

40A:14-178.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 75

NJSA: 40A:14-178.1(Reimbursement for training costs of Class Two special police officers)

BILL NO: S1692 (Substituted for A3038)

SPONSOR(S): Asselta and others

DATE INTRODUCED: June 14, 2004

COMMITTEE: **ASSEMBLY:**
SENATE: Community and Urban Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** March 14, 2005
SENATE: December 13, 2004

DATE OF APPROVAL: April 26, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

S1692

[SPONSOR'S STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3038

[SPONSOR'S STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

IS 5/10/07

P.L. 2005, CHAPTER 75, *approved April 26, 2005*

Senate, No. 1692

1 **AN ACT** concerning certain costs incurred in the training and hiring of
2 certain law enforcement employees and supplementing chapter 14
3 of Title 40A of the New Jersey Statutes.

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

7
8 1. a. If a person appointed as a Class Two special resigns or
9 refuses reappointment after serving less than 30 days with the
10 municipality that incurred the costs of examining, training and initially
11 hiring him and, within 120 days of that resignation, accepts an
12 appointment as a Class Two special with another municipal law
13 enforcement agency, that appointing municipality shall be liable to the
14 officer's former municipal employer for the total certified costs
15 incurred by the former employer in the examination, hiring, and
16 training of the officer.

17 b. If a person appointed as a Class Two special resigns or refuses
18 reappointment after serving less than two years with the municipality
19 that incurred the costs of examining, training and initially hiring him
20 and, within 120 days of that resignation or refusal of reappointment,
21 accepts an appointment as a Class Two special with another municipal
22 law enforcement agency, that appointing municipality shall be liable to
23 the officer's former municipal employer for one-half of the total
24 certified costs incurred by the former employer in the examination,
25 hiring, and training of the officer.

26 c. Upon the appointment of a Class Two special subject to the
27 provisions of this act, the appointing municipal law enforcement
28 agency shall notify the officer's former employer immediately upon
29 appointment and shall reimburse the former employer within 120 days
30 of the receipt of the certified costs.

31 d. As used in this act:

32 "Class Two special" means a special law enforcement officer,
33 appointed pursuant to P.L.1985, c.439 (C.40A:14-146.8 et seq.), who
34 is authorized to exercise full powers and duties similar to those of a
35 permanent, regularly appointed full-time law enforcement officer.

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

39 "Training costs" means the police training course fees and the base
40 salary, if any, received while attending the police training course, as
41 required by P.L.1961, c.56 (C.52:17B-66 et seq.) and P.L.1985, c.439
42 (C.40A:14-146.8 et seq.).

43

44 2. This act shall take effect immediately.

STATEMENT

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3 Under current law, if a permanent, full-time law enforcement officer
4 is hired by another law enforcement agency within two years of his
5 initial appointment, the agency that hired him must reimburse the law
6 enforcement agency that incurred the examination and training costs
7 associated with that officer's initial hiring.

8 The hiring agency's reimbursement liability depends upon the
9 officer's length of service before resignation. If, for example, the
10 officer serves 30 or less days with the agency that paid the
11 examination and training costs associated with the officer's initial
12 employment, the hiring agency is liable for 100% of those examination
13 and training costs. If the officer serves more than 30 days, but less
14 than two years, the hiring agency is liable for one-half of the officer's
15 examination and training costs. The statute further stipulates that the
16 hiring agency must reimburse the officer's former employer within 120
17 days of receiving notice of its reimbursement liability.

18 This bill would extend that reimbursement responsibility to include
19 Class Two special law enforcement officers who resign or refuse
20 reappointment with the municipality that initially hired them in order
21 to take positions with different municipalities. The hiring municipality
22 would be required to reimburse the municipality which initially hired
23 the Class Two special for 100% of the costs that local unit incurred in
24 examination and training costs if the officer served 30 or less days and,
25 within 120 days, took a job with another municipality. Similarly, the
26 hiring municipality would be liable for one-half of the costs associated
27 with an officer's examination and training if that Class Two special
28 served for less than two years and, within 120 days, took a job with
29 another municipality.

30 As stipulated in the current law, this bill provides that the hiring
31 municipality must reimburse the Class Two special's former employer
32 within 120 days of receiving notice of its reimbursement liability.

33 Class Two specials are authorized to exercise full police powers and
34 duties similar to those of a permanent, regularly appointed full-time
35 law enforcement officer.

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40 Requires municipalities appointing certain Class Two special police
41 officers to reimburse their former municipal employers for training
42 costs.

SENATE, No. 1692

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JUNE 14, 2004

Sponsored by:

Senator NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

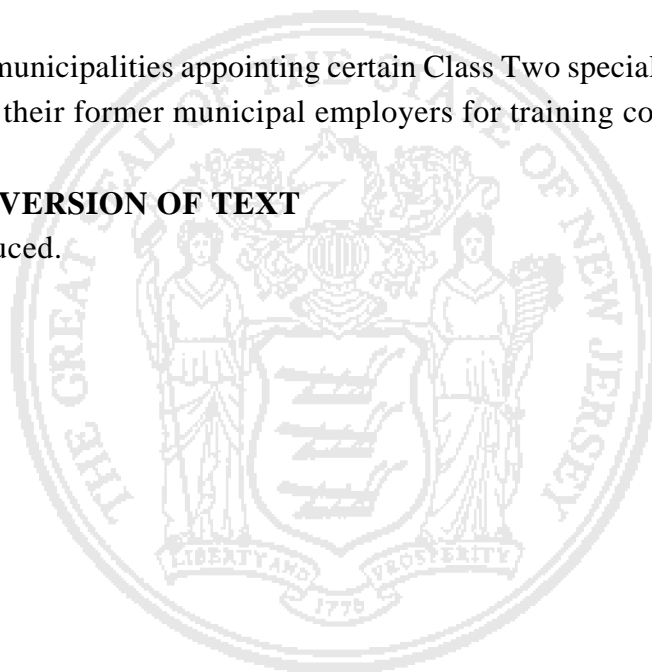
Assemblymen Conover, Blee, Azzolina, Thompson, Connors and Bramnick

SYNOPSIS

Requires municipalities appointing certain Class Two special police officers to reimburse their former municipal employers for training costs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/15/2005)

S1692 ASSELTA

1 **AN ACT** concerning certain costs incurred in the training and hiring of
2 certain law enforcement employees and supplementing chapter 14
3 of Title 40A of the New Jersey Statutes.

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

7
8 1. a. If a person appointed as a Class Two special resigns or
9 refuses reappointment after serving less than 30 days with the
10 municipality that incurred the costs of examining, training and initially
11 hiring him and, within 120 days of that resignation, accepts an
12 appointment as a Class Two special with another municipal law
13 enforcement agency, that appointing municipality shall be liable to the
14 officer's former municipal employer for the total certified costs
15 incurred by the former employer in the examination, hiring, and
16 training of the officer.

17 b. If a person appointed as a Class Two special resigns or refuses
18 reappointment after serving less than two years with the municipality
19 that incurred the costs of examining, training and initially hiring him
20 and, within 120 days of that resignation or refusal of reappointment,
21 accepts an appointment as a Class Two special with another municipal
22 law enforcement agency, that appointing municipality shall be liable to
23 the officer's former municipal employer for one-half of the total
24 certified costs incurred by the former employer in the examination,
25 hiring, and training of the officer.

26 c. Upon the appointment of a Class Two special subject to the
27 provisions of this act, the appointing municipal law enforcement
28 agency shall notify the officer's former employer immediately upon
29 appointment and shall reimburse the former employer within 120 days
30 of the receipt of the certified costs.

31 d. As used in this act:

32 "Class Two special" means a special law enforcement officer,
33 appointed pursuant to P.L.1985, c.439 (C.40A:14-146.8 et seq.), who
34 is authorized to exercise full powers and duties similar to those of a
35 permanent, regularly appointed full-time law enforcement officer.

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

39 "Training costs" means the police training course fees and the base
40 salary, if any, received while attending the police training course, as
41 required by P.L.1961, c.56 (C.52:17B-66 et seq.) and P.L.1985, c.439
42 (C.40A:14-146.8 et seq.).

43

44 2. This act shall take effect immediately.

1 STATEMENT

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3 Under current law, if a permanent, full-time law enforcement officer
4 is hired by another law enforcement agency within two years of his
5 initial appointment, the agency that hired him must reimburse the law
6 enforcement agency that incurred the examination and training costs
7 associated with that officer's initial hiring.

8 The hiring agency's reimbursement liability depends upon the
9 officer's length of service before resignation. If, for example, the
10 officer serves 30 or less days with the agency that paid the
11 examination and training costs associated with the officer's initial
12 employment, the hiring agency is liable for 100% of those examination
13 and training costs. If the officer serves more than 30 days, but less
14 than two years, the hiring agency is liable for one-half of the officer's
15 examination and training costs. The statute further stipulates that the
16 hiring agency must reimburse the officer's former employer within 120
17 days of receiving notice of its reimbursement liability.

18 This bill would extend that reimbursement responsibility to include
19 Class Two special law enforcement officers who resign or refuse
20 reappointment with the municipality that initially hired them in order
21 to take positions with different municipalities. The hiring municipality
22 would be required to reimburse the municipality which initially hired
23 the Class Two special for 100% of the costs that local unit incurred in
24 examination and training costs if the officer served 30 or less days and,
25 within 120 days, took a job with another municipality. Similarly, the
26 hiring municipality would be liable for one-half of the costs associated
27 with an officer's examination and training if that Class Two special
28 served for less than two years and, within 120 days, took a job with
29 another municipality.

30 As stipulated in the current law, this bill provides that the hiring
31 municipality must reimburse the Class Two special's former employer
32 within 120 days of receiving notice of its reimbursement liability.

33 Class Two specials are authorized to exercise full police powers and
34 duties similar to those of a permanent, regularly appointed full-time
35 law enforcement officer.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1692

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 2004

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No.1692.

This bill provides that whenever a Class Two special law enforcement officer resigns or refuses reappointment after serving less than 30 days with the municipality that incurred the costs of examining, training and initially hiring the officer and, within 120 days of that resignation, accepts an appointment as a Class Two special with another municipal law enforcement agency, that appointing municipality would be liable to the officer's former municipal employer for the total certified costs incurred by the former employer in the examination, hiring, and training of the officer.

The bill also provides that whenever a person appointed as a Class Two special law enforcement officer resigns or refuses reappointment after serving less than two years with the municipality that incurred the costs of examining, training and initially hiring the officer and, within 120 days of that resignation or refusal of reappointment, accepts an appointment as a Class Two special with another municipal law enforcement agency, that appointing municipality would be liable to the officer's former municipal employer for one-half of the total certified costs incurred by the former employer in the examination, hiring, and training of the officer.

The bill would require the new municipal law enforcement agency to notify the officer's former employer immediately upon appointment and to reimburse the former employer within 120 days of the receipt of the certified training and examination costs.

This bill extends provisions of current law applicable to full-time law enforcement officers to Class Two special law enforcement officers.

ASSEMBLY, No. 3038

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED JUNE 14, 2004

Sponsored by:

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

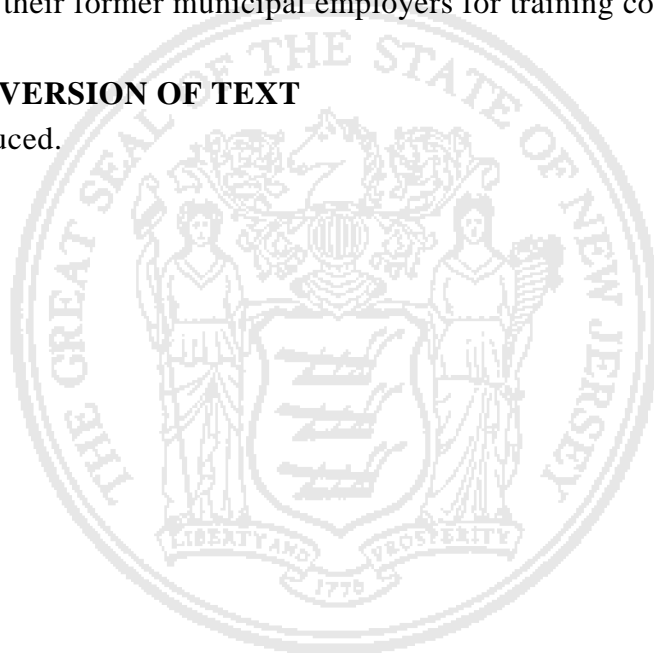
Assemblymen Conover, Blee, Azzolina, Thompson, Connors and Bramnick

SYNOPSIS

Requires municipalities appointing certain Class Two special police officers to reimburse their former municipal employers for training costs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/15/2005)

1 AN ACT concerning certain costs incurred in the training and hiring of
2 certain law enforcement employees and supplementing chapter 14
3 of Title 40A of the New Jersey Statutes.

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

7
8 1. a. If a person appointed as a Class Two special resigns or
9 refuses reappointment after serving less than 30 days with the
10 municipality that incurred the costs of examining, training and initially
11 hiring him and, within 120 days of that resignation, accepts an
12 appointment as a Class Two special with another municipal law
13 enforcement agency, that appointing municipality shall be liable to the
14 officer's former municipal employer for the total certified costs
15 incurred by the former employer in the examination, hiring, and
16 training of the officer.

17 b. If a person appointed as a Class Two special resigns or refuses
18 reappointment after serving less than two years with the municipality
19 that incurred the costs of examining, training and initially hiring him
20 and, within 120 days of that resignation or refusal of reappointment,
21 accepts an appointment as a Class Two special with another municipal
22 law enforcement agency, that appointing municipality shall be liable to
23 the officer's former municipal employer for one-half of the total
24 certified costs incurred by the former employer in the examination,
25 hiring, and training of the officer.

26 c. Upon the appointment of a Class Two special subject to the
27 provisions of this act, the appointing municipal law enforcement
28 agency shall notify the officer's former employer immediately upon
29 appointment and shall reimburse the former employer within 120 days
30 of the receipt of the certified costs.

31 d. As used in this act:

32 "Class Two special" means a special law enforcement officer,
33 appointed pursuant to P.L.1985, c.439 (C.40A:14-146.8 et seq.), who
34 is authorized to exercise full powers and duties similar to those of a
35 permanent, regularly appointed full-time law enforcement officer.

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

39 "Training costs" means the police training course fees and the base
40 salary, if any, received while attending the police training course, as
41 required by P.L.1961, c.56 (C.52:17B-66 et seq.) and P.L.1985, c.439
42 (C.40A:14-146.8 et seq.).

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44 2. This act shall take effect immediately.

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STATEMENT

Under current law, if a permanent, full-time law enforcement officer is hired by another law enforcement agency within two years of his initial appointment, the agency that hired him must reimburse the law enforcement agency that incurred the examination and training costs associated with that officer's initial hiring.

The hiring agency's reimbursement liability depends upon the officer's length of service before resignation. If, for example, the officer serves 30 or less days with the agency that paid the examination and training costs associated with the officer's initial employment, the hiring agency is liable for 100% of those examination and training costs. If the officer serves more than 30 days, but less than two years, the hiring agency is liable for one-half of the officer's examination and training costs. The statute further stipulates that the hiring agency must reimburse the officer's former employer within 120 days of receiving notice of its reimbursement liability.

This bill would extend that reimbursement responsibility to include Class Two special law enforcement officers who resign or refuse reappointment with the municipality that initially hired them in order to take positions with different municipalities. The hiring municipality would be required to reimburse the municipality which initially hired the Class Two special for 100% of the costs that local unit incurred in examination and training costs if the officer served 30 or less days and, within 120 days, took a job with another municipality. Similarly, the hiring municipality would be liable for one-half of the costs associated with an officer's examination and training if that Class Two special served for less than two years and, within 120 days, took a job with another municipality.

As stipulated in the current law, this bill provides that the hiring municipality must reimburse the Class Two special's former employer within 120 days of receiving notice of its reimbursement liability.

Class Two specials are authorized to exercise full police powers and duties similar to those of a permanent, regularly appointed full-time law enforcement officer.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3038

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 2004

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3038.

Assembly Bill No. 3038 requires municipalities appointing certain Class Two special police officers to reimburse their former municipal employer for training costs.

Under current law, if a permanent, full-time law enforcement officer is hired by another law enforcement agency within two years of his initial appointment, the agency that hired him must reimburse the law enforcement agency that incurred the examination and training costs associated with that officer's initial hiring.

The hiring agency's reimbursement liability depends upon the officer's length of service before resignation. The statute further stipulates that the hiring agency must reimburse the officer's former employer within 120 days of receiving notice of its reimbursement liability.

Assembly Bill No. 3038 extends that reimbursement responsibility to include Class Two special law enforcement officers who resign or refuse reappointment with the municipality that initially hired them in order to take positions with different municipalities. The hiring municipality would be required to reimburse the municipality which initially hired the Class Two special for 100% of the costs that local unit incurred in examination and training costs if the officer served less than 30 days and, within 120 days, took a job with another municipality. Similarly, the hiring municipality would be liable for one-half of the costs associated with an officer's examination and training if that Class Two special served for less than two years and, within 120 days, took a job with another municipality.

As stipulated in the current law, this bill provides that the hiring municipality must reimburse the Class Two special's former employer within 120 days of receiving notice of its reimbursement liability.

Class Two specials are authorized to exercise full police powers and duties similar to those of a permanent, regularly appointed full-time law enforcement officer.