

2C: 46-4

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:46-4 (Bail money--forfeited - turn over to municipal treasurer)

LAWS OF: 1983

CHAPTER: 73

Bill No: A1107

Sponsor(s): Herman

Date Introduced: March 11, 1982

Committee: Assembly: Judiciary, Law, Public Safety & Defense

Senate: Judiciary

Amended during passage: /// No

Date of Passage: Assembly: June 28, 1982

Senate: Jan. 11, 1983

Date of Approval: Feb. 24, 1983

Following statements are attached if available:

Sponsor statement: Yes // (Below)

Committee statement: Assembly Yes //

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// ~~No~~ Yes

Following were printed:

Reports: /// No

Hearings: /// No

Sponsor's statement:

This bill would require the municipal court to turn forfeited bail money over to the municipal treasurer.

RECEIVED
LEGISLATIVE HISTORY
OFFICE OF THE CLERK
STATE OF NEW JERSEY
TREASURY

ASSEMBLY, No. 1107

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1982

By Assemblyman HERMAN

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT concerning the disposition of forfeitures of bail in
municipal courts and amending P. L. 1979, c. 396.

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

1 1. Section 3 of P. L. 1979, c. 396 (C. 2C:46-4) is amended to
2 read as follows:

3 3. a. All fines and restitution shall be collected as follows:

4 (1) All fines and restitution imposed by the Superior Court or
5 county district court, or otherwise imposed at the county level,
6 shall be collected by the county probation department except when
7 such fine or restitution is imposed in conjunction with a custodial
8 sentence to a State correctional facility in which event such fine
9 or restitution shall be collected by the Department of Corrections.

10 (2) All fines and restitution imposed by a municipal court shall
11 be collected by the municipal court clerk except if such fine or resti-
12 tution is ordered as a condition of probation in which event it shall
13 be collected by the county probation department.

14 All fines so collected shall be distributed to the appropriate gov-
15 ernmental treasury as provided herein.

16 b. Except as provided in subsection c. with respect to fines im-
17 posed on appeals following convictions in municipal courts, all
18 fines imposed by the Superior Court, county district court, or other-
19 wise imposed at the county level, shall be paid over by the officer
20 entitled to **[collected]** *collect* same to:

21 (1) The county treasurer with respect to fines imposed on de-

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.

22 defendants who are sentenced to and serve a custodial term, including
23 a term as a condition of probation, in the county jail, workhouse
24 or penitentiary except where such county sentence is served con-
25 currently with a sentence to a State institution; or

26 (2) The State Treasurer with respect to all other fines.

27 c. All fines imposed by municipal courts on defendants convicted
28 of crimes, disorderly persons offenses and petty disorderly persons
29 **[offense]** *offenses*, and all fines imposed following conviction on
30 appeal therefrom, *and all forfeitures of bail* shall be paid over by
31 the officer entitled to collect same to the treasury of the municipi-
32 pality wherein the municipal court is located.

33 In the case of an intermunicipal court, fines shall be paid into the
34 municipal treasury of the municipality in which the offense was
35 committed, and costs, fees, and forfeitures of bail shall be appor-
36 tioned among the several municipalities to which the court's juris-
37 diction extends according to the ratios of the municipalities' con-
38 tributions to the total expense of maintaining the court.

1 2. This act shall take effect immediately.

STATEMENT

This bill would require the municipal court to turn forfeited bail
money over to the municipal treasurer.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1107

STATE OF NEW JERSEY

DATED: MAY 3, 1982

This bill would require the municipal court to turn forfeited bail money over to the municipal treasurer. This bill was reported from the committee last session.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1107

STATE OF NEW JERSEY

DATED: OCTOBER 13, 1982

Assembly Bill No. 1107 would clarify that if a municipal court imposed bail on a person in connection with a criminal offense and that bail is forfeited, the forfeited money is to be deposited in the municipal treasury. According to the Administrative Office of the Court, Assembly Bill No. 1107 represents no change with regard to the handling of forfeited bail at the municipal level but would conform the language of current statutory law to conform with present practice.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATELY

CONTACT: PAUL WOLCOTT

THURSDAY, FEBRUARY 24, 1983

Governor Thomas H. Kean has signed the following bills:

A-1107, sponsored by Assemblyman Martin A. Herman, (D-Salem), which requires municipal courts to turn over forfeited bail money to the municipal treasurer.

A-1762, sponsored by Assemblyman Robert D. Franks, (R-Union), which establishes black and straw and the colors for special firefighters license plates.

S-2056, sponsored by State Senator Walter E. Foran, (R-Hunterdon), which validates school bond proceedings for the Readington School District.

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