

2C:21-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 110
NJSA: 2C:21-1 (Forged or altered retail receipts)
BILL NO: A2803 (Substituted for S2111)

SPONSOR(S): Russo and Cohen

DATE INTRODUCED: October 5, 2000

COMMITTEE: **ASSEMBLY:** Judiciary

SENATE: Judiciary

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** May 10, 2001

SENATE: March 26, 2001

DATE OF APPROVAL: June 21, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (2nd reprint enacted)

(Amendments during passage denoted by superscript numbers)

A2803

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S2111

SPONSORS STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT:	ASSEMBLY:	No
	SENATE:	No
FLOOR AMENDMENT STATEMENTS:		No
LEGISLATIVE FISCAL ESTIMATE:		No
VETO MESSAGE:		No
GOVERNOR'S PRESS RELEASE ON SIGNING:		Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

ASSEMBLY, No. 2803

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED OCTOBER 5, 2000

Sponsored by:

Assemblyman DAVID C. RUSSO

District 40 (Bergen and Passaic)

Assemblyman NEIL M. COHEN

District 20 (Union)

SYNOPSIS

Creates the crime of possession of forged or altered retail sales receipts or universal product code labels; clarifies forgery statute.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/17/2000)

1 AN ACT concerning forgery and amending N.J.S.2C:21-1 and
2 supplementing Title 2C of the New Jersey Statutes.

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

6
7 1. N.J.S. 2C:21-1 is amended to read as follows:

8 2C:21-1. Forgery and Related Offenses.

9 a. Forgery. A person is guilty of forgery if, with purpose to
10 defraud or injure anyone, or with knowledge that he is facilitating a
11 fraud or injury to be perpetrated by anyone, the actor:

12 (1) Alters or changes any writing of another without his
13 authorization;

14 (2) Makes, completes, executes, authenticates, issues or transfers
15 any writing so that it purports to be the act of another who did not
16 authorize that act or of a fictitious person, or to have been executed
17 at a time or place or in a numbered sequence other than was in fact
18 the case, or to be a copy of an original when no such original existed;
19 or

20 (3) Utters any writing which he knows to be forged in a manner
21 specified in paragraph (1) or (2).

22 "Writing" includes printing or any other method of recording
23 information, money, coins, tokens, stamps, seals, credit cards, badges,
24 trademarks, access devices, and other symbols of value including
25 retail sales receipts and universal product code (UPC) labels, right,
26 privilege, or identification.

27 b. Grading of forgery. Forgery is a crime of the third degree if the
28 writing is or purports to be part of an issue of money, securities,
29 postage or revenue stamps, or other instruments, certificates or
30 licenses issued by the government, New Jersey Prescription Blanks as
31 referred to in R.S.45:14-14, or part of an issue of stock, bonds or
32 other instruments representing interest in or claims against any
33 property or enterprise, or an access device. Forgery is a crime of the
34 third degree if the writing is or purports to be 15 or more forged or
35 altered retail sales receipts or universal product code labels.

36 Otherwise forgery is a crime of the fourth degree.

37 c. Possession of forgery devices. A person is guilty of possession
38 of forgery devices, a crime of the third degree, when with purpose to
39 use, or to aid or permit another to use the same for purposes of
40 forging written instruments, including access devices, he makes or
41 possesses any device, apparatus, equipment, computer, computer
42 equipment, computer software or article specially designed or adapted
43 to such use.

44 (cf: P.L.1997, c.6, s.5)

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 2. (New section) Possession of certain fraudulent receipts or
2 labels.

3 a. Except as provided in subsection b. of this section, any person
4 who knowingly possesses a forged or altered retail sales receipt or
5 universal product code label for the purpose of defrauding a retail
6 merchant shall be guilty of a disorderly persons offense.

7 b. Any person who knowingly possesses 15 or more forged or
8 altered retail sales receipts or universal product code labels for the
9 purpose of defrauding a retail merchant shall be guilty of a crime of
10 the fourth degree.

11

12 3. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill amends the forgery statute to clarify that bogus retail sales
18 receipts or universal product code labels fall within the definition of
19 "writing" as used in that section. Thus, any person who alters or
20 changes any such item of another without his authorization; who
21 makes, completes, executes, authenticates, issues or transfers any such
22 item in an unauthorized or fictitious manner, or executes it at a time
23 or place or in a numbered sequence other than was in fact the case, or
24 passes it off as a copy of an original when no such original existed;
25 or utters any such item is guilty of forgery. Generally forgery is a
26 crime of the fourth degree punishable by a term of imprisonment not
27 to exceed 18 months or a fine not to exceed \$10,000 or both.
28 However the bill provides that a person who forges 15 or more bogus
29 sales receipts or UPC labels is guilty of a crime of the third degree. A
30 crime of the third degree is punishable by a term of imprisonment of
31 3 to 5 years, a fine not to exceed \$15, 000 or both.

32 The bill also creates the crime of possession of forged or altered
33 retail sales receipts or universal product code labels. Possession of
34 less than 15 such receipts or labels is a disorderly persons offense; 15
35 or more is a crime of the fourth degree.

[First Reprint]

ASSEMBLY, No. 2803

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 5, 2000

Sponsored by:

Assemblyman DAVID C. RUSSO

District 40 (Bergen and Passaic)

Assemblyman NEIL M. COHEN

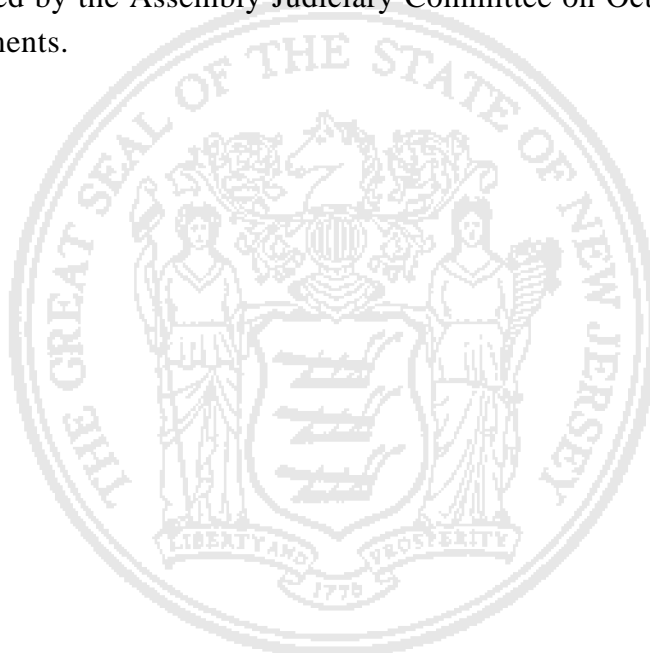
District 20 (Union)

SYNOPSIS

Creates the crime of possession of forged or altered retail sales receipts, universal product code labels and counterfeit checks; clarifies forgery statute.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on October 16, 2000, with amendments.



(Sponsorship Updated As Of: 10/17/2000)

1 AN ACT concerning forgery and amending N.J.S.2C:21-1 and
2 supplementing Title 2C of the New Jersey Statutes.

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

6
7 1. N.J.S. 2C:21-1 is amended to read as follows:

8 2C:21-1. Forgery and Related Offenses.

9 a. Forgery. A person is guilty of forgery if, with purpose to
10 defraud or injure anyone, or with knowledge that he is facilitating a
11 fraud or injury to be perpetrated by anyone, the actor:

12 (1) Alters or changes any writing of another without his
13 authorization;

14 (2) Makes, completes, executes, authenticates, issues or transfers
15 any writing so that it purports to be the act of another who did not
16 authorize that act or of a fictitious person, or to have been executed
17 at a time or place or in a numbered sequence other than was in fact
18 the case, or to be a copy of an original when no such original existed;
19 or

20 (3) Utters any writing which he knows to be forged in a manner
21 specified in paragraph (1) or (2).

22 "Writing" includes printing or any other method of recording
23 information, money, coins, tokens, stamps, seals, credit cards, badges,
24 trademarks, access devices, and other symbols of value including
25 retail sales receipts ¹[and], ¹universal product code (UPC) labels
26 and counterfeit checks¹, right, privilege, or identification.

27 ¹"Counterfeit check" means any of the following: a forged, copied or
28 imitated check that is produced without the authority or consent of the
29 holder of the account upon which the forged, copied or imitated check
30 is payable and purports to be an original check; or a forged, copied or
31 imitated cashier's check, teller's check or travelers check that is
32 produced without the authority or consent of the bank upon which the
33 forged, copied or imitated cashier's check, teller's check or traveler's
34 check is payable and purports to be the original. ¹

35 b. Grading of forgery. Forgery is a crime of the third degree if the
36 writing is or purports to be part of an issue of money, securities,
37 postage or revenue stamps, or other instruments, certificates or
38 licenses issued by the government, New Jersey Prescription Blanks as
39 referred to in R.S.45:14-14, or part of an issue of stock, bonds or
40 other instruments representing interest in or claims against any
41 property or enterprise, or an access device. ¹Forgery is a crime of the
42 third degree if the writing is or purports to be a counterfeit check. ¹

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:

¹ Assembly AJU committee amendments adopted October 16, 2000.

1 Forgery is a crime of the third degree if the writing is or purports to
2 be 15 or more forged or altered retail sales receipts or universal
3 product code labels.

4 Otherwise forgery is a crime of the fourth degree.

5 c. Possession of forgery devices. A person is guilty of possession
6 of forgery devices, a crime of the third degree, when with purpose to
7 use, or to aid or permit another to use the same for purposes of
8 forging written instruments, including access devices, he makes or
9 possesses any device, apparatus, equipment, computer, computer
10 equipment, computer software or article specially designed or adapted
11 to such use.

12 (cf: P.L.1997, c.6, s.5)

13

14 2. (New section) Possession of certain fraudulent receipts ¹[or]₂¹
15 labels ¹and counterfeit checks¹.

16 a. Except as provided in subsection b. of this section, any person
17 who knowingly possesses a forged or altered retail sales receipt
18 ¹[or]₂¹ universal product code label or counterfeit check ¹for the
19 purpose of defrauding a retail merchant shall be guilty of a disorderly
20 persons offense.

21 b. Any person who knowingly possesses 15 or more forged or
22 altered retail sales receipts ¹[or]₂¹ universal product code labels ¹and
23 counterfeit checks¹ for the purpose of defrauding a retail merchant
24 shall be guilty of a crime of the fourth degree.

25

26 3. This act shall take effect immediately.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2803

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 16, 2000

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2803.

This bill amends the forgery statute to clarify that bogus retail sales receipts or universal product code labels fall within the definition of "writing" as used in that section. Thus, any person who alters or changes any such item of another without his authorization; who makes, completes, executes, authenticates, issues or transfers any such item in an unauthorized or fictitious manner, or executes it at a time or place or in a numbered sequence other than was in fact the case, or passes it off as a copy of an original when no such original existed; or utters any such item is guilty of forgery. Generally forgery is a crime of the fourth degree punishable by a term of imprisonment not to exceed 18 months or a fine not to exceed \$10,000 or both. However the bill provides that a person who forges 15 or more bogus sales receipts or UPC labels is guilty of a crime of the third degree. A crime of the third degree is punishable by a term of imprisonment of 3 to 5 years, a fine not to exceed \$15,000 or both.

The bill also creates the crime of possession of forged or altered retail sales receipts or universal product code labels. Possession of less than 15 such receipts or labels is a disorderly persons offense; 15 or more is a crime of the fourth degree.

The committee amended the bill to provide that "counterfeit checks" fall within the definition of a "writing" under the provisions of the bill. Therefore, any person who alters or changes such an item without authorization would be guilty of a forgery. The bill defines "counterfeit checks" as a forged, copied or imitated check that is produced without the authority or consent of the holder of the account upon which the forged, copied or imitated check is payable and purports to be an original check or a forged, copied or imitated cashier's check, teller's check or travelers check that is produced without the authority or consent of the bank upon which the forged, copied or imitated cashier's check, teller's check or traveler's check is payable and purports to be the original.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2803

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2001

The Senate Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2803 (1R).

This bill amends N.J.S.2C:21-1 (Forgery and Related Offenses) to clarify that bogus retail sales receipts, bogus universal product code labels and checks fall within the definition of "writing" as used in that statute.

This bill also provides that the crime of forgery will be graded as a crime of third degree if the crime involves 15 or more forged or altered retail sales receipts or universal product labels. Presently forgery under 2C:21-1 is generally graded as a crime of fourth degree.

In addition, this bill creates a new offense dealing with the possession of forged or altered retail sales receipts, universal product code labels or checks. Possession of 15 or more of these items would be graded as a crime of fourth degree. Otherwise, the offense would be graded as a disorderly persons offense.

The amendments adopted by the committee were technical in nature and clarified the wording of the bill.

[Second Reprint]

ASSEMBLY, No. 2803

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED OCTOBER 5, 2000

Sponsored by:

Assemblyman DAVID C. RUSSO

District 40 (Bergen and Passaic)

Assemblyman NEIL M. COHEN

District 20 (Union)

Co-Sponsored by:

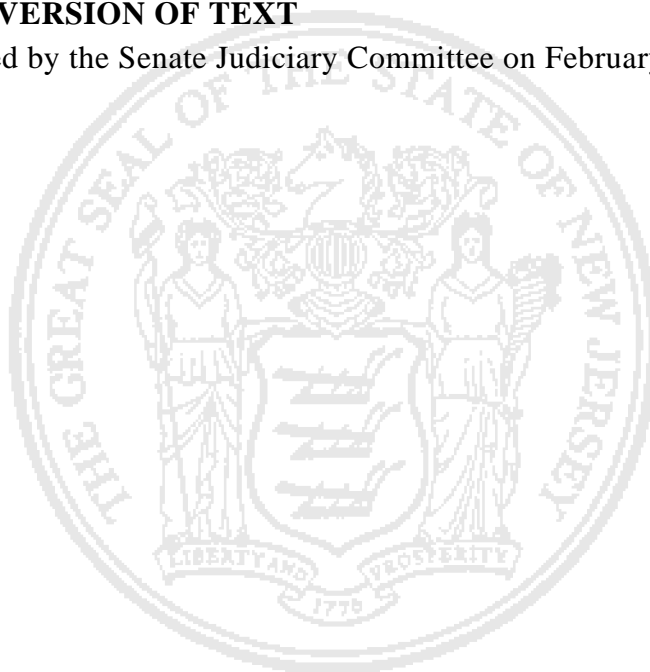
Senator Matheussen and Assemblywoman Heck

SYNOPSIS

Creates the crime of possession of forged or altered retail sales receipts, universal product code labels and counterfeit checks; clarifies forgery statute.

CURRENT VERSION OF TEXT

As reported by the Senate Judiciary Committee on February 8, 2001, with amendments.



(Sponsorship Updated As Of: 5/11/2001)

1 AN ACT concerning forgery and amending N.J.S.2C:21-1 and
2 supplementing Title 2C of the New Jersey Statutes.

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

6
7 1. N.J.S.2C:21-1 is amended to read as follows:

8 2C:21-1. Forgery and Related Offenses.

9 a. Forgery. A person is guilty of forgery if, with purpose to
10 defraud or injure anyone, or with knowledge that he is facilitating a
11 fraud or injury to be perpetrated by anyone, the actor:

12 (1) Alters or changes any writing of another without his
13 authorization;

14 (2) Makes, completes, executes, authenticates, issues or transfers
15 any writing so that it purports to be the act of another who did not
16 authorize that act or of a fictitious person, or to have been executed
17 at a time or place or in a numbered sequence other than was in fact
18 the case, or to be a copy of an original when no such original existed;
19 or

20 (3) Utters any writing which he knows to be forged in a manner
21 specified in paragraph (1) or (2).

22 "Writing" includes printing or any other method of recording
23 information, money, coins, tokens, stamps, seals, credit cards, badges,
24 trademarks, access devices, and other symbols of value ²[including
25 retail sales receipts ¹[and], ¹universal product code (UPC) labels
26 ¹and counterfeit checks]², right, privilege, or identification ²[.
27 ¹"Counterfeit check" means any of the following: a forged, copied or
28 imitated check that is produced without the authority or consent of the
29 holder of the account upon which the forged, copied or imitated check
30 is payable and purports to be an original check; or a forged, copied or
31 imitated cashier's check, teller's check or travelers check that is
32 produced without the authority or consent of the bank upon which the
33 forged, copied or imitated cashier's check, teller's check or traveler's
34 check is payable and purports to be the original. ¹], including retail
35 sales receipts, universal product code (UPC) labels and checks. This
36 section shall apply without limitation to forged, copied or imitated
37 checks².

38 b. Grading of forgery. Forgery is a crime of the third degree if the
39 writing is or purports to be part of an issue of money, securities,
40 postage or revenue stamps, or other instruments, certificates or
41 licenses issued by the government, New Jersey Prescription Blanks as
42 referred to in R.S.45:14-14, or part of an issue of stock, bonds or

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:

¹ Assembly AJU committee amendments adopted October 16, 2000.

² Senate SJU committee amendments adopted February 8, 2001.

1 other instruments representing interest in or claims against any
2 property or enterprise, or an access device. ¹Forgery is a crime of the
3 third degree if the writing is or purports to be a ²[counterfeit]²
4 check. ¹ Forgery is a crime of the third degree if the writing is or
5 purports to be 15 or more forged or altered retail sales receipts or
6 universal product code labels.

7 Otherwise forgery is a crime of the fourth degree.

8 c. Possession of forgery devices. A person is guilty of possession
9 of forgery devices, a crime of the third degree, when with purpose to
10 use, or to aid or permit another to use the same for purposes of
11 forging written instruments, including access devices, he makes or
12 possesses any device, apparatus, equipment, computer, computer
13 equipment, computer software or article specially designed or adapted
14 to such use.

15 (cf: P.L.1997, c.6, s.5)

16

17 2. (New section) Possession of certain fraudulent receipts ¹[or].¹
18 ²universal product code (UPC) labels² ¹and ²[counterfeit]² checks¹.

19 a. Except as provided in subsection b. of this section, any person
20 who knowingly possesses a forged or altered retail sales receipt
21 ¹[or].¹ universal product code ²(UPC) ² label or ²[counterfeit] ²
22 check¹ for the purpose of defrauding a retail merchant shall be guilty
23 of a disorderly persons offense.

24 b. Any person who knowingly possesses 15 or more forged or
25 altered retail sales receipts ¹[or].¹ universal product code labels
26 ²[¹and counterfeit] or² checks¹ for the purpose of defrauding a retail
27 merchant shall be guilty of a crime of the fourth degree.

28

29 3. This act shall take effect immediately.

SENATE, No. 2111

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED FEBRUARY 8, 2001

Sponsored by:

Senator JOHN J. MATHEUSSEN

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Creates the crime of possession of forged or altered retail sales receipts, universal product code labels or checks; clarifies forgery statute.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/27/2001)

S2111 MATHEUSSEN

2

1 AN ACT concerning forgery and amending N.J.S.2C:21-1 and
2 supplementing Title 2C of the New Jersey Statutes.

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

6
7 1. N.J.S. 2C:21-1 is amended to read as follows:

8 2C:21-1. Forgery and Related Offenses.

9 a. Forgery. A person is guilty of forgery if, with purpose to
10 defraud or injure anyone, or with knowledge that he is facilitating a
11 fraud or injury to be perpetrated by anyone, the actor:

12 (1) Alters or changes any writing of another without his
13 authorization;

14 (2) Makes, completes, executes, authenticates, issues or transfers
15 any writing so that it purports to be the act of another who did not
16 authorize that act or of a fictitious person, or to have been executed
17 at a time or place or in a numbered sequence other than was in fact
18 the case, or to be a copy of an original when no such original existed;
19 or

20 (3) Utters any writing which he knows to be forged in a manner
21 specified in paragraph (1) or (2).

22 "Writing" includes printing or any other method of recording
23 information, money, coins, tokens, stamps, seals, credit cards, badges,
24 trademarks, access devices, and other symbols of value, right,
25 privilege, or identification, including retail sales receipts, universal
26 product code (UPC) labels and checks. This section shall apply
27 without limitation to forged, copied or imitated checks.

28 b. Grading of forgery. Forgery is a crime of the third degree if the
29 writing is or purports to be part of an issue of money, securities,
30 postage or revenue stamps, or other instruments, certificates or
31 licenses issued by the government, New Jersey Prescription Blanks as
32 referred to in R.S.45:14-14, or part of an issue of stock, bonds or
33 other instruments representing interest in or claims against any
34 property or enterprise, or an access device. Forgery is a crime of the
35 third degree if the writing is or purports to be a check. Forgery is a
36 crime of the third degree if the writing is or purports to be 15 or more
37 forged or altered retail sales receipts or universal product code labels.

38 Otherwise forgery is a crime of the fourth degree.

39 c. Possession of forgery devices. A person is guilty of possession
40 of forgery devices, a crime of the third degree, when with purpose to
41 use, or to aid or permit another to use the same for purposes of
42 forging written instruments, including access devices, he makes or
43 possesses any device, apparatus, equipment, computer, computer

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.

1 equipment, computer software or article specially designed or adapted
2 to such use.

3 (cf: P.L.1997, c.6, s.5)

4

5 2. (New section) Possession of certain fraudulent receipts,
6 universal product code (UPC) labels and checks.

7 a. Except as provided in subsection b. of this section, any person
8 who knowingly possesses a forged or altered retail sales receipt,
9 universal product code (UPC) label or check for the purpose of
10 defrauding a retail merchant shall be guilty of a disorderly persons
11 offense.

12 b. Any person who knowingly possesses 15 or more forged or
13 altered retail sales receipts, universal product code labels or checks for
14 the purpose of defrauding a retail merchant shall be guilty of a crime
15 of the fourth degree.

16

17 3. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill amends N.J.S.2C:21-1 (Forgery and Related Offenses) to
23 clarify that bogus retail sales receipts, bogus universal product code
24 labels and counterfeit checks fall within the definition of "writing" as
25 used in that statute. New language being added by the bill provides
26 that the statute "shall apply without limitation to forged, copied or
27 imitated checks."

28 The bill also provides that the crime of forgery will be graded as a
29 crime of third degree if the writing is or purports to be a check or if it
30 involves 15 or more forged or altered retail sales receipts or universal
31 product labels. Presently forgery under 2C:21-1 is generally graded
32 as a crime of fourth degree.

33 In addition, the bill creates a new offense dealing with the
34 possession of a forged or altered retail sales receipt, universal product
35 code label or check for the purpose of defrauding a retail merchant.
36 Possession of 15 or more of these items would be graded as a crime
37 of fourth degree. Otherwise, the offense would be graded as a
38 disorderly persons offense.

P.L. 2001, CHAPTER 110, *approved June 21, 2001*
Assembly Bill No. 2803 (*Second Reprint*)

1 AN ACT concerning forgery and amending N.J.S.2C:21-1 and
2 supplementing Title 2C of the New Jersey Statutes.

3

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

6

7 1. N.J.S.2C:21-1 is amended to read as follows:

8 2C:21-1. Forgery and Related Offenses.

9 a. Forgery. A person is guilty of forgery if, with purpose to
10 defraud or injure anyone, or with knowledge that he is facilitating a
11 fraud or injury to be perpetrated by anyone, the actor:

12 (1) Alters or changes any writing of another without his
13 authorization;

14 (2) Makes, completes, executes, authenticates, issues or transfers
15 any writing so that it purports to be the act of another who did not
16 authorize that act or of a fictitious person, or to have been executed
17 at a time or place or in a numbered sequence other than was in fact
18 the case, or to be a copy of an original when no such original existed;
19 or

20 (3) Utters any writing which he knows to be forged in a manner
21 specified in paragraph (1) or (2).

22 "Writing" includes printing or any other method of recording
23 information, money, coins, tokens, stamps, seals, credit cards, badges,
24 trademarks, access devices, and other symbols of value ²[including
25 retail sales receipts ¹[and], ¹universal product code (UPC) labels
26 ¹and counterfeit checks]², right, privilege, or identification ²[.
27 ¹"Counterfeit check" means any of the following: a forged, copied or
28 imitated check that is produced without the authority or consent of the
29 holder of the account upon which the forged, copied or imitated check
30 is payable and purports to be an original check; or a forged, copied or
31 imitated cashier's check, teller's check or travelers check that is
32 produced without the authority or consent of the bank upon which the
33 forged, copied or imitated cashier's check, teller's check or traveler's
34 check is payable and purports to be the original. ¹], including retail
35 sales receipts, universal product code (UPC) labels and checks. This
36 section shall apply without limitation to forged, copied or imitated
37 checks².

38 b. Grading of forgery. Forgery is a crime of the third degree if the
39 writing is or purports to be part of an issue of money, securities,
40 postage or revenue stamps, or other instruments, certificates or

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:

¹ Assembly AJU committee amendments adopted October 16, 2000.

² Senate SJU committee amendments adopted February 8, 2001.

1 licenses issued by the government, New Jersey Prescription Blanks as
2 referred to in R.S.45:14-14, or part of an issue of stock, bonds or
3 other instruments representing interest in or claims against any
4 property or enterprise, or an access device. ¹Forgery is a crime of the
5 third degree if the writing is or purports to be a ²[counterfeit]²
6 check. ¹ Forgery is a crime of the third degree if the writing is or
7 purports to be 15 or more forged or altered retail sales receipts or
8 universal product code labels.

9 Otherwise forgery is a crime of the fourth degree.

10 c. Possession of forgery devices. A person is guilty of possession
11 of forgery devices, a crime of the third degree, when with purpose to
12 use, or to aid or permit another to use the same for purposes of
13 forging written instruments, including access devices, he makes or
14 possesses any device, apparatus, equipment, computer, computer
15 equipment, computer software or article specially designed or adapted
16 to such use.

17 (cf: P.L.1997, c.6, s.5)

18
19 2. (New section) Possession of certain fraudulent receipts ¹[or],¹
20 ²universal product code (UPC) labels² ¹and ²[counterfeit]² checks¹.

21 a. Except as provided in subsection b. of this section, any person
22 who knowingly possesses a forged or altered retail sales receipt
23 ¹[or],¹ universal product code ²(UPC)² label ¹or ²[counterfeit]²
24 check¹ for the purpose of defrauding a retail merchant shall be guilty
25 of a disorderly persons offense.

26 b. Any person who knowingly possesses 15 or more forged or
27 altered retail sales receipts ¹[or],¹ universal product code labels
28 ²[¹and counterfeit] or ² checks¹ for the purpose of defrauding a retail
29 merchant shall be guilty of a crime of the fourth degree.

30
31 3. This act shall take effect immediately.

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34 _____
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36 Creates the crime of possession of forged or altered retail sales
37 receipts, universal product code labels and counterfeit checks; clarifies
38 forgery statute.

CHAPTER 110

AN ACT concerning forgery and amending N.J.S.2C:21-1 and supplementing Title 2C of the New Jersey Statutes.

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

1. N.J.S.2C:21-1 is amended to read as follows:

Forgery and related offenses.

2C:21-1. Forgery and Related Offenses.

a. Forgery. A person is guilty of forgery if, with purpose to defraud or injure anyone, or with knowledge that he is facilitating a fraud or injury to be perpetrated by anyone, the actor:

(1) Alters or changes any writing of another without his authorization;

(2) Makes, completes, executes, authenticates, issues or transfers any writing so that it purports to be the act of another who did not authorize that act or of a fictitious person, or to have been executed at a time or place or in a numbered sequence other than was in fact the case, or to be a copy of an original when no such original existed; or

(3) Utters any writing which he knows to be forged in a manner specified in paragraph (1) or (2).

"Writing" includes printing or any other method of recording information, money, coins, tokens, stamps, seals, credit cards, badges, trademarks, access devices, and other symbols of value, right, privilege, or identification, including retail sales receipts, universal product code (UPC) labels and checks. This section shall apply without limitation to forged, copied or imitated checks.

b. Grading of forgery. Forgery is a crime of the third degree if the writing is or purports to be part of an issue of money, securities, postage or revenue stamps, or other instruments, certificates or licenses issued by the government, New Jersey Prescription Blanks as referred to in R.S.45:14-14, or part of an issue of stock, bonds or other instruments representing interest in or claims against any property or enterprise, or an access device. Forgery is a crime of the third degree if the writing is or purports to be a check. Forgery is a crime of the third degree if the writing is or purports to be 15 or more forged or altered retail sales receipts or universal product code labels.

Otherwise forgery is a crime of the fourth degree.

c. Possession of forgery devices. A person is guilty of possession of forgery devices, a crime of the third degree, when with purpose to use, or to aid or permit another to use the same for purposes of forging written instruments, including access devices, he makes or possesses any device, apparatus, equipment, computer, computer equipment, computer software or article specially designed or adapted to such use.

C.2C:21-2.4 Possession of certain fraudulent receipts, universal product code (UPC) labels and checks.

2. Possession of certain fraudulent receipts, universal product code (UPC) labels and checks.

a. Except as provided in subsection b. of this section, any person who knowingly possesses a forged or altered retail sales receipt, universal product code(UPC) label or check for the purpose of defrauding a retail merchant shall be guilty of a disorderly persons offense.

b. Any person who knowingly possesses 15 or more forged or altered retail sales receipts,universal product code labels or checksfor the purpose of defrauding a retail merchant shall be guilty of a crime of the fourth degree.

3. This act shall take effect immediately.

Approved June 21, 2001.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

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RELEASE: June 21 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

A-2803, sponsored by Senator John Matheussen (R-Camden/Gloucester) and Assemblymen David Russo (R-Bergen/Passaic) and Neil Cohen (D-Union), expands the definition of forgery to include the possession of forged or altered retail sales receipts or universal product code labels and counterfeit checks.

The bill also provides that a person who forges 15 or more bogus sales receipts or UPC labels is guilty of a crime of the third degree, which is punishable by a term of imprisonment of three to five years, a fine not to exceed \$15,000 or both. Fewer than 15 offenses is a crime of the fourth degree punishable by imprisonment not to exceed 18 months or a fine not to exceed \$10,000 or both.

A-2105, sponsored by Assemblymen Kip Bateman (R-Morris/Somerset) and Peter Biondi (R-Morris/Somerset), provides that in cases where a person dies intestate and there are missing heirs, the court must order that the share of property to which the missing heirs are entitled be held for a period of two years. During that time, a diligent inquiry, under the circumstances, must be made to look for the heirs. If, after this process, the missing heirs cannot be found, the court shall order the property divided among the known heirs. When there are no known heirs, the property would be presumed abandoned and handled pursuant to the "Uniform Unclaimed Property Act."

A 1994, sponsored by Senator Peter Inverso (R-Mercer/Middlesex) and Assembly members Reed Gusciora (D-Mercer) and Bonnie Watson Coleman (D-Mercer), provide a grant of \$45,000 to the Friends of the Homeless Animals, Inc., a not-for-profit organization whose mission is to save domestic animals that would otherwise be put to death when homes cannot be found. The grant will provide this organization with money to maintain and expand its community adoption events, spay/neuter program and special medical treatment for injured animals program.