "Examination costs" means and includes, but is not limited to, the  
15 costs of all qualifying examinations and the public advertisements for  
16 these examinations[, and "training"];

17 "State law enforcement agency" means and includes, but is not  
18 limited to, the police department of a State agency<sup>1</sup> [, the State  
19 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
20 include the State Police<sup>1</sup>; and

21 "Training costs" means the police training course fees and the base  
22 salary received while attending the police training course, as required  
23 by P.L.1961, c.56 (C.52:17B-66 et seq.).

24 (cf: P.L.1989, c.40, s.1)

25

26 2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to read  
27 as follows:

28 2. a. If a person who was appointed as a police officer of an  
29 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
30 seq.) resigns and is subsequently appointed as a police officer for  
31 another educational institution or for a county or municipal [police  
32 department] law enforcement agency, a State law enforcement agency  
33 or the New Jersey Transit Police Department pursuant to section 2 of  
34 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if  
35 that person held a probationary appointment at the time of resignation  
36 or held a permanent appointment for 30 days or less prior to  
37 resignation, the educational institution [or], county or municipal  
38 [department] law enforcement agency, or State law enforcement  
39 agency appointing the person, or the New Jersey Transit Corporation,  
40 shall be liable to the former educational institution for the total  
41 certified costs incurred by that former educational institution in the  
42 examination, hiring, and training of the person.

43 b. If a person who was appointed as a police officer of an  
44 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
45 seq.) resigns and is subsequently appointed as a police officer for

1 another educational institution or for a county or municipal [police  
2 department] law enforcement agency, State law enforcement agency  
3 or the New Jersey Transit Police Department pursuant to section 2 of  
4 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if  
5 that person held a permanent appointment for more than 30 days but  
6 less than two years at the time of resignation, the educational  
7 institution [or], county or municipal [department] law enforcement  
8 agency or State law enforcement agency appointing the person, or the  
9 New Jersey Transit Corporation, shall be liable to the former  
10 educational institution for one-half of the total certified costs incurred  
11 by that former institution in the examination, hiring, and training of the  
12 person.

13 c. [The ] Upon the appointment of a former police officer of an  
14 educational institution, the appointing educational institution [or],  
15 county or municipal [police department] law enforcement agency,  
16 State law enforcement agency or the New Jersey Transit Corporation  
17 shall notify the former educational institution immediately upon the  
18 appointment of a police officer formerly with that institution and shall  
19 reimburse the institution within 120 days of the receipt of the certified  
20 costs.

21 d. As used in this section[, "examination"]:

22 "County or municipal law enforcement agency" means and  
23 includes, but is not limited to, a county or municipal police department  
24 or force, a county corrections department and a county sheriff's office:

25 "Examination costs" means and includes, but is not limited to, the  
26 costs of all qualifying examinations and public advertisements for these  
27 examinations.

28 "State law enforcement agency" means and includes, but is not  
29 limited to, the police department of a State agency <sup>1</sup>[, the State  
30 Police]<sup>1</sup> and the State Department of Corrections , but does not  
31 include the State Police<sup>1</sup>.

32 "Training costs" means the police training course fees and the base  
33 salary received while attending the police training course as required  
34 by section 3 of P.L.1970, c.211 (C.18A:6-4.4).

35 (cf: P.L.1989, c.40, s.2)

36

37 3. (New section) a. If a person who was appointed as a police  
38 officer of the New Jersey Transit Police Department pursuant to  
39 section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is  
40 subsequently appointed to a county or municipal law enforcement  
41 agency, a police department of an educational institution pursuant to  
42 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement  
43 agency within 120 days of resignation, and if that person held a  
44 probationary appointment at the time of resignation or held a  
45 permanent appointment for 30 days or less prior to resignation, the

1 appointing county or municipal law enforcement agency, educational  
2 institution or State law enforcement agency shall be liable to the New  
3 Jersey Transit Corporation for the total certified costs incurred by the  
4 corporation in the examination, hiring, and training of the person.

5 b. If a person who was appointed as a police officer of the New  
6 Jersey Transit Police Department pursuant to section 2 of P.L.1989,  
7 c.291 (C.27:25-15.1) resigns and is subsequently appointed to a  
8 county or municipal law enforcement agency, the police department of  
9 an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2  
10 et seq.) or a State law enforcement agency within 120 days of  
11 resignation, and if that person held a permanent appointment for more  
12 than 30 days but less than two years at the time of resignation, the  
13 appointing county or municipal law enforcement agency, educational  
14 institution or State law enforcement agency shall be liable to the New  
15 Jersey Transit Corporation for one-half of the total certified costs  
16 incurred by the corporation in the examination, hiring, and training of  
17 the person.

18 c. The appointing county or municipal law enforcement agency,  
19 educational institution or State law enforcement agency shall notify the  
20 New Jersey Transit Corporation immediately upon the appointment of  
21 a police officer formerly employed by the corporation and shall  
22 reimburse the corporation within 120 days of the receipt of the  
23 certified costs.

24 d. As used in this section:

25 "County or municipal law enforcement agency" means and  
26 includes, but is not limited to, a county or municipal police department  
27 or force, a county corrections department and a county sheriff's office.

28 "Examination costs" means and includes, but is not limited to, the  
29 costs of all qualifying examinations and public advertisements for these  
30 examinations.

31 "State law enforcement agency" means and includes, but is not  
32 limited to, the police department of a State agency<sup>1</sup> [, the State  
33 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
34 include the State Police<sup>1</sup>.

35 "Training costs" means the police training course fees and the base  
36 salary received while attending the police training course as required  
37 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

38

39 4. (New section) a. If a person who was appointed to a State law  
40 enforcement agency resigns and is subsequently appointed to a county  
41 or municipal law enforcement agency, a police department of an  
42 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
43 seq.), another State law enforcement agency or the New Jersey Transit  
44 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
45 15.1) within 120 days of resignation, and if that person held a  
46 probationary appointment at the time of resignation or held a

1 permanent appointment for 30 days or less prior to resignation, the  
2 appointing county or municipal law enforcement agency, educational  
3 institution, State law enforcement agency or the New Jersey Transit  
4 Corporation shall be liable to the State law enforcement agency for the  
5 total certified costs incurred by the corporation in the examination,  
6 hiring, and training of the person.

7 b. If a person who was appointed to a State law enforcement  
8 agency resigns and is subsequently appointed to a county or municipal  
9 law enforcement agency, a police department of an educational  
10 institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), another  
11 State law enforcement agency or the New Jersey Transit Police  
12 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
13 within 120 days of resignation, and if that person held a permanent  
14 appointment for more than 30 days but less than two years at the time  
15 of resignation, the appointing county or municipal law enforcement  
16 agency, educational institution or State law enforcement agency, or  
17 the New Jersey Transit Corporation, shall be liable to the State law  
18 enforcement agency for one-half of the total certified costs incurred  
19 by the agency in the examination, hiring, and training of the person.

20 c. The appointing county or municipal law enforcement agency,  
21 educational institution, State law enforcement agency or the New  
22 Jersey Transit Corporation shall notify the former employer  
23 immediately upon the appointment of an employee formerly employed  
24 by the State law enforcement agency and shall reimburse the agency  
25 within 120 days of the receipt of the certified costs.

26 d. As used in this section:

27 "County or municipal law enforcement agency" means and  
28 includes, but is not limited to, a county or municipal police department  
29 or force, a county corrections department and a county sheriff's office.

30 "Examination costs" means and includes, but is not limited to, the  
31 costs of all qualifying examinations and public advertisements for these  
32 examinations.

33 "State law enforcement agency" means and includes, but is not  
34 limited to, the police department of a State agency<sup>1</sup> [, the State  
35 Police]<sup>1</sup> and the State Department of Corrections <sup>1</sup>, but does not  
36 include the State Police<sup>1</sup>.

37 "Training costs" means the police training course fees and the base  
38 salary received while attending the police training course as required  
39 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

40

41 5. This act shall take effect immediately.

P.L. 2000, CHAPTER 106, *approved September 8, 2000*

Senate Committee Substitute (*First Reprint*) for

Senate, No. 256

1 **AN ACT** concerning certain costs incurred in the training and hiring of  
2 certain law enforcement employees, amending P.L.1987, c.47 and  
3 P.L.1989, c.40, and supplementing chapter 25 of Title 27 of the  
4 Revised Statutes and chapter 27 of Title 52 of the Revised  
5 Statutes.

6

7 **BE IT ENACTED** by the Senate and General Assembly of the State  
8 of New Jersey:

9

10 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read  
11 as follows:

12 1. a. Whenever a person who resigned as a member of a county  
13 or municipal **[police department] law enforcement agency** is appointed  
14 to **[the police department of]** another county or **[municipality or]**  
15 municipal law enforcement agency, the police department of an  
16 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
17 seq.) , a State law enforcement agency or the New Jersey Transit  
18 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
19 15.1) within 120 days of resignation, and that person held a  
20 probationary appointment at the time of resignation or held a  
21 permanent appointment for 30 days or less prior to resignation, the  
22 county or **[municipality or educational institution] municipal law**  
23 enforcement agency, educational institution or State law enforcement  
24 agency appointing the person, or the New Jersey Transit Corporation,  
25 is liable to the former county or municipal employer, as appropriate,  
26 for the total certified costs incurred by the former employer in the  
27 examination, hiring, and training of the person.

28 b. Whenever a person who resigned as a member of a county or  
29 municipal **[police department] law enforcement agency** is appointed  
30 to **[the police department of]** another county or **[municipality or]**  
31 municipal law enforcement agency, the police department of an  
32 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
33 seq.), State law enforcement agency or the New Jersey Transit Police  
34 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
35 within 120 days of resignation, and that person, at the time of  
36 resignation held a permanent appointment for more than 30 days but  
37 less than two years, the county or **[municipality or educational**  
38 **institution] municipal law enforcement agency, educational institution,**

**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:**

<sup>1</sup> Assembly AAP committee amendments adopted March 20, 2000.

1 or State law enforcement agency appointing the person, or the New  
2 Jersey Transit Corporation, is liable to the former county or municipal  
3 employer, as appropriate, for one-half of the total certified costs  
4 incurred by the former employer in the examination, hiring and training  
5 of that person.

6 [The] c. Upon the appointment of a former member of a county  
7 or municipal law enforcement agency, the appointing county or  
8 [municipality or] municipal law enforcement agency, educational  
9 institution, State law enforcement agency or the New Jersey Transit  
10 Corporation shall notify the former employer immediately upon the  
11 appointment of a former employee and shall reimburse the former  
12 employer within 120 days of the receipt of the certified costs.

13 d. For the purposes of this act[, "examination"]:

14 "County or municipal law enforcement agency" means and  
15 includes, but is not limited to, a county or municipal police department  
16 or force, a county corrections department and a county sheriff's office;

17 "Examination costs" means and includes, but is not limited to, the  
18 costs of all qualifying examinations and the public advertisements for  
19 these examinations[, and "training"]:

20 "State law enforcement agency" means and includes, but is not  
21 limited to, the police department of a State agency<sup>1</sup> [, the State  
22 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
23 include the State Police<sup>1</sup>; and

24 "Training costs" means the police training course fees and the base  
25 salary received while attending the police training course, as required  
26 by P.L.1961, c.56 (C.52:17B-66 et seq.).

27 (cf: P.L.1989, c.40, s.1)

28  
29 2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to read  
30 as follows:

31 2. a. If a person who was appointed as a police officer of an  
32 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
33 seq.) resigns and is subsequently appointed as a police officer for  
34 another educational institution or for a county or municipal [police  
35 department] law enforcement agency, a State law enforcement agency  
36 or the New Jersey Transit Police Department pursuant to section 2 of  
37 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if  
38 that person held a probationary appointment at the time of resignation  
39 or held a permanent appointment for 30 days or less prior to  
40 resignation, the educational institution [or], county or municipal  
41 [department] law enforcement agency, or State law enforcement  
42 agency appointing the person, or the New Jersey Transit Corporation,  
43 shall be liable to the former educational institution for the total  
44 certified costs incurred by that former educational institution in the  
45 examination, hiring, and training of the person.



1       b. If a person who was appointed as a police officer of an  
2 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
3 seq.) resigns and is subsequently appointed as a police officer for  
4 another educational institution or for a county or municipal [police  
5 department] law enforcement agency, State law enforcement agency  
6 or the New Jersey Transit Police Department pursuant to section 2 of  
7 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if  
8 that person held a permanent appointment for more than 30 days but  
9 less than two years at the time of resignation, the educational  
10 institution [or], county or municipal [department] law enforcement  
11 agency or State law enforcement agency appointing the person, or the  
12 New Jersey Transit Corporation, shall be liable to the former  
13 educational institution for one-half of the total certified costs incurred  
14 by that former institution in the examination, hiring, and training of the  
15 person.

16       c. ~~[The ]~~ Upon the appointment of a former police officer of an  
17 educational institution, the appointing educational institution [or],  
18 county or municipal [police department] law enforcement agency,  
19 State law enforcement agency or the New Jersey Transit Corporation  
20 shall notify the former educational institution immediately upon the  
21 appointment of a police officer formerly with that institution and shall  
22 reimburse the institution within 120 days of the receipt of the certified  
23 costs.

24       d. As used in this section[, "examination"]:

25       "County or municipal law enforcement agency" means and  
26 includes, but is not limited to, a county or municipal police department  
27 or force, a county corrections department and a county sheriff's office;

28       "Examination costs" means and includes, but is not limited to, the  
29 costs of all qualifying examinations and public advertisements for these  
30 examinations.

31       "State law enforcement agency" means and includes, but is not  
32 limited to, the police department of a State agency <sup>1</sup> [, the State  
33 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
34 include the State Police<sup>1</sup>.

35       "Training costs" means the police training course fees and the base  
36 salary received while attending the police training course as required  
37 by section 3 of P.L.1970, c.211 (C.18A:6-4.4).

38 (cf: P.L.1989, c.40, s.2)

39

40       3. (New section) a. If a person who was appointed as a police  
41 officer of the New Jersey Transit Police Department pursuant to  
42 section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is  
43 subsequently appointed to a county or municipal law enforcement  
44 agency, a police department of an educational institution pursuant to  
45 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement

1 agency within 120 days of resignation, and if that person held a  
2 probationary appointment at the time of resignation or held a  
3 permanent appointment for 30 days or less prior to resignation, the  
4 appointing county or municipal law enforcement agency, educational  
5 institution or State law enforcement agency shall be liable to the New  
6 Jersey Transit Corporation for the total certified costs incurred by the  
7 corporation in the examination, hiring, and training of the person.

8 b. If a person who was appointed as a police officer of the New  
9 Jersey Transit Police Department pursuant to section 2 of P.L.1989,  
10 c.291 (C.27:25-15.1) resigns and is subsequently appointed to a  
11 county or municipal law enforcement agency, the police department of  
12 an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2  
13 et seq.) or a State law enforcement agency within 120 days of  
14 resignation, and if that person held a permanent appointment for more  
15 than 30 days but less than two years at the time of resignation, the  
16 appointing county or municipal law enforcement agency, educational  
17 institution or State law enforcement agency shall be liable to the New  
18 Jersey Transit Corporation for one-half of the total certified costs  
19 incurred by the corporation in the examination, hiring, and training of  
20 the person.

21 c. The appointing county or municipal law enforcement agency,  
22 educational institution or State law enforcement agency shall notify the  
23 New Jersey Transit Corporation immediately upon the appointment of  
24 a police officer formerly employed by the corporation and shall  
25 reimburse the corporation within 120 days of the receipt of the  
26 certified costs.

27 d. As used in this section:

28 "County or municipal law enforcement agency" means and  
29 includes, but is not limited to, a county or municipal police department  
30 or force, a county corrections department and a county sheriff's office.

31 "Examination costs" means and includes, but is not limited to, the  
32 costs of all qualifying examinations and public advertisements for these  
33 examinations.

34 "State law enforcement agency" means and includes, but is not  
35 limited to, the police department of a State agency<sup>1</sup> [, the State  
36 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
37 include the State Police<sup>1</sup>.

38 "Training costs" means the police training course fees and the base  
39 salary received while attending the police training course as required  
40 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

41  
42 4. (New section) a. If a person who was appointed to a State law  
43 enforcement agency resigns and is subsequently appointed to a county  
44 or municipal law enforcement agency, a police department of an  
45 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et  
46 seq.), another State law enforcement agency or the New Jersey Transit

1 Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-  
2 15.1) within 120 days of resignation, and if that person held a  
3 probationary appointment at the time of resignation or held a  
4 permanent appointment for 30 days or less prior to resignation, the  
5 appointing county or municipal law enforcement agency, educational  
6 institution, State law enforcement agency or the New Jersey Transit  
7 Corporation shall be liable to the State law enforcement agency for the  
8 total certified costs incurred by the corporation in the examination,  
9 hiring, and training of the person.

10 b. If a person who was appointed to a State law enforcement  
11 agency resigns and is subsequently appointed to a county or municipal  
12 law enforcement agency, a police department of an educational  
13 institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), another  
14 State law enforcement agency or the New Jersey Transit Police  
15 Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1)  
16 within 120 days of resignation, and if that person held a permanent  
17 appointment for more than 30 days but less than two years at the time  
18 of resignation, the appointing county or municipal law enforcement  
19 agency, educational institution or State law enforcement agency, or  
20 the New Jersey Transit Corporation, shall be liable to the State law  
21 enforcement agency for one-half of the total certified costs incurred  
22 by the agency in the examination, hiring, and training of the person.

23 c. The appointing county or municipal law enforcement agency,  
24 educational institution, State law enforcement agency or the New  
25 Jersey Transit Corporation shall notify the former employer  
26 immediately upon the appointment of an employee formerly employed  
27 by the State law enforcement agency and shall reimburse the agency  
28 within 120 days of the receipt of the certified costs.

29 d. As used in this section:

30 "County or municipal law enforcement agency" means and  
31 includes, but is not limited to, a county or municipal police department  
32 or force, a county corrections department and a county sheriff's office.

33 "Examination costs" means and includes, but is not limited to, the  
34 costs of all qualifying examinations and public advertisements for these  
35 examinations.

36 "State law enforcement agency" means and includes, but is not  
37 limited to, the police department of a State agency<sup>1</sup> [, the State  
38 Police]<sup>1</sup> and the State Department of Corrections<sup>1</sup>, but does not  
39 include the State Police<sup>1</sup>.

40 "Training costs" means the police training course fees and the base  
41 salary received while attending the police training course as required  
42 by section 2 of P.L.1989, c.291 (C.27:25-15.1).

43

44 5. This act shall take effect immediately.

1

\_\_\_\_\_

2

3 Requires certain new employers to reimburse certain former employers

4 for law enforcement training costs.

## CHAPTER 106

**AN ACT** concerning certain costs incurred in the training and hiring of certain law enforcement employees, amending P.L.1987, c.47 and P.L.1989, c.40, and supplementing chapter 25 of Title 27 of the Revised Statutes and chapter 27 of Title 52 of the Revised Statutes.

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

1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to read as follows:

C.40A:14-178 Liability for training costs; terms defined.

1. a. Whenever a person who resigned as a member of a county or municipal law enforcement agency is appointed to another county or municipal law enforcement agency, the police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), a State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and that person held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less prior to resignation, the county or municipal law enforcement agency, educational institution or State law enforcement agency appointing the person, or the New Jersey Transit Corporation, is liable to the former county or municipal employer, as appropriate, for the total certified costs incurred by the former employer in the examination, hiring, and training of the person.

b. Whenever a person who resigned as a member of a county or municipal law enforcement agency is appointed to another county or municipal law enforcement agency, the police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and that person, at the time of resignation held a permanent appointment for more than 30 days but less than two years, the county or municipal law enforcement agency, educational institution, or State law enforcement agency appointing the person, or the New Jersey Transit Corporation, is liable to the former county or municipal employer, as appropriate, for one-half of the total certified costs incurred by the former employer in the examination, hiring and training of that person.

c. Upon the appointment of a former member of a county or municipal law enforcement agency, the appointing county or municipal law enforcement agency, educational institution, State law enforcement agency or the New Jersey Transit Corporation shall notify the former employer immediately upon the appointment of a former employee and shall reimburse the former employer within 120 days of the receipt of the certified costs.

d. For the purposes of this act:

"County or municipal law enforcement agency" means and includes, but is not limited to, a county or municipal police department or force, a county corrections department and a county sheriff's office;

"Examination costs" means and includes, but is not limited to, the costs of all qualifying examinations and the public advertisements for these examinations;

"State law enforcement agency" means and includes, but is not limited to, the police department of a State agency and the State Department of Corrections, but does not include the State Police; and

"Training costs" means the police training course fees and the base salary received while attending the police training course, as required by P.L.1961, c.56 (C.52:17B-66 et seq.).

2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to read as follows:

C.18A:6-4.12 Educational institution reimbursement.

2. a. If a person who was appointed as a police officer of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) resigns and is subsequently appointed as a police officer for another educational institution or for a county or municipal law enforcement agency, a State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if that person held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less prior to resignation, the educational institution, county or municipal law enforcement

agency, or State law enforcement agency appointing the person, or the New Jersey Transit Corporation, shall be liable to the former educational institution for the total certified costs incurred by that former educational institution in the examination, hiring, and training of the person.

b. If a person who was appointed as a police officer of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) resigns and is subsequently appointed as a police officer for another educational institution or for a county or municipal law enforcement agency, State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if that person held a permanent appointment for more than 30 days but less than two years at the time of resignation, the educational institution, county or municipal law enforcement agency or State law enforcement agency appointing the person, or the New Jersey Transit Corporation, shall be liable to the former educational institution for one-half of the total certified costs incurred by that former institution in the examination, hiring, and training of the person.

c. Upon the appointment of a former police officer of an educational institution, the appointing educational institution, county or municipal law enforcement agency, State law enforcement agency or the New Jersey Transit Corporation shall notify the former educational institution immediately upon the appointment of a police officer formerly with that institution and shall reimburse the institution within 120 days of the receipt of the certified costs.

d. As used in this section:

"County or municipal law enforcement agency" means and includes, but is not limited to, a county or municipal police department or force, a county corrections department and a county sheriff's office;

"Examination costs" means and includes, but is not limited to, the costs of all qualifying examinations and public advertisements for these examinations.

"State law enforcement agency" means and includes, but is not limited to, the police department of a State agency and the State Department of Corrections, but does not include the State Police.

"Training costs" means the police training course fees and the base salary received while attending the police training course as required by section 3 of P.L.1970, c.211 (C.18A:6-4.4).

C.27:25-15.1b Liability to New Jersey Transit for training; terms defined.

3. a. If a person who was appointed as a police officer of the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently appointed to a county or municipal law enforcement agency, a police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement agency within 120 days of resignation, and if that person held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less prior to resignation, the appointing county or municipal law enforcement agency, educational institution or State law enforcement agency shall be liable to the New Jersey Transit Corporation for the total certified costs incurred by the corporation in the examination, hiring, and training of the person.

b. If a person who was appointed as a police officer of the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently appointed to a county or municipal law enforcement agency, the police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement agency within 120 days of resignation, and if that person held a permanent appointment for more than 30 days but less than two years at the time of resignation, the appointing county or municipal law enforcement agency, educational institution or State law enforcement agency shall be liable to the New Jersey Transit Corporation for one-half of the total certified costs incurred by the corporation in the examination, hiring, and training of the person.

c. The appointing county or municipal law enforcement agency, educational institution or State law enforcement agency shall notify the New Jersey Transit Corporation immediately upon the appointment of a police officer formerly employed by the corporation and shall reimburse the

corporation within 120 days of the receipt of the certified costs.

d. As used in this section:

"County or municipal law enforcement agency" means and includes, but is not limited to, a county or municipal police department or force, a county corrections department and a county sheriff's office.

"Examination costs" means and includes, but is not limited to, the costs of all qualifying examinations and public advertisements for these examinations.

"State law enforcement agency" means and includes, but is not limited to, the police department of a State agency and the State Department of Corrections, but does not include the State Police.

"Training costs" means the police training course fees and the base salary received while attending the police training course as required by section 2 of P.L.1989, c.291 (C.27:25-15.1).

C.52:17B-77.6 Liability to State law enforcement agency for training; terms defined.

4. a. If a person who was appointed to a State law enforcement agency resigns and is subsequently appointed to a county or municipal law enforcement agency, a police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), another State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if that person held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less prior to resignation, the appointing county or municipal law enforcement agency, educational institution, State law enforcement agency or the New Jersey Transit Corporation shall be liable to the State law enforcement agency for the total certified costs incurred by the corporation in the examination, hiring, and training of the person.

b. If a person who was appointed to a State law enforcement agency resigns and is subsequently appointed to a county or municipal law enforcement agency, a police department of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), another State law enforcement agency or the New Jersey Transit Police Department pursuant to section 2 of P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and if that person held a permanent appointment for more than 30 days but less than two years at the time of resignation, the appointing county or municipal law enforcement agency, educational institution or State law enforcement agency, or the New Jersey Transit Corporation, shall be liable to the State law enforcement agency for one-half of the total certified costs incurred by the agency in the examination, hiring, and training of the person.

c. The appointing county or municipal law enforcement agency, educational institution, State law enforcement agency or the New Jersey Transit Corporation shall notify the former employer immediately upon the appointment of an employee formerly employed by the State law enforcement agency and shall reimburse the agency within 120 days of the receipt of the certified costs.

d. As used in this section:

"County or municipal law enforcement agency" means and includes, but is not limited to, a county or municipal police department or force, a county corrections department and a county sheriff's office.

"Examination costs" means and includes, but is not limited to, the costs of all qualifying examinations and public advertisements for these examinations.

"State law enforcement agency" means and includes, but is not limited to, the police department of a State agency and the State Department of Corrections, but does not include the State Police

"Training costs" means the police training course fees and the base salary received while attending the police training course as required by section 2 of P.L.1989, c.291 (C.27:25-15.1).

5. This act shall take effect immediately.

Approved September 8, 2000.