

R.S. 2A:164-3

August 23, 1958

LEGISLATIVE HISTORY OF R.S. 2A:164-3
(Sex offenses; diagnostic center; commitment; examination)
(1957 amendment)

L. 1957, Chapter 25, S. 48

Introduced January 24 by Crane & Ridolfi.

Not amended during passage.

This bill had statement:

COPY NO. 3

This bill adds the crimes of "assault with intent to commit rape, carnal abuse or sodomy" to the sex offenses enumerated heretofore in the section of law being amended. The same result was accomplished by Chapter 151, P.L. 1954, but unfortunately, the amendment was inadvertently deleted from N.J. S.A. 2A:164-3 by the provisions of Chapter 245, P.L. 1954.

Senate Bill No. 52, which became Chapter 151, P.L. 1954, effective July 15, 1954, in the statement attached to that bill described the necessity for including the category of "assault with intent to commit rape, carnal abuse or sodomy." An assault with such intent is not included within the present language of the section under "an attempt to commit" any of these offenses. This for the simple and obvious reason that an "attempt" is covered in N.J.S. 2A:85-5 as a misdemeanor; whereas "assault with intent to commit" any of these offenses is covered in N.J.S.A. 2A:90-2 as a high misdemeanor with a 12-year maximum sentence as a possibility.

Thus the purpose of this bill is to correct an error which occurred in the 1954 Session by the failure of Chapter 245, P.L. 1954 to include the previous amendment in Chapter 151 of the same session.

Do Not Remove From Library
DEPOSITORY COPY