



**S3507 (1R)**

<b>INTRODUCED BILL:</b> (Includes sponsor(s) statement)	Yes	
<b>REPRINT(S):</b>	Yes	SBA 3/17/2025
<b>TECHNICAL REVIEW OF BILL:</b>	No	
<b>COMMITTEE STATEMENT:</b>		
<b>ASSEMBLY:</b>	No	
<b>SENATE:</b>	Yes	Law & Public Safety Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

<b>FLOOR AMENDMENT STATEMENT:</b>	No	
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	Yes	03/18/2025 03/24/2025

**VETO MESSAGE:** Yes

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**LEGISLATOR STATEMENT:** Yes

**FOLLOWING WERE PRINTED:**

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<b>REPORTS:</b>	No	
<b>HEARINGS:</b>	No	
<b>NEWSPAPER ARTICLES:</b>	Yes	

Eric Conklin - For South Jersey Times, 'Murphy signs law aimed at disorderly 'pop-up parties' Measure allows policeto charge people for inciting a brawl.', *South Jersey Times* (online), 3 Jun 2025  
001<<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A0FAC8CF5EE8C90>>

CL/MMcB

P.L. 2025, CHAPTER 59, *approved June 2, 2025*  
Assembly, No. 4652 (*Second Reprint*)

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

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

6  
7 1. N.J.S.2C:33-1 is amended to read as follows:

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 <sup>2</sup>: (1)<sup>2</sup> the person acts with purpose to <sup>2</sup>**[organize or promote]**  
30 incite<sup>2</sup>

31 a group of four or more other persons <sup>2</sup>imminently<sup>2</sup> to engage in a  
32 course of disorderly conduct as defined in <sup>1</sup>**[subsection]**  
33 subsections<sup>1</sup> a. <sup>1</sup>or d.<sup>1</sup> of N.J.S.2C:33-2 <sup>2</sup>or acts with purpose to  
34 produce such imminent course of disorderly conduct by a group of  
35 four or more persons; and

36 (2) the person's actions are likely to incite or produce such  
37 imminent course of disorderly conduct by a group of four or more  
38 persons<sup>2</sup>.

**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>Senate SBA committee amendments adopted March 17, 2025.

<sup>2</sup>Assembly amendments adopted in accordance with Governor's recommendations May 15, 2025.

1 Inciting a public brawl is a crime of the fourth degree if the  
2 person acts with purpose to <sup>2</sup>【disrupt or cause a disturbance at a  
3 public gathering or event or knowing that a disruption or  
4 disturbance is likely to occur】 incite or produce the course of  
5 disorderly conduct defined in subsection a. of N.J.S.2C:33-2<sup>2</sup> ;  
6 otherwise, it is a disorderly persons offense. Notwithstanding the  
7 provisions of N.J.S.2C:1-8, a conviction of inciting a public brawl  
8 shall not merge with the offense of riot pursuant to subsection a. of  
9 this section or disorderly conduct pursuant to <sup>2</sup>【subsection a.】  
10 subsections a. or d.<sup>2</sup> of N.J.S.2C:33-2.

11 (cf: P.L.1981, c.290, s.35)

12

13 2. N.J.S.2C:33-2 is amended to read as follows:

14 2C:33-2. Disorderly Conduct. a. Improper behavior. **【A】**  
15 Except as otherwise provided in subsection c. of this section, a  
16 person is guilty of a petty disorderly persons offense **【,】** , if with  
17 purpose to cause public inconvenience, annoyance or alarm, or  
18 recklessly creating a risk thereof **【he】** , the person:

19 (1) Engages in fighting or threatening, or in violent or  
20 tumultuous behavior; or

21 (2) Creates a hazardous or physically dangerous condition by  
22 any act which serves no legitimate purpose of the actor.

23 b. Offensive language. A person is guilty of a petty  
24 disorderly persons offense if, in a public place, and with purpose to  
25 offend the sensibilities of a hearer or in reckless disregard of the  
26 probability of so doing, he addresses unreasonably loud and  
27 offensively coarse or abusive language, given the circumstances of  
28 the person present and the setting of the utterance, to any person  
29 present.

30 c. Concealing identity. A person who attempts to conceal or  
31 conceals the person's identity <sup>2</sup>by wearing a mask or disguise<sup>2</sup>  
32 while engaging in a course of disorderly conduct, as defined in  
33 subsection a. of this section, with purpose to <sup>2</sup>instill fear,<sup>2</sup> hinder  
34 prosecution <sup>2,2</sup> or avoid apprehension is guilty of a disorderly  
35 persons offense.

36 d. Disturbance at a public gathering. A person who acts with  
37 purpose to disrupt or cause a disturbance at a public gathering or  
38 event

39 <sup>1</sup>or who engages in behavior knowing that it will disrupt or cause a  
40 disturbance at a public gathering or event<sup>1</sup> is guilty of a disorderly  
41 persons offense. <sup>2</sup>For purposes of this subsection, a person who  
42 wears a mask or disguise solely for medical, religious, or expressive  
43 purposes shall not be deemed to have acted with purpose to instill  
44 fear, hinder prosecution, or avoid apprehension.<sup>2</sup>

45 "Public" means affecting or likely to affect persons in a place to  
46 which the public or a substantial group has access; among the

1 places included are highways, transport facilities, schools, prisons,  
2 apartment houses, places of business or amusement, or any  
3 neighborhood.

4 (cf: N.J.S.2C:33-2)

5

6 3. This act shall take effect immediately.

7

8

9

10

11 Establishes offense of inciting public brawl; upgrades penalty for  
12 disorderly conduct in certain circumstances.

## CHAPTER 59

AN ACT concerning public brawls and disorderly conduct and amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

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

1. N.J.S.2C:33-1 is amended to read as follows:

Riot; failure to disperse.

2C:33-1. a. Riot. A person is guilty of riot if the person participates with four or more other persons in a course of disorderly conduct as defined in subsection a. of N.J.S.2C:33-2:

- (1) With purpose to commit or facilitate the commission of a crime;
- (2) With purpose to prevent or coerce official action; or
- (3) When he or any other participant, known to him, uses or plans to use a firearm or other deadly weapon.

Riot if committed under circumstances set forth in paragraph (3) is a crime of the third degree. Otherwise riot is a crime of the fourth degree.

b. Failure of disorderly persons to disperse upon official order. Where five or more persons are participating in a course of disorderly conduct as defined in subsection a. of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or other public servant engaged in executing or enforcing the law may order the participants and others in the immediate vicinity to disperse. A person who refuses or knowingly fails to obey such an order commits a disorderly persons offense.

- c. Public Brawl. A person is guilty of inciting a public brawl if:

(1) the person acts with purpose to incite a group of four or more other persons imminently to engage in a course of disorderly conduct as defined in subsections a. or d. of N.J.S.2C:33-2 or acts with purpose to produce such imminent course of disorderly conduct by a group of four or more persons; and

(2) the person's actions are likely to incite or produce such imminent course of disorderly conduct by a group of four or more persons.

Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to incite or produce the course of disorderly conduct defined in subsection a. of N.J.S.2C:33-2; otherwise, it is a disorderly persons offense. Notwithstanding the provisions of N.J.S.2C:1-8, a conviction of inciting a public brawl shall not merge with the offense of riot pursuant to subsection a. of this section or disorderly conduct pursuant to subsections a. or d. of N.J.S.2C:33-2.

2. N.J.S.2C:33-2 is amended to read as follows:

Disorderly conduct.

2C:33-2. Disorderly Conduct. a. Improper behavior. Except as otherwise provided in subsection c. of this section, a person is guilty of a petty disorderly persons offense, if with purpose to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, the person:

- (1) Engages in fighting or threatening, or in violent or tumultuous behavior; or
- (2) Creates a hazardous or physically dangerous condition by any act which serves no legitimate purpose of the actor.

b. Offensive language. A person is guilty of a petty disorderly persons offense if, in a public place, and with purpose to offend the sensibilities of a hearer or in reckless disregard of

the probability of so doing, he addresses unreasonably loud and offensively coarse or abusive language, given the circumstances of the person present and the setting of the utterance, to any person present.

c. Concealing identity. A person who attempts to conceal or conceals the person's identity by wearing a mask or disguise while engaging in a course of disorderly conduct, as defined in subsection a. of this section, with purpose to instill fear, hinder prosecution, or avoid apprehension is guilty of a disorderly persons offense.

d Disturbance at a public gathering. A person who acts with purpose to disrupt or cause a disturbance at a public gathering or event or who engages in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event is guilty of a disorderly persons offense. For purposes of this subsection, a person who wears a mask or disguise solely for medical, religious, or expressive purposes shall not be deemed to have acted with purpose to instill fear, hinder prosecution, or avoid apprehension.

"Public" means affecting or likely to affect persons in a place to which the public or a substantial group has access; among the places included are highways, transport facilities, schools, prisons, apartment houses, places of business or amusement, or any neighborhood.

3. This act shall take effect immediately.

Approved June 2, 2025.

**ASSEMBLY, No. 4652**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED JUNE 25, 2024

**Sponsored by:**

**Assemblyman DAN HUTCHISON**  
**District 4 (Atlantic, Camden and Gloucester)**  
**Assemblywoman CAROL A. MURPHY**  
**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblyman Spearman, Assemblywoman Reynolds-Jackson,**  
**Assemblyman Egan, Assemblywoman Flynn, Assemblymen Peterson,**  
**Kanitra, Assemblywoman Bagolie and Assemblyman Miller**

**SYNOPSIS**

Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/27/2025)**

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

3

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

6

7 1. N.J.S.2C:33-1 is amended to read as follows:

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 the person acts with purpose to organize or promote a group of four  
30 or more other persons to engage in a course of disorderly conduct as  
31 defined in subsection a. of N.J.S.2C:33-2. Inciting a public brawl is  
32 a crime of the fourth degree if the person acts with purpose to  
33 disrupt or cause a disturbance at a public gathering or event or  
34 knowing that a disruption or disturbance is likely to occur;  
35 otherwise, it is a disorderly persons offense. Notwithstanding the  
36 provisions of N.J.S.2C:1-8, a conviction of inciting a public brawl  
37 shall not merge with the offense of riot pursuant to subsection a. of  
38 this section or disorderly conduct pursuant to subsection a. of  
39 N.J.S.2C:33-2.

40 (cf: P.L.1981, c.290, s.35)

41

42 2. N.J.S.2C:33-2 is amended to read as follows:

43 2C:33-2. Disorderly Conduct. a. Improper behavior. **[A]**  
44 Except as otherwise provided in subsection c. of this section, a  
45 person is guilty of a petty disorderly persons offense **[,]** , if with

**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 purpose to cause public inconvenience, annoyance or alarm, or  
2 recklessly creating a risk thereof **【he】**, the person:

3 (1) Engages in fighting or threatening, or in violent or  
4 tumultuous behavior; or

5 (2) Creates a hazardous or physically dangerous condition by  
6 any act which serves no legitimate purpose of the actor.

7 b. Offensive language. A person is guilty of a petty  
8 disorderly persons offense if, in a public place, and with purpose to  
9 offend the sensibilities of a hearer or in reckless disregard of the  
10 probability of so doing, he addresses unreasonably loud and  
11 offensively coarse or abusive language, given the circumstances of  
12 the person present and the setting of the utterance, to any person  
13 present.

14 c. Concealing identity. A person who attempts to conceal or  
15 conceals the person's identity while engaging in a course of  
16 disorderly conduct, as defined in subsection a. of this section, with  
17 purpose to hinder prosecution or avoid apprehension is guilty of a  
18 disorderly persons offense.

19 d Disturbance at a public gathering. A person who acts with  
20 purpose to disrupt or cause a disturbance at a public gathering or  
21 event is guilty of a disorderly persons offense.

22 "Public" means affecting or likely to affect persons in a place to  
23 which the public or a substantial group has access; among the  
24 places included are highways, transport facilities, schools, prisons,  
25 apartment houses, places of business or amusement, or any  
26 neighborhood.

27 (cf: N.J.S.2C:33-2)

28

29 3. This act shall take effect immediately.

30

31

32 STATEMENT

33

34 This bill creates the offense of inciting a public brawl and  
35 upgrades the penalty for engaging in disorderly conduct under  
36 certain circumstances.

37 Under the bill, a person is guilty of inciting a public brawl if the  
38 person acts with purpose to organize or promote a group of four or  
39 more other persons to engage in a course of disorderly conduct.  
40 Inciting a public brawl is a crime of the fourth degree if the person  
41 acts with purpose to disrupt or cause a disturbance at a public  
42 gathering or event or knowing that a disruption or disturbance is  
43 likely to occur; otherwise, it is a disorderly persons offense.

44 Additionally, the bill provides that a person who attempts to  
45 conceal or conceals the person's identity while engaging in a course  
46 of disorderly conduct, with purpose to hinder prosecution or avoid  
47 apprehension is guilty of a disorderly persons offense. The bill also  
48 establishes that a person commits disorderly conduct by acting with

**A4652 HUTCHISON, MURPHY**

4

1 purpose to disrupt or cause a disturbance at a public gathering or  
2 event and is guilty of a disorderly persons offense. Under current  
3 law, a person who engages in a course of disorderly conduct  
4 commits a petty disorderly persons offense.

5 A fourth degree crime is punishable by up to 18 months  
6 imprisonment, a fine of up to \$10,000, or both. A person who  
7 commits a fourth degree crime may be eligible for entry into a  
8 pretrial intervention program (PTI). The courts sets the conditions  
9 of PTI, which may include random drug screening, community  
10 service, mental health or substance abuse evaluations, and  
11 compliance with treatment recommendations. A disorderly persons  
12 offense is punishable by a term of imprisonment of up to six  
13 months, a fine of up to \$1,000 or both. A petty disorderly persons  
14 offense is punishable by imprisonment of up to 30 days, a fine of up  
15 to \$500, or both. In the case of citations issued for petty disorderly  
16 and disorderly persons offenses, appearance in court is mandatory.

[First Reprint]

**ASSEMBLY, No. 4652**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED JUNE 25, 2024

**Sponsored by:**

**Assemblyman DAN HUTCHISON**

**District 4 (Atlantic, Camden and Gloucester)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Senator PAUL D. MORIARTY**

**District 4 (Atlantic, Camden and Gloucester)**

**Senator BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

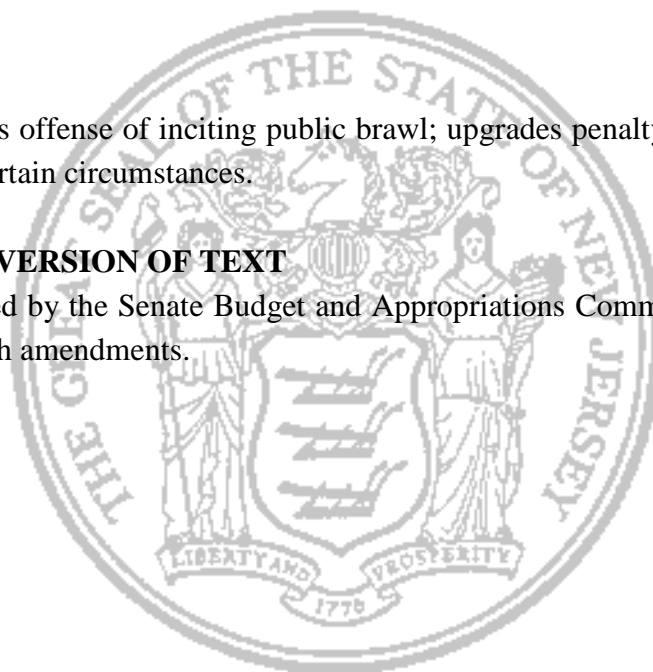
**Assemblyman Spearman, Assemblywoman Reynolds-Jackson,  
Assemblyman Egan, Assemblywoman Flynn, Assemblymen Peterson,  
Kanitra, Assemblywoman Bagolie, Assemblyman Miller, Senators  
O'Scanlon and Greenstein**

**SYNOPSIS**

Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on March 17, 2025, with amendments.



**(Sponsorship Updated As Of: 3/24/2025)**

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

3

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

6

7 1. N.J.S.2C:33-1 is amended to read as follows:

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 the person acts with purpose to organize or promote a group of four  
30 or more other persons to engage in a course of disorderly conduct as  
31 defined in <sup>1</sup>**[subsection]** subsections<sup>1</sup> a. <sup>1</sup>or d.<sup>1</sup> of N.J.S.2C:33-2.  
32 Inciting a public brawl is a crime of the fourth degree if the person  
33 acts with purpose to disrupt or cause a disturbance at a public  
34 gathering or event or knowing that a disruption or disturbance is  
35 likely to occur; otherwise, it is a disorderly persons offense.  
36 Notwithstanding the provisions of N.J.S.2C:1-8, a conviction of  
37 inciting a public brawl shall not merge with the offense of riot  
38 pursuant to subsection a. of this section or disorderly conduct  
39 pursuant to subsection a. of N.J.S.2C:33-2.

40 (cf: P.L.1981, c.290, s.35)

41

42 2. N.J.S.2C:33-2 is amended to read as follows:

43 2C:33-2. Disorderly Conduct. a. Improper behavior. **[A]**  
44 Except as otherwise provided in subsection c. of this section, a

**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>Senate SBA committee amendments adopted March 17, 2025.

1 person is guilty of a petty disorderly persons offense **[,]** , if with  
2 purpose to cause public inconvenience, annoyance or alarm, or  
3 recklessly creating a risk thereof **[he]** , the person:

4 (1) Engages in fighting or threatening, or in violent or  
5 tumultuous behavior; or

6 (2) Creates a hazardous or physically dangerous condition by  
7 any act which serves no legitimate purpose of the actor.

8 b. Offensive language. A person is guilty of a petty  
9 disorderly persons offense if, in a public place, and with purpose to  
10 offend the sensibilities of a hearer or in reckless disregard of the  
11 probability of so doing, he addresses unreasonably loud and  
12 offensively coarse or abusive language, given the circumstances of  
13 the person present and the setting of the utterance, to any person  
14 present.

15 c. Concealing identity. A person who attempts to conceal or  
16 conceals the person's identity while engaging in a course of  
17 disorderly conduct, as defined in subsection a. of this section, with  
18 purpose to hinder prosecution or avoid apprehension is guilty of a  
19 disorderly persons offense.

20 d Disturbance at a public gathering. A person who acts with  
21 purpose to disrupt or cause a disturbance at a public gathering or  
22 event

23 <sup>1</sup>or who engages in behavior knowing that it will disrupt or cause a  
24 disturbance at a public gathering or event<sup>1</sup> is guilty of a disorderly  
25 persons offense.

26 "Public" means affecting or likely to affect persons in a place to  
27 which the public or a substantial group has access; among the  
28 places included are highways, transport facilities, schools, prisons,  
29 apartment houses, places of business or amusement, or any  
30 neighborhood.

31 (cf: N.J.S.2C:33-2)

32

33 3. This act shall take effect immediately.

[Second Reprint]

**ASSEMBLY, No. 4652**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED JUNE 25, 2024

**Sponsored by:**

**Assemblyman DAN HUTCHISON**

**District 4 (Atlantic, Camden and Gloucester)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Senator PAUL D. MORIARTY**

**District 4 (Atlantic, Camden and Gloucester)**

**Senator BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

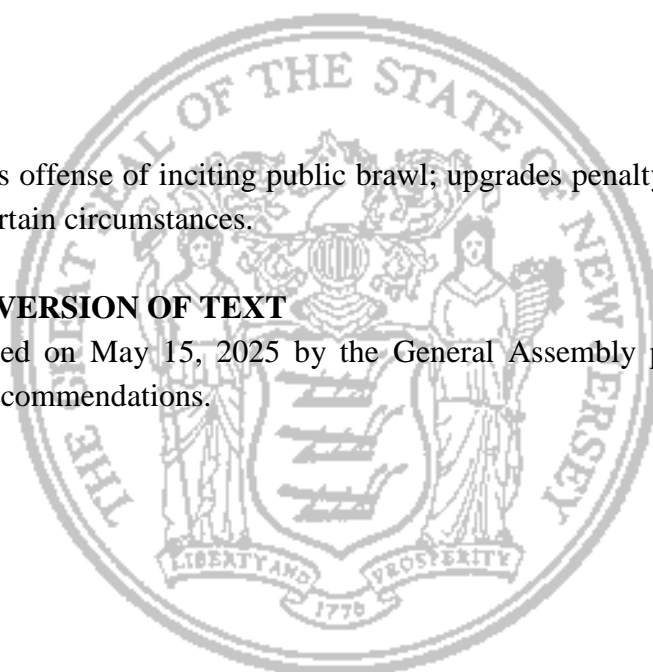
**Assemblyman Spearman, Assemblywoman Reynolds-Jackson,  
Assemblyman Egan, Assemblywoman Flynn, Assemblymen Peterson,  
Kanitra, Assemblywoman Bagolie, Assemblyman Miller, Senators  
O'Scanlon, Greenstein, Assemblymen Stanley, Sampson, Senators  
Holzapfel, Diegnan and Amato**

**SYNOPSIS**

Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**CURRENT VERSION OF TEXT**

As amended on May 15, 2025 by the General Assembly pursuant to the Governor's recommendations.



**(Sponsorship Updated As Of: 6/2/2025)**

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

3

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

6

7 1. N.J.S.2C:33-1 is amended to read as follows:

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 <sup>2</sup>: (1)<sup>2</sup> the person acts with purpose to <sup>2</sup>[organize or promote]  
30 incite<sup>2</sup>

31 a group of four or more other persons <sup>2</sup>imminently<sup>2</sup> to engage in a  
32 course of disorderly conduct as defined in <sup>1</sup>[subsection]  
33 subsections<sup>1</sup> a. <sup>1</sup>or d.<sup>1</sup> of N.J.S.2C:33-2 <sup>2</sup>or acts with purpose to  
34 produce such imminent course of disorderly conduct by a group of  
35 four or more persons; and

36 (2) the person's actions are likely to incite or produce such  
37 imminent course of disorderly conduct by a group of four or more  
38 persons<sup>2</sup>.

39 Inciting a public brawl is a crime of the fourth degree if the  
40 person acts with purpose to <sup>2</sup>[disrupt or cause a disturbance at a  
41 public gathering or event or knowing that a disruption or  
42 disturbance is likely to occur] incite or produce the course of  
43 disorderly conduct defined in subsection a. of N.J.S.2C:33-2<sup>2</sup> ;

**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>Senate SBA committee amendments adopted March 17, 2025.

<sup>2</sup>Assembly amendments adopted in accordance with Governor's recommendations May 15, 2025.

1 otherwise, it is a disorderly persons offense. Notwithstanding the  
2 provisions of N.J.S.2C:1-8, a conviction of inciting a public brawl  
3 shall not merge with the offense of riot pursuant to subsection a. of  
4 this section or disorderly conduct pursuant to <sup>2</sup>【subsection a.】  
5 subsections a. or d.<sup>2</sup> of N.J.S.2C:33-2.  
6 (cf: P.L.1981, c.290, s.35)

7  
8 2. N.J.S.2C:33-2 is amended to read as follows:  
9 2C:33-2. Disorderly Conduct. a. Improper behavior. **[A]**  
10 Except as otherwise provided in subsection c. of this section, a  
11 person is guilty of a petty disorderly persons offense **[,】** , if with  
12 purpose to cause public inconvenience, annoyance or alarm, or  
13 recklessly creating a risk thereof **[he】** , the person:

14 (1) Engages in fighting or threatening, or in violent or  
15 tumultuous behavior; or

16 (2) Creates a hazardous or physically dangerous condition by  
17 any act which serves no legitimate purpose of the actor.

18 b. Offensive language. A person is guilty of a petty  
19 disorderly persons offense if, in a public place, and with purpose to  
20 offend the sensibilities of a hearer or in reckless disregard of the  
21 probability of so doing, he addresses unreasonably loud and  
22 offensively coarse or abusive language, given the circumstances of  
23 the person present and the setting of the utterance, to any person  
24 present.

25 c. Concealing identity. A person who attempts to conceal or  
26 conceals the person's identity <sup>2</sup>by wearing a mask or disguise<sup>2</sup>  
27 while engaging in a course of disorderly conduct, as defined in  
28 subsection a. of this section, with purpose to <sup>2</sup>instill fear,<sup>2</sup> hinder  
29 prosecution <sup>2, 2</sup> or avoid apprehension is guilty of a disorderly  
30 persons offense.

31 d Disturbance at a public gathering. A person who acts with  
32 purpose to disrupt or cause a disturbance at a public gathering or  
33 event

34 <sup>1</sup>or who engages in behavior knowing that it will disrupt or cause a  
35 disturbance at a public gathering or event<sup>1</sup> is guilty of a disorderly  
36 persons offense. <sup>2</sup>For purposes of this subsection, a person who  
37 wears a mask or disguise solely for medical, religious, or expressive  
38 purposes shall not be deemed to have acted with purpose to instill  
39 fear, hinder prosecution, or avoid apprehension.<sup>2</sup>

40 "Public" means affecting or likely to affect persons in a place to  
41 which the public or a substantial group has access; among the  
42 places included are highways, transport facilities, schools, prisons,  
43 apartment houses, places of business or amusement, or any  
44 neighborhood.

45 (cf: N.J.S.2C:33-2)

46

47 3. This act shall take effect immediately.

**RACIAL AND ETHNIC COMMUNITY CRIMINAL  
JUSTICE AND PUBLIC SAFETY IMPACT STATEMENT  
ASSEMBLY, No. 4652(1R)  
STATE OF NEW JERSEY**

**SUMMARY**

**Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**INTRODUCTION**

The Office of Legislative Services does not develop or maintain source data concerning the criminal justice system in the State. The Office of Legislative Services makes reasonable efforts to obtain data from Executive Branch Departments and the Judiciary. This statement may reflect information provided by the United States Census Bureau, the Administrative Office of the Courts within the Judiciary, the New Jersey Department of Corrections, the New Jersey Office of the Attorney General, and the Juvenile Justice Commission in the New Jersey Department of Law and Public Safety. The publicly available data and the data provided by the responding departments and agencies contained within this statement allows for a general overview of the frequencies of events of interest (i.e. arrests, charges, and convictions) for racial and ethnic minorities for the crimes identified herein. This statement does not provide for an in-depth analysis of that data.

Additional data concerning recidivism rates and incarceration rates for the specific crimes addressed within this statement sorted by race and ethnicity is needed in order to make a conclusion on the impacts on racial and ethnic minorities. Additional data concerning the deterrent effects of similar laws of this type is needed to determine the impact on community criminal justice and public safety. It should be noted that the data needed may not currently be collected by the responding departments or agencies or may not exist.<sup>1</sup>

**BILL DESCRIPTION**

Assembly Bill No.4652 (1R) creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

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<sup>1</sup> *This racial and ethnic community criminal justice and public safety impact statement has been produced by the Office of Legislative Services pursuant to section 2 of P.L.2017, c.286 (C.52:11-57.1). Although impact statements are considered a tool for policymaking, the Office of Legislative Services does not take a policy position in preparing a racial and ethnic community criminal justice and public safety impact statement. The role of the Office of Legislative Services is to gather and present data for legislators to review. This statement may reflect information provided by the United States Census Bureau, Office of Juvenile Justice and Delinquency Prevention in the United States Department of Justice, New Jersey Department of Corrections, and Juvenile Justice Commission in the New Jersey Department of Law and Public Safety.*

Additionally, the bill provides that a person who attempts to conceal or conceals the person’s identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event and is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

**Federal and State Census Information<sup>2</sup>**

	Population	Caucasian	African American	Native American/Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Two or More Races/Other
National Census Estimate	331,450,000	59.3%	13.6%	1.3%	6.1%	0.3%	18.9%	2.9%
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%

**Federal and State Inmate Population Data**

	Population	Caucasian	African American	Native American/Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Two or More Races/Other
Actual Federal Adult Inmate Population <sup>3</sup>	156,241	56.9%	38.8%	2.8%	1.5%	N/A	29.2%	N/A
Actual State Adult Inmate Population <sup>4</sup>	12,978	22%	60.8%	0.0%	1%	N/A	17%	N/A

<sup>2</sup> Publicly available data obtained from the federal census for national and State populations as of April 1, 2020.

<sup>3</sup> Publicly available data of federally sentenced persons in custody of the Federal Bureau of Prisons, as of June 1, 2024.

<sup>4</sup> Publicly available data produced by the New Jersey Department of Corrections concerning the State inmate population on January 1, 2024. It has been reported by the New Jersey Department of Corrections that the Fiscal Year 2024 average daily population was 12,490. However, that number has not been sorted by race or ethnicity.

**State Census and State Inmate Population Data**

	Population	Caucasian	African American	Native American/Alaska Native	Asian	Native Hawaiian/ Other Pacific Islander	Hispanic	Two or More Races/Other
State Census Estimate	9,289,000	53.5%	15.3%	0.7%	10.3%	0.1%	21.5%	2.4%
Actual State Adult Inmate Population <sup>5</sup>	12,978	22%	60.8%	0.0%	1%	N/A	17%	N/A

**DATA PROVIDED BY THE EXECUTIVE BRANCH**

The following data was provided, as a part of the submission, from the Office of the Attorney General:

The below displays the number of arrest events with any paragraph of the enumerated charges below displayed by race/ethnicity for all arrests between January 1, 2017 to December 31, 2024.

<i>STATUTE</i>	<i>STATUTE DESCRIPTION</i>	<i>DEGREE</i>	<i>WHITE (INCL. HISPANIC ORIGIN)</i>	<i>BLACK</i>	<i>ASIAN/PAC. ISLANDER</i>	<i>AM. INDIAN/ALASKA NATIVE</i>	<i>UNKNOWN/NOT PROVIDED</i>
<b>2C:33-1A(1)</b>	Riot – Commission of Crime	4th	29	35		1	
<b>2C:33-1A(2)</b>	Riot – Prevention or Coercion of Official Acts	4th	11	11			3
<b>2C:33-1A(3)</b>	Riot – Firearms or Deadly Weapons	3rd	14	17			1
<b>2C:33-1B</b>	Riot – Failure to Disperse	DP	31	36			5
<b>2C:33:2</b>	Disorderly Conduct	PDP	5	1			
<b>2C:33-2A</b>	Disorderly Conduct – Improper Behavior	PDP	4	1			
<b>2C:33-2A(1)</b>	Disorderly Conduct – Fights or Threats	PDP	1,965	1,719	44	6	125
<b>2C:33-2A(2)</b>	Disorderly Conduct – Creating Hazardous Conditions	PDP	1,598	1,296	62	9	129
<b>2C:33-2B</b>	Disorderly Conduct – Offensive Language	PDP	167	173	6		15

<sup>5</sup> Publicly available data produced by the New Jersey Department of Corrections concerning the State inmate population on January 1, 2024. It has been reported by the New Jersey Department of Corrections that the Fiscal Year 2024 average daily population was 12,490. However, that number has not been sorted by race or ethnicity.

The below displays the number of Unique Persons Convicted of any paragraph of the enumerated charges below displayed by race/ethnicity for all arrests between January 1, 2017 to December 31, 2024.

<i>STATUTE</i>	<i>STATUTE DESCRIPTION</i>	<i>DEGREE</i>	<i>WHITE (INCL. HISPANIC ORIGIN)</i>	<i>BLACK</i>	<i>ASIAN/PAC. ISLANDER</i>	<i>AM. INDIAN/ALASKA NATIVE</i>	<i>UNKNOWN/NOT PROVIDED</i>
<b>2C:33-1A(1)</b>	Riot – Commission of Crime	4th		4		1	
<b>2C:33-1A(3)</b>	Riot – Firearms or Deadly Weapons	3rd	1				
<b>2C:33-1B</b>	Riot – Failure to Disperse	DP	2	4			
<b>2C:33:2</b>	Disorderly Conduct	PDP	5	1			
<b>2C:33-2A</b>	Disorderly Conduct – Improper Behavior	PDP	4	1			
<b>2C:33-2A(1)</b>	Disorderly Conduct – Fights or Threats	PDP	257	174	3		19
<b>2C:33-2A(2)</b>	Disorderly Conduct – Creating Hazardous Conditions	PDP	111	80	3		8
<b>2C:33-2B</b>	Disorderly Conduct – Offensive Language	PDP	42	50	4		2

The following response was provided by the Juvenile Justice Commission:

The Juvenile Justice Commission (JJC) does not maintain or have direct access to detailed data on youth arrests, prosecutions, or adjudications (i.e. convictions). The JJC is not a prosecutorial agency. The JJC does not keep racial and ethnic data segregated by crimes for arrests, prosecutions, or adjudications for the juveniles committed to its care.

The Department of Corrections has made available to the public statistical data concerning the State inmate population categorized by race and ethnicity for 2024, which are reflected in the charts on pages 2 and 3, and offenders by base offense for 2022, 2023, and 2024 in the following charts:

**Offenders by Base Offense for 2022**

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		Adult Diagnostic Treatment Center (ADTC)		Edna Mahan		Halfway Houses, County Jails, St. Francis Hospital	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	12,492	100%	9,442	100%	1,139	100%	410	100%	408	100%	1,093	100%
Violent Offenses	9,049	72%	7,251	77%	681	60%	410	100%	273	67%	434	40%

**Offenders by Base Offense for 2023**

Base Offense	Total		Male Offenders in Other Facilities		Youth Offenders		Adult Diagnostic Treatment Center (ADTC)		Edna Mahan		Halfway Houses, County Jails, St. Francis Hospital	
	#	%	#	%	#	%	#	%	#	%	#	%
TOTAL OFFENDERS	13,196	100%	9,133	100%	1,174	100%	402	100%	356	100%	2,131	100%
Violent Offenses	9,343	71%	7,196	79%	708	60%	402	100%	261	73%	776	36%

**Offenders by Base Offense for 2024**

Base Offense	Total		Male Incarcerated Persons		Edna Mahan		Residential Community Release Program (RCRP), County Jails, Central Medical Unit (CHR)		Interstate Corrections Compact	
	#	%	#	%	#	%	#	%	#	%
Total Offenders	12,978	100%	11,176	100%	386	100%	1,140	100%	276	100%
Violent Offenses	9,417	73%	8,445	76%	284	74%	543	48%	145	53%

Note: violent offenses include homicide, sexual assault, aggravated and simple assault, robbery, kidnapping, other sex offenses and other person offenses.

**DATA PROVIDED BY THE JUDICIARY**

The Administrative Office of the Courts was unable to provide data within the timeframe, established by the Legislative Services Commission, for the production of the Racial and Ethnic Community Justice and Public Safety Impact Statement.

ASSEMBLY PUBLIC SAFETY AND PREPAREDNESS  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4652

**STATE OF NEW JERSEY**

DATED: JANUARY 27, 2025

The Assembly Public Safety and Preparedness Committee reports favorably Assembly Bill No. 4652.

As reported by the committee, this bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event and is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 4652

# STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2025

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4652.

As reported, this bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event and is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

#### FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and

revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.

The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4652**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 17, 2025

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 4652.

As amended, this bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct through improper behavior or by causing a disturbance at a public gathering. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with the purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event or engaging in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up

to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

As amended and reported by the committee, Assembly Bill No. 4652 is identical to Senate Bill No. 3507, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that disorderly conduct includes causing a disturbance at a public gathering;

(2) provide that a person commits disorderly conduct by engaging in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event;

(3) make certain technical changes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 4652**  
**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

DATED: FEBRUARY 21, 2025

**SUMMARY**

- Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** The Judiciary; Department of Law and Public Safety; Department of Corrections; State Parole Board; Office of the Public Defender; Counties; Municipalities.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.
- The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.
- The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State’s ability to collect fines has historically been limited.



- Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

## **BILL DESCRIPTION**

This bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits the offense of disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a crime of the fourth degree may be eligible for entry into a pretrial intervention program. The court sets the conditions of this program, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The OLS concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender

may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders. The OLS notes that there could be instances in which the Department of Law and Public Safety prosecutes the cases instead of the county prosecutor, under special circumstances. The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Generally, crimes of the fourth degree carry a presumption of non-incarceration for first-time offenders. The OLS notes that to the extent the bill results in additional incarcerations, the Department of Corrections would incur those costs. Based on information provided by the department, the FY 2023 average annual cost for housing, ensuring security, and providing services to an incarcerated individual was \$75,574, with an average daily cost of \$207.

The OLS finds that expenditures are likely to increase at the local level since disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. According to information provided by the Administrative Office of the Courts, the median daily cost to house an inmate in a county jail is \$228.

Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

*Section: Judiciary*

*Analyst: Anuja Pande Joshi  
Senior Fiscal Analyst*

*Approved: Thomas Koenig  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

**ASSEMBLY, No. 4652**

## **STATE OF NEW JERSEY 221st LEGISLATURE**

DATED: MARCH 24, 2025

### SUMMARY

- Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** The Judiciary; Department of Law and Public Safety; Department of Corrections; State Parole Board; Office of the Public Defender; Counties; Municipalities.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.
- The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.

- The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.
- Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

## **BILL DESCRIPTION**

This bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits the offense of disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a crime of the fourth degree may be eligible for entry into a pretrial intervention program. The court sets the conditions of this program, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The OLS concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks

sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders. The OLS notes that there could be instances in which the Department of Law and Public Safety prosecutes the cases instead of the county prosecutor, under special circumstances. The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Generally, crimes of the fourth degree carry a presumption of non-incarceration for first-time offenders. The OLS notes that to the extent the bill results in additional incarcerations, the Department of Corrections would incur those costs. Based on information provided by the department, the FY 2024 average annual cost for housing, ensuring security, and providing services to an incarcerated individual was \$75,254, with an average marginal cost of housing one additional incarcerated person, accounting for food, clothing and wages, of \$11.39 per day.

The OLS finds that expenditures are likely to increase at the local level since disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. According to information provided by the Administrative Office of the Courts, the median daily cost to house an inmate in a county jail is \$228.

Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

*Section:           Judiciary*  
*Analyst:         Michael Davila*  
*Senior Counsel*  
*Approved:       Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

**ASSEMBLY, No. 4652**

## **STATE OF NEW JERSEY 221st LEGISLATURE**

DATED: MAY 23, 2025

### SUMMARY

- Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** The Judiciary; Department of Law and Public Safety; Department of Corrections; State Parole Board; Office of the Public Defender; Counties; Municipalities.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.
- The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.

- The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.
- Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court fees and upgraded penalties from these disorderly persons cases.

## **BILL DESCRIPTION**

This bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct through improper behavior or by causing a disturbance at a public gathering. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with the purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event or engaging in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a crime of the fourth degree may be eligible for entry into a pretrial intervention program. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The OLS concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks

sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders. The OLS notes that there could be instances in which the Department of Law and Public Safety prosecutes the cases instead of the county prosecutor, under special circumstances. The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Generally, crimes of the fourth degree carry a presumption of non-incarceration for first-time offenders. The OLS notes that to the extent the bill results in additional incarcerations, the Department of Corrections would incur those costs. Based on information provided by the department, the FY 2024 average annual cost for housing, ensuring security, and providing services to an incarcerated individual was \$75,254, with an average marginal cost of housing one additional incarcerated person, accounting for food, clothing and wages, of \$11.39 per day.

The OLS finds that expenditures are likely to increase at the local level since disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. According to information provided by the Administrative Office of the Courts, the median daily cost to house an inmate in a county jail is \$228.

Annual municipal revenue would likely increase due to an increase in court fees and upgraded penalties from these disorderly persons cases.

*Section:           Judiciary*

*Analyst:          Anuja Pande Joshi*  
*Senior Fiscal Analyst*

*Approved:        Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**SENATE, No. 3507**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED JUNE 26, 2024

**Sponsored by:**

**Senator PAUL D. MORIARTY**

**District 4 (Atlantic, Camden and Gloucester)**

**Senator BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator O'Scanlon**

**SYNOPSIS**

Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/13/2025)**

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

3

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

6

7 1. N.J.S.2C:33-1 is amended to read as follows

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 the person acts with purpose to organize or promote a group of four  
30 or more other persons to engage in a course of disorderly conduct as  
31 defined in subsection a. of N.J.S.2C:33-2. Inciting a public brawl is  
32 a crime of the fourth degree if the person acts with purpose to  
33 disrupt or cause a disturbance at a public gathering or event or  
34 knowing that a disruption or disturbance is likely to occur;  
35 otherwise, it is a disorderly persons offense. Notwithstanding the  
36 provisions of N.J.S.2C:1-8, a conviction of inciting a public brawl  
37 shall not merge with the offense of riot pursuant to subsection a. of  
38 this section or disorderly conduct pursuant to subsection a. of  
39 N.J.S.2C:33-2.

40 (cf: P.L.1981, c.290, s.35)

41

42 2. N.J.S.2C:33-2 is amended to read as follows:

43 2C:33-2. Disorderly Conduct. a. Improper behavior. **[A]**  
44 Except as otherwise provided in subsection c. of this section, a  
45 person is guilty of a petty disorderly persons offense **[.]** , if with

**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 purpose to cause public inconvenience, annoyance or alarm, or  
2 recklessly creating a risk thereof **[he]**, the person:

3 (1) Engages in fighting or threatening, or in violent or  
4 tumultuous behavior; or

5 (2) Creates a hazardous or physically dangerous condition by  
6 any act which serves no legitimate purpose of the actor.

7 b. Offensive language. A person is guilty of a petty  
8 disorderly persons offense if, in a public place, and with purpose to  
9 offend the sensibilities of a hearer or in reckless disregard of the  
10 probability of so doing, he addresses unreasonably loud and  
11 offensively coarse or abusive language, given the circumstances of  
12 the person present and the setting of the utterance, to any person  
13 present.

14 c. Concealing identity. A person who attempts to conceal or  
15 conceals the person's identity while engaging in a course of  
16 disorderly conduct, as defined in subsection a. of this section, with  
17 purpose to hinder prosecution or avoid apprehension is guilty of a  
18 disorderly persons offense.

19 d Disturbance at a public gathering. A person who acts with  
20 purpose to disrupt or cause a disturbance at a public gathering or  
21 event is guilty of a disorderly persons offense.

22 "Public" means affecting or likely to affect persons in a place to  
23 which the public or a substantial group has access; among the  
24 places included are highways, transport facilities, schools, prisons,  
25 apartment houses, places of business or amusement, or any  
26 neighborhood.

27 (cf: N.J.S.2C:33-2)

28

29 3. This act shall take effect immediately.

30

31

32

#### STATEMENT

33

34 This bill creates the offense of inciting a public brawl and  
35 upgrades the penalty for engaging in disorderly conduct under  
36 certain circumstances.

37 Under the bill, a person is guilty of inciting a public brawl if the  
38 person acts with purpose to organize or promote a group of four or  
39 more other persons to engage in a course of disorderly conduct.  
40 Inciting a public brawl is a crime of the fourth degree if the person  
41 acts with purpose to disrupt or cause a disturbance at a public  
42 gathering or event or knowing that a disruption or disturbance is  
43 likely to occur; otherwise, it is a disorderly persons offense.

44 Additionally, the bill provides that a person who attempts to  
45 conceal or conceals the person's identity while engaging in a course  
46 of disorderly conduct, with purpose to hinder prosecution or avoid  
47 apprehension is guilty of a disorderly persons offense. The bill also  
48 establishes that a person commits disorderly conduct by acting with

**S3507 MORIARTY, WIMBERLY**

4

1 purpose to disrupt or cause a disturbance at a public gathering or  
2 event and is guilty of a disorderly persons offense. Under current  
3 law, a person who engages in a course of disorderly conduct  
4 commits a petty disorderly persons offense.

5 A fourth degree crime is punishable by up to 18 months  
6 imprisonment, a fine of up to \$10,000, or both. A person who  
7 commits a fourth degree crime may be eligible for entry into a  
8 pretrial intervention program (PTI). The courts sets the conditions  
9 of PTI, which may include random drug screening, community  
10 service, mental health or substance abuse evaluations, and  
11 compliance with treatment recommendations. A disorderly persons  
12 offense is punishable by a term of imprisonment of up to six  
13 months, a fine of up to \$1,000 or both. A petty disorderly persons  
14 offense is punishable by imprisonment of up to 30 days, a fine of up  
15 to \$500, or both. In the case of citations issued for petty disorderly  
16 and disorderly persons offenses, appearance in court is mandatory.

[First Reprint]

**SENATE, No. 3507**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED JUNE 26, 2024

**Sponsored by:**

**Senator PAUL D. MORIARTY**

**District 4 (Atlantic, Camden and Gloucester)**

**Senator BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senators O'Scanlon and Greenstein**

**SYNOPSIS**

Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on March 17, 2025, with amendments.



**(Sponsorship Updated As Of: 3/24/2025)**

1 AN ACT concerning public brawls and disorderly conduct and  
2 amending N.J.S.2C:33-1 and N.J.S.2C:33-2.

3

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

6

7 1. N.J.S.2C:33-1 is amended to read as follows<sup>1,1</sup>

8 2C:33-1. a. Riot. A person is guilty of riot if **[he]** the person  
9 participates with four or more **[others]** other persons in a course of  
10 disorderly conduct as defined in **[section 2C:33-2a]** subsection a.  
11 of N.J.S.2C:33-2:

12 (1) With purpose to commit or facilitate the commission of a  
13 crime;

14 (2) With purpose to prevent or coerce official action; or

15 (3) When he or any other participant, known to him, uses or  
16 plans to use a firearm or other deadly weapon.

17 Riot if committed under circumstances set forth in paragraph (3)  
18 is a crime of the third degree. Otherwise riot is a crime of the  
19 fourth degree.

20 b. Failure of disorderly persons to disperse upon official order.  
21 Where five or more persons are participating in a course of  
22 disorderly conduct as defined in **[section 2C:33-2 a.]** subsection a.  
23 of N.J.S.2C:33-2 likely to cause substantial harm, a peace officer or  
24 other public servant engaged in executing or enforcing the law may  
25 order the participants and others in the immediate vicinity to  
26 disperse. A person who refuses or knowingly fails to obey such an  
27 order commits a disorderly persons offense.

28 c. Public Brawl. A person is guilty of inciting a public brawl if  
29 the person acts with purpose to organize or promote a group of four  
30 or more other persons to engage in a course of disorderly conduct as  
31 defined in <sup>1</sup>**[subsection]** subsections<sup>1</sup> a. <sup>1</sup>or d.<sup>1</sup> of N.J.S.2C:33-2.  
32 Inciting a public brawl is a crime of the fourth degree if the person  
33 acts with purpose to disrupt or cause a disturbance at a public  
34 gathering or event or knowing that a disruption or disturbance is  
35 likely to occur; otherwise, it is a disorderly persons offense.  
36 Notwithstanding the provisions of N.J.S.2C:1-8, a conviction of  
37 inciting a public brawl shall not merge with the offense of riot  
38 pursuant to subsection a. of this section or disorderly conduct  
39 pursuant to subsection a. of N.J.S.2C:33-2.

40 (cf: P.L.1981, c.290, s.35)

41

42 2. N.J.S.2C:33-2 is amended to read as follows:

43 2C:33-2. Disorderly Conduct. a. Improper behavior. **[A]**  
44 Except as otherwise provided in subsection c. of this section, a  
45 person is guilty of a petty disorderly persons offense **[,]** <sup>1</sup>, if with

**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>Senate SBA committee amendments adopted March 17, 2025.

1 purpose to cause public inconvenience, annoyance or alarm, or  
2 recklessly creating a risk thereof **[he]** , the person:

3 (1) Engages in fighting or threatening, or in violent or  
4 tumultuous behavior; or

5 (2) Creates a hazardous or physically dangerous condition by  
6 any act which serves no legitimate purpose of the actor.

7 b. Offensive language. A person is guilty of a petty  
8 disorderly persons offense if, in a public place, and with purpose to  
9 offend the sensibilities of a hearer or in reckless disregard of the  
10 probability of so doing, he addresses unreasonably loud and  
11 offensively coarse or abusive language, given the circumstances of  
12 the person present and the setting of the utterance, to any person  
13 present.

14 c. Concealing identity. A person who attempts to conceal or  
15 conceals the person's identity while engaging in a course of  
16 disorderly conduct, as defined in subsection a. of this section, with  
17 purpose to hinder prosecution or avoid apprehension is guilty of a  
18 disorderly persons offense.

19 d Disturbance at a public gathering. A person who acts with  
20 purpose to disrupt or cause a disturbance at a public gathering or  
21 event

22 <sup>1</sup>or who engages in behavior knowing that it will disrupt or cause a  
23 disturbance at a public gathering or event<sup>1</sup> is guilty of a disorderly  
24 persons offense.

25 "Public" means affecting or likely to affect persons in a place to  
26 which the public or a substantial group has access; among the  
27 places included are highways, transport facilities, schools, prisons,  
28 apartment houses, places of business or amusement, or any  
29 neighborhood.

30 (cf: N.J.S.2C:33-2)

31

32 3. This act shall take effect immediately.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 3507

# STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2025

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 3507.

As reported by the committee, this bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event and is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 3507**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 17, 2025

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 3507.

As amended, this bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct through improper behavior or by causing a disturbance at a public gathering. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with the purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event or engaging in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event is guilty of a disorderly persons offense. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A fourth degree crime is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a fourth degree crime may be eligible for entry into a pretrial intervention program (PTI). The courts sets the conditions of PTI, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up

to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

As amended and reported by the committee, Senate Bill No. 3507 is identical to Assembly Bill No. 4652, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) clarify that disorderly conduct includes causing a disturbance at a public gathering;

(2) provide that a person commits disorderly conduct by engaging in behavior knowing that it will disrupt or cause a disturbance at a public gathering or event; and

(3) make certain technical changes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 3507**  
**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

DATED: MARCH 18, 2025

**SUMMARY**

- Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** The Judiciary; Department of Law and Public Safety; Department of Corrections; State Parole Board; Office of the Public Defender; Counties; Municipalities.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.
- The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.
- The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State’s ability to collect fines has historically been limited.



- Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

## **BILL DESCRIPTION**

This bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits the offense of disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a crime of the fourth degree may be eligible for entry into a pretrial intervention program. The court sets the conditions of this program, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The OLS concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender

may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders. The OLS notes that there could be instances in which the Department of Law and Public Safety prosecutes the cases instead of the county prosecutor, under special circumstances. The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Generally, crimes of the fourth degree carry a presumption of non-incarceration for first-time offenders. The OLS notes that to the extent the bill results in additional incarcerations, the Department of Corrections would incur those costs. Based on information provided by the department, the FY 2023 average annual cost for housing, ensuring security, and providing services to an incarcerated individual was \$75,574, with an average daily cost of \$207.

The OLS finds that expenditures are likely to increase at the local level since disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. According to information provided by the Administrative Office of the Courts, the median daily cost to house an inmate in a county jail is \$228.

Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

*Section: Judiciary*

*Analyst: Anuja Pande Joshi  
Senior Fiscal Analyst*

*Approved: Thomas Koenig  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 3507 STATE OF NEW JERSEY 221st LEGISLATURE

DATED: MARCH 24, 2025

### SUMMARY

- Synopsis:** Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances.
- Type of Impact:** Annual State and local expenditure and revenue increases.
- Agencies Affected:** The Judiciary; Department of Law and Public Safety; Department of Corrections; State Parole Board; Office of the Public Defender; Counties; Municipalities.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Expenditure Increase</b>	Indeterminate
<b>State Revenue Increase</b>	Indeterminate
<b>Local Expenditure Increase</b>	Indeterminate
<b>Local Revenue Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.
- The OLS finds that the following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders.

- The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.
- Annual local expenditures and revenues are likely to increase by an indeterminate amount from the establishment of the new disorderly persons offense. Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

## **BILL DESCRIPTION**

This bill creates the offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct under certain circumstances.

Under the bill, a person is guilty of inciting a public brawl if the person acts with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct. Inciting a public brawl is a crime of the fourth degree if the person acts with purpose to disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur; otherwise, it is a disorderly persons offense.

Additionally, the bill provides that a person who attempts to conceal or conceals the person's identity while engaging in a course of disorderly conduct, with purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense. The bill also establishes that a person commits the offense of disorderly conduct by acting with purpose to disrupt or cause a disturbance at a public gathering or event. Under current law, a person who engages in a course of disorderly conduct commits a petty disorderly persons offense.

A crime of the fourth degree is punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. A person who commits a crime of the fourth degree may be eligible for entry into a pretrial intervention program. The court sets the conditions of this program, which may include random drug screening, community service, mental health or substance abuse evaluations, and compliance with treatment recommendations. A disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both. A petty disorderly persons offense is punishable by imprisonment of up to 30 days, a fine of up to \$500, or both. In the case of citations issued for petty disorderly and disorderly persons offenses, appearance in court is mandatory.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The OLS concludes that establishing the crime of inciting a public brawl may result in an indeterminate annual increase in State and local expenditures and revenues. The OLS lacks

sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill.

The following State and local agencies may incur caseload and expenditure increases: a) county prosecutors may have to prosecute additional cases; b) the Judiciary may have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender may have to represent additional low-income criminal defendants; d) the Department of Corrections may have to house and care for additional offenders; and e) the State Parole Board may have to supervise the return to society of additional offenders. The OLS notes that there could be instances in which the Department of Law and Public Safety prosecutes the cases instead of the county prosecutor, under special circumstances. The OLS notes that the State may receive indeterminate revenues from fines imposed on individuals convicted of these crimes; however, the State's ability to collect fines has historically been limited.

Generally, crimes of the fourth degree carry a presumption of non-incarceration for first-time offenders. The OLS notes that to the extent the bill results in additional incarcerations, the Department of Corrections would incur those costs. Based on information provided by the department, the FY 2024 average annual cost for housing, ensuring security, and providing services to an incarcerated individual was \$75,254, with an average marginal cost of housing one additional incarcerated person, accounting for food, clothing and wages, of \$11.39 per day.

The OLS finds that expenditures are likely to increase at the local level since disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. According to information provided by the Administrative Office of the Courts, the median daily cost to house an inmate in a county jail is \$228.

Annual municipal revenue would likely increase due to an increase in court filing fees and upgraded penalties from these disorderly persons cases.

*Section: Judiciary*

*Analyst: Michael Davila  
Senior Counsel*

*Approved: Thomas Koenig  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**ASSEMBLY BILL NO. 4652**  
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 4652 (First Reprint) with my recommendations for reconsideration.

Assembly Bill No. 4652 (First Reprint) creates the new offense of inciting a public brawl and upgrades the penalty for engaging in disorderly conduct from a petty disorderly persons offense to a disorderly persons offense under certain circumstances. Under the bill, a person is guilty of inciting a public brawl if they act "with purpose to organize or promote a group of four or more other persons to engage in a course of disorderly conduct." Inciting a public brawl is a disorderly persons offense, except that it is a fourth-degree crime if a person acts with purpose to disrupt or cause a disturbance at a public gathering or event, or engages in behavior knowing that it will likely disrupt or cause a disturbance at a public gathering or event. The bill also provides that a person who attempts to or does conceal their identity while engaging in disorderly conduct, with the purpose to hinder prosecution or avoid apprehension, is guilty of a disorderly persons offense.

I applaud the sponsors of this bill who rightly recognize the need to deter incidents of group violence, particularly at public gatherings and events. Our communities should feel safe and supported whenever they gather, whether it is to conduct public business or to celebrate important occasions. I am concerned, however, that the bill as currently written raises several First Amendment concerns that could have the unintended effect of chilling free speech and peaceful protests and, if improperly applied, penalizing people for the otherwise lawful activity of wearing a mask.

My proposed changes recommend modest revisions that preserve the intent and integrity of the bill, while ensuring that First Amendment rights are not inadvertently hindered. My recommendations include language that tracks the standard for incitement articulated by the United States Supreme Court in Brandenburg v. Ohio, 395 U.S. 444 (1969), which allows prohibitions on speech that incites unlawful action only if that speech is directed at inciting or producing imminent lawless action and is likely to incite or produce that action. I am also proposing language clarifying that individuals wearing masks solely for medical, religious, or expressive purposes at public events will not be considered to have acted with a purpose to instill fear or evade prosecution or apprehension. Finally, my recommendations include revisions intended to protect against the risk of the statute inadvertently operating to punish the encouragement of nonviolent action more harshly than the incitement of violent action.

Therefore, I herewith return Assembly Bill No. 4652 (First Reprint) and recommend that it be amended as follows:

- Page 2, Section 1, Line 28: After "if" insert ": (1)"
- Page 2, Section 1, Line 29: Delete "organize or promote" and insert "incite"
- Page 2, Section 1, Line 30: After "persons" insert "imminently"
- Page 2, Section 1, Line 31: After "N.J.S.2C:33-2" insert "or acts with purpose to produce such imminent course of disorderly conduct by a group of four or more persons; and (2) the person's actions are likely to incite or produce such imminent course of disorderly conduct by a group of four or more persons"
- Page 2, Section 1, Lines 33-35: Delete "disrupt or cause a disturbance at a public gathering or event or knowing that a disruption or disturbance is likely to occur" and insert "incite or produce the course of disorderly conduct defined in

subsection a. of N.J.S.2C:33-2"

Page 2, Section 1, Line 39:

Delete "subsection a." and insert "subsections a. or d."

Page 3, Section 2, Line 16:

After "identity" insert "by wearing a mask or disguise"

Page 3, Section 2, Line 18:

After "to" insert "instill fear,"

Page 3, Section 2, Line 18:

After "prosecution" insert ","

Page 3, Section 2, Line 19:

After "offense." insert "For purposes of this subsection, a person who wears a mask or disguise solely for medical, religious, or expressive purposes shall not be deemed to have acted with purpose to instill fear, hinder prosecution, or avoid apprehension."

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate E. McDonnell

Chief Counsel to the Governor

# Governor Murphy Takes Action on Legislation

Posted on - 05/8/2025

**TRENTON** – Today, Governor Murphy signed the following bills into law:

**ACS for ACS for A-1825/SCS for S-3533 (Verrelli/McKnight, Bramnick)** - Establishes certain guidelines for SHBP, SEHBP, and Medicaid concerning step therapy protocols

**A-2813/S-2688 (Greenwald, Reynolds-Jackson, Speight/McKnight, Gopal)** - Enters NJ in Social Work Licensure Compact

**ACS for A-3940/SCS for S-1635 (Stanley, Schaer/Zwicker, Pou)** - Modifies regulation of mortuary science and establishes oversight of mortuary and embalming science

**A-4751/S-3606 (DeAngelo, Quijano, Bagolie/Diegnan, A.M. Bucco)** - Permits purchase of service credit in SPRS for period of enrollment in military service academy and in New Jersey State Police Academy, and employment as class two special law enforcement officer

**ACS for AJR-211/SCS for SJR-149 (Reynolds-Jackson, Sumter, Carter/Turner, Burgess)** - Designates May 18 of each year as Six Triple Eight Day in NJ

Governor Murphy conditionally vetoed the following bills:

**A-4535/S-2952 (Hutchison, Verrelli, Atkins/Moriarty, Mukherji) – CONDITIONAL** - Concerns State regulation of cooperative sober living residences and boarding houses generally; appropriates \$100,000

[Copy of Statement](#)

**A-4652/S-3507 (Hutchison, Murphy/Moriarty, Wimberly) – CONDITIONAL** -Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances

[Copy of Statement](#)

# Governor Murphy Takes Action on Legislation

Posted on - 06/02/2025

**TRENTON** – Today, Governor Murphy signed the following bill into law:

**A-4652wGR/S-3507 (Hutchison, Murphy/Moriarty, Wimberly)** - Establishes offense of inciting public brawl; upgrades penalty for disorderly conduct in certain circumstances

Posted on: June 2, 2025

## **Hutchison, Murphy Bill to Prevent Public Brawls Signed Into Law**

*Legislation addresses growing trend of pop-up parties and organized group misconduct*

(TRENTON) — A bill designed to prevent incidents of public unrest – and punish those responsible - was signed into law today. Assembly bill [A4652](#), sponsored by Assemblyman [Dan Hutchison](#) and Assemblywoman [Carol Murphy](#), delivers a targeted response to the growing trend of individuals inciting violent group altercations in public spaces.



The bill signing arrives just days after fights led to multiple arrests in Seaside Heights over Memorial Day weekend, highlighting the urgency of this public safety issue.

“What we saw over Memorial Day weekend was dangerous, disruptive, and unacceptable,” **said Assembly Hutchison (D-Atlantic, Camden, Gloucester)**. “This law makes it clear that if you incite a public brawl, you will be held accountable. We need to give law enforcement the tools to stop this kind of chaos before someone gets seriously hurt, or worse.”

Under the new law, inciting a public brawl would be a crime of the fourth degree if the person acts with purpose to incite or produce a course of disorderly conduct that results in fighting or violent behavior or creates a physically dangerous condition. Otherwise, inciting a public brawl would be a disorderly persons offense.

A fourth-degree crime is punishable by up to 18 months imprisonment and a fine of up to \$10,000.

“This law makes clear that provoking violence in our communities will not be tolerated,” **said Assemblywoman Murphy (D-Burlington)**. “Residents have the right to feel safe at public events, in community parks, and on boardwalks.”

The law targets instigators, those who organize, provoke, or encourage large scale fights, whether in person or through digital platforms, without criminalizing protected speech or peaceful assembly.