

2C:20-2
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2021 **CHAPTER:** 448

NJSA: 2C:20-2 ("Defense Against Porch Pirates Act"; amends theft statute.)

BILL NO: A3870 (Substituted for S2807)

SPONSOR(S) Karabinchak, Robert J. and others

DATE INTRODUCED: 3/23/2020

COMMITTEE: **ASSEMBLY:** Judiciary

SENATE: Budget & Appropriations

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 12/20/2021

SENATE: 1/10/2022

DATE OF APPROVAL: 1/18/2022

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

A3870

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Judiciary

SENATE: Yes Budget & Appr.

(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)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

S2807

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Judiciary
Budget & Appr.

(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)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Derek Hall NJ Advance Media, 'Porch pirates in NJ face up to 5 years in jail under new law', Jersey Journal, The (online), 21 Jan 2022 004

RWH/JA

P.L. 2021, CHAPTER 448, *approved January 18, 2022*
Assembly, No. 3870

1 AN ACT concerning certain crimes, designated as Defense Against
2 Porch Pirates Act, and amending N.J.S.2C:20-2.

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:20-2 is amended to read as follows:

8 2C:20-2. a. Consolidation of Theft and Computer Criminal
9 Activity Offenses. Conduct denominated theft or computer
10 criminal activity in this chapter constitutes a single offense, but
11 each episode or transaction may be the subject of a separate
12 prosecution and conviction. A charge of theft or computer criminal
13 activity may be supported by evidence that it was committed in any
14 manner that would be theft or computer criminal activity under this
15 chapter, notwithstanding the specification of a different manner in
16 the indictment or accusation, subject only to the power of the court
17 to ensure fair trial by granting a bill of particulars, discovery, a
18 continuance, or other appropriate relief where the conduct of the
19 defense would be prejudiced by lack of fair notice or by surprise.

20 b. Grading of theft offenses.

21 (1) Theft constitutes a crime of the second degree if:

22 (a) The amount involved is **[\$75,000.00]** \$75,000 or more;

23 (b) The property is taken by extortion;

24 (c) The property stolen is a controlled dangerous substance or
25 controlled substance analog as defined in N.J.S.2C:35-2 and the
26 quantity is in excess of one kilogram;

27 (d) The property stolen is a person's benefits under federal or
28 State law, or from any other source, which the Department of
29 Human Services or an agency acting on its behalf has budgeted for
30 the person's health care and the amount involved is **[\$75,000.00]**
31 \$75,000 or more;

32 (e) The property stolen is human remains or any part thereof;
33 except that, if the human remains are stolen by deception or
34 falsification of a document by which a gift of all or part of a human
35 body may be made pursuant to P.L.2008, c.50 (C.26:6-77 et al.), the
36 theft constitutes a crime of the first degree; or

37 (f) It is in breach of an obligation by a person in his capacity as
38 a fiduciary and the amount involved is **[\$50,000.00]** \$50,000 or
39 more.

40 (2) Theft constitutes a crime of the third degree if:

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 (a) The amount involved exceeds ~~【\$500.00】~~ \$500 but is less
2 than ~~【\$75,000.00】~~ \$75,000;
- 3 (b) The property stolen is a firearm, motor vehicle, vessel, boat,
4 horse, domestic companion animal or airplane;
- 5 (c) The property stolen is a controlled dangerous substance or
6 controlled substance analog as defined in N.J.S.2C:35-2 and the
7 amount involved is less than ~~【\$75,000.00】~~ \$75,000 or is
8 undetermined and the quantity is one kilogram or less;
- 9 (d) It is from the person of the victim;
- 10 (e) It is in breach of an obligation by a person in his capacity as
11 a fiduciary and the amount involved is less than ~~【\$50,000.00】~~
12 \$50,000;
- 13 (f) It is by threat not amounting to extortion;
- 14 (g) It is of a public record, writing or instrument kept, filed or
15 deposited according to law with or in the keeping of any public
16 office or public servant;
- 17 (h) The property stolen is a person's benefits under federal or
18 State law, or from any other source, which the Department of
19 Human Services or an agency acting on its behalf has budgeted for
20 the person's health care and the amount involved is less than
21 ~~【\$75,000.00】~~ \$75,000;
- 22 (i) The property stolen is any real or personal property related
23 to, necessary for, or derived from research, regardless of value,
24 including, but not limited to, any sample, specimens and
25 components thereof, research subject, including any warm-blooded
26 or cold-blooded animals being used for research or intended for use
27 in research, supplies, records, data or test results, prototypes or
28 equipment, as well as any proprietary information or other type of
29 information related to research;
- 30 (j) The property stolen is a New Jersey Prescription Blank as
31 referred to in R.S.45:14-14;
- 32 (k) The property stolen consists of an access device or a defaced
33 access device; ~~【or】~~
- 34 (l) The property stolen consists of anhydrous ammonia and the
35 actor intends it to be used to manufacture methamphetamine; ~~or~~
- 36 (m) The property stolen consists of a package delivered to a
37 residential property by a cargo carrier and the amount involved is
38 less than \$75,000 or is undetermined.
- 39 (3) Theft constitutes a crime of the fourth degree if the amount
40 involved is at least ~~【\$200.00】~~ \$200 but does not exceed ~~【\$500.00】~~
41 \$500.
- 42 (4) Theft constitutes a disorderly persons offense if:
- 43 (a) The amount involved was less than ~~【\$200.00】~~ \$200; or
- 44 (b) The property stolen is an electronic vehicle identification
45 system transponder.
- 46 The amount involved in a theft or computer criminal activity
47 shall be determined by the trier of fact. The amount shall include,

1 but shall not be limited to, the amount of any State tax avoided,
2 evaded or otherwise unpaid, improperly retained or disposed of.
3 Amounts involved in thefts or computer criminal activities
4 committed pursuant to one scheme or course of conduct, whether
5 from the same person or several persons, may be aggregated in
6 determining the grade of the offense.

7 c. Claim of right. It is an affirmative defense to prosecution
8 for theft that the actor:

9 (1) Was unaware that the property or service was that of
10 another;

11 (2) Acted under an honest claim of right to the property or
12 service involved or that he had a right to acquire or dispose of it as
13 he did; or

14 (3) Took property exposed for sale, intending to purchase and
15 pay for it promptly, or reasonably believing that the owner, if
16 present, would have consented.

17 d. Theft from spouse. It is no defense that theft or computer
18 criminal activity was from or committed against the actor's spouse,
19 except that misappropriation of household and personal effects, or
20 other property normally accessible to both spouses, is theft or
21 computer criminal activity only if it occurs after the parties have
22 ceased living together.

23 (cf: P.L.2013, c.58, s.2)

24

25 2. This act shall take effect immediately.

26

27

28

STATEMENT

29

30 This bill would upgrade the penalties for theft of a package
31 delivered to a residential property by a cargo carrier and the amount
32 involved is less than \$75,000 or is undetermined. Under current
33 law, theft is a third degree crime if, among other things, the amount
34 involved exceeds \$500 but is less than \$75,000. A crime of the
35 third degree is punishable by three to five years imprisonment, up to
36 a \$15,000 fine, or both. This bill is designated as the "Defense
37 Against Porch Pirates Act."

38

39

40

41

42 _____
"Defense Against Porch Pirates Act"; amends theft statute.

ASSEMBLY, No. 3870

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 23, 2020

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

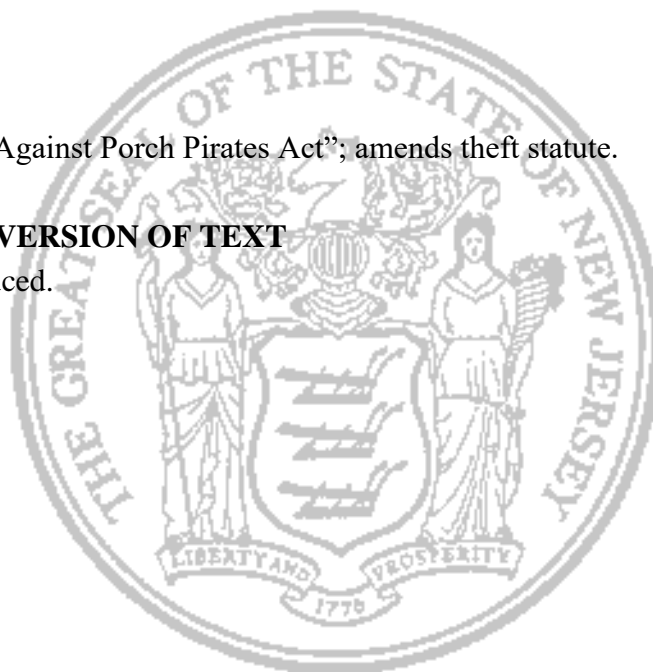
**Assemblywoman Quijano, Assemblymen Danielsen, Auth,
Assemblywomen Chaparro, Murphy, Jimenez, Assemblymen Stanley,
Mejia, Assemblywomen Mosquera, Lopez, Assemblyman Moen and
Senator O'Scanlon**

SYNOPSIS

“Defense Against Porch Pirates Act”; amends theft statute.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/10/2022)

1 AN ACT concerning certain crimes, designated as Defense Against
2 Porch Pirates Act, and amending N.J.S.2C:20-2.

3

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

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11 each episode or transaction may be the subject of a separate
12 prosecution and conviction. A charge of theft or computer criminal
13 activity may be supported by evidence that it was committed in any
14 manner that would be theft or computer criminal activity under this
15 chapter, notwithstanding the specification of a different manner in
16 the indictment or accusation, subject only to the power of the court
17 to ensure fair trial by granting a bill of particulars, discovery, a
18 continuance, or other appropriate relief where the conduct of the
19 defense would be prejudiced by lack of fair notice or by surprise.

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23 (b) The property is taken by extortion;

24 (c) The property stolen is a controlled dangerous substance or
25 controlled substance analog as defined in N.J.S.2C:35-2 and the
26 quantity is in excess of one kilogram;

27 (d) The property stolen is a person's benefits under federal or
28 State law, or from any other source, which the Department of
29 Human Services or an agency acting on its behalf has budgeted for
30 the person's health care and the amount involved is **[\$75,000.00]**
31 \$75,000 or more;

32 (e) The property stolen is human remains or any part thereof;
33 except that, if the human remains are stolen by deception or
34 falsification of a document by which a gift of all or part of a human
35 body may be made pursuant to P.L.2008, c.50 (C.26:6-77 et al.), the
36 theft constitutes a crime of the first degree; or

37 (f) It is in breach of an obligation by a person in his capacity as
38 a fiduciary and the amount involved is **[\$50,000.00]** \$50,000 or
39 more.

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41 (a) The amount involved exceeds **[\$500.00]** \$500 but is less
42 than **[\$75,000.00]** \$75,000;

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44 horse, domestic companion animal or airplane;

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not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 (c) The property stolen is a controlled dangerous substance or
2 controlled substance analog as defined in N.J.S.2C:35-2 and the
3 amount involved is less than ~~【\$75,000.00】~~ \$75,000 or is
4 undetermined and the quantity is one kilogram or less;
- 5 (d) It is from the person of the victim;
- 6 (e) It is in breach of an obligation by a person in his capacity as
7 a fiduciary and the amount involved is less than ~~【\$50,000.00】~~
8 \$50,000;
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- 10 (g) It is of a public record, writing or instrument kept, filed or
11 deposited according to law with or in the keeping of any public
12 office or public servant;
- 13 (h) The property stolen is a person's benefits under federal or
14 State law, or from any other source, which the Department of
15 Human Services or an agency acting on its behalf has budgeted for
16 the person's health care and the amount involved is less than
17 ~~【\$75,000.00】~~ \$75,000;
- 18 (i) The property stolen is any real or personal property related
19 to, necessary for, or derived from research, regardless of value,
20 including, but not limited to, any sample, specimens and
21 components thereof, research subject, including any warm-blooded
22 or cold-blooded animals being used for research or intended for use
23 in research, supplies, records, data or test results, prototypes or
24 equipment, as well as any proprietary information or other type of
25 information related to research;
- 26 (j) The property stolen is a New Jersey Prescription Blank as
27 referred to in R.S.45:14-14;
- 28 (k) The property stolen consists of an access device or a defaced
29 access device; ~~【or】~~
- 30 (l) The property stolen consists of anhydrous ammonia and the
31 actor intends it to be used to manufacture methamphetamine; or
- 32 (m) The property stolen consists of a package delivered to a
33 residential property by a cargo carrier and the amount involved is
34 less than \$75,000 or is undetermined.
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36 involved is at least ~~【\$200.00】~~ \$200 but does not exceed ~~【\$500.00】~~
37 \$500.
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- 39 (a) The amount involved was less than ~~【\$200.00】~~ \$200; or
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41 system transponder.
- 42 The amount involved in a theft or computer criminal activity
43 shall be determined by the trier of fact. The amount shall include,
44 but shall not be limited to, the amount of any State tax avoided,
45 evaded or otherwise unpaid, improperly retained or disposed of.
46 Amounts involved in thefts or computer criminal activities
47 committed pursuant to one scheme or course of conduct, whether

1 from the same person or several persons, may be aggregated in
2 determining the grade of the offense.

3 c. Claim of right. It is an affirmative defense to prosecution
4 for theft that the actor:

5 (1) Was unaware that the property or service was that of
6 another;

7 (2) Acted under an honest claim of right to the property or
8 service involved or that he had a right to acquire or dispose of it as
9 he did; or

10 (3) Took property exposed for sale, intending to purchase and
11 pay for it promptly, or reasonably believing that the owner, if
12 present, would have consented.

13 d. Theft from spouse. It is no defense that theft or computer
14 criminal activity was from or committed against the actor's spouse,
15 except that misappropriation of household and personal effects, or
16 other property normally accessible to both spouses, is theft or
17 computer criminal activity only if it occurs after the parties have
18 ceased living together.

19 (cf: P.L.2013, c.58, s.2)

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21 2. This act shall take effect immediately.

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STATEMENT

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26 This bill would upgrade the penalties for theft of a package
27 delivered to a residential property by a cargo carrier and the amount
28 involved is less than \$75,000 or is undetermined. Under current
29 law, theft is a third degree crime if, among other things, the amount
30 involved exceeds \$500 but is less than \$75,000. A crime of the
31 third degree is punishable by three to five years imprisonment, up to
32 a \$15,000 fine, or both. This bill is designated as the "Defense
33 Against Porch Pirates Act."

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3870

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2020

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3870.

This bill would upgrade the penalty for theft of a package delivered to residential property by a cargo carrier where the amount involved is less than \$75,000 or is undetermined. Under the bill, this theft would be a crime of the third degree.

Under current law, theft based on the amount involved is a crime of the third degree if the amount exceeds \$500 but is less than \$75,000. Theft is a crime of the fourth degree if the amount involved is at least \$200 but does not exceed \$500. It is a disorderly persons offense if the amount involved is less than \$200.

A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both; a crime of the fourth degree, by a term of up to 18 months, a fine of up to \$10,000, or both; and a disorderly persons offense, by a term of up to six months, a fine of up to \$1,000, or both.

This bill is designated as the “Defense Against Porch Pirates Act.”

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3870

STATE OF NEW JERSEY

DATED: JANUARY 6, 2022

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 3870.

This bill, designated as the “Defense Against Porch Pirates Act,” addresses thieving activities that involve packages delivered to residential properties by cargo carriers.

Under current law, N.J.S.2C:20-2, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at \$500 or less, these thefts are generally punishable as: (1) a crime of the fourth degree if the amount involved is at least \$200, but not more than \$500, which crime is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; or (2) a disorderly persons offense if the amount involved is less than \$200, which offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both.

This bill upgrades the penalty for the theft of a package delivered to a residential property by a cargo carrier where the amount involved is less than \$75,000 or is undetermined. Specifically, the bill provides that such theft would constitute a crime of the third degree, which is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

As reported, this bill is identical to Senate Bill No. 2807, which was also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) projects that the State will incur indeterminate additional annual operating expenses from prosecuting and trying the offense upgraded by the bill, and incarcerating any offenders. The State may receive indeterminate additional annual revenue from increased fines and penalties imposed on and collected from individuals convicted of the offense upgraded by this bill.

The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices by indeterminate amounts, as the bill would shift to State courts crimes of some theft under \$200 that would have been adjudicated in municipal

courts. Municipal courts would also have reduced revenues from fewer court fines and fees. The OLS, however, lacks sufficient information to quantify the magnitude of the fiscal impact, as it is unclear how many persons would be prosecuted, tried, and sentenced under the provisions of the bill in any given fiscal year.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3870
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: NOVEMBER 29, 2021

SUMMARY

Synopsis: “Defense Against Porch Pirates Act”; amends theft statute.

Type of Impact: Annual State expenditure and revenue increases; annual local government expenditure and revenue decreases.

Agencies Affected: Department of Law and Public Safety; the Judiciary, Office of Public Defender; Department of Corrections; State Parole Board; Municipalities.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate
Local Expenditure Decrease	Indeterminate
Local Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) projects that the State will incur indeterminate additional annual operating expenses from prosecuting and trying the offense upgraded by the bill, and incarcerating any offenders. The State may receive indeterminate additional annual revenue from increased fines and penalties imposed on and collected from individuals convicted of the offense upgraded by this bill.
- The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices by indeterminate amounts, as the bill would shift to State courts crimes of some theft under \$200 that would have been adjudicated in municipal courts. Municipal courts would also have reduced revenues from fewer court fines and fees. The OLS, however, lacks sufficient information to quantify the magnitude of the fiscal impact, as it is unclear how many persons would be prosecuted, tried, and sentenced under the provisions of the bill in any given fiscal year.

BILL DESCRIPTION

The bill would make theft of a delivered package containing an item of any amount under \$75,000, or is of an undetermined amount, a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

Under current law, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at \$500 or less, or even \$200 or less, a theft of such a package under current law would either be: a crime of the fourth degree (amount involved is at least \$200, but does not exceed \$500), punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; or a disorderly persons offense (amount involved is less than \$200), punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS projects that this bill will result in annual State expenditure and revenue increases as well as annual local government expenditure and revenue decreases. The bill would make theft of a delivered package containing an item of any amount under \$75,000, or if the amount is undetermined, a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both. The resolution of crimes of the third degree is a State court responsibility.

State Government Impact:

The following State agencies would incur caseload and expenditure increases: a) the Department of Law and Public Safety would have to prosecute additional cases; b) the Judiciary would have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender would have to represent additional low-income criminal defendants; d) the Department of Corrections (DOC) would have to house and care for more individuals who are sentenced to prison terms or longer prison terms; and e) the State Parole Board would have to supervise the return to society of additional convicts.

The OLS has no information on the additional caseload and expenditures that the bill may impose on affected State departments and agencies. The OLS notes, however, that there is a presumption of non-incarceration for first-time offenders of crimes of the third and fourth degrees. If the presumption does not apply, data obtained from the DOC indicate that the average annual cost to house an inmate in a State prison facility during FY 2019 totaled \$50,191. However, the OLS notes that because the DOC is currently experiencing a reduction in the State-sentenced prison population, the department should be able to house any additional inmates attributable to

the bill within its current institutional facilities at a much lower marginal cost of \$8.60 per day, or \$3,139 annually, per inmate for food, wages and clothing.

Any additional State expenditures attributable to the bill may be offset, in part, by fines and penalties imposed by the courts on defendants convicted of having committed any package theft. However, the State's ability to collect criminal fines and penalties has historically been limited.

Local Government Impact: The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices because theft under \$200 is currently a disorderly persons offense. Under the provisions of the bill, if the package theft is in any amount under \$75,000, or is of an undetermined amount, then it will automatically become a crime of the third degree. Disorderly persons offenses are adjudicated in municipal courts, while crimes of the third degree are adjudicated in State courts. Consequently, what would normally be a disorderly persons offense would no longer be adjudicated in municipal court and would instead be transferred to a State court. Municipalities would consequently also experience reduced revenue from fewer court fines and fees.

Prevalence of Offense: The New Jersey Uniform Crime Report indicates that 101,594 larceny thefts were reported in 2016. The report breaks down the types of thefts into nine categories: pocket-picking; purse-snatching; shoplifting; from motor vehicle; motor vehicle parts; bicycles; from buildings; from coin-operated machines, and all other. For purposes of this analysis the category of "from buildings" is most likely to include "porch thefts." The number of larceny thefts from buildings was 16,955 in 2016. Thefts of delivered packages presumably will only be a subset of the total. Therefore, 16,955, or 16.7 percent of total larceny thefts, is the maximum number of thefts that would be subject to the provisions of this bill assuming the same larceny rates now. The OLS notes further that only a minority of larceny thefts is typically referred to the court system, considering that only 21.3 percent of larceny thefts were cleared in 2016 according to the same report.

Section: Judiciary

Analyst: Sarita Welsh
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.).

SENATE, No. 2807

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 13, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senator O'Scanlon

SYNOPSIS

“Defense Against Porch Pirates Act”; amends theft statute.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 1/6/2022)

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2 Porch Pirates Act, and amending N.J.S.2C:20-2.

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30 the person's health care and the amount involved is **【\$75,000.00】**
31 \$75,000 or more;

32 (e) The property stolen is human remains or any part thereof;
33 except that, if the human remains are stolen by deception or
34 falsification of a document by which a gift of all or part of a human
35 body may be made pursuant to P.L.2008, c.50 (C.26:6-77 et al.), the
36 theft constitutes a crime of the first degree; or

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.

S2807 GREENSTEIN, POU

3

- 1 (f) It is in breach of an obligation by a person in his capacity as
2 a fiduciary and the amount involved is ~~【\$50,000.00】~~ \$50,000 or
3 more.
- 4 (2) Theft constitutes a crime of the third degree if:
- 5 (a) The amount involved exceeds ~~【\$500.00】~~ \$500 but is less
6 than ~~【\$75,000.00】~~ \$75,000;
- 7 (b) The property stolen is a firearm, motor vehicle, vessel, boat,
8 horse, domestic companion animal or airplane;
- 9 (c) The property stolen is a controlled dangerous substance or
10 controlled substance analog as defined in N.J.S.2C:35-2 and the
11 amount involved is less than ~~【\$75,000.00】~~ \$75,000 or is
12 undetermined and the quantity is one kilogram or less;
- 13 (d) It is from the person of the victim;
- 14 (e) It is in breach of an obligation by a person in his capacity as
15 a fiduciary and the amount involved is less than ~~【\$50,000.00】~~
16 \$50,000;
- 17 (f) It is by threat not amounting to extortion;
- 18 (g) It is of a public record, writing or instrument kept, filed or
19 deposited according to law with or in the keeping of any public
20 office or public servant;
- 21 (h) The property stolen is a person's benefits under federal or
22 State law, or from any other source, which the Department of
23 Human Services or an agency acting on its behalf has budgeted for
24 the person's health care and the amount involved is less than
25 ~~【\$75,000.00】~~ \$75,000;
- 26 (i) The property stolen is any real or personal property related
27 to, necessary for, or derived from research, regardless of value,
28 including, but not limited to, any sample, specimens and
29 components thereof, research subject, including any warm-blooded
30 or cold-blooded animals being used for research or intended for use
31 in research, supplies, records, data or test results, prototypes or
32 equipment, as well as any proprietary information or other type of
33 information related to research;
- 34 (j) The property stolen is a New Jersey Prescription Blank as
35 referred to in R.S.45:14-14;
- 36 (k) The property stolen consists of an access device or a defaced
37 access device; ~~【or】~~

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4

1 (l) The property stolen consists of anhydrous ammonia and the
2 actor intends it to be used to manufacture methamphetamine; or

3 (m) The property stolen consists of a package delivered to a
4 residential property by a cargo carrier and the amount involved is
5 less than \$75,000 or is undetermined.

6 (3) Theft constitutes a crime of the fourth degree if the amount
7 involved is at least ~~【\$200.00】~~ \$200 but does not exceed ~~【\$500.00】~~
8 \$500.

9 (4) Theft constitutes a disorderly persons offense if:

10 (a) The amount involved was less than ~~【\$200.00】~~ \$200; or

11 (b) The property stolen is an electronic vehicle identification
12 system transponder.

13 The amount involved in a theft or computer criminal activity
14 shall be determined by the trier of fact. The amount shall include,
15 but shall not be limited to, the amount of any State tax avoided,
16 evaded or otherwise unpaid, improperly retained or disposed of.
17 Amounts involved in thefts or computer criminal activities
18 committed pursuant to one scheme or course of conduct, whether
19 from the same person or several persons, may be aggregated in
20 determining the grade of the offense.

21 c. Claim of right. It is an affirmative defense to prosecution
22 for theft that the actor:

23 (1) Was unaware that the property or service was that of
24 another;

25 (2) Acted under an honest claim of right to the property or
26 service involved or that he had a right to acquire or dispose of it as
27 he did; or

28 (3) Took property exposed for sale, intending to purchase and
29 pay for it promptly, or reasonably believing that the owner, if
30 present, would have consented.

31 d. Theft from spouse. It is no defense that theft or computer
32 criminal activity was from or committed against the actor's spouse,
33 except that misappropriation of household and personal effects, or
34 other property normally accessible to both spouses, is theft or
35 computer criminal activity only if it occurs after the parties have
36 ceased living together.

37 (cf: P.L.2013, c.58, s.2)

38

1 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill would upgrade the penalties for theft of a package
7 delivered to a residential property by a cargo carrier and the amount
8 involved is less than \$75,000 or is undetermined. Under current
9 law, theft is a third degree crime if, among other things, the amount
10 involved exceeds \$500 but is less than \$75,000. A crime of the
11 third degree is punishable by three to five years imprisonment, up to
12 a \$15,000 fine, or both. This bill is designated as the “Defense
13 Against Porch Pirates Act.”

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2807

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Senate Judiciary Committee reports favorably Senate Bill No. 2807.

This bill, designated as the “Defense Against Porch Pirates Act,” addresses thieving activities when such activities involve a package delivered to a residential property by a cargo carrier.

Under current law, N.J.S.2C:20-2, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at \$500 or less, or even \$200 or less, a theft of such a package under current law would either be: a fourth degree crime (amount involved is at least \$200, but does not exceed \$500), punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; or a disorderly persons offense (amount involved is less than \$200), punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both.

The bill would make theft of a delivered package containing an item of *any amount* under \$75,000 a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

This bill would upgrade the penalties for theft of a package delivered to a residential property by a cargo carrier and the amount involved is less than \$75,000 or is undetermined. Pursuant to current law, theft is a third degree crime if, among other things, the amount involved exceeds \$500 but is less than \$75,000. A crime of the third degree is punishable by three to five years imprisonment, up to a \$15,000 fine, or both. This bill is designated as the “Defense Against Porch Pirates Act.”

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2807

STATE OF NEW JERSEY

DATED: JANUARY 6, 2022

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2807.

This bill, designated as the “Defense Against Porch Pirates Act,” addresses thieving activities that involve packages delivered to residential properties by cargo carriers.

Under current law, N.J.S.2C:20-2, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at \$500 or less, these thefts are generally punishable as: (1) a crime of the fourth degree if the amount involved is at least \$200, but not more than \$500, which crime is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; or (2) a disorderly persons offense if the amount involved is less than \$200, which offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000 or both.

This bill upgrades the penalty for the theft of a package delivered to a residential property by a cargo carrier where the amount involved is less than \$75,000 or is undetermined. Specifically, the bill provides that such theft would constitute a crime of the third degree, which is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

As reported, this bill is identical to Assembly Bill No. 3870, which was also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) projects that the State will incur indeterminate additional annual operating expenses from prosecuting and trying the offense upgraded by the bill, and incarcerating any offenders. The State may receive indeterminate additional annual revenue from increased fines and penalties imposed on and collected from individuals convicted of the offense upgraded by this bill.

The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices by indeterminate amounts, as the bill would shift to State courts crimes of some theft under \$200 that would have been adjudicated in municipal

courts. Municipal courts would also have reduced revenues from fewer court fines and fees. The OLS, however, lacks sufficient information to quantify the magnitude of the fiscal impact, as it is unclear how many persons would be prosecuted, tried, and sentenced under the provisions of the bill in any given fiscal year.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2807
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MARCH 9, 2021

SUMMARY

- Synopsis:** “Defense Against Porch Pirates Act”; amends theft statute.
- Type of Impact:** Annual State expenditure and revenue increases; annual local government expenditure and revenue decreases.
- Agencies Affected:** Department of Law and Public Safety; the Judiciary, Office of Public Defender; Department of Corrections; State Parole Board; Municipalities.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate
Local Expenditure Decrease	Indeterminate
Local Revenue Decrease	Indeterminate

- The Office of Legislative Services (OLS) projects that the State will incur indeterminate additional annual operating expenses from prosecuting and trying the offense upgraded by the bill, and incarcerating any offenders. The State may receive indeterminate additional annual revenue from increased fines and penalties imposed on and collected from individuals convicted of the offense upgraded by this bill.
- The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices by indeterminate amounts, as the bill would shift to State courts crimes of some theft under \$200 that would have been adjudicated in municipal courts. Municipal courts would also have reduced revenues from fewer court fines and fees. The OLS, however, lacks sufficient information to quantify the magnitude of the fiscal impact, as it is unclear how many persons would be prosecuted, tried, and sentenced under the provisions of the bill in any given fiscal year.

BILL DESCRIPTION

The bill would make theft of a delivered package containing an item of any amount under \$75,000, or is of an undetermined amount, a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both.

Under current law, theft is graded as low as a disorderly persons offense to as high as a crime of the second degree, depending upon the value of the property stolen, or the specific type of property stolen. Because the vast majority of package deliveries to residential properties contain items that are valued at \$500 or less, or even \$200 or less, a theft of such a package under current law would either be: a crime of the fourth degree (amount involved is at least \$200, but does not exceed \$500), punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; or a disorderly persons offense (amount involved is less than \$200), punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS projects that this bill will result in annual State expenditure and revenue increases as well as annual local government expenditure and revenue decreases. The bill would make theft of a delivered package containing an item of any amount under \$75,000, or if the amount is undetermined, a crime of the third degree, which would upgrade the crime for the vast majority of packages taken from residential properties. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both. The resolution of crimes of the third degree is a State court responsibility

State Government Impact:

The following State agencies would incur caseload and expenditure increases: a) the Department of Law and Public Safety would have to prosecute additional cases; b) the Judiciary would have to adjudicate additional complaints and monitor additional probationers; c) the Office of the Public Defender would have to represent additional low-income criminal defendants; d) the Department of Corrections (DOC) would have to house and care for more individuals who are sentenced to prison terms or longer prison terms; and e) the State Parole Board would have to supervise the return to society of additional convicts.

The OLS has no information on the additional caseload and expenditures that the bill may impose on affected State departments and agencies. The OLS notes, however, that there is a presumption of non-incarceration for first-time offenders of crimes of the third and fourth degrees. If the presumption does not apply, data obtained from the DOC indicate that the average annual cost to house an inmate in a State prison facility during FY 2019 totaled \$50,191. However, the OLS notes that because the DOC is currently experiencing a reduction in the State-sentenced

prison population, the department should be able to house any additional inmates attributable to the bill within its current institutional facilities at a much lower marginal cost of \$8.60 per day, or \$3,139 annually, per inmate for food, wages and clothing.

Any additional State expenditures attributable to the bill may be offset, in part, by fines and penalties imposed by the courts on defendants convicted of having committed any package theft. However, the State's ability to collect criminal fines and penalties has historically been limited.

Local Government Impact: The OLS anticipates the bill will reduce the annual caseloads and operating expenditures of municipal courts and prosecutor offices because theft under \$200 is currently a disorderly persons offense. Under the provisions of the bill, if the package theft is in any amount under \$75,000, or is of an undetermined amount, then it will automatically become a crime of the third degree. Disorderly persons offenses are adjudicated in municipal courts, while crimes of the third degree are adjudicated in State courts. Consequently, what would normally be a disorderly persons offense would no longer be adjudicated in municipal court and would instead be transferred to a State court. Municipalities would consequently also experience reduced revenue from fewer court fines and fees.

Prevalence of Offense: The New Jersey Uniform Crime Report indicates that 101,594 larceny thefts were reported in 2016. The report breaks down the types of thefts into nine categories: pocket-picking; purse-snatching; shoplifting; from motor vehicle; motor vehicle parts; bicycles; from buildings; from coin-operated machines, and all other. For purposes of this analysis the category of "from buildings" is most likely to include "porch thefts." The number of larceny thefts from buildings was 16,955 in 2016. Thefts of delivered packages presumably will only be a subset of the total. Therefore, 16,955, or 16.7 percent of total larceny thefts, is the maximum number of thefts that would be subject to the provisions of this bill assuming the same larceny rates now. The OLS notes further that only a minority of larceny thefts is typically referred to the court system, considering that only 21.3 percent of larceny thefts were cleared in 2016 according to the same report.

Section: Judiciary

*Analyst: Anuja Pande Joshi
Assistant 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.).

Governor Murphy Takes Action on Legislation

01/18/2022

TRENTON – Governor Murphy today signed the following bills:

S-384/A-1964 (Weinberg, Singleton/Stanley, Munoz, McKeon, Sumter, Lampitt, Vainieri Huttle, Wimberly, Mosquera, Downey, Chiaravalloti) – Expands training for judges, law enforcement officers and assistant county prosecutors concerning handling of domestic violence cases

S-386/A-1763 (Weinberg, Singleton/Munoz, Vainieri Huttle, Downey, Mosquera, Lampitt, Benson) - Establishes mandatory domestic violence training for municipal prosecutors

S-396/A-4903 (Weinberg, Addiego/Johnson, Mukherji) – Adjusts statute of limitations on damage claim for construction defect in common interest communities

S-705/A-1077 (Ruiz, Cunningham/Speight, Vainieri Huttle, Downey) – Requires DOH to develop and implement plan to improve access to perinatal mood and anxiety disorder screening

SCS for S-844 and 2533/ACS for A-4635 (Pou, Greenstein/Zwicker, Lopez) – Revises reporting requirements for charitable organizations and non-profit corporations

S-867/A-2316 (Pou/Jimenez, Giblin, Johnson) – Permits physical therapists to perform dry needling under certain circumstances

S-896/A-2396 (Pou, Turner/Wimberly, Timberlake, Murphy) – Expands Office of Public Defender representation of juveniles; repeals section 4 of P.L.1968, c.371

S-969WGR/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – Establishes loan redemption program for certain teachers to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain schools; makes annual appropriation of \$1 million

S-994/A-6248 (Sweeney, Singleton/Lopez) – Requires State agencies and political subdivisions to make good faith effort to purchase five percent of goods and services from Central Nonprofit Agency

SCS for S-1016/ACS for A-2070 (Smith, Bateman/Calabrese, Mukherji, Benson) – Restricts use of neonicotinoid pesticides

S-1020/AS for ACS for A-1184 and 4414 (Ruiz, Gopal/Zwicker, Conaway, Verrelli, Caputo) – Requires School Report Card to include demographic breakdown of students who receive disciplinary actions; requires Commissioner of Education to establish Statewide database concerning certain disciplinary actions

S-1559/A-1659 (Scutari, Diegnan/Quijano, Bramnick, Mukherji, Sumter, Downey, Dancer) – “New Jersey Insurance Fair Conduct Act”

S-1771/A-1489 (Madden, Turner/Moriarty, Mosquera, Vainieri Huttle) – Expressly prohibits invasive examination of unconscious patient by health care practitioner without patient’s prior informed written consent

S-2160wGR/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – Creates special education unit within the Office of Administrative Law; requires annual report

SCS for S-2515/ACS for A-4676 (Smith, Greenstein/Quijano, Jasey, McKeon) – Establishes postconsumer recycled content requirements for rigid plastic containers, glass containers, paper and plastic carryout bags, and plastic trash bags; prohibits sale of polystyrene loose fill packaging

S-2723/A-2614 (Sweeney, Turner/Murphy, Benson, Timberlake) – “21st Century Integrated Digital Experience Act”

S-2830/A-5291 (Ruiz, Singleton/Quijano) – Requires educator preparation program to report passing rates of students who complete certain tests and to disseminate information on test fee waiver programs, and permits collection of student fee for certain testing costs

S-2835/A-5292 (Ruiz, Cunningham/Quijano, Lampitt, Jasey) – Requires compilation of data and issuance of annual reports on New Jersey teacher workforce

S-2921/A-5554 (Gopal, Greenstein/Houghtaling, Downey, Mukherji) – Allows municipalities to designate outdoor areas upon which people may consume alcoholic beverages

S-3009/A-4847 (Vitale, Gopal, Gill/Vainieri Huttle, Quijano, Verrelli) – Authorizes expanded provision of harm reduction services to distribute sterile syringes and provide certain support services to persons who use drugs intravenously

S-3081/A-5219 (Singleton/McKeon, Dunn) – Repeals law concerning excess rates and charges for title insurance; makes agreement to use services of title or settlement service company subject to attorney review

S-3164/A-4987 (Gopal, Singleton/Houghtaling, Vainieri Huttle, Giblin) – Creates NJ Legislative Youth Council

S-3265/A-5074 (Diegnan, Greenstein/DeAngelo, Dancer, Mukherji) – Permits members of SPRS to purchase service credit for prior public employment with federal government or another state

S-3342/A-5463 (Codey, Singleton/Jasey, Giblin, Timberlake) – Directs NJT to erect statue in honor of A. Philip Randolph; appropriates \$90,000

S-3465/A-4336 (Oroho, Sweeney/Houghtaling, Space) – Directs Department of Agriculture to pay annual premiums to enrolled dairy farmers for certain coverage under the federal Dairy Margin Coverage Program; appropriates \$125,000

S-3488wGR/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

S-3493/A-5458 (Vitale, Gill/Vainieri Huttle, Mukherji, McKnight) – Permits expungement of possession or distribution of hypodermic syringe or needle offense in cases of previous expungement; repeals criminal offense of possession of syringe

S-3539/A5409 (T. Kean, Gopal/Houghtaling) – Directs DEP to establish grant program for local governments to support development of community gardens

S-3594/A-5509 (Singleton, Scutari/Zwicker, Reynolds-Jackson, Verrelli) – Provides that in personal

injury or wrongful death lawsuits, calculations of lost or impaired earnings capacity not be reduced because of race, ethnicity, gender identity or expression, or affectional or sexual orientation

S-3672/A-6009 (Singleton, Turner, Moen, Johnson, McKnight) – Permits exemption from civil service examination requirement for entry-level law enforcement officers, sheriff's officers, and State and county correctional police officers; permits hiring or appointment of such officers under certain conditions, and makes appropriation

S-3673/A-6219 (Gopal, Greenstein/Burzichelli) – Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances

S-3685/A-5576 (Ruiz, Codey/Jasey, Lampitt, Mukherji) – Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during 2021-2022 and 2022-2023 school years

S-3707/A-5673 (Vitale, Ruiz/Vainieri Huttie, Downey, Zwicker) – Repeals statute criminalizing sexual penetration while infected with venereal disease or HIV under certain circumstances; requires that in prosecutions for endangering another by creating substantial risk of transmitting infectious disease, name of defendant and other person be kept confidential

S-3764/A-3369 (Gopal, Weinberg/Johnson, Stanley, Karabinchak) – Establishes Commission on Asian American Heritage in DOE

S-3810/ACS for A-5862 (Sweeney, Addiego, Greenstein/Benson, Quijano) – “Responsible Collective Negotiations Act”

S-3968/A-5930 (Singleton, Beach/Sumter, Karabinchak) – Increases purchasing threshold permitting Director of Division of Purchase and Property to delegate authority to agencies; increases bid advertising threshold on certain contracts by same scale

S-3975/A-5963 (Greenstein, Oroho/Benson, Vainieri Huttie, DeAngelo) – Establishes requirements to commence screening newborn infants for congenital cytomegalovirus infection; establishes public awareness campaign

S-4004wGR/A-5950 (Weinberg, Greenstein/Sumter, Benson, Reynolds-Jackson) – Establishes database of certain appointed positions and elected offices

S-4020/A-5867 (Gopal, Cunningham/Chiaravalloti, Jasey, Carter) – Expands bonding authority of New Jersey Educational Facilities Authority to permit financing for general funding needs at New Jersey's institutions of higher education

S-4021/A-6100 (Gopal, Ruiz/Mukherji, Jasey, Timberlake, Stanley) – Requires school districts to provide instruction on history and contributions of Asian Americans and Pacific Islanders as part of implementation of New Jersey Student Learning Standards in Social Studies

S-4043/A-6005 (Cunningham/Jasey, Greenwald) – Raises statutory threshold for certain public bidding, permits bidder disqualification due to prior negative experience, adds exemptions to public bidding requirement under "State College Contracts Law," and establishes process for cooperative pricing system

S-4063/A-6220 (Sweeney/Giblin, Egan) – Removes New Jersey Maritime Pilot and Docking Pilot Commission from appropriations act provision that limits compensation and health benefits; clarifies PERS and SHBP eligibility for members of commission

S-4068/ACS for A-6110 and 6185 (Sarlo, Oroho/Benson, Mukherji, Bramnick) – Revises elective pass-through entity business alternative income tax

S-4074wGR/A-6000 (Ruiz, Beach/Verrelli, Lampitt, Carter) – Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification

SCS for S-4102/A-6230 (Sweeney, Ruiz/Benson, Mejia, Zwicker) – Establishes Direct Support Professional Career Development Program; appropriates \$1,000,000

S-4128/A-6231 (Sweeney, Pou/Houghtaling, Conaway, Dancer) – Requires that only fruits and vegetables grown and packaged in NJ may be labeled by food retailers as local to State

S-4207/A-6119 (Sweeney, Beach/Mukherji, Egan, Pintor Marin) – Concerns apprenticeship programs of public works contractors

S-4210/A-6062 (Sweeney, Greenstein/Greenwald, McKnight, Mukherji) – Requires EDA to establish loan program to assist certain businesses with funding to provide reasonable accommodations for employees with disabilities

S-4211/A-6228 (Sweeney, Corrado/Benson, Speight, Zwicker) – Establishes county college-based adult centers for transition for individuals with developmental disabilities; makes annual appropriation of \$4.5 million

S-4218/A-6256 (Scutari/Reynolds-Jackson, Wimberly, Mukherji) – Appropriates \$2 million to CRDA to support costs associated with hosting NAACP National Convention in Atlantic City

S-4233/A-6229 (Scutari, Gopal/Mukherji, Jimenez) – Limits fees charged to patients and authorized third parties for copies of medical and billing records

S-4252/A-6182 (Madden/Murphy, Chaparro) – Limits extension of mandatory retirement to 90 days from State Police Retirement System during emergencies

A-259/S-2224 (DeAngelo, Mukherji, Benson/Gopal, Pennacchio) – Provides civil service preference to military service members who did not serve in theater of operation but received campaign or expedition medal

A-798/S-52 (Verrelli, Vainieri Huttel, Armato/Singer, Greenstein) – Establishes local drug overdose fatality review teams

A-802/S-1352 (Verrelli, Reynolds-Jackson, Murphy/Turner, Pou) – Requires certain retailers to train employees on gift card fraud

A-862wGR/S-962 (Chiaravalloti, Karabinchak/Pennacchio, Pou) – Permits municipalities to refund excess property taxes paid by a taxpayer who wins an assessment appeal as a property tax credit

A-953/S-4031 (Karabinchak, Houghtaling/Pou) – Requires architects disclose insurance coverage

ACS for A-998 and 2349/S-4312 (Moen, Downey, Houghtaling, Benson, Vainieri Huttel/Ruiz, Beach, Singleton) – The “New Jersey Social Innovation Act”; establishes social innovation loan pilot program and study commission within EDA

A-1121/S-1871 (Murphy, Dancer, Stanley/Lagana, Pennacchio) – Upgrades certain crimes of misrepresenting oneself as member or veteran of US Armed Forces or organized militia

A-1219wGR/S-1054 (Chaparro, McKnight/Stack) – Requires owner notification of rabies testing protocol prior to testing of owner’s animal for rabies

A-1229wGR/S-2161 (Schaer, Mosquera, Tucker, Lampitt, Vainieri Huttle, Quijano, Wimberly, Pintor Marin, Jasey/Turner, Singleton) – Requires DCA to make information on homeless prevention programs and services available on its Internet website

A-1293/S-3977 (Greenwald, Burzichelli, Mukherji/Greenstein, Gopal) – Establishes advisory council for the brewery, cidery, meadery, and distillery industries in NJ and provides for funding through certain alcoholic beverage tax receipts

A-1663/S-1842 (Quijano, Vainieri Huttle, Karabinchak/Cryan, Scutari) – Establishes “New Jersey Nonprofit Security Grant Program”

A-2186/S-1599 (Mukherji, Chaparro, McKnight/Codey, Pou) – Establishes Statewide database of beds in shelters for the homeless

A-2360/S-3285 (Chaparro, Karabinchak, Johnson/Greenstein, Stack) – Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces

A-2685wGR/S-4209 (Armato, Mazzeo, Mukherji/Stack) – Concerns information on property condition disclosure statement

A-2772/S-1040 (Downey, Houghtaling, Benson/Gopal) – Authorizes certain Medicaid recipients residing on post-secondary school campus to participate remotely in meetings of non-medical nature regarding Medicaid benefits

A-2877/S-1149 (Dancer, Vainieri Huttle, Reynolds-Jackson/Ruiz) – Requires registration of certain vacant and abandoned properties with municipalities and provides enforcement tools related to maintenance of these properties

A-3007/S-3127 (Lampitt, Dunn, Benson/Lagana, Gopal) – Requires institutions of higher education to provide students with access to mental health care programs and services and to establish a hotline to provide information concerning the availability of those services

A-3392/S-1219 (Reynolds-Jackson, Timberlake, Jasey/Turner, Beach) – Requires student representative be appointed to each board of education of school district and board of trustees of charter school that includes grades nine through 12

A-3804/S-1590 (Armato, Murphy, S. Kean/Beach, A.M. Bucco) – Designates 9-1-1 operators or dispatchers as 9-1-1 first responder dispatchers

A-3870/S-2807 (Karabinchak, Johnson, Mukherji/Greenstein, Pou) – “Defense Against Porch Pirates Act”; amends theft statute

A-3950wGR/S-3180 (Verrelli, Benson, Zwicker/Greenstein, Turner) – Prohibits employer use of tracking device in vehicle operated by employee under certain circumstances

A-4002wGR/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – Allows deduction of promotional gaming credit from gross revenue on sports wagering

A-4232/S-4231 (Houghtaling, Dancer, Wirths/Oroho, Smith) – Creates program in Department of Agriculture for deer fencing on certain farmland

A-4238/S-2561 (Chiaravalloti, Schaer, Benson/Gopal, Singer) – Establishes minimum Medicaid reimbursement rate for adult medical day care services

A-4241/S-2894 (Downey, Vainieri Huttle, Murphy/Pou) – Requires DHS to conduct biennial survey of SNAP experience

ACS for A-4253/S-3233 (Conaway, Pinkin, Jimenez/Cryan) – Requires certain electronic medical programs to include demographic data entry feature; requires laboratories to record certain patients' demographic information; requires certain hospitals and laboratories to implement cultural competency training program

A-4366/S-2801 (Taliaferro, Sumter, Mukherji/Pou, Greenstein) – Requires Police Training Commission to contract with crisis intervention training center to provide mental health training to police officers and establish curriculum specific to persons experiencing economic crisis or substance use disorder

A-4434wGR/S-2716 (Greenwald, Lampitt, Mukherji/Beach, Ruiz) – Establishes Student Wellness Grant Program in DOE

A-4478/S2759 (Vainieri Huttle, Speight, Schepisi, DeCroce/Vitale, Madden) – Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes

A-4569/S-3535 (Reynolds-Jackson, Benson, Karabinchak/Turner) – Requires BPU, electric power suppliers, and gas suppliers to publish certain information related to filing of customer complaints

ACS for A-4655/S-3595 (Reynolds-Jackson, Wimberly, Carter/Turner) – Limits police presence at polling places and ballot drop boxes; prohibits electioneering within 100 feet of ballot drop box

A-4771/S-2951 (Downey, Armato, Mukherji/Gopal, Singleton) – Expands offenses eligible for expungement upon successful discharge from drug court

A-4856/S-3094 (Lampitt, Benson, Caputo/Ruiz, Beach) – Requires Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf to be accessible to persons with disabilities

A-5033wGR/S-3279 (Benson, Dancer, Verrelli/Gopal) – Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

ACS for A-5075wGR/S-4001 (Burzichelli, Dancer, Johnson/Sweeney, A.M. Bucco) – Removes Fire Museum and Fallen Firefighters Memorial from auspices of DEP and establishes museum as independent organization; makes \$200,000 supplemental appropriation

A-5160/S-3324 (DeAngelo, Conaway, Zwicker/Smith, Bateman) – Establishes minimum energy and water efficiency standards for certain products sold, offered for sale, or leased in the State

A-5294/S-3418 (Speight, Vainieri Huttle, Verrelli/Gopal, Madden) – Provides fast track hiring and advancement employment opportunities by State for persons with significant disabilities

A-5296/S-3426 (Speight, Vainieri Huttle, McKnight/T. Kean, Schepisi) – Provides for employment by State of certain persons with disabilities

A-5322/S-3433 (Mosquera, Vainieri Huttle, DePhillips/Cruz-Perez, T. Kean) – Provides for process to vacate and expunge certain arrests, charges, complaints, convictions, other dispositions, and DNA

records, associated with violations by certain human trafficking victims

A-5336wGR/S-3441 (Benson, Freiman, Vainieri Huttie/Diegnan, Madden) – Requires DHS to establish payment programs for purchase of transportation services from private sector and government transportation service providers

A-5439/S-3760 (Caputo, Dancer, Murphy/Gopal, Beach) – Changes deadline for New Jersey Racing Commission's annual report from end of calendar year to end of State fiscal year

A-5694/S-3783 (Houghtaling, Downey, Dancer/Gopal, Madden) – Permits dependents of military member to enroll in school district in advance of military member's relocation to district

A-5814/S-3851 (Swain, Tully, Benson/Lagana, Diegnan) – Creates Office of School Bus Safety in Department of Education; appropriates \$200,000

A-5864wGR/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – Allows law enforcement officers to review body worn camera recordings prior to creating initial report

A-5997/S-4084 (Coughlin, Lopez/Sweeney, O'Scanlon) – Removes requirement for Legislature, DOE, free public libraries, and historical societies to purchase "Manual of the Legislature of New Jersey"

A-6012/S-4076 (Moen, Murphy, Freiman/Sarlo, Gopal) – Appropriates \$500,000 for USS New Jersey Commissioning Committee to support commissioning of boat and assigned personnel

A-6020/S-4114 (Conaway, Jimenez, Vainieri Huttie/Codey) – Establishes requirements for certain tobacco product retailers to stock and sell nicotine replacement therapy products

A-6060/S-4272 (Tucker, Caputo, Mukherji/Cunningham) – Makes supplemental appropriation of \$8 million to DHS to increase reimbursement for funeral, burial, and crematory services provided to certain beneficiaries of Work First New Jersey and Supplemental Security Income programs

A-6073/S-4140 (Verrelli/Vitale) – Temporarily waives certain basic life support services crewmember requirements

A-6093/S-4201 (Stanley, Benson, Timberlake/Greenstein, Gopal) – Mandates periodic cancer screening examinations for firefighters enrolled in SHBP

A-6108wGR/S-4247 (DeAngelo, Egan, Houghtaling/Madden) – Updates licenses offered by and certain licensure requirements from Board of Examiners of Electrical Contractors

A-6132/S-4235 (Schaer, Greenwald, Conaway/Singer, Gopal) – Permits volunteer paramedics to operate within mobile intensive care units

A-6133/S-4251 (Bramnick, Mukherji, Downey/Scutari) – Allows certain persons not yet appointed as administrator of estate to pursue lawsuit for damages for wrongful death on behalf of deceased's survivors

A-6150/S-4119 (DeAngelo, Karabinchak, Wirths/Oroho, Pou) – Revises penalties for transfer of certain professional and occupational licenses

A-6159/S-4236 (Coughlin, McKnight/Vitale, Ruiz) – Revises and renames Office of Food Insecurity Advocate

A-6162/S-4246 (Benson, Stanley/Gopal) – Requires certain motor vehicle dealers to maintain certain

requirements for business premises

A-6205/S-4270 (Coughlin, McKeon/Pou) – Amends certain requirements concerning insurance holding companies

A-6206wGR/S-4260 (Wimberly/Diegnan, Oroho) – Codifies right of real estate broker-salespersons and salespersons to define relationship with broker as one between broker and independent contractor or employee and enforces current and previous written agreements addressing relationship

A-6207/S-4222 (Greenwald, Lampitt, Benson/Sweeney) – Eliminates requirement for DOE to set certain tuition rates for approved private schools for students with disabilities in certain cases

A-6208/S-4151 (Mosquera, DeAngelo, Armato/Greenstein, Cruz-Perez) – Appropriates \$60,940,361 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for farmland preservation purposes

A-6209/S-4154 (Freiman, Spearman, Egan/Turner, Oroho) – Appropriates \$18 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

A-6210/S-4150 (Taliaferro, Moriarty, Burzichelli/Cruz-Perez, Greenstein) – Appropriates \$4.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

A-6211/S-4149 (Houghtaling, Reynolds-Jackson, Downey/Cruz-Perez, Greenstein) – Appropriates \$440,240 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

A-6212/S-4148 (Jimenez, Swain, Timberlake/Codey, Corrado) – Appropriates \$54.5 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

A-6213/S-4155 (Kennedy, Carter, Tully/Bateman, Smith) – Appropriates \$49.932 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects, and Green Acres Program administrative costs

A-6214/S-4153 (Danielsen, Zwicker, Conaway/Greenstein, Smith) – Appropriates \$80,539,578 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

A-6215/S-4152 (Stanley, Murphy, Jasey/Smith, Greenstein) – Appropriates \$14,687,510 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

A-6246/S-4295 (Karabinchak/Sweeney) – Concerns changes in control of hotels and disruptions of hotel services

A-6257/S-4311 (McKnight/Sweeney, Singleton) – Imposes surcharge on casino hotel occupancies to fund public safety services

A-6262/S-4314 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Permits PERS retiree to return to employment in NJ Legislature after retirement under certain circumstances

A-6263/S-4315 (Burzichelli, Reynolds-Jackson, Mukherji/Sweeney, Oroho, T. Kean) – Appropriates \$2 million to Legislative Services Commission

Governor Murphy pocket vetoed the following bills:

S-73/A-4580 (Bateman, Sarlo/Zwicker, Thomson, McKnight) – Establishes requirements for sale of cottage food products

S-995/A-6172 (Sweeney, A.M. Bucco/Downey, McKnight) – Requires DOLWD and DHS to conduct assessment of community rehabilitation programs and community businesses

S-1934/A-1158 (Sweeney, Pou, Cryan/Freiman, Lopez, Murphy) – Authorizes use of disability benefits for transportation provided by transportation network companies

S-2679/A-1979 (Beach, Smith/Stanley, Lopez, Kennedy) – Requires paint producers to implement or participate in paint stewardship program

S-2768/A-4664 (Singleton, Ruiz/Reynolds-Jackson, Stanley, Sumter) – Authorizes State Chief Diversity Officer to conduct disparity study concerning utilization of minority-owned and women-owned businesses in State procurement process

S-3458/A-6245 (Lagana, Gopal/Coughlin, Jimenez, Mukherji) – Revises out-of-network arbitration process

S-3529/A-5442 (Addiego, Diegnan/DeAngelo, Dancer, Dunn) – Clarifies that member of SPRS may receive accidental disability benefit under certain circumstances

S-3715/A-5804 (Cryan/Quijano, Mukherji) – Modifies certain definitions related to transient accommodation taxes and fees

S-4189/A-6112 (Vitale, Cruz-Perez/Lopez) – Permits PERS retiree to return to elective public office after retirement under certain circumstances

A-1073/S-3432 (Speight, Pintor Marin, McKnight, Timberlake/Ruiz, O'Scanlon) – Establishes requirements to screen certain people who are pregnant and who have given birth for preeclampsia

A-1269/S-3490 (Greenwald, Giblin, Calabrese/Cruz-Perez, Beach) – Eliminates one percent tax on purchasers of Class 4A commercial property transferred for consideration in excess of \$1 million

A-4958/S-3740 (Tully, Armato, Zwicker/Lagana, Oroho) – Provides temporary exemption under sales and use tax for winterizing certain small business operations

A-5334/S-3442 (Lopez, Mazzeo, Stanley/Diegnan, T. Kean) – Requires DOT, NJT, and DHS to study and implement transportation mobility and accessibility improvements for persons with autism and developmental disabilities

A-5484/S-3817 (Dancer, Caputo, Houghtaling/Lagana) – Requires New Jersey Racing Commission to adopt procedures to enforce internal controls; requires annual audit

A-6033/S-4194 (Bramnick/Sweeney, T. Kean) – Classifies golf caddies as independent contractors for purposes of State employment laws

A-6157/S-4202 (Speight, Moen/Ruiz, Beach) – Prohibits circumventing intergovernmental transfer process for law enforcement officers in certain circumstances

