

2C:33-3

4/29/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:33-3

(Bomb scares-- "look alike" device--  
increase penalties)

CHAPTER 6

Laws Of: 1987

Bill No: S407

Sponsor(s): Rand

Date Introduced: Pre-filed

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: December 8, 1986

Senate: February 3, 1986

Date of Approval: January 20, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

SENATE, No. 407  
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Senator RAND

AN ACT concerning false or facsimile bombs and amending N. J. S.  
2C:33-3.

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

1 1. N. J. S. 2C:33-3 is amended to read as follows:

2 2C:33-3. False Public Alarms. **[A]** *a. Except as provided in*  
3 *subsection b., a person is guilty of a crime of the fourth degree if*  
4 *he initiates or circulates a report or warning of an impending fire,*  
5 *explosion, bombing, crime, catastrophe or emergency knowing that*  
6 *the report or warning is false or baseless and that it is likely to*  
7 *cause evacuation of a building, place of assembly, or facility of*  
8 *public transport, or to cause public inconveniences or alarm. A*  
9 *person is guilty of a crime of the fourth degree if he knowingly*  
10 *causes such false alarm to be transmitted to or within any orga-*  
11 *nization, official or volunteer, for dealing with emergencies in-*  
12 *volving danger to life or property.*

13 *b. A person is guilty of a crime of the third degree if in addition*  
14 *to the report or warning initiated, circulated or transmitted under*  
15 *subsection a., he places or causes to be placed any false or facsimile*  
16 *bomb in a building, place of assembly, or facility of public transport*  
17 *or in a place likely to cause public inconvenience or alarm.*

1 2. This act shall take effect on the 30th day after enactment.

CRIMINAL JUSTICE (Penalties)

Provides for more severe penalties for persons who generate false  
bomb scares with a "look alike" device.

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

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

## STATEMENT

This bill provides for more severe penalties for persons who generate false bomb scares by means of a "look alike" device than for persons who generate false public alarms generally.

Presently, making a false alarm is a crime of the fourth degree. Under this bill, where a person makes the false bomb scare by means of a false or facsimile bomb, then the person is guilty of a crime of the third degree. The bill clarifies that such incidents should be punished more severely than mere false alarms and insures that the offense be treated as crime of the third degree in the event that the offender is not charged under N. J. S. A. 2C:12-3a. with the crime of the third degree of making terroristic threats.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 407**

**STATE OF NEW JERSEY**

DATED: OCTOBER 27, 1986

The Assembly Judiciary Committee reports favorably Senate Bill No. 407.

Senate Bill No. 407 classifies the placement of a false or facsimile bomb in a building, place of assembly, public transport facility or any other place likely to cause public inconvenience or alarm as a crime of the third degree. Crimes of the third degree are punishable by between three and five years' imprisonment or a fine of up to \$7,500.00 or both. Presently, a person who causes a public alarm by any means is guilty of a crime of the fourth degree (up to 18 months' imprisonment or a fine of up to \$7,500.00 or both).

STATEMENT ON

Senate, No. 407

DATED January 30, 1986

The Senate Judiciary Committee released favorably Senate Bill No. 407.

S-407 would classify the placement of a false or facsimile bomb in a building, place of assembly, public transport facility or any other place likely to cause public inconvenience or alarm as a crime of the third degree. Crimes of the third degree are punishable by between 3 and years' imprisonment, a fine of up to \$7,500 or both. Presently, a person who causes a public alarm by any means is guilty of a crime of the fourth degree which is punishable up to 18 months' imprisonment, a fine of up to \$7,500 or both.



# OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: JOHN SAMERJAN  
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625

Release: WED., JAN. 21, 1987

Governor Thomas H. Kean today signed the following legislation:

S-407, sponsored by Senator Walter Rand, D-Camden, makes it a crime of the third degree to plant a false or facsimile bomb in conjunction with circulating a false public alarm.

Currently, a baseless or false report of an impending fire, explosion, bombing, crime or other catastrophe which is likely to cause the evacuation of a building or facility is a crime of the fourth degree. A crime of the fourth degree is punishable by a fine of up to \$7,500 or up to eighteen months imprisonment or both.

Recognizing that the placement of a false or facsimile bomb, in addition to falsely reporting such, is a more heinous crime, this legislation increases the penalty to a crime of the third degree. A crime of the third degree is punishable by a fine of up to \$7,500 or imprisonment for three to five years or both.

The legislation is effective on the 30th day after enactment.

A-12, sponsored by Assemblyman Richard Zimmer, R-Hunterdon, establishes a loan fund of \$2 million for volunteer emergency service organizations.

The revolving loan fund, administered by the Department of Community Affairs, allows emergency organizations to purchase emergency apparatus equipment, vehicles and to establish or improve emergency facilities.

Loans would be repaid to the State at a nominal 2 percent interest rate. The legislation is effective 60 days after enactment.

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