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**VETO MESSAGE:** No

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**FOLLOWING WERE PRINTED:**

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**NEWSPAPER ARTICLES:** Yes

'Bar Report – March 20, 2023', *New Jersey Law Journal*, 20 Mar 2023

'Bar Report – June 19, 2023', *New Jersey Law Journal*, 19 June 2023

CL/MM

P.L. 2024, CHAPTER 239, *approved January 8, 2024*  
Assembly, No. 3093 (*Second Reprint*)

1 AN ACT concerning domestic violence and amending P.L.1991,  
2 c.261.

3

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

6

7 1. Section 10 of P.L.1991, c.261 (C.2C:25-26) is amended to  
8 read as follows:

9 10. a. When a defendant charged with a crime or offense  
10 involving domestic violence is released from custody before trial on  
11 bail or personal recognizance, the court authorizing the release may  
12 as a condition of release issue an order prohibiting the defendant  
13 from having any contact with the victim including, but not limited  
14 to, restraining the defendant from entering the victim's residence,  
15 place of employment or business, or school, and from harassing or  
16 stalking the victim or the victim's friends, co-workers, or relatives  
17 in any way. If the victim is pregnant<sup>1</sup>, at the victim's request<sup>1</sup> the  
18 court may order that the victim's child shall, immediately upon  
19 birth, be included in the order. The court may also enter an order  
20 prohibiting the defendant from having any contact with any animal  
21 owned, possessed, leased, kept, or held by either party or a minor  
22 child residing in the household. In addition, the court may enter an  
23 order directing the possession of the animal and providing that the  
24 animal shall not be disposed of prior to the disposition of the crime  
25 or offense. The court may enter an order prohibiting the defendant  
26 from possessing any firearm or other weapon enumerated in  
27 subsection r. of N.J.S.2C:39-1 and ordering the search for and  
28 seizure of any such weapon at any location where the judge has  
29 reasonable cause to believe the weapon is located. The judge shall  
30 state with specificity the reasons for and scope of the search and  
31 seizure authorized by the order.

32 b. The written court order releasing the defendant shall contain  
33 the court's directives specifically restricting the defendant's ability  
34 to have contact with the victim, the victim's friends, co-workers, or  
35 relatives, or any animal owned, possessed, leased, kept, or held by  
36 either party or a minor child residing in the household. The clerk of  
37 the court or other person designated by the court shall provide a  
38 copy of this order to the victim forthwith.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AJU committee amendments adopted February 16, 2023.

<sup>2</sup>Assembly AJU committee amendments adopted March 9, 2023.

1 c. The victim's location shall remain confidential and shall not  
2 appear on any documents or records to which the defendant has  
3 access.

4 d. Before bail is set, the defendant's prior record shall be  
5 considered by the court. The court shall also conduct a search of  
6 the domestic violence central registry. Bail shall be set as soon as  
7 is feasible, but in all cases within 24 hours of arrest.

8 e. Once bail is set it shall not be reduced without prior notice to  
9 the county prosecutor and the victim. Bail shall not be reduced by a  
10 judge other than the judge who originally ordered bail, unless the  
11 reasons for the amount of the original bail are available to the judge  
12 who reduces the bail and are set forth in the record.

13 f. A victim shall not be prohibited from applying for, and a  
14 court shall not be prohibited from issuing, temporary restraints  
15 pursuant to this act because the victim has charged any person with  
16 commission of a criminal act.

17 (cf: P.L.2011, c.213, s.1)

18

19 2. Section 11 of P.L.1991, c.261 (C.2C:25-27) is amended to  
20 read as follows:

21 11. a. When a defendant is found guilty of a crime or offense  
22 involving domestic violence and a condition of sentence restricts  
23 the defendant's ability to have contact with the victim, the victim's  
24 friends, co-workers, or relatives, or an animal owned, possessed,  
25 leased, kept, or held by either party or a minor child residing in the  
26 household, that condition shall be recorded in an order of the court  
27 and a written copy of that order shall be provided to the victim by  
28 the clerk of the court or other person designated by the court. If the  
29 victim is pregnant <sup>1</sup>, at the victim's request<sup>1</sup> the court may order  
30 that the victim's child shall, immediately upon birth, be included in  
31 the order. In addition to restricting a defendant's ability to have  
32 contact with the victim, the victim's friends, co-workers, or  
33 relatives, or an animal owned, possessed, leased, kept, or held by  
34 either party or a minor child residing in the household, the court  
35 may require the defendant to receive professional counseling from  
36 either a private source or a source appointed by the court, and if the  
37 court so orders, the court shall require the defendant to provide  
38 documentation of attendance at the professional counseling. In any  
39 case where the court order contains a requirement that the defendant  
40 receive professional counseling, no application by the defendant to  
41 dissolve the restraining order shall be granted unless, in addition to  
42 any other provisions required by law or conditions ordered by the  
43 court, the defendant has completed all required attendance at such  
44 counseling.

45 b. In addition the court may enter an order directing the  
46 possession of an animal owned, possessed, leased, kept, or held by

1 either party or a minor child residing in the household. Where a  
2 person has abused or threatened to abuse such animal, there shall be  
3 a presumption that possession of the animal shall be awarded to the  
4 non-abusive party.

5 c. (1) When a defendant is found guilty of a crime or offense  
6 involving domestic violence, the court shall inform the defendant  
7 that the defendant is prohibited from purchasing, owning,  
8 possessing, or controlling a firearm pursuant to section 6 of  
9 P.L.1979, c.179 (C.2C:39-7) and from receiving or retaining a  
10 firearms purchaser identification card or permit to purchase a  
11 handgun pursuant to N.J.S.2C:58-3. The court shall order the  
12 defendant to arrange for the immediate surrender to a law  
13 enforcement officer of any firearm that has not already been seized  
14 or surrendered and any firearms purchaser identification card or  
15 permit to purchase a handgun possessed by the defendant. No later  
16 than five business days after the order is entered, however, the  
17 defendant may arrange to sell any surrendered firearm to a licensed  
18 retail dealer of firearms who shall be authorized to take possession  
19 of that purchased firearm from the law enforcement agency to  
20 which it was surrendered no later than 10 business days after the  
21 order is entered. Any card or permit issued to the defendant shall be  
22 deemed immediately revoked. The court shall establish a process  
23 for notifying the appropriate authorities of the conviction requiring  
24 the revocation of the card or permit. A law enforcement officer  
25 accepting a surrendered firearm shall provide the defendant with a  
26 receipt listing the date of surrender, the name of the defendant, and  
27 any item that has been surrendered, including the serial number,  
28 manufacturer, and model of the surrendered firearm. The defendant  
29 shall provide a copy of this receipt to the prosecutor within 48 hours  
30 of service of the order, and shall attest under penalty that any  
31 firearms owned or possessed at the time of the order have been  
32 transferred in accordance with this section and that the defendant  
33 currently does not possess any firearms. The defendant alternatively  
34 may attest under penalty that he did not own or possess a firearm at  
35 the time of the order and currently does not possess a firearm. If  
36 the court, upon motion of the prosecutor, finds probable cause that  
37 the defendant has failed to surrender any firearm, card, or permit,  
38 the court may order a search for and removal of these items at any  
39 location where the judge has reasonable cause to believe these items  
40 are located. The judge shall state with specificity the reasons for  
41 and the scope of the search and seizure authorized by the order.

42 (2) A law enforcement officer who receives a firearm that is  
43 surrendered, but not purchased and taken possession of by a  
44 licensed retail dealer of firearms within 10 business days of when  
45 the order is entered pursuant to paragraph (1) of this subsection,  
46 may dispose of the surrendered firearm in accordance with the

1 provisions of N.J.S.2C:64-6. A firearm purchased by a licensed  
2 retail dealer from a defendant shall become part of the inventory of  
3 the dealer.

4 (cf: P.L.2016, c.91, s.1)

5

6 3. Section 13 of P.L.1991, c.261 (C.2C:25-29) is amended to  
7 read as follows:

8 13. a. A hearing shall be held in the Family Part of the  
9 Chancery Division of the Superior Court within 10 days of the  
10 filing of a complaint pursuant to section 12 of P.L.1991, c.261  
11 (C.2C:25-28) in the county where the ex parte restraints were  
12 ordered, unless good cause is shown for the hearing to be held  
13 elsewhere. A copy of the complaint shall be served on the  
14 defendant in conformity with the Rules of Court. If a criminal  
15 complaint arising out of the same incident which is the subject  
16 matter of a complaint brought under P.L.1981, c.426 (C.2C:25-1 et  
17 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) has been filed,  
18 testimony given by the plaintiff or defendant in the domestic  
19 violence matter shall not be used in the simultaneous or subsequent  
20 criminal proceeding against the defendant, other than domestic  
21 violence contempt matters and where it would otherwise be  
22 admissible hearsay under the rules of evidence that govern where a  
23 party is unavailable. At the hearing the standard for proving the  
24 allegations in the complaint shall be by a preponderance of the  
25 evidence. The court shall consider but not be limited to the  
26 following factors:

27 (1) The previous history of domestic violence between the  
28 plaintiff and defendant, including threats, harassment and physical  
29 abuse;

30 (2) The existence of immediate danger to person or property;

31 (3) The financial circumstances of the plaintiff and defendant;

32 (4) The best interests of the victim and any child;

33 (5) In determining custody and parenting time the protection of  
34 the victim's safety; and

35 (6) The existence of a verifiable order of protection from  
36 another jurisdiction.

37 An order issued under this act shall only restrain or provide  
38 damages payable from a person against whom a complaint has been  
39 filed under this act and only after a finding or an admission is made  
40 that an act of domestic violence was committed by that person. The  
41 issue of whether or not a violation of this act occurred, including an  
42 act of contempt under this act, shall not be subject to mediation or  
43 negotiation in any form. In addition, where a temporary or final  
44 order has been issued pursuant to this act, no party shall be ordered  
45 to participate in mediation on the issue of custody or parenting time.

1       b. In proceedings in which complaints for restraining orders  
2 have been filed, the court shall grant any relief necessary to prevent  
3 further abuse. In addition to any other provisions, any restraining  
4 order issued by the court shall bar the defendant from purchasing,  
5 owning, possessing or controlling a firearm and from receiving or  
6 retaining a firearms purchaser identification card or permit to  
7 purchase a handgun pursuant to N.J.S.2C:58-3 during the period in  
8 which the restraining order is in effect or two years, whichever is  
9 greater. The order shall require the immediate surrender of any  
10 firearm or other weapon belonging to the defendant. The order  
11 shall include notice to the defendant of the penalties for a violation  
12 of any provision of the order, including but not limited to the  
13 penalties for contempt of court and unlawful possession of a firearm  
14 or other weapon pursuant to N.J.S.2C:39-5.

15       A law enforcement officer shall accompany the defendant, or  
16 may proceed without the defendant if necessary, to any place where  
17 any firearm or other weapon belonging to the defendant is located  
18 to ensure that the defendant does not gain access to any firearm or  
19 other weapon, and a law enforcement officer shall take custody of  
20 any firearm or other weapon belonging to the defendant. If the  
21 order prohibits the defendant from returning to the scene of  
22 domestic violence or other place where firearms or other weapons  
23 belonging to the defendant are located, any firearm or other weapon  
24 located there shall be seized by a law enforcement officer. The  
25 provisions of this subsection requiring the surrender or removal of a  
26 firearm, card, or permit shall not apply to any law enforcement  
27 officer while actually on duty, or to any member of the Armed  
28 Forces of the United States or member of the National Guard while  
29 actually on duty or traveling to or from an authorized place of duty.  
30 At the hearing the judge of the Family Part of the Chancery  
31 Division of the Superior Court may issue an order granting any or  
32 all of the following relief:

33       (1) An order restraining the defendant from subjecting the  
34 victim to domestic violence, as defined in this act.

35       (2) An order granting exclusive possession to the plaintiff of the  
36 residence or household regardless of whether the residence or  
37 household is jointly or solely owned by the parties or jointly or  
38 solely leased by the parties. This order shall not in any manner  
39 affect title or interest to any real property held by either party or  
40 both jointly. If it is not possible for the victim to remain in the  
41 residence, the court may order the defendant to pay the victim's rent  
42 at a residence other than the one previously shared by the parties if  
43 the defendant is found to have a duty to support the victim and the  
44 victim requires alternative housing.

45       (3) An order providing for parenting time. The order shall  
46 protect the safety and well-being of the plaintiff and minor children

1 and shall specify the place and frequency of parenting time.  
2 Parenting time arrangements shall not compromise any other  
3 remedy provided by the court by requiring or encouraging contact  
4 between the plaintiff and defendant. Orders for parenting time may  
5 include a designation of a place of parenting time away from the  
6 plaintiff, the participation of a third party, or supervised parenting  
7 time.

8 (a) The court shall consider a request by a custodial parent who  
9 has been subjected to domestic violence by a person with parenting  
10 time rights to a child in the parent's custody for an investigation or  
11 evaluation by the appropriate agency to assess the risk of harm to  
12 the child prior to the entry of a parenting time order. Any denial of  
13 such a request must be on the record and shall only be made if the  
14 judge finds the request to be arbitrary or capricious.

15 (b) The court shall consider suspension of the parenting time  
16 order and hold an emergency hearing upon an application made by  
17 the plaintiff certifying under oath that the defendant's access to the  
18 child pursuant to the parenting time order has threatened the safety  
19 and well-being of the child.

20 (4) An order requiring the defendant to pay to the victim  
21 monetary compensation for losses suffered as a direct result of the  
22 act of domestic violence. The order may require the defendant to  
23 pay the victim directly, to reimburse the Victims of Crime  
24 Compensation Office for any and all compensation paid by the  
25 Victims of Crime Compensation Office directly to or on behalf of  
26 the victim, and may require that the defendant reimburse any parties  
27 that may have compensated the victim, as the court may determine.  
28 Compensatory losses shall include, but not be limited to, loss of  
29 earnings or other support, including child or spousal support, out-  
30 of-pocket losses for injuries sustained, cost of repair or replacement  
31 of real or personal property damaged or destroyed or taken by the  
32 defendant, cost of counseling for the victim, moving or other travel  
33 expenses, reasonable attorney's fees, court costs, and compensation  
34 for pain and suffering. Where appropriate, punitive damages may be  
35 awarded in addition to compensatory damages.

36 (5) An order requiring the defendant to receive professional  
37 domestic violence counseling from either a private source or a  
38 source appointed by the court and, in that event, requiring the  
39 defendant to provide the court at specified intervals with  
40 documentation of attendance at the professional counseling. The  
41 court may order the defendant to pay for the professional  
42 counseling. No application by the defendant to dissolve a final  
43 order which contains a requirement for attendance at professional  
44 counseling pursuant to this paragraph shall be granted by the court  
45 unless, in addition to any other provisions required by law or

1 conditions ordered by the court, the defendant has completed all  
2 required attendance at such counseling.

3 (6) An order restraining the defendant from entering the  
4 residence, property, school, or place of employment of the victim or  
5 of other family or household members of the victim and requiring  
6 the defendant to stay away from any specified place that is named  
7 in the order and is frequented regularly by the victim or other  
8 family or household members.

9 (7) An order restraining the defendant from making contact with  
10 the plaintiff or others, including an order forbidding the defendant  
11 from personally or through an agent initiating any communication  
12 likely to cause annoyance or alarm including, but not limited to,  
13 personal, written, or telephone contact with the victim or other  
14 family members, or their employers, employees, or fellow workers,  
15 or others with whom communication would be likely to cause  
16 annoyance or alarm to the victim.

17 (8) An order requiring that the defendant make or continue to  
18 make rent or mortgage payments on the residence occupied by the  
19 victim if the defendant is found to have a duty to support the victim  
20 or other dependent household members; provided that this issue has  
21 not been resolved or is not being litigated between the parties in  
22 another action.

23 (9) An order granting either party temporary possession of  
24 specified personal property, such as an automobile, checkbook,  
25 documentation of health insurance, an identification document, a  
26 key, and other personal effects.

27 (10) An order awarding emergency monetary relief, including  
28 emergency support for minor children, to the victim and other  
29 dependents, if any. An ongoing obligation of support shall be  
30 determined at a later date pursuant to applicable law.

31 (11) An order awarding temporary custody of a minor child.  
32 The court shall presume that the best interests of the child are  
33 served by an award of custody to the non-abusive parent.

34 (12) An order requiring that a law enforcement officer  
35 accompany either party to the residence or any shared business  
36 premises to supervise the removal of personal belongings in order  
37 to ensure the personal safety of the plaintiff when a restraining  
38 order has been issued. This order shall be restricted in duration.

39 (13) (Deleted by amendment, P.L.1995, c.242).

40 (14) An order granting any other appropriate relief for the  
41 plaintiff and dependent children, provided that the plaintiff consents  
42 to such relief, including relief requested by the plaintiff at the final  
43 hearing, whether or not the plaintiff requested such relief at the time  
44 of the granting of the initial emergency order.

1 (15) An order that requires that the defendant report to the  
2 intake unit of the Family Part of the Chancery Division of the  
3 Superior Court for monitoring of any other provision of the order.

4 (16) In addition to the order required by this subsection  
5 prohibiting the defendant from possessing any firearm, the court  
6 may also issue an order prohibiting the defendant from possessing  
7 any other weapon enumerated in subsection r. of N.J.S.2C:39-1 and  
8 ordering the search for and seizure of any firearm or other weapon  
9 at any location where the judge has reasonable cause to believe the  
10 weapon is located. The judge shall state with specificity the reasons  
11 for and scope of the search and seizure authorized by the order.

12 (17) An order prohibiting the defendant from stalking or  
13 following, or threatening to harm, to stalk or to follow, the  
14 complainant or any other person named in the order in a manner  
15 that, taken in the context of past actions of the defendant, would put  
16 the complainant in reasonable fear that the defendant would cause  
17 the death or injury of the complainant or any other person.  
18 Behavior prohibited under this act includes, but is not limited to,  
19 behavior prohibited under the provisions of P.L.1992, c.209  
20 (C.2C:12-10).

21 (18) An order requiring the defendant to undergo a psychiatric  
22 evaluation.

23 (19) An order directing the possession of any animal owned,  
24 possessed, leased, kept, or held by either party or a minor child  
25 residing in the household. Where a person has abused or threatened  
26 to abuse such animal, there shall be a presumption that possession  
27 of the animal shall be awarded to the non-abusive party.

28 (20) <sup>1</sup>**【An】 At the plaintiff's request, an<sup>1</sup> order providing that, if**  
29 **the plaintiff is pregnant, the plaintiff's child shall be included in the**  
30 **restraining order immediately upon birth.**

31 c. Notice of orders issued pursuant to this section shall be sent  
32 by the clerk of the Family Part of the Chancery Division of the  
33 Superior Court or other person designated by the court to the  
34 appropriate chiefs of police, members of the State Police and any  
35 other appropriate law enforcement agency.

36 d. Upon good cause shown, any final order may be dissolved or  
37 modified upon application to the Family Part of the Chancery  
38 Division of the Superior Court, but only if the judge who dissolves  
39 or modifies the order is the same judge who entered the order, or  
40 has available a complete record of the hearing or hearings on which  
41 the order was based.

42 e. Prior to the issuance of any order pursuant to this section, the  
43 court shall order that a search be made of the domestic violence  
44 central registry.

45 (cf: P.L.2016, c.91, s.3)

1       4. This act shall take effect <sup>2</sup>**[immediately]** on the first day of the  
2 third month next following the date of enactment, but the  
3 Administrative Director of the Administrative Office of the Courts  
4 may take such anticipatory action as is necessary for the  
5 implementation of the act<sup>2</sup>.

6

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10       Authorizes court to include in domestic violence restraining orders  
11 a provision making the order applicable to a pregnant victim's child  
12 upon birth of the child.

# ASSEMBLY, No. 3093

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

**Sponsored by:**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblywoman SADAF F. JAFFER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**SYNOPSIS**

Authorizes court to include in domestic violence restraining orders a provision making the order applicable to a pregnant victim's child upon birth of the child.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning domestic violence and amending P.L.1991,  
2 c.261.

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11 bail or personal recognizance, the court authorizing the release may  
12 as a condition of release issue an order prohibiting the defendant  
13 from having any contact with the victim including, but not limited  
14 to, restraining the defendant from entering the victim's residence,  
15 place of employment or business, or school, and from harassing or  
16 stalking the victim or the victim's friends, co-workers, or relatives  
17 in any way. If the victim is pregnant the court may order that the  
18 victim's child shall, immediately upon birth, be included in the  
19 order. The court may also enter an order prohibiting the defendant  
20 from having any contact with any animal owned, possessed, leased,  
21 kept, or held by either party or a minor child residing in the  
22 household. In addition, the court may enter an order directing the  
23 possession of the animal and providing that the animal shall not be  
24 disposed of prior to the disposition of the crime or offense. The  
25 court may enter an order prohibiting the defendant from possessing  
26 any firearm or other weapon enumerated in subsection r. of  
27 N.J.S.2C:39-1 and ordering the search for and seizure of any such  
28 weapon at any location where the judge has reasonable cause to  
29 believe the weapon is located. The judge shall state with specificity  
30 the reasons for and scope of the search and seizure authorized by  
31 the order.

32 b. The written court order releasing the defendant shall contain  
33 the court's directives specifically restricting the defendant's ability  
34 to have contact with the victim, the victim's friends, co-workers, or  
35 relatives, or any animal owned, possessed, leased, kept, or held by  
36 either party or a minor child residing in the household. The clerk of  
37 the court or other person designated by the court shall provide a  
38 copy of this order to the victim forthwith.

39 c. The victim's location shall remain confidential and shall not  
40 appear on any documents or records to which the defendant has  
41 access.

42 d. Before bail is set, the defendant's prior record shall be  
43 considered by the court. The court shall also conduct a search of  
44 the domestic violence central registry. Bail shall be set as soon as  
45 is feasible, but in all cases within 24 hours of arrest.

**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 e. Once bail is set it shall not be reduced without prior notice to  
2 the county prosecutor and the victim. Bail shall not be reduced by a  
3 judge other than the judge who originally ordered bail, unless the  
4 reasons for the amount of the original bail are available to the judge  
5 who reduces the bail and are set forth in the record.

6 f. A victim shall not be prohibited from applying for, and a  
7 court shall not be prohibited from issuing, temporary restraints  
8 pursuant to this act because the victim has charged any person with  
9 commission of a criminal act.

10 (cf: P.L.2011, c.213, s.1)

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17 friends, co-workers, or relatives, or an animal owned, possessed,  
18 leased, kept, or held by either party or a minor child residing in the  
19 household, that condition shall be recorded in an order of the court  
20 and a written copy of that order shall be provided to the victim by  
21 the clerk of the court or other person designated by the court. If the  
22 victim is pregnant the court may order that the victim's child shall,  
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25 victim's friends, co-workers, or relatives, or an animal owned,  
26 possessed, leased, kept, or held by either party or a minor child  
27 residing in the household, the court may require the defendant to  
28 receive professional counseling from either a private source or a  
29 source appointed by the court, and if the court so orders, the court  
30 shall require the defendant to provide documentation of attendance  
31 at the professional counseling. In any case where the court order  
32 contains a requirement that the defendant receive professional  
33 counseling, no application by the defendant to dissolve the  
34 restraining order shall be granted unless, in addition to any other  
35 provisions required by law or conditions ordered by the court, the  
36 defendant has completed all required attendance at such counseling.

37 b. In addition the court may enter an order directing the  
38 possession of an animal owned, possessed, leased, kept, or held by  
39 either party or a minor child residing in the household. Where a  
40 person has abused or threatened to abuse such animal, there shall be  
41 a presumption that possession of the animal shall be awarded to the  
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1 firearms purchaser identification card or permit to purchase a  
2 handgun pursuant to N.J.S.2C:58-3. The court shall order the  
3 defendant to arrange for the immediate surrender to a law  
4 enforcement officer of any firearm that has not already been seized  
5 or surrendered and any firearms purchaser identification card or  
6 permit to purchase a handgun possessed by the defendant. No later  
7 than five business days after the order is entered, however, the  
8 defendant may arrange to sell any surrendered firearm to a licensed  
9 retail dealer of firearms who shall be authorized to take possession  
10 of that purchased firearm from the law enforcement agency to  
11 which it was surrendered no later than 10 business days after the  
12 order is entered. Any card or permit issued to the defendant shall be  
13 deemed immediately revoked. The court shall establish a process  
14 for notifying the appropriate authorities of the conviction requiring  
15 the revocation of the card or permit. A law enforcement officer  
16 accepting a surrendered firearm shall provide the defendant with a  
17 receipt listing the date of surrender, the name of the defendant, and  
18 any item that has been surrendered, including the serial number,  
19 manufacturer, and model of the surrendered firearm. The defendant  
20 shall provide a copy of this receipt to the prosecutor within 48 hours  
21 of service of the order, and shall attest under penalty that any  
22 firearms owned or possessed at the time of the order have been  
23 transferred in accordance with this section and that the defendant  
24 currently does not possess any firearms. The defendant alternatively  
25 may attest under penalty that he did not own or possess a firearm at  
26 the time of the order and currently does not possess a firearm. If  
27 the court, upon motion of the prosecutor, finds probable cause that  
28 the defendant has failed to surrender any firearm, card, or permit,  
29 the court may order a search for and removal of these items at any  
30 location where the judge has reasonable cause to believe these items  
31 are located. The judge shall state with specificity the reasons for  
32 and the scope of the search and seizure authorized by the order.

33 (2) A law enforcement officer who receives a firearm that is  
34 surrendered, but not purchased and taken possession of by a  
35 licensed retail dealer of firearms within 10 business days of when  
36 the order is entered pursuant to paragraph (1) of this subsection,  
37 may dispose of the surrendered firearm in accordance with the  
38 provisions of N.J.S.2C:64-6. A firearm purchased by a licensed  
39 retail dealer from a defendant shall become part of the inventory of  
40 the dealer.

41 (cf: P.L.2016, c.91, s.1)

42

43 3. Section 13 of P.L.1991, c.261 (C.2C:25-29) is amended to  
44 read as follows:

45 13. a. A hearing shall be held in the Family Part of the  
46 Chancery Division of the Superior Court within 10 days of the  
47 filing of a complaint pursuant to section 12 of P.L.1991, c.261

1 (C.2C:25-28) in the county where the ex parte restraints were  
2 ordered, unless good cause is shown for the hearing to be held  
3 elsewhere. A copy of the complaint shall be served on the  
4 defendant in conformity with the Rules of Court. If a criminal  
5 complaint arising out of the same incident which is the subject  
6 matter of a complaint brought under P.L.1981, c.426 (C.2C:25-1 et  
7 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) has been filed,  
8 testimony given by the plaintiff or defendant in the domestic  
9 violence matter shall not be used in the simultaneous or subsequent  
10 criminal proceeding against the defendant, other than domestic  
11 violence contempt matters and where it would otherwise be  
12 admissible hearsay under the rules of evidence that govern where a  
13 party is unavailable. At the hearing the standard for proving the  
14 allegations in the complaint shall be by a preponderance of the  
15 evidence. The court shall consider but not be limited to the  
16 following factors:

- 17 (1) The previous history of domestic violence between the  
18 plaintiff and defendant, including threats, harassment and physical  
19 abuse;
- 20 (2) The existence of immediate danger to person or property;
- 21 (3) The financial circumstances of the plaintiff and defendant;
- 22 (4) The best interests of the victim and any child;
- 23 (5) In determining custody and parenting time the protection of  
24 the victim's safety; and
- 25 (6) The existence of a verifiable order of protection from  
26 another jurisdiction.

27 An order issued under this act shall only restrain or provide  
28 damages payable from a person against whom a complaint has been  
29 filed under this act and only after a finding or an admission is made  
30 that an act of domestic violence was committed by that person. The  
31 issue of whether or not a violation of this act occurred, including an  
32 act of contempt under this act, shall not be subject to mediation or  
33 negotiation in any form. In addition, where a temporary or final  
34 order has been issued pursuant to this act, no party shall be ordered  
35 to participate in mediation on the issue of custody or parenting time.

36 b. In proceedings in which complaints for restraining orders  
37 have been filed, the court shall grant any relief necessary to prevent  
38 further abuse. In addition to any other provisions, any restraining  
39 order issued by the court shall bar the defendant from purchasing,  
40 owning, possessing or controlling a firearm and from receiving or  
41 retaining a firearms purchaser identification card or permit to  
42 purchase a handgun pursuant to N.J.S.2C:58-3 during the period in  
43 which the restraining order is in effect or two years, whichever is  
44 greater. The order shall require the immediate surrender of any  
45 firearm or other weapon belonging to the defendant. The order  
46 shall include notice to the defendant of the penalties for a violation  
47 of any provision of the order, including but not limited to the

1 penalties for contempt of court and unlawful possession of a firearm  
2 or other weapon pursuant to N.J.S.2C:39-5.

3 A law enforcement officer shall accompany the defendant, or  
4 may proceed without the defendant if necessary, to any place where  
5 any firearm or other weapon belonging to the defendant is located  
6 to ensure that the defendant does not gain access to any firearm or  
7 other weapon, and a law enforcement officer shall take custody of  
8 any firearm or other weapon belonging to the defendant. If the  
9 order prohibits the defendant from returning to the scene of  
10 domestic violence or other place where firearms or other weapons  
11 belonging to the defendant are located, any firearm or other weapon  
12 located there shall be seized by a law enforcement officer. The  
13 provisions of this subsection requiring the surrender or removal of a  
14 firearm, card, or permit shall not apply to any law enforcement  
15 officer while actually on duty, or to any member of the Armed  
16 Forces of the United States or member of the National Guard while  
17 actually on duty or traveling to or from an authorized place of duty.  
18 At the hearing the judge of the Family Part of the Chancery  
19 Division of the Superior Court may issue an order granting any or  
20 all of the following relief:

21 (1) An order restraining the defendant from subjecting the  
22 victim to domestic violence, as defined in this act.

23 (2) An order granting exclusive possession to the plaintiff of the  
24 residence or household regardless of whether the residence or  
25 household is jointly or solely owned by the parties or jointly or  
26 solely leased by the parties. This order shall not in any manner  
27 affect title or interest to any real property held by either party or  
28 both jointly. If it is not possible for the victim to remain in the  
29 residence, the court may order the defendant to pay the victim's rent  
30 at a residence other than the one previously shared by the parties if  
31 the defendant is found to have a duty to support the victim and the  
32 victim requires alternative housing.

33 (3) An order providing for parenting time. The order shall  
34 protect the safety and well-being of the plaintiff and minor children  
35 and shall specify the place and frequency of parenting time.  
36 Parenting time arrangements shall not compromise any other  
37 remedy provided by the court by requiring or encouraging contact  
38 between the plaintiff and defendant. Orders for parenting time may  
39 include a designation of a place of parenting time away from the  
40 plaintiff, the participation of a third party, or supervised parenting  
41 time.

42 (a) The court shall consider a request by a custodial parent who  
43 has been subjected to domestic violence by a person with parenting  
44 time rights to a child in the parent's custody for an investigation or  
45 evaluation by the appropriate agency to assess the risk of harm to  
46 the child prior to the entry of a parenting time order. Any denial of

1 such a request must be on the record and shall only be made if the  
2 judge finds the request to be arbitrary or capricious.

3 (b) The court shall consider suspension of the parenting time  
4 order and hold an emergency hearing upon an application made by  
5 the plaintiff certifying under oath that the defendant's access to the  
6 child pursuant to the parenting time order has threatened the safety  
7 and well-being of the child.

8 (4) An order requiring the defendant to pay to the victim  
9 monetary compensation for losses suffered as a direct result of the  
10 act of domestic violence. The order may require the defendant to  
11 pay the victim directly, to reimburse the Victims of Crime  
12 Compensation Office for any and all compensation paid by the  
13 Victims of Crime Compensation Office directly to or on behalf of  
14 the victim, and may require that the defendant reimburse any parties  
15 that may have compensated the victim, as the court may determine.  
16 Compensatory losses shall include, but not be limited to, loss of  
17 earnings or other support, including child or spousal support, out-  
18 of-pocket losses for injuries sustained, cost of repair or replacement  
19 of real or personal property damaged or destroyed or taken by the  
20 defendant, cost of counseling for the victim, moving or other travel  
21 expenses, reasonable attorney's fees, court costs, and compensation  
22 for pain and suffering. Where appropriate, punitive damages may be  
23 awarded in addition to compensatory damages.

24 (5) An order requiring the defendant to receive professional  
25 domestic violence counseling from either a private source or a  
26 source appointed by the court and, in that event, requiring the  
27 defendant to provide the court at specified intervals with  
28 documentation of attendance at the professional counseling. The  
29 court may order the defendant to pay for the professional  
30 counseling. No application by the defendant to dissolve a final  
31 order which contains a requirement for attendance at professional  
32 counseling pursuant to this paragraph shall be granted by the court  
33 unless, in addition to any other provisions required by law or  
34 conditions ordered by the court, the defendant has completed all  
35 required attendance at such counseling.

36 (6) An order restraining the defendant from entering the  
37 residence, property, school, or place of employment of the victim or  
38 of other family or household members of the victim and requiring  
39 the defendant to stay away from any specified place that is named  
40 in the order and is frequented regularly by the victim or other  
41 family or household members.

42 (7) An order restraining the defendant from making contact with  
43 the plaintiff or others, including an order forbidding the defendant  
44 from personally or through an agent initiating any communication  
45 likely to cause annoyance or alarm including, but not limited to,  
46 personal, written, or telephone contact with the victim or other  
47 family members, or their employers, employees, or fellow workers,

1 or others with whom communication would be likely to cause  
2 annoyance or alarm to the victim.

3 (8) An order requiring that the defendant make or continue to  
4 make rent or mortgage payments on the residence occupied by the  
5 victim if the defendant is found to have a duty to support the victim  
6 or other dependent household members; provided that this issue has  
7 not been resolved or is not being litigated between the parties in  
8 another action.

9 (9) An order granting either party temporary possession of  
10 specified personal property, such as an automobile, checkbook,  
11 documentation of health insurance, an identification document, a  
12 key, and other personal effects.

13 (10) An order awarding emergency monetary relief, including  
14 emergency support for minor children, to the victim and other  
15 dependents, if any. An ongoing obligation of support shall be  
16 determined at a later date pursuant to applicable law.

17 (11) An order awarding temporary custody of a minor child.  
18 The court shall presume that the best interests of the child are  
19 served by an award of custody to the non-abusive parent.

20 (12) An order requiring that a law enforcement officer  
21 accompany either party to the residence or any shared business  
22 premises to supervise the removal of personal belongings in order  
23 to ensure the personal safety of the plaintiff when a restraining  
24 order has been issued. This order shall be restricted in duration.

25 (13) (Deleted by amendment, P.L.1995, c.242).

26 (14) An order granting any other appropriate relief for the  
27 plaintiff and dependent children, provided that the plaintiff consents  
28 to such relief, including relief requested by the plaintiff at the final  
29 hearing, whether or not the plaintiff requested such relief at the time  
30 of the granting of the initial emergency order.

31 (15) An order that requires that the defendant report to the  
32 intake unit of the Family Part of the Chancery Division of the  
33 Superior Court for monitoring of any other provision of the order.

34 (16) In addition to the order required by this subsection  
35 prohibiting the defendant from possessing any firearm, the court  
36 may also issue an order prohibiting the defendant from possessing  
37 any other weapon enumerated in subsection r. of N.J.S.2C:39-1 and  
38 ordering the search for and seizure of any firearm or other weapon  
39 at any location where the judge has reasonable cause to believe the  
40 weapon is located. The judge shall state with specificity the reasons  
41 for and scope of the search and seizure authorized by the order.

42 (17) An order prohibiting the defendant from stalking or  
43 following, or threatening to harm, to stalk or to follow, the  
44 complainant or any other person named in the order in a manner  
45 that, taken in the context of past actions of the defendant, would put  
46 the complainant in reasonable fear that the defendant would cause  
47 the death or injury of the complainant or any other person.

1 Behavior prohibited under this act includes, but is not limited to,  
2 behavior prohibited under the provisions of P.L.1992, c.209  
3 (C.2C:12-10).

4 (18) An order requiring the defendant to undergo a psychiatric  
5 evaluation.

6 (19) An order directing the possession of any animal owned,  
7 possessed, leased, kept, or held by either party or a minor child  
8 residing in the household. Where a person has abused or threatened  
9 to abuse such animal, there shall be a presumption that possession  
10 of the animal shall be awarded to the non-abusive party.

11 (20) An order providing that, if the plaintiff is pregnant, the  
12 plaintiff's child shall be included in the restraining order  
13 immediately upon birth.

14 c. Notice of orders issued pursuant to this section shall be sent  
15 by the clerk of the Family Part of the Chancery Division of the  
16 Superior Court or other person designated by the court to the  
17 appropriate chiefs of police, members of the State Police and any  
18 other appropriate law enforcement agency.

19 d. Upon good cause shown, any final order may be dissolved or  
20 modified upon application to the Family Part of the Chancery  
21 Division of the Superior Court, but only if the judge who dissolves  
22 or modifies the order is the same judge who entered the order, or  
23 has available a complete record of the hearing or hearings on which  
24 the order was based.

25 e. Prior to the issuance of any order pursuant to this section, the  
26 court shall order that a search be made of the domestic violence  
27 central registry.

28 (cf: P.L.2016, c.91, s.3)

29

30 4. This act shall take effect immediately.

31

32

33

#### STATEMENT

34

35 This bill would permit courts to include in domestic violence  
36 protection orders a provision indicating that, when a victim is  
37 pregnant, the provisions of the protection order will apply to the  
38 victim's child immediately upon birth. Such a provision would  
39 only apply after the child is born; nothing in the bill is intended to  
40 establish a right of personhood in an unborn fetus.

41 This bill is based in part on the holding in B.C. v. T.G., 430 N.J.  
42 Super. 455 (Ch. Div. 2013), in which the Family Part of the  
43 Chancery Division of the Superior Court held that, when a victim is  
44 pregnant, the court may order that any protections ordered under the  
45 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261  
46 (C.2C:25-17 et seq.), will apply to the victim's child upon the birth  
47 of the child. The court, noting that the protections in a domestic

1 violence restraining order apply to the victim's immediate family,  
2 stated that "there is little sense in requiring the victim to have to  
3 return to court again immediately after the birth of the child for an  
4 emergent hearing in order to add the baby to her final restraining  
5 order." Id. at 466. The court additionally noted that, for various  
6 reasons, "a new parent may be either unable or unwilling to  
7 immediately return to domestic violence court immediately  
8 following childbirth." Id. at 467.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3093

with committee amendments

# STATE OF NEW JERSEY

DATED: FEBRUARY 16, 2023

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 3093.

As amended, this bill would permit courts to include in domestic violence protection orders a provision indicating that, when a victim is pregnant, and upon the request of the victim, the provisions of the protection order apply to the victim's child immediately upon birth. Such a provision would only apply after a child is born; nothing in the bill is intended to establish a right of personhood in an unborn fetus.

This bill is based in part on the holding in B.C. v. T.G., 430 N.J. Super. 455 (Ch. Div. 2013), in which the Family Part of the Chancery Division of the Superior Court held that, when a victim is pregnant, the court may order that any protections ordered under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.), apply to the victim's child upon the birth of the child. The court, noting that the protections in a domestic violence restraining order apply to the victim's immediate family, stated that "there is little sense in requiring the victim to have to return to court again immediately after the birth of the child for an emergent hearing in order to add the baby to her final restraining order." Id. at 466. The court additionally noted that, for various reasons, "a new parent may be either unable or unwilling to immediately return to domestic violence court immediately following childbirth." Id. at 467.

#### COMMITTEE AMENDMENTS

The committee amended the bill to require the victim or plaintiff to make a request that the court order the protection order cover the child upon birth

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 3093

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 9, 2023

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 3093 (1R).

As amended, this bill would permit courts to include in domestic violence protection orders a provision indicating that requires, when a victim is pregnant and upon the request of the victim, the provisions of the protection order apply to the victim's child immediately upon birth. Such a provision would only apply after a child is born. Nothing in the bill is intended to establish a right of personhood in an unborn fetus.

This bill is based in part on the holding in B.C. v. T.G., 430 N.J. Super. 455 (Ch. Div. 2013), in which the Family Part of the Chancery Division of the Superior Court held that, when a victim is pregnant, the court may order that any protections ordered under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.), apply to the victim's child upon the birth of the child. The court, noting that the protections in a domestic violence restraining order apply to the victim's immediate family, stated that "there is little sense in requiring the victim to have to return to court again immediately after the birth of the child for an emergent hearing in order to add the baby to her final restraining order." Id. at 466. The court additionally noted that, for various reasons, "a new parent may be either unable or unwilling to immediately return to domestic violence court immediately following childbirth." Id. at 467.

### COMMITTEE AMENDMENTS

The Committee amended the bill to:

- (1) change effective date of the bill to the first day of the third month next following enactment; and
- (2) permit the Administrative Director of the Administrative Office of the Courts to take anticipatory action as necessary for the implementation of the act.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

[Second Reprint]

### ASSEMBLY, No. 3093

# STATE OF NEW JERSEY

DATED: MARCH 9, 2023

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3093 (2R).

As reported by the committee, Assembly Bill No. 3093 (2R) would permit courts to include in domestic violence protection orders a provision indicating that, when a victim is pregnant, and upon the request of the victim, the provisions of the protection order apply to the victim's child immediately upon birth. Such a provision would only apply after a child is born; nothing in the bill is intended to establish a right of personhood in an unborn fetus.

This bill is based in part on the holding in B.C. v. T.G., 430 N.J. Super. 455 (Ch. Div. 2013), in which the Family Part of the Chancery Division of the Superior Court held that, when a victim is pregnant, the court may order that any protections ordered under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.), apply to the victim's child upon the birth of the child. The court, noting that the protections in a domestic violence restraining order apply to the victim's immediate family, stated that "there is little sense in requiring the victim to have to return to court again immediately after the birth of the child for an emergent hearing in order to add the baby to her final restraining order." Id. at 466. The court additionally noted that, for various reasons, "a new parent may be either unable or unwilling to immediately return to domestic violence court immediately following childbirth." Id. at 467.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

[Second Reprint]

**ASSEMBLY, No. 3093**

# **STATE OF NEW JERSEY**

DATED: JUNE 12, 2023

The Senate Judiciary Committee reports favorably Assembly Bill No. 3093 (2R).

This bill would permit courts to include in a restraining order imposed when a defendant who is charged with a crime or offense involving domestic violence is released from custody before trial, or in an order imposed stating the conditions of sentencing after a defendant is found guilty of a domestic violence crime or offense, or in a final restraining order issued against a defendant whether or not there is a criminal complaint alleging such a crime or offense, a provision indicating that, if the victim named in the domestic violence order is pregnant, the order's protections would apply to the victim's child immediately upon birth, if such protection is requested by the victim.

This bill is based in part on the holding in B.C. v. T.G., 430 N.J. Super. 455 (Ch. Div. 2013), in which the Superior Court, Chancery Division, Family Part held that when a victim is pregnant, the court may provide that any protections ordered under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.) automatically apply to the victim's child upon the birth of the child. The court, noting that the protections in a domestic violence restraining order apply to the victim's immediate family, stated "there is little sense in requiring the victim to have to return to court again immediately after the birth of the child for an emergent hearing in order to add the baby to her final restraining order." Id. at 466. The court additionally noted that, for various reasons, "a new parent may be either unable or unwilling to immediately return to domestic violence court immediately following childbirth." Id. at 467.

This bill, as reported, is identical to Senate Bill No. 1516, as amended and also reported today by the committee.

# SENATE, No. 1516

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 10, 2022

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Authorizes court to include in domestic violence restraining orders a provision making the order applicable to a pregnant victim's child upon birth of the child.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/10/2022)

1 AN ACT concerning domestic violence and amending P.L.1991,  
2 c.261.

3

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

6

7 1. Section 10 of P.L.1991, c.261 (C.2C:25-26) is amended to  
8 read as follows:

9 10. a. When a defendant charged with a crime or offense  
10 involving domestic violence is released from custody before trial on  
11 bail or personal recognizance, the court authorizing the release may  
12 as a condition of release issue an order prohibiting the defendant  
13 from having any contact with the victim including, but not limited  
14 to, restraining the defendant from entering the victim's residence,  
15 place of employment or business, or school, and from harassing or  
16 stalking the victim or the victim's friends, co-workers, or relatives  
17 in any way. If the victim is pregnant the court may order that the  
18 victim's child shall, immediately upon birth, be included in the  
19 order. The court may also enter an order prohibiting the defendant  
20 from having any contact with any animal owned, possessed, leased,  
21 kept, or held by either party or a minor child residing in the  
22 household. In addition, the court may enter an order directing the  
23 possession of the animal and providing that the animal shall not be  
24 disposed of prior to the disposition of the crime or offense. The  
25 court may enter an order prohibiting the defendant from possessing  
26 any firearm or other weapon enumerated in subsection r. of  
27 N.J.S.2C:39-1 and ordering the search for and seizure of any such  
28 weapon at any location where the judge has reasonable cause to  
29 believe the weapon is located. The judge shall state with specificity  
30 the reasons for and scope of the search and seizure authorized by  
31 the order.

32 b. The written court order releasing the defendant shall contain  
33 the court's directives specifically restricting the defendant's ability  
34 to have contact with the victim, the victim's friends, co-workers, or  
35 relatives, or any animal owned, possessed, leased, kept, or held by  
36 either party or a minor child residing in the household. The clerk of  
37 the court or other person designated by the court shall provide a  
38 copy of this order to the victim forthwith.

39 c. The victim's location shall remain confidential and shall not  
40 appear on any documents or records to which the defendant has  
41 access.

42 d. Before bail is set, the defendant's prior record shall be  
43 considered by the court. The court shall also conduct a search of  
44 the domestic violence central registry. Bail shall be set as soon as  
45 is feasible, but in all cases within 24 hours of arrest.

**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 e. Once bail is set it shall not be reduced without prior notice to  
2 the county prosecutor and the victim. Bail shall not be reduced by a  
3 judge other than the judge who originally ordered bail, unless the  
4 reasons for the amount of the original bail are available to the judge  
5 who reduces the bail and are set forth in the record.

6 f. A victim shall not be prohibited from applying for, and a  
7 court shall not be prohibited from issuing, temporary restraints  
8 pursuant to this act because the victim has charged any person with  
9 commission of a criminal act.

10 (cf: P.L.2011, c.213, s.1)

11  
12 2. Section 11 of P.L.1991, c.261 (C.2C:25-27) is amended to  
13 read as follows:

14 11. a. When a defendant is found guilty of a crime or offense  
15 involving domestic violence and a condition of sentence restricts  
16 the defendant's ability to have contact with the victim, the victim's  
17 friends, co-workers, or relatives, or an animal owned, possessed,  
18 leased, kept, or held by either party or a minor child residing in the  
19 household, that condition shall be recorded in an order of the court  
20 and a written copy of that order shall be provided to the victim by  
21 the clerk of the court or other person designated by the court. If the  
22 victim is pregnant the court may order that the victim's child shall,  
23 immediately upon birth, be included in the order. In addition to  
24 restricting a defendant's ability to have contact with the victim, the  
25 victim's friends, co-workers, or relatives, or an animal owned,  
26 possessed, leased, kept, or held by either party or a minor child  
27 residing in the household, the court may require the defendant to  
28 receive professional counseling from either a private source or a  
29 source appointed by the court, and if the court so orders, the court  
30 shall require the defendant to provide documentation of attendance  
31 at the professional counseling. In any case where the court order  
32 contains a requirement that the defendant receive professional  
33 counseling, no application by the defendant to dissolve the  
34 restraining order shall be granted unless, in addition to any other  
35 provisions required by law or conditions ordered by the court, the  
36 defendant has completed all required attendance at such counseling.

37 b. In addition the court may enter an order directing the  
38 possession of an animal owned, possessed, leased, kept, or held by  
39 either party or a minor child residing in the household. Where a  
40 person has abused or threatened to abuse such animal, there shall be  
41 a presumption that possession of the animal shall be awarded to the  
42 non-abusive party.

43 c. (1) When a defendant is found guilty of a crime or offense  
44 involving domestic violence, the court shall inform the defendant  
45 that the defendant is prohibited from purchasing, owning,  
46 possessing, or controlling a firearm pursuant to section 6 of  
47 P.L.1979, c.179 (C.2C:39-7) and from receiving or retaining a  
48 firearms purchaser identification card or permit to purchase a

1 handgun pursuant to N.J.S.2C:58-3. The court shall order the  
2 defendant to arrange for the immediate surrender to a law  
3 enforcement officer of any firearm that has not already been seized  
4 or surrendered and any firearms purchaser identification card or  
5 permit to purchase a handgun possessed by the defendant. No later  
6 than five business days after the order is entered, however, the  
7 defendant may arrange to sell any surrendered firearm to a licensed  
8 retail dealer of firearms who shall be authorized to take possession  
9 of that purchased firearm from the law enforcement agency to  
10 which it was surrendered no later than 10 business days after the  
11 order is entered. Any card or permit issued to the defendant shall be  
12 deemed immediately revoked. The court shall establish a process  
13 for notifying the appropriate authorities of the conviction requiring  
14 the revocation of the card or permit. A law enforcement officer  
15 accepting a surrendered firearm shall provide the defendant with a  
16 receipt listing the date of surrender, the name of the defendant, and  
17 any item that has been surrendered, including the serial number,  
18 manufacturer, and model of the surrendered firearm. The defendant  
19 shall provide a copy of this receipt to the prosecutor within 48 hours  
20 of service of the order, and shall attest under penalty that any  
21 firearms owned or possessed at the time of the order have been  
22 transferred in accordance with this section and that the defendant  
23 currently does not possess any firearms. The defendant alternatively  
24 may attest under penalty that he did not own or possess a firearm at  
25 the time of the order and currently does not possess a firearm. If  
26 the court, upon motion of the prosecutor, finds probable cause that  
27 the defendant has failed to surrender any firearm, card, or permit,  
28 the court may order a search for and removal of these items at any  
29 location where the judge has reasonable cause to believe these items  
30 are located. The judge shall state with specificity the reasons for  
31 and the scope of the search and seizure authorized by the order.

32 (2) A law enforcement officer who receives a firearm that is  
33 surrendered, but not purchased and taken possession of by a  
34 licensed retail dealer of firearms within 10 business days of when  
35 the order is entered pursuant to paragraph (1) of this subsection,  
36 may dispose of the surrendered firearm in accordance with the  
37 provisions of N.J.S.2C:64-6. A firearm purchased by a licensed  
38 retail dealer from a defendant shall become part of the inventory of  
39 the dealer.

40 (cf: P.L.2016, c.91, s.1)

41

42 3. Section 13 of P.L.1991, c.261 (C.2C:25-29) is amended to  
43 read as follows:

44 13. a. A hearing shall be held in the Family Part of the  
45 Chancery Division of the Superior Court within 10 days of the  
46 filing of a complaint pursuant to section 12 of P.L.1991, c.261  
47 (C.2C:25-28) in the county where the ex parte restraints were  
48 ordered, unless good cause is shown for the hearing to be held

1 elsewhere. A copy of the complaint shall be served on the  
2 defendant in conformity with the Rules of Court. If a criminal  
3 complaint arising out of the same incident which is the subject  
4 matter of a complaint brought under P.L.1981, c.426 (C.2C:25-1 et  
5 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) has been filed,  
6 testimony given by the plaintiff or defendant in the domestic  
7 violence matter shall not be used in the simultaneous or subsequent  
8 criminal proceeding against the defendant, other than domestic  
9 violence contempt matters and where it would otherwise be  
10 admissible hearsay under the rules of evidence that govern where a  
11 party is unavailable. At the hearing the standard for proving the  
12 allegations in the complaint shall be by a preponderance of the  
13 evidence. The court shall consider but not be limited to the  
14 following factors:

15 (1) The previous history of domestic violence between the  
16 plaintiff and defendant, including threats, harassment and physical  
17 abuse;

18 (2) The existence of immediate danger to person or property;

19 (3) The financial circumstances of the plaintiff and defendant;

20 (4) The best interests of the victim and any child;

21 (5) In determining custody and parenting time the protection of  
22 the victim's safety; and

23 (6) The existence of a verifiable order of protection from  
24 another jurisdiction.

25 An order issued under this act shall only restrain or provide  
26 damages payable from a person against whom a complaint has been  
27 filed under this act and only after a finding or an admission is made  
28 that an act of domestic violence was committed by that person. The  
29 issue of whether or not a violation of this act occurred, including an  
30 act of contempt under this act, shall not be subject to mediation or  
31 negotiation in any form. In addition, where a temporary or final  
32 order has been issued pursuant to this act, no party shall be ordered  
33 to participate in mediation on the issue of custody or parenting time.

34 b. In proceedings in which complaints for restraining orders  
35 have been filed, the court shall grant any relief necessary to prevent  
36 further abuse. In addition to any other provisions, any restraining  
37 order issued by the court shall bar the defendant from purchasing,  
38 owning, possessing or controlling a firearm and from receiving or  
39 retaining a firearms purchaser identification card or permit to  
40 purchase a handgun pursuant to N.J.S.2C:58-3 during the period in  
41 which the restraining order is in effect or two years, whichever is  
42 greater. The order shall require the immediate surrender of any  
43 firearm or other weapon belonging to the defendant. The order  
44 shall include notice to the defendant of the penalties for a violation  
45 of any provision of the order, including but not limited to the  
46 penalties for contempt of court and unlawful possession of a firearm  
47 or other weapon pursuant to N.J.S.2C:39-5.

1 A law enforcement officer shall accompany the defendant, or  
2 may proceed without the defendant if necessary, to any place where  
3 any firearm or other weapon belonging to the defendant is located  
4 to ensure that the defendant does not gain access to any firearm or  
5 other weapon, and a law enforcement officer shall take custody of  
6 any firearm or other weapon belonging to the defendant. If the  
7 order prohibits the defendant from returning to the scene of  
8 domestic violence or other place where firearms or other weapons  
9 belonging to the defendant are located, any firearm or other weapon  
10 located there shall be seized by a law enforcement officer. The  
11 provisions of this subsection requiring the surrender or removal of a  
12 firearm, card, or permit shall not apply to any law enforcement  
13 officer while actually on duty, or to any member of the Armed  
14 Forces of the United States or member of the National Guard while  
15 actually on duty or traveling to or from an authorized place of duty.  
16 At the hearing the judge of the Family Part of the Chancery  
17 Division of the Superior Court may issue an order granting any or  
18 all of the following relief:

19 (1) An order restraining the defendant from subjecting the  
20 victim to domestic violence, as defined in this act.

21 (2) An order granting exclusive possession to the plaintiff of the  
22 residence or household regardless of whether the residence or  
23 household is jointly or solely owned by the parties or jointly or  
24 solely leased by the parties. This order shall not in any manner  
25 affect title or interest to any real property held by either party or  
26 both jointly. If it is not possible for the victim to remain in the  
27 residence, the court may order the defendant to pay the victim's rent  
28 at a residence other than the one previously shared by the parties if  
29 the defendant is found to have a duty to support the victim and the  
30 victim requires alternative housing.

31 (3) An order providing for parenting time. The order shall  
32 protect the safety and well-being of the plaintiff and minor children  
33 and shall specify the place and frequency of parenting time.  
34 Parenting time arrangements shall not compromise any other  
35 remedy provided by the court by requiring or encouraging contact  
36 between the plaintiff and defendant. Orders for parenting time may  
37 include a designation of a place of parenting time away from the  
38 plaintiff, the participation of a third party, or supervised parenting  
39 time.

40 (a) The court shall consider a request by a custodial parent who  
41 has been subjected to domestic violence by a person with parenting  
42 time rights to a child in the parent's custody for an investigation or  
43 evaluation by the appropriate agency to assess the risk of harm to  
44 the child prior to the entry of a parenting time order. Any denial of  
45 such a request must be on the record and shall only be made if the  
46 judge finds the request to be arbitrary or capricious.

47 (b) The court shall consider suspension of the parenting time  
48 order and hold an emergency hearing upon an application made by

1 the plaintiff certifying under oath that the defendant's access to the  
2 child pursuant to the parenting time order has threatened the safety  
3 and well-being of the child.

4 (4) An order requiring the defendant to pay to the victim  
5 monetary compensation for losses suffered as a direct result of the  
6 act of domestic violence. The order may require the defendant to  
7 pay the victim directly, to reimburse the Victims of Crime  
8 Compensation Office for any and all compensation paid by the  
9 Victims of Crime Compensation Office directly to or on behalf of  
10 the victim, and may require that the defendant reimburse any parties  
11 that may have compensated the victim, as the court may determine.  
12 Compensatory losses shall include, but not be limited to, loss of  
13 earnings or other support, including child or spousal support, out-  
14 of-pocket losses for injuries sustained, cost of repair or replacement  
15 of real or personal property damaged or destroyed or taken by the  
16 defendant, cost of counseling for the victim, moving or other travel  
17 expenses, reasonable attorney's fees, court costs, and compensation  
18 for pain and suffering. Where appropriate, punitive damages may be  
19 awarded in addition to compensatory damages.

20 (5) An order requiring the defendant to receive professional  
21 domestic violence counseling from either a private source or a  
22 source appointed by the court and, in that event, requiring the  
23 defendant to provide the court at specified intervals with  
24 documentation of attendance at the professional counseling. The  
25 court may order the defendant to pay for the professional  
26 counseling. No application by the defendant to dissolve a final  
27 order which contains a requirement for attendance at professional  
28 counseling pursuant to this paragraph shall be granted by the court  
29 unless, in addition to any other provisions required by law or  
30 conditions ordered by the court, the defendant has completed all  
31 required attendance at such counseling.

32 (6) An order restraining the defendant from entering the  
33 residence, property, school, or place of employment of the victim or  
34 of other family or household members of the victim and requiring  
35 the defendant to stay away from any specified place that is named  
36 in the order and is frequented regularly by the victim or other  
37 family or household members.

38 (7) An order restraining the defendant from making contact with  
39 the plaintiff or others, including an order forbidding the defendant  
40 from personally or through an agent initiating any communication  
41 likely to cause annoyance or alarm including, but not limited to,  
42 personal, written, or telephone contact with the victim or other  
43 family members, or their employers, employees, or fellow workers,  
44 or others with whom communication would be likely to cause  
45 annoyance or alarm to the victim.

46 (8) An order requiring that the defendant make or continue to  
47 make rent or mortgage payments on the residence occupied by the  
48 victim if the defendant is found to have a duty to support the victim

1 or other dependent household members; provided that this issue has  
2 not been resolved or is not being litigated between the parties in  
3 another action.

4 (9) An order granting either party temporary possession of  
5 specified personal property, such as an automobile, checkbook,  
6 documentation of health insurance, an identification document, a  
7 key, and other personal effects.

8 (10) An order awarding emergency monetary relief, including  
9 emergency support for minor children, to the victim and other  
10 dependents, if any. An ongoing obligation of support shall be  
11 determined at a later date pursuant to applicable law.

12 (11) An order awarding temporary custody of a minor child.  
13 The court shall presume that the best interests of the child are  
14 served by an award of custody to the non-abusive parent.

15 (12) An order requiring that a law enforcement officer  
16 accompany either party to the residence or any shared business  
17 premises to supervise the removal of personal belongings in order  
18 to ensure the personal safety of the plaintiff when a restraining  
19 order has been issued. This order shall be restricted in duration.

20 (13) (Deleted by amendment, P.L.1995, c.242).

21 (14) An order granting any other appropriate relief for the  
22 plaintiff and dependent children, provided that the plaintiff consents  
23 to such relief, including relief requested by the plaintiff at the final  
24 hearing, whether or not the plaintiff requested such relief at the time  
25 of the granting of the initial emergency order.

26 (15) An order that requires that the defendant report to the  
27 intake unit of the Family Part of the Chancery Division of the  
28 Superior Court for monitoring of any other provision of the order.

29 (16) In addition to the order required by this subsection  
30 prohibiting the defendant from possessing any firearm, the court  
31 may also issue an order prohibiting the defendant from possessing  
32 any other weapon enumerated in subsection r. of N.J.S.2C:39-1 and  
33 ordering the search for and seizure of any firearm or other weapon  
34 at any location where the judge has reasonable cause to believe the  
35 weapon is located. The judge shall state with specificity the reasons  
36 for and scope of the search and seizure authorized by the order.

37 (17) An order prohibiting the defendant from stalking or  
38 following, or threatening to harm, to stalk or to follow, the  
39 complainant or any other person named in the order in a manner  
40 that, taken in the context of past actions of the defendant, would put  
41 the complainant in reasonable fear that the defendant would cause  
42 the death or injury of the complainant or any other person.  
43 Behavior prohibited under this act includes, but is not limited to,  
44 behavior prohibited under the provisions of P.L.1992, c.209  
45 (C.2C:12-10).

46 (18) An order requiring the defendant to undergo a psychiatric  
47 evaluation.

1 (19) An order directing the possession of any animal owned,  
2 possessed, leased, kept, or held by either party or a minor child  
3 residing in the household. Where a person has abused or threatened  
4 to abuse such animal, there shall be a presumption that possession  
5 of the animal shall be awarded to the non-abusive party.

6 (20) An order providing that, if the plaintiff is pregnant, the  
7 plaintiff's child shall be included in the restraining order  
8 immediately upon birth.

9 c. Notice of orders issued pursuant to this section shall be sent  
10 by the clerk of the Family Part of the Chancery Division of the  
11 Superior Court or other person designated by the court to the  
12 appropriate chiefs of police, members of the State Police and any  
13 other appropriate law enforcement agency.

14 d. Upon good cause shown, any final order may be dissolved or  
15 modified upon application to the Family Part of the Chancery  
16 Division of the Superior Court, but only if the judge who dissolves  
17 or modifies the order is the same judge who entered the order, or  
18 has available a complete record of the hearing or hearings on which  
19 the order was based.

20 e. Prior to the issuance of any order pursuant to this section, the  
21 court shall order that a search be made of the domestic violence  
22 central registry.

23 (cf: P.L.2016, c.91, s.3)

24

25 4. This act shall take effect immediately.

26

27

28

#### STATEMENT

29

30 This bill would permit courts to include in domestic violence  
31 protection orders a provision indicating that, when a victim is  
32 pregnant, the provisions of the protection order will apply to the  
33 victim's child immediately upon birth. Such a provision would  
34 only apply after the child is born; nothing in the bill is intended to  
35 establish a right of personhood in an unborn fetus.

36 This bill is based in part on the holding in B.C. v. T.G., 430 N.J.  
37 Super. 455 (Ch. Div. 2013), in which the Family Part of the  
38 Chancery Division of the Superior Court held that, when a victim is  
39 pregnant, the court may order that any protections ordered under the  
40 "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261  
41 (C.2C:25-17 et seq.), will apply to the victim's child upon the birth  
42 of the child. The court, noting that the protections in a domestic  
43 violence restraining order apply to the victim's immediate family,  
44 stated that "there is little sense in requiring the victim to have to  
45 return to court again immediately after the birth of the child for an  
46 emergent hearing in order to add the baby to her final restraining  
47 order." Id. at 466. The court additionally noted that, for various

1 reasons, “a new parent may be either unable or unwilling to  
2 immediately return to domestic violence court immediately  
3 following childbirth.” Id. at 467.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 1516

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1516.

This bill, as amended, would permit courts to include in a restraining order imposed when a defendant who is charged with a crime or offense involving domestic violence is released from custody before trial, or in an order imposed stating the conditions of sentencing after a defendant is found guilty of a domestic violence crime or offense, or in a final restraining order issued against a defendant whether or not there is a criminal complaint alleging such a crime or offense, a provision indicating that, if the victim named in the domestic violence order is pregnant, the order's protections would apply to the victim's child immediately upon birth, if such protection is requested by the victim.

This bill is based in part on the holding in B.C. v. T.G., 430 N.J. Super. 455 (Ch. Div. 2013), in which the Superior Court, Chancery Division, Family Part held that when a victim is pregnant, the court may provide that any protections ordered under the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.) automatically apply to the victim's child upon the birth of the child. The court, noting that the protections in a domestic violence restraining order apply to the victim's immediate family, stated "there is little sense in requiring the victim to have to return to court again immediately after the birth of the child for an emergent hearing in order to add the baby to her final restraining order." Id. at 466. The court additionally noted that, for various reasons, "a new parent may be either unable or unwilling to immediately return to domestic violence court immediately following childbirth." Id. at 467.

This bill, as amended and reported, is identical to the Second Reprint of Assembly Bill No. 3093, also reported today by the committee.

The committee amendments to the bill:

- provide that the protections available in an order issued by a court would apply to the pregnant victim's child immediately upon

birth, if requested by the victim; and

- change the bill's effective date, from immediately upon enactment to the first day of the third month next following enactment, and provide that the Administrative Director of the Administrative Office of the Courts may take such anticipatory action as necessary for the implementation of the act.

# Governor Murphy Takes Action on Legislation

01/8/2024

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

- S-530/A-5164 (Ruiz, Turner/Coughlin, Quijano, McKnight, Reynolds-Jackson)** - Requires certain school meal information be provided to public school students' parents and requires school districts to request that families apply for school meals under certain circumstances
- S-553/A-4238 (Zwicker/Conaway, Atkins)** - Adds technology transfer duties to New Jersey Commission on Science, Innovation and Technology
- S-652/A-117 (Oroho, Pou/Space, Calabrese, Wirths)** - Permits governing body of municipalities having population of 30,000 or less to serve as local board of health; validates cc actions
- S-762/A-3786 (Pou, Cruz-Perez/Sumter, Reynolds-Jackson)** - Concerns certification of tax collectors
- S-765/A-3246 (Pou, Pennacchio/Lampitt, Schaer, Murphy)** - Prohibits carrier from precluding dentist from billing covered person under certain circumstances
- S-1211/A-1222 (Singleton, Gopal/Pintor Marin, Mukherji, Park)** - Provides for civil actions against persons or entities profiting from commission of human trafficking offenses, or maintaining victims of such offenses
- S-1228/A-4092 (Greenstein/Diegnan, Benson, Jaffer, Verrelli)** - Allows certain airports to carry over certain grant money into future years
- S-1892/A-4501 (Johnson, Schepisi/Park, Wimberly, Matsikoudis)** - Authorizes certain boards of education to issue bonds to repair damages caused by natural disasters in certain circumstances
- S-2057/A-1174 (Turner, Greenstein/Jasey, Benson, Quijano)** - Requires certain documentation of needs of students with disabilities during school security drills and emergency situations and in school security plans; requires staff training on needs of students with disabilities in emergency planning
- S-2716/A-4153 (Vitale, Turner/Carter, McKnight, Atkins)** - Requires NJ FamilyCare to reimburse claims for covered services submitted by clinical social workers, professional counselors, and marriage and family therapists under certain circumstances
- S-2789/A-3793 (Cruz-Perez, Johnson/Benson, Wimberly, Lopez)** - Requires certain permit holders to complete practice driving hours to obtain probationary driver's license
- S-3013/A-5062 (Scutari, Pou/Carter, Atkins, Stanfield)** - Revises definition of women's business enterprise and minority business enterprise
- S-3079/A-4977 (Diegnan, Lagana/Lampitt, Benson, Wimberly)** - Establishes School Safety and Security Task Force.
- S-3409/A-4785 (Pou, Oroho/McKeon, Flynn, Wimberly)** - Updates certain insurance company investment provisions in accordance with Investments of Insurers Model Act
- S-3490/A-5124 (Smith/Stanley, Calabrese)** - Amends certain requirements for installation of electric vehicle supply equipment and Make-Ready parking spaces
- S-3604/A-5212 (Madden, Cruz-Perez/Murphy, Stanley)** - Authorizes use of healthcare platforms providing discounted prices for payment of prescription and non-prescription drug devices and for telehealth and telemedicine services
- S-3723/A-5365 (Smith/McKeon, Danielsen, Haider)** – “Electric and Hybrid Vehicle Battery Management Act”
- S-3916/A-5486 (Cruz-Perez, Turner/Sauickie, Freiman, Rooney)** - Expands eligibility for wildlife fencing programs to farmers leasing farmland; clarifies eligibility and provides for uniform funding levels for grant recipients
- S-3969/A-5658 (Gopal/Freiman, Murphy)** - Allows for credit against contract cost for primary care services managed by health care provider for public employees and their dependents; allows referrals to other providers that have contractual relationship with such health care provider
- S-4081/A-5891 (Beach, Diegnan/Atkins, Carter)** - Allows board of county commissioners to hold annual meeting at certain additional locations other than Superior Court
- A-111/S-3201 (Space, Wirths, McCarthy Patrick/Oroho, Durr)** - Provides that farm, farmstand, or other agricultural operation selling firewood obtained from property other than seller's shall not be considered lumber yard; prohibits sale of untreated firewood from outside of State
- A-649/S-587 (McClellan, McKnight/Testa)** - Expands purposes for which civil asset forfeiture funds may be used by law enforcement agency
- A-831/S-461 (Jimenez, Rooney, Timberlake/Sacco, Greenstein)** - Provides for reciprocity of certain out-of-State EMT certification; establishes criminal history record background check process
- A-1475/S-1809 (Lopez, Speight, Haider/Ruiz, Cunningham)** - Requires court to consider information concerning coercive control in domestic violence proceedings
- A-1507/S-1503 (McKnight, Carter, Speight/Gopal, Oroho)** - Permits chair or booth rentals for the purpose of providing cosmetology and hairstyling services or ancillary services
- A-1570/S-2216 (Moen/Madden, Singleton)** - Authorizes issuance of special license plates for alumni of four-year public institutions of higher education
- A-1581/S-3880 (Moen, Benson, Conaway/Cruz-Perez, Turner)** - Requires MVC to provide customer service telephone number at motor vehicle inspection facilities
- A-1704/S-1000 (Speight, Pintor Marin, McKnight/Ruiz, Gopal)** - Requires domestic violence orders to be issued in other languages in addition to English under certain circumstances
- ACS for A-1707/S-3700 (Speight, McKnight, Karabinchak/Burgess, Ruiz)** - Establishes presumption that VCCO will order payment to victim of crime
- A-2040/S-540 (Benson, McKnight/Ruiz, Pou)** - Requires Commissioner of Human Services to request authorization for SNAP benefits to be used to pay delivery charges for online grocery purchases
- A-2138/SCS for S-1890 (Moriarty, Mukherji, McKnight/Johnson, Singer)** - Updates regulation of home improvement and home elevation contractors and contractors' businesses
- A-2351/S-2991 (Mukherji, Flynn, Murphy/Singleton)** - Permits court to effectuate equitable distribution when complaint for divorce or dissolution of civil union has been filed and party has died prior to final judgment; provides that surviving party would not receive intestate or elective share

**A-3093/S-1516 (Stanley, Jaffer, Murphy/Greenstein, Gopal)** - Authorizes court to include in domestic violence restraining orders a provision making the order applicable to a pre victim's child upon birth of the child

**A-3737/S-3393 (Speight, Swain, McKnight/Ruiz, O'Scanlon)** - Establishes menstrual health public awareness campaign

**A-4125/S-2712 (Haider, Swain, Stanley/Singleton, Greenstein)** - Prohibits sale, manufacture, distribution, and use of firefighting foam containing intentionally added perfluoroalk and polyfluoroalkyl substances; requires DEP to establish collection and disposal program; appropriates \$250,000

**A-4614/S-3547 (Greenwald, Jasey, Carter, Lampitt/Pou, Vitale)** - Modifies Nursing Faculty Loan Redemption Program

**A-4729/S-3279 (Sauickie, Freiman, Clifton/Stanfield, Cruz-Perez)** - Revises method for appraisals of farmland to be acquired for farmland preservation purposes

**A-4757/S-3263 (Jimenez, Tucker, Atkins/Burgess, Turner)** - Requires DCA to conduct surveys and report data related to homelessness in administering the Rental Assistance Navigation Program

**A-4913/S-3133 (Conaway, Stanley, Wimberly/Johnson, Scutari)** - Requires carriers to offer health care providers more than one method of payment for reimbursement

**A-5036/S-3551 (Tully, Swain, Karabinchak, Lagana/A.M. Bucco)** - Requires "Electronic Permit Processing Review System" in DCA to enable applicant to submit electronic sign and certain other submission materials for permit application review

**A-5208/S-4082 (Coughlin, Munoz, Wimberly/Scutari, A.M. Bucco)** - Extends provisions of P.L.2021, c.498 in certain circumstances

**A-5281/S-2341 (Chaparro, Jimenez, Stanley/Johnson)** - Eliminates position of constable; removes statutory references to constable; repeals various parts of statutory law; implements recommendation of SCI report concerning elimination of constables

**A-5417/S-3890 (Lampitt, Jasey, Swain/Ruiz, Burgess)** - Prohibits limiting number of county college credits that may be applied towards educator preparation program and teach certification requirements

**A-5501/SCS for S-3895 (Jasey/Zwicker, Sarlo, Ruiz)** - Adjusts bid threshold amounts for certain public research universities; permits certain contracts for school districts, municipalities, and counties to be awarded by qualified purchasing agent

**A-5648/S-3933 (Barranco, Rooney/A.M. Bucco)** - Authorizes State Treasurer to sell as surplus property certain land and improvements in Township of Morris in Morris County

**A-5813/S-3392 (Wimberly, Sumter/Pou)** - Exempts electricity sold to certain recovered materials manufacturing facilities from renewable energy portfolio standards

**AJR-230/SJR-129 (Karabinchak, Schaer, Freiman/Diegnan, Beach, A.M. Bucco)** - Recognizes 75th anniversary of establishment of State of Israel

Governor Murphy conditionally vetoed the following bills:

**S-539/A-2140 (Ruiz, Pou/Reynolds-Jackson, Wimberly, Mosquera) - CONDITIONAL** - Permits online purchase of eligible foods using WIC funds and use of WIC funds for groc delivery charges

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**S-1680/A-2257 (Pou, Ruiz/Murphy, Quijano, Wimberly) - CONDITIONAL** - Designates each community college in State as provider of allowable services under SNAP employm and training program

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**S-2535/A-4048 (Polistina, Pou/Benson, McKnight, Reynolds-Jackson, Carter) - CONDITIONAL** - Requires health benefits coverage of hearing aids and cochlear implants for insureds aged 21 or younger

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**SCS for S-3632 and 3649/ACS for A-1948 (Johnson, Cryan/Haider, Conaway, Quijano) - CONDITIONAL** - Requires labeling of non-flushable disposable wipes

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**A-2146/S-855 (Reynolds-Jackson, Wimberly, Sumter/Singleton, Beach) - CONDITIONAL** - Creates State business assistance program to establish contracting agency procure goals for socially and economically disadvantaged business enterprises

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**A-3092/S-2415 (Stanley, Jaffer, Mukherji/Gopal, Ruiz) - CONDITIONAL** - Requires State agencies update demographic data collection methods on Asian, Native Hawaiian, Pa Islander, Middle Eastern, North African, and South Asian and Indian Diaspora residents of this State

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**A-4033/S-2657 (Coughlin, Wimberly/Sarlo, Ruiz) - CONDITIONAL** - Extends deadline for completion of school district's annual audit

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**ACS for A-4821 and 4823/S-3283 (Karabinchak, Conaway, Schaer/Greenstein, Zwicker) - CONDITIONAL** - Directs DEP to take certain actions concerning identification and testing of microplastics in drinking water, and requires DEP and BPU to study and promote use of microplastics removal technologies

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**A-5416/S-3883 (Wimberly, Giblin, Haider/Greenstein, Turner) - CONDITIONAL** - Requires State Board of Education to authorize alternate route to expedite teacher certifiator persons employed as paraprofessionals in school districts

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**A-5610/S-3954 (Greenwald, Spearman, Chaparro/Beach, A.M. Bucco) - CONDITIONAL** - Revises penalties for possession or consumption of alcoholic beverages by underag persons

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Governor Murphy absolute vetoed the following bills:

**ACS for A-3677 and 2807/SS for S-2186 (Stanley, Verrelli, Jaffer, Calabrese/Greenstein, Smith) - ABSOLUTE** - Prohibits sale, distribution, import, export or propagation of ce invasive species without permit from Department of Agriculture; establishes NJ Invasive Species Council

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**A-5283/S-3939 (Tully, Greenwald, Mosquera/Lagana, Gopal) – ABSOLUTE** - Requires calculation of national average time needed to approve applications for initial credential i profession or occupation and use of average time as standard in New Jersey

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