

2C: 43-3.1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:43-3.1 et al

(Violent crimes--  
penalties--allow salary  
deductions from those  
convicted)

LAWS OF: 1985

CHAPTER: 251

Bill No: A2744/A2803

Sponsor(s): Girgenti and Kern

Date Introduced: October 22, 1984

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: No

Assembly Committee substitute  
enacted; original A2744 and A2803--  
attached.

Date of Passage: Assembly: February 28, 1985

Senate: June 27, 1985

Date of Approval: July 31, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

251 85  
7-31-85

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, Nos. 2744 and 2803**

**STATE OF NEW JERSEY**

ADOPTED FEBRUARY 14, 1985

By Assemblymen GIRGENTI and KERN

AN ACT concerning the payment of penalty assessments, restitution and fines by inmates in State and county correctional facilities and amending P. L. 1979, c. 396, P. L. 1969, c. 22, R. S. 30:4-92, R. S. 30:8-26, R. S. 30:8-42, R. S. 30:8-43, and P. L. 1968, c. 372.

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

1 1. Section 2 of P. L. 1979, c. 396 (C. 2C:43-3.1) is amended to  
2 read as follows:

3 2. a. (1) In addition to any disposition made pursuant to the  
4 provisions of N. J. S. 2C:43-2, any person convicted of a crime of  
5 violence resulting in the injury or death of another person, shall  
6 be assessed a penalty of at least \$25.00, but not to exceed \$10,000.00  
7 for each such crime for which he was convicted. In imposing this  
8 penalty the court shall consider factors such as the severity of the  
9 crime, the defendant's criminal record, the defendant's ability to  
10 pay and the economic impact of the penalty on the defendant's  
11 dependents.

12 (2) (a) In addition to any other disposition made pursuant to  
13 the provisions of N. J. S. 2C:43-2 or any other statute imposing  
14 sentences for crimes, any person convicted of any disorderly  
15 persons offense, any petty disorderly persons offense, violation  
16 of the "New Jersey Controlled Dangerous Substances Act," P. L.  
17 1970, c. 226 (C. 24:21-1 et seq.), or any crime not resulting in the  
18 injury or death of any other person shall be assessed a penalty of  
19 \$25.00 for each such offense or crime for which he was convicted.

20 (b) In addition to any other disposition made pursuant to the  
21 provisions of section 20 of P. L. 1973, c. 306 (C. 2A:4-61) or any

**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 printed in italics *thus* is new matter.**

22 other statute indicating the dispositions that can be ordered for  
 23 adjudications of delinquency, any juvenile adjudicated delinquent  
 24 according to the definition of "delinquency" established in section  
 25 3 of P. L. 1973, c. 306 (C. 2A:4-44) shall be assessed a penalty of  
 26 at least \$10.00 for each such adjudication, but shall not exceed the  
 27 amount which could be assessed, if the offense was committed by  
 28 an adult.

29 (3) All penalties provided for in this section shall be collected  
 30 as provided for collection of fines and restitution in section 3 of  
 31 this act and forwarded to the Violent Crimes Compensation Board  
 32 as provided in subsection (4) hereof.

33 (4) All moneys collected pursuant to subsections 1 and 2 shall  
 34 be forwarded to the State Treasury to be deposited in a separate  
 35 account for use by the Violent Crimes Compensation Board in  
 36 satisfying claims and for related administrative costs pursuant to  
 37 the provisions of the "Criminal Injuries Compensation Act of  
 38 1971," P. L. 1971, c. 317 (C. 52:4B-1 et seq.).

39 b. All moneys, including fines and restitution, collected from a  
 40 person convicted of any disorderly persons offense, any petty  
 41 disorderly persons offense, violation of the "New Jersey Controlled  
 42 Dangerous Substances Act," P. L. 1970, c. 226 (C. 24:21-1 et seq.),  
 43 from any juvenile adjudicated delinquent or any crime shall be  
 44 applied first to any penalty imposed pursuant to this section upon  
 45 such a person.

46 c. *An adult prisoner of a State correctional institution who has*  
 47 *not paid a penalty imposed pursuant to this section shall have the*  
 48 *penalty deducted from any income the inmate receives as a result*  
 49 *of labor performed at the institution or any type of work release*  
 50 *program.*

51 d. *If any person, including an inmate, fails to comply with any of*  
 52 *the terms or penalties imposed pursuant to this section the court*  
 53 *may, in addition to any other penalties it may impose, order*  
 54 *the suspension of the person's driver's license or nonresident*  
 55 *reciprocity privilege, or prohibit the person from receiving or*  
 56 *obtaining a license until the terms or penalties are complied with.*  
 57 *The court shall notify the Director of the Division of Motor*  
 58 *Vehicles of the action. Prior to any action being taken pursuant to*  
 59 *this subsection, the person shall be afforded notice and a hearing*  
 60 *before the court to contest the charge of failure to comply.*

1 2. Section 4 of P. L. 1969, c. 22 (C. 30:4-91.4) is amended to  
 2 read as follows:

3 4. The commissioner, as a part of any work release program  
 4 for an inmate, may require that any wages, salary, earnings and

5 other income, of each gainfully employed prisoner shall be paid,  
 6 less payroll deductions required or authorized by law, to the  
 7 superintendent of the institution who shall deposit such sums so  
 8 received to the credit of such inmate in a trust fund account at such  
 9 institution. From such moneys belonging to any inmate the super-  
 10 intendent of the institution is authorized and empowered to with-  
 11 draw sufficient moneys, *in an amount not to exceed one-half the*  
 12 *total income*, as may be required to pay the following:

13 (a) Such costs of maintenance related to the prisoner's confine-  
 14 ment as are determined by the State Board of Control to be  
 15 appropriate and reasonable.

16 (b) Necessary travel expenses to and from work or other busi-  
 17 ness and incidental expenses of the prisoner.

18 (c) Support of the prisoner's dependents, if necessary.

19 (d) Payment of **[court]** *court-ordered penalty assessments,*  
 20 *restitution and fines.*

21 (e) Payment of either in full or ratably of the prisoner's debts  
 22 which have been reduced to judgment or which have been acknowl-  
 23 edged in writing by him.

24 (f) The balance, if any, shall be paid to the prisoner at the  
 25 completion of the period of his confinement.

1 3. R. S. 30:4-92 is amended to read as follows:

2 30:4-92. The inmates of all correctional and charitable, hospital,  
 3 relief and training institutions within the jurisdiction of the State  
 4 Board shall be employed in such productive occupations as are  
 5 consistent with their health, strength and mental capacity and shall  
 6 receive such compensation therefor as the State Board shall  
 7 determine.

8 Compensation for inmates of correctional institutions may be in  
 9 the form of cash or remission of time from sentence or both. Such  
 10 remission from the time of sentence shall not exceed one day for  
 11 each five days of productive occupation, but remission granted  
 12 under this section shall in no way affect deductions for good  
 13 behavior or provided by law.

14 *From moneys paid to inmates of correctional institutions, the*  
 15 *superintendent of the institution is authorized to withdraw sufficient*  
 16 *moneys, in an amount not to exceed one-third of the inmate's*  
 17 *total income, as may be required to pay any penalty assessment,*  
 18 *restitution or fine ordered as part of any sentence.*

19 In addition, all inmates classified as minimum security and who  
 20 are considered sufficiently trustworthy to be employed in honor  
 21 camps, farms or details, shall receive further remission of time  
 22 from sentence at the rate of three days per month for the first year

23 of such employment and five days per month for the second and  
24 each subsequent year of such employment.

1 4. R. S. 30:8-26 is amended to read as follows:

2 30:8-26. The [board of chosen freeholders] *county governing*  
3 *body* may establish a wage system for payment to prisoners for  
4 their services upon work carried on by such [board] *governing*  
5 *body* or by any board, commission or institution that receives funds  
6 from the county. Such wage system may include in its provisions  
7 all prisoners employed in any work or service necessary for the  
8 maintenance of the county jail or its inmates; but the wage allowed  
9 each prisoner shall not exceed fifty cents for each day of eight  
10 hours' work by such prisoners.

11 *The county governing body is authorized to withdraw from*  
12 *moneys paid to prisoners sufficient moneys, in an amount not to*  
13 *exceed one-third of the inmate's total income, as may be required*  
14 *to pay any penalty assessment, restitution or fine ordered as part*  
15 *of any sentence.*

1 5. R. S. 30:8-42 is amended to read as follows:

2 30:8-42. The [board of chosen freeholders] *county governing*  
3 *body* may establish a wage system for payment to prisoners for  
4 services in work carried on by such [board] *governing body* or by  
5 any board, commission or institution that receives funds from the  
6 county. Such wage system may include all prisoners employed in  
7 any work or service necessary for the maintenance of the work-  
8 house or penitentiary or their inmates. The wage allowed each  
9 prisoner shall not exceed fifty cents for each day of eight hours'  
10 work by such prisoners. In the payment of wages to prisoners  
11 preference shall be given to those who have persons legally  
12 dependent upon them for support.

13 *The county governing body is authorized to withdraw from*  
14 *moneys paid to prisoners sufficient moneys, in an amount not to*  
15 *exceed one-third of the inmate's total income, as may be required*  
16 *to pay any penalty assessment, restitution or fine ordered as part*  
17 *of any sentence.*

1 6. R. S. 30:8-43 is amended to read as follows:

2 30:8-43. When a prisoner has a wife, child or children or others  
3 legally dependent upon him, or her, for support, the earnings of  
4 such prisoner shall be disbursed through the county probation office  
5 to such dependents, or to the society or institution having the care  
6 or custody of such dependents, or any of them, as the court may  
7 direct, and the order of the court relative to payments of such  
8 earnings may be modified at any time thereafter as the court may  
9 determine, but the court may order that the fines, *penalty assess-*

10 *ments, restitutions*, and costs may be first charged against and  
 11 deducted from the earnings of such prisoner. The [board of chosen  
 12 freeholders] *county governing body* shall make rules and regula-  
 13 tions relative to the disposition of the earnings of all prisoners,  
 14 and may designate an officer or employee of the county as the  
 15 disbursing agent of such funds.

16 When the earnings of any such prisoner have been unclaimed for  
 17 a period of one year after the discharge of any such prisoner from  
 18 imprisonment, the county probation officer shall pay to the county  
 19 treasurer of the county such unclaimed sums of money, for the use  
 20 of the county; provided, however, that at any time within two  
 21 years after such moneys have been turned over to the use of the  
 22 county, any person or persons claiming to own the said money, in  
 23-24 addition to any other remedy now provided by law, may make  
 25 application, upon giving ten days' prior notice thereof to the  
 26 county treasurer, to the [County Court] *court* for an order  
 27 declaring such moneys to be the property of such person or persons,  
 28 and ordering the same to be returned to such person or persons by  
 29 the county treasurer. Upon proof that such person or persons are  
 30 entitled to said moneys, the court shall issue an order directing the  
 31 county treasurer to pay such moneys over to such person, which  
 32 order and payment shall be a valid and sufficient release and  
 33 discharge of the county treasurer.

1 7. Section 6 of P. L. 1968, c. 372 (C. 30:8-49) is amended to  
 2 read as follows:

3 6. The earnings of such person shall be collected by the work  
 4 release administrator and the employer shall be notified by regis-  
 5 tered mail, which notice shall include a copy of the order placing  
 6 the person at outside labor. From such earnings, payment shall be  
 7 made for the following purposes and in the order listed:

8 (1) Board and personal expenses of such person inside and  
 9 outside of jail or workhouse.

10 (2) Court costs, *court-ordered penalty assessments, restitution*  
 11 and fines.

12 (3) After written notice to the appropriate welfare board the  
 13 legally ascertained support of such person's dependents.

14 (4) Payment on debts and legal obligations of such person  
 15 acknowledged by him in writing and filed with the work adminis-  
 16 trator in such form as he shall specify. Any balance of such  
 17 earnings that shall remain after the payment of the above shall be  
 18 retained until the person's discharge and after proper accounting,  
 19 shall be paid to him.

1 8. This act shall take effect immediately.

---

**ASSEMBLY, No. 2744**

---

**STATE OF NEW JERSEY**

---

INTRODUCED OCTOBER 22, 1984

By Assemblymen GIRGENTI and PELLECCIA

AN ACT concerning penalties to be paid to the Violent Crimes Compensation Board and amending P. L. 1979, c. 396.

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

1    1. Section 2 of P. L. 1979, c. 396 (C. 2C:43-3.1) is amended to  
2    read as follows:

3    2. a. (1) In addition to any disposition made pursuant to the  
4    provisions of N. J. S. 2C:43-2, any person convicted of a crime of  
5    violence resulting in the injury or death of another person shall  
6    be assessed a penalty of at least \$25.00, but not to exceed \$10,000.00  
7    for each such crime for which he was convicted. In imposing this  
8    penalty the court shall consider factors such as the severity of the  
9    crime, the defendant's criminal record, the defendant's ability to  
10   pay and the economic impact of the penalty on the defendant's  
11   dependants.

12   (2) (a) In addition to any other disposition made pursuant to  
13   the provisions of N. J. S. 2C:43-2 or any other statute imposing  
14   sentences for crimes, any person convicted of any disorderly per-  
15   sons offense, any petty disorderly persons offense, violation of the  
16   "New Jersey Controlled Dangerous Substances Act," P. L. 1970,  
17   c. 226 (C. 24.21-1 et seq.), or any crime not resulting in the injury  
18   or death of any other person shall be assessed a penalty of \$25.00  
19   for each such offense or crime for which he was convicted.

20   (b) In addition to any other disposition made pursuant to the  
21   provisions of section 20 of P. L. 1973, c. 306 (C. 2A:4-61) or any  
22   other statute indicating the dispositions that can be ordered for  
23   adjudications of delinquency, any juvenile adjudicated delinquent,

**Matter printed in italics thus is new matter.**

A2741

24 according to the definition of "delinquency" established in section  
25 3 of P. L. 1973, c. 306 (C. 2A:4-44), shall be assessed a penalty of  
26 at least \$10.00 for each such adjudication, but shall not exceed the  
27 amount which could be assessed if the offense was committed by  
28 an adult.

29 (3) All penalties provided for in this section shall be collected  
30 as provided for collection of fines and restitution in section 3 of  
31 this act and forwarded to the Violent Crimes Compensation Board  
32 as provided in subsection (4) hereof.

33 (4) All moneys collected pursuant to subsections 1 and 2 shall  
34 be forwarded to the State Treasury to be deposited in a separate  
35 account for use by the Violent Crimes Compensation Board in  
36 satisfying claims and for related administrative costs, pursuant to  
37 the provisions of the "Criminal Injuries Compensation Act of  
38 1971," P. L. 1971, c. 317 (C. 52:4B-1 et seq.).

39 b. All moneys, including fines and restitution, collected from a  
40 person convicted of any disorderly persons offense, any petty dis-  
41 orderly persons offense, violation of the "New Jersey Controlled  
42 Dangerous Substances Act," P. L. 1970, c. 226 (C. 24:21-1 et seq.),  
43 from any juvenile adjudicated delinquent or any crime shall be  
44 applied first to any penalty imposed pursuant to this section upon  
45 such a person.

46 c. *An adult prisoner of a State correctional institution who has*  
47 *not paid a penalty imposed pursuant to this section shall have the*  
48 *penalty deducted from any income the inmate receives as a result*  
49 *of labor performed at the institution or any type of work release*  
50 *program. This penalty shall be satisfied through the deduction from*  
51 *this income of monthly payments not to exceed \$10.00.*

52 d. *If a person fails to comply with any of the terms or penalties*  
53 *imposed pursuant to this section the court shall, in addition to any*  
54 *other penalties it may impose, order the suspension of the person's*  
55 *driver's license or nonresident reciprocity privilege, or prohibit*  
56 *the person from receiving or obtaining a license until the terms or*  
57 *penalties are complied with. The court shall notify the Director of*  
58 *the Division of Motor Vehicles of the action.*

1 2. This act shall take effect immediately.

---

STATEMENT

This bill amends the section of the Code of Criminal Justice which imposes upon persons convicted of crimes or offenses a penalty which is to be paid to the Violent Crimes Compensation Board. The bill states that an adult inmate of a State correctional



institution who has not paid this penalty will have it deducted from any income he receives as a result of labor performed at the institution or any type of work release program. The penalty will be satisfied through the deduction from this income of monthly payments not to exceed \$10.00.

In addition, the bill provides that if a person fails to pay penalties imposed under this existing law the court shall suspend the person's driver's license or nonresident reciprocity privilege, or prohibit the person from receiving or obtaining a license until the penalties are paid.

---

**ASSEMBLY, No. 2803**

---

**STATE OF NEW JERSEY**

---

INTRODUCED OCTOBER 22, 1984

By Assemblymen KERN, SHUSTED, ROCCO and SCHUBER

AN ACT concerning the payment of penalty assessments, restitution and fines by inmates in State and county correctional facilities and amending P. L. 1969, c. 22, R. S. 30:4-92, R. S. 30:8-26, R. S. 30:8-42, R. S. 30:8-43, P. L. 1953, c. 29 and P. L. 1968, c. 372.

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

1 1. Section 4 of P. L. 1969, c. 22 (C. 30:4-91.4) is amended to  
2 read as follows:

3 4. The commissioner, as a part of any work release program  
4 for an inmate, may require that any wages, salary, earnings and  
5 other income, of each gainfully employed prisoner shall be paid,  
6 less payroll deductions required or authorized by law, to the  
7 superintendent of the institution who shall deposit such sums so  
8 received to the credit of such inmate in a trust fund account at such  
9 institution. From such moneys belonging to any inmate the super-  
10 intendent of the institution is authorized and empowered to with-  
11 draw sufficient moneys as may be required to pay the following:

12 (a) Such costs of maintenance related to the prisoner's confine-  
13 ment as are determined by the State Board of Control to be  
14 appropriate and reasonable.

15 (b) Necessary travel expenses to and from work or other busi-  
16 ness and incidental expenses of the prisoner.

17 (c) Support of the prisoner's dependents, if necessary.

18 (d) Payment of **[court]** *court-ordered penalty assessments,*  
19 *restitution and fines.*

20 (e) Payment of either in full or ratably of the prisoner's debts

**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 printed in italics thus is new matter.**

21 which have been reduced to judgment or which have been acknowl-  
 22 edged in writing by him.

23 (f) The balance, if any, shall be paid to the prisoner at the  
 24 completion of the period of his confinement.

1 2. R. S. 30:4-92 is amended to read as follows:

2 30:4-92. The inmates of all correctional and charitable, hospital,  
 3 relief and training institutions within the jurisdiction of the State  
 4 Board shall be employed in such productive occupations as are  
 5 consistent with their health, strength and mental capacity and shall  
 6 receive such compensation therefor as the State Board shall de-  
 7 termine.

8 Compensation for inmates of correctional institutions may be in  
 9 the form of cash or remission of time from sentence or both. Such  
 10 remission from the time of sentence shall not exceed one day for  
 11 each five days of productive occupation, but remission granted  
 12 under this section shall in no way affect deductions for good be-  
 13 havior or provided by law.

14 *From moneys paid to inmates of correctional institutions, the*  
 15 *superintendent of the institution is authorized to withdraw suffi-*  
 16 *cient moneys as may be required to pay any penalty assessment,*  
 17 *restitution or fine ordered as part of any sentence.*

18 In addition, all inmates classified as minimum security and who  
 19 are considered sufficiently trustworthy to be employed in honor  
 20 camps, farms or details, shall receive further remission of time  
 21 from sentence at the rate of three days per month for the first year  
 22 of such employment and five days per month for the second and  
 23 each subsequent year of such employment.

1 3. R. S. 30:8-26 is amended to read as follows:

2 30:8-26. The **board of chosen freeholders** county governing  
 3 body may establish a wage system for payment to prisoners for  
 4 their services upon work carried on by such **board** governing  
 5 body or by any board, commission or institution that receives funds  
 6 from the county. Such wage system may include in its provisions  
 7 all prisoners employed in any work or service necessary for the  
 8 maintenance of the county jail or its inmates; but the wage allowed  
 9 each prisoner shall not exceed \$0.50 for each day of eight hours'  
 10 work by such prisoners.

11 *The county governing body is authorized to withdraw from*  
 12 *moneys paid to prisoners sufficient moneys as may be required to*  
 13 *pay any penalty assessment, restitution or fine ordered as part of*  
 14 *any sentence.*

1 4. R. S. 30:8-42 is amended to read as follows:

2 30:8-42. The **board of chosen freeholders** county governing

3 *body* may establish a wage system for payment to prisoners for  
 4 services in work carried on by such **[board]** *governing body* or by  
 5 any board, commission or institution that receives funds from the  
 6 county. Such wage system may include all prisoners employed in  
 7 any work or service necessary for the maintenance of the work-  
 8 house or penitentiary or their inmates. The wage allowed each  
 9 prisoner shall not exceed \$0.50 for each day of eight hours' work  
 10 by such prisoners. In the payment of wages to prisoners prefer-  
 11 ence shall be given to those who have persons legally dependent  
 12 upon them for support.

13 *The county governing body is authorized to withdraw from*  
 14 *moneys paid to prisoners sufficient moneys as may be required to*  
 15 *pay any penalty assessment, restitution or fine ordered as part of*  
 16 *any sentence.*

1 5. R. S. 30:8-43 is amended to read as follows:

2 30:8-43. When a prisoner has a wife, child or children or others  
 3 legally dependent upon him, or her, for support, the earnings of  
 4 such prisoner shall be disbursed through the county probation  
 5 office to such dependents, or to the society or institution having  
 6 the care or custody of such dependents, or any of them, as the  
 7 court may direct, and the order of the court relative to payments  
 8 of such earnings may be modified at any time thereafter as the  
 9 court may determine, but the court may order that the fines, *penalty*  
 10 *assessments, restitutions*, and costs may be first charged against  
 11 and deducted from the earnings of such prisoner. The **[board of**  
 12 **chosen freeholders]** *county governing body* shall make rules and  
 13 regulations relative to the disposition of the earnings of all pris-  
 14 oners, and may designate an officer or employee of the county  
 15 as the disbursing agent of such funds.

16 When the earnings of any such prisoner have been unclaimed  
 17 for a period of one year after the discharge of any such prisoner  
 18 from imprisonment, the county probation officer shall pay to the  
 19 county treasurer of the county such unclaimed sums of money, for  
 20 the use of the county; provided, however, that at any time within  
 21 two years after such moneys have been turned over to the use of  
 22 the county, any person or persons claiming to own the said money,  
 23 in addition to any other remedy now provided by law, may make  
 24 application, upon giving 10 days' prior notice thereof to the county  
 25 treasurer, to the **[County Court]** *court* for an order declaring such  
 26 moneys to be the property of such person or persons, and ordering  
 27 the same to be returned to such person or persons by the county  
 28 treasurer. Upon proof that such person or persons are entitled to  
 29 said moneys, the court shall issue an order directing the county

30 treasurer to pay such moneys over to such person, which order  
31 and payment shall be a valid and sufficient release and discharge  
32 of the county treasurer.

1 6. Section 6 of P. L. 1968, c. 372 (C. 30:8-49) is amended to  
2 read as follows:

3 6. The earnings of such person shall be collected by the work  
4 release administrator and the employer shall be notified by regis-  
5 tered mail, which notice shall include a copy of the order placing  
6 the person at outside labor. From such earnings, payment shall be  
7 made for the following purposes and in the order listed:

8 (1) Board and personal expenses of such person inside and  
9 outside of jail or workhouse.

10 (2) Court costs, *court-ordered penalty assessments, restitution*  
11 *and fines.*

12 (3) After written notice to the appropriate welfare board the  
13 legally ascertained support of such person's dependents.

14 (4) Payment on debts and legal obligations of such person  
15 acknowledged by him in writing and filed with the work adminis-  
16 trator in such form as he shall specify. Any balance of such  
17 earnings that shall remain after the payment of the above shall be  
18 retained until the person's discharge and after proper accounting,  
19 shall be paid to him.

1 7. This act shall take effect immediately.

---

#### STATEMENT

Existing law authorizes the appropriate officials to withhold inmate earnings and work-release income to pay certain expenses and obligations such as maintenance and travel costs, court fines and debts. Officials are not authorized to withhold inmate moneys for the purpose of paying court-ordered penalty assessments or restitution, and frequently collection of these obligations is not initiated until the defendant is released. The purpose of this bill is to authorize State and local officials to withhold inmate's moneys where appropriate for the purpose of satisfying court-ordered restitution and penalty assessments.

---

ASSEMBLY JUDICIARY COMMITTEE  
STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, Nos. 2744 and 2803**

---

**STATE OF NEW JERSEY**

---

DATED: FEBRUARY 14, 1985

This bill, in its substitute form, amends the section of the Code of Criminal Justice which imposes upon persons convicted of crimes or offenses a penalty which is to be paid to the Violent Crimes Compensation Board. The bill states that an adult inmate of a State correctional institution who has not paid this penalty will have it deducted from any income he receives as a result of labor performed at the institution or any type of work release program.

In addition, the bill provides that if any person fails to pay penalties imposed under this law the court may suspend the person's driver's license or nonresident reciprocity privilege, or prohibit the person from receiving or obtaining a license until the penalties are paid. However, before any of these actions may be taken the person must be afforded notice and a hearing before the court to contest the charge of failure to comply.

Another purpose of this bill is to authorize State and local officials to withhold inmates' moneys where appropriate, in an amount not to exceed one-third of the inmate's total income, for the purpose of satisfying court-ordered restitution and penalty assessments.

SENATE JUDICIARY COMMITTEE  
STATEMENT TO  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, Nos. 2744 and 2803**

**STATE OF NEW JERSEY**

DATED: MAY 6, 1985

Presently, whenever a person is convicted of a criminal offense, penalty to be paid to the Violent Crimes Compensation Board is assessed. Offenders can also be ordered to pay a fine and to make restitution. This bill would permit State and county correctional officials to deduct up to one-third of any income received by an offender as a result of labor performed at an institution or for any type of work release program to satisfy any unpaid assessment, fine or restitution.

The bill also provides that if any person fails to pay court ordered penalties, the court may suspend the person's driving privileges or prohibit the person from obtaining a license. Before these actions may be taken the person must be afforded notice and a hearing to contest the nonpayment.