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# ASSEMBLY, No. 1624

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman KEVIN J. O'TOOLE**

**District 21 (Essex and Union)**

**Assemblyman FRANCIS J. BLEE**

**District 2 (Atlantic)**

**Co-Sponsored by:**

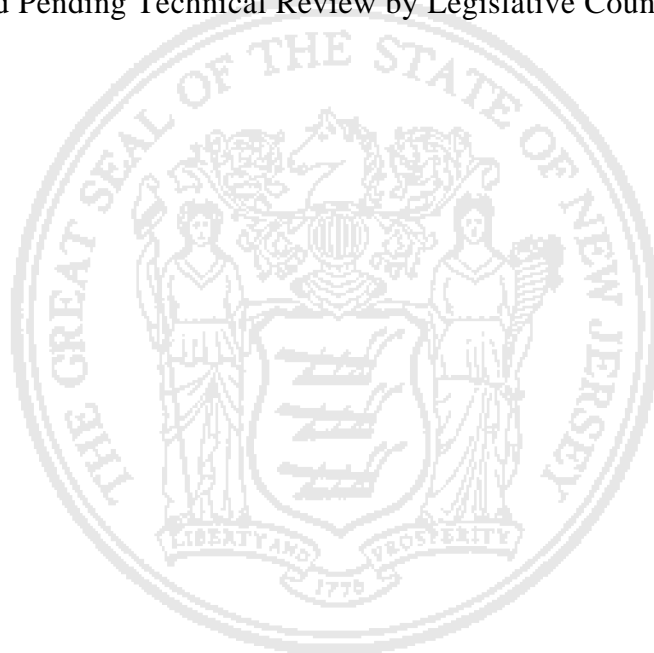
**Assemblywomen Heck and Watson Coleman**

**SYNOPSIS**

Increases penalties for violations of Law Against Discrimination.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning penalties for violations of certain civil rights and  
2 amending P.L.1983, c.412.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 2 of P.L.1983, c.412 (C.10:5-14.1a.) is amended to read  
8 as follows:

9 2. Any person who violates any of the provisions of the "Law  
10 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall, in  
11 addition to any other relief or affirmative action provided by law, be  
12 liable to a penalty of not more than [~~\$2,000.00~~] \$5,000.00 for the first  
13 offense and not more than [~~\$5,000.00~~] \$10,000.00 for the second and  
14 each subsequent offense. The penalties shall be determined by the  
15 director in such amounts as he deems proper under the circumstances  
16 and included in his order following his finding of an unlawful  
17 discrimination or an unlawful employment practice pursuant to section  
18 16 of P.L.1945, c.169 (C.10:5-17). Any such amounts collected by  
19 the director shall be paid forthwith into the State Treasury for the  
20 general purposes of the State.

21 (cf: P.L.1983, c.412, s.2)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill increases the penalties for a violation of "New Jersey's Law  
29 Against Discrimination," N.J.S.A.10:5-1 et seq., from \$2,000 to  
30 \$5,000 for the first violation and from \$5,000 to \$10,000 for a second  
31 and any subsequent violation.

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

**Matter underlined thus is new matter.**

# ASSEMBLY, No. 1624

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman KEVIN J. O'TOOLE**

**District 21 (Essex and Union)**

**Assemblyman FRANCIS J. BLEE**

**District 2 (Atlantic)**

**Co-Sponsored by:**

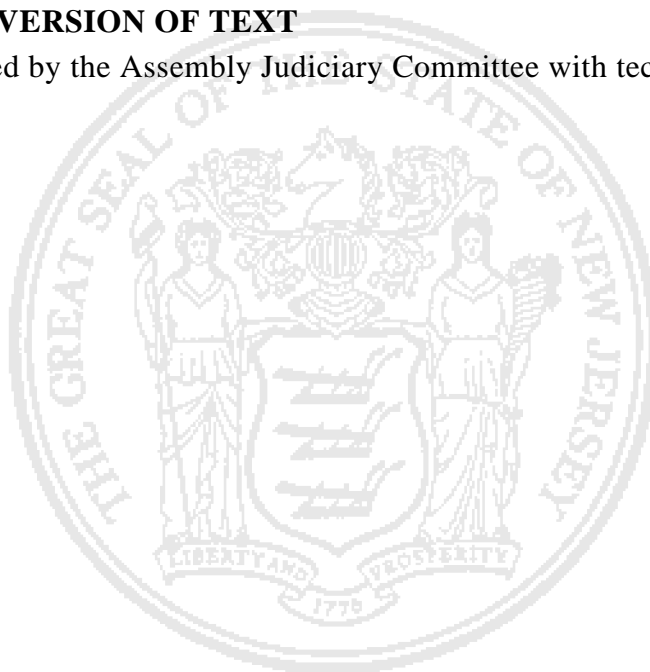
**Assemblywomen Heck, Watson Coleman and Assemblymen LeFevre and Conaway**

**SYNOPSIS**

Increases penalties for violations of Law Against Discrimination.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Judiciary Committee with technical review.



**(Sponsorship Updated As Of: 2/8/2000)**

A1624 O'TOOLE, BLEE

2

1 AN ACT concerning penalties for violations of certain civil rights and  
2 amending P.L.1983, c.412.

3

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

6

7 1. Section 2 of P.L.1983, c.412 (C.10:5-14.1a.) is amended to read  
8 as follows:

9 2. Any person who violates any of the provisions of the "Law  
10 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall, in  
11 addition to any other relief or affirmative action provided by law, be  
12 liable to a penalty of not more than [~~\$2,000.00~~] \$5,000.00 for the first  
13 offense and not more than [~~\$5,000.00~~] \$10,000.00 for the second and  
14 each subsequent offense. The penalties shall be determined by the  
15 director in such amounts as he deems proper under the circumstances  
16 and included in his order following his finding of an unlawful  
17 discrimination or an unlawful employment practice pursuant to section  
18 16 of P.L.1945, c.169 (C.10:5-17). Any such amounts collected by  
19 the director shall be paid forthwith into the State Treasury for the  
20 general purposes of the State.

21 (cf: P.L.1983, c.412, s.2)

22

23 2. This act shall take effect immediately.

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

**Matter underlined thus is new matter.**

STATEMENT TO  
**ASSEMBLY, No. 1624**

with Assembly Floor Amendments  
(Proposed By Assemblyman O'TOOLE)

ADOPTED: FEBRUARY 24, 2000

This bill increases the penalties for a violation of "New Jersey's Law Against Discrimination," N.J.S.A.10:5-1 et seq.. Currently these civil penalties are set at not more than \$2,000 for the first violation to not more than \$5,000 for a second and any subsequent violation. The bill as introduced would have increased these penalties to \$5,000 and \$10,000 respectively.

These floor amendments increase these penalty amounts as follows:

An amount not exceeding \$10,000 if the respondent has not been adjudged to have committed any prior violation within the previous five-year period;

An amount not exceeding \$25,000 if the respondent has been adjudged to have committed one other violation within the previous five-year period; and

An amount not exceeding \$50,000 if the respondent has been adjudged to have committed two or more violations within the previous seven-year period.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1624**

**STATE OF NEW JERSEY**

DATED: JANUARY 24, 2000

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1624.

This bill increases the penalties for a violation of "New Jersey's Law Against Discrimination," N.J.S.A.10:5-1 et seq., from \$2,000 to \$5,000 for the first violation and from \$5,000 to \$10,000 for a second and any subsequent violation.

This bill was prefiled for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.



[First Reprint]

**ASSEMBLY, No. 1624**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman KEVIN J. O'TOOLE**

**District 21 (Essex and Union)**

**Assemblyman FRANCIS J. BLEE**

**District 2 (Atlantic)**

**Co-Sponsored by:**

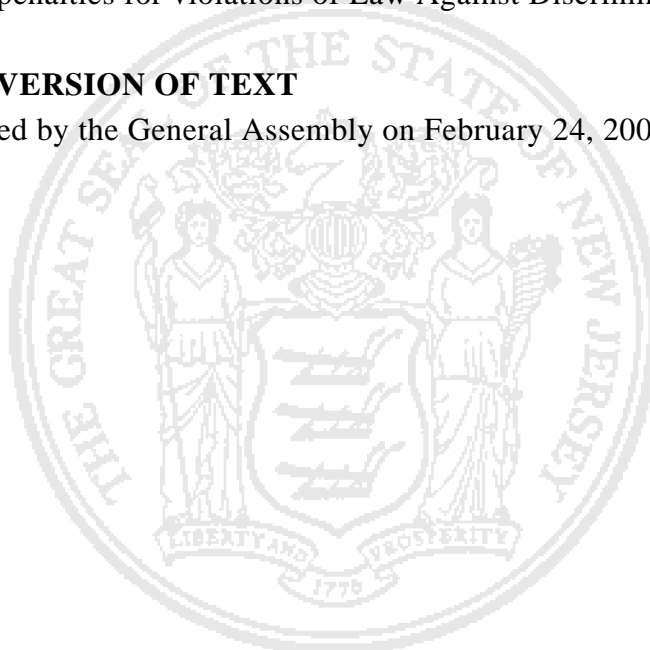
**Assemblywomen Heck, Watson Coleman, Assemblymen LeFevre,  
Conaway and Gusciora**

**SYNOPSIS**

Increases penalties for violations of Law Against Discrimination.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on February 24, 2000.



**(Sponsorship Updated As Of: 6/16/2000)**

1 AN ACT concerning penalties for violations of certain civil rights and  
2 amending P.L.1983, c.412.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 2 of P.L.1983, c.412 (C.10:5-14.1a.) is amended to read  
8 as follows:

9 2. Any person who violates any of the provisions of the "Law  
10 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall, in  
11 addition to any other relief or affirmative action provided by law, be  
12 liable <sup>1</sup>[to a penalty of not more than ~~[\$2,000.00]~~ \$5,000.00 for the  
13 first offense and not more than ~~[\$5,000.00]~~ \$10,000.00 for the second  
14 and each subsequent offense]for the following penalties:

15 a. In an amount not exceeding \$10,000 if the respondent has not  
16 been adjudged to have committed any prior violation within the five-  
17 year period ending on the date of the filing of this charge;

18 b. In an amount not exceeding \$25,000 if the respondent has been  
19 adjudged to have committed one other violation within the five-year  
20 period ending on the date of the filing of this charge; and

21 c. In an amount not exceeding \$50,000 if the respondent has been  
22 adjudged to have committed two or more violations within the seven-  
23 year period ending on the date of the filing of this charge<sup>1</sup>. The  
24 penalties shall be determined by the director in such amounts as he  
25 deems proper under the circumstances and included in his order  
26 following his finding of an unlawful discrimination or an unlawful  
27 employment practice pursuant to section 16 of P.L.1945, c.169  
28 (C.10:5-17). Any such amounts collected by the director shall be paid  
29 forthwith into the State Treasury for the general purposes of the State.  
30 (cf: P.L.1983, c.412, s.2)

31

32 2. This act shall take effect immediately.

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 floor amendments adopted February 24, 2000.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

[First Reprint]

## **ASSEMBLY, No. 1624**

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 9, 2000

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1624 (1R).

This bill increases the penalties for a violation of "New Jersey's Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.). Currently, these civil penalties are set at up to \$2,000 for the first violation and up to \$5,000 for any subsequent violation.

Under the provisions of this bill, the civil penalties are established as follows: 1) up to \$10,000 if the respondent has not been adjudged to have committed any prior violation within the previous five-year period; 2) up to \$25,000 if the respondent has been adjudged to have committed one other violation within the previous five-year period; and 3) up to \$50,000 if the respondent has been adjudged to have committed two or more violations within the previous seven-year period.

P.L. 2001, CHAPTER 254, *approved November 15, 2001*  
Assembly Bill No. 1624 (*First Reprint*)

1 AN ACT concerning penalties for violations of certain civil rights and  
2 amending P.L.1983, c.412.

3

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

6

7 1. Section 2 of P.L.1983, c.412 (C.10:5-14.1a.) is amended to read  
8 as follows:

9 2. Any person who violates any of the provisions of the "Law  
10 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall, in  
11 addition to any other relief or affirmative action provided by law, be  
12 liable <sup>1</sup>[to a penalty of not more than ~~[\$2,000.00]~~ \$5,000.00 for the  
13 first offense and not more than ~~[\$5,000.00]~~ \$10,000.00 for the second  
14 and each subsequent offense]for the following penalties:

15 a. In an amount not exceeding \$10,000 if the respondent has not  
16 been adjudged to have committed any prior violation within the five-  
17 year period ending on the date of the filing of this charge;

18 b. In an amount not exceeding \$25,000 if the respondent has been  
19 adjudged to have committed one other violation within the five-year  
20 period ending on the date of the filing of this charge; and

21 c. In an amount not exceeding \$50,000 if the respondent has been  
22 adjudged to have committed two or more violations within the seven-  
23 year period ending on the date of the filing of this charge<sup>1</sup>. The  
24 penalties shall be determined by the director in such amounts as he  
25 deems proper under the circumstances and included in his order  
26 following his finding of an unlawful discrimination or an unlawful  
27 employment practice pursuant to section 16 of P.L.1945, c.169  
28 (C.10:5-17). Any such amounts collected by the director shall be paid  
29 forthwith into the State Treasury for the general purposes of the State.  
30 (cf: P.L.1983, c.412, s.2)

31

32 2. This act shall take effect immediately.

33

34

35

36

37 Increases penalties for violations of Law Against Discrimination.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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 floor amendments adopted February 24, 2000.

## CHAPTER 254

AN ACT concerning penalties for violations of certain civil rights and amending P.L.1983, c.412.

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

1. Section 2 of P.L.1983, c.412 (C.10:5-14.1a.) is amended to read as follows:

C.10:5-14.1a Penalties; disposition.

2. Any person who violates any of the provisions of the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), shall, in addition to any other relief or affirmative action provided by law, be liable for the following penalties:

a. In an amount not exceeding \$10,000 if the respondent has not been adjudged to have committed any prior violation within the five-year period ending on the date of the filing of this charge;

b. In an amount not exceeding \$25,000 if the respondent has been adjudged to have committed one other violation within the five-year period ending on the date of the filing of this charge; and

c. In an amount not exceeding \$50,000 if the respondent has been adjudged to have committed two or more violations within the seven-year period ending on the date of the filing of this charge. The penalties shall be determined by the director in such amounts as he deems proper under the circumstances and included in his order following his finding of an unlawful discrimination or an unlawful employment practice pursuant to section 16 of P.L.1945, c.169 (C.10:5-17). Any such amounts collected by the director shall be paid forthwith into the State Treasury for the general purposes of the State.

2. This act shall take effect immediately.

Approved November 15, 2001.