

40A:9-117.8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:9-117.8

(Sheriff's officers - certain -  
permit promotions)

LAWS OF: 1983

CHAPTER: 449

Bill No: S3158

Sponsor(s): Orechio

Date Introduced: February 24, 1983

Committee:

Assembly: County Government

Senate: County and Municipal Government

Amended during passage:

YES

Amendments during passage denoted  
by asterisks.

Date of Passage:

Assembly: December 8, 1983

Senate: June 23, 1983

Date of Approval: January 9, 1984

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

YES

Senate

NO

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

NO

Following were printed:

Reports:

NO

Hearings:

NO

cbc

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**SENATE, No. 3158****STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 24, 1983

By Senator ORECHIO

Referred to Committee on County and Municipal Government

AN ACT concerning sheriff's officers, and amending and supplementing P. L. 1982, c. 133.

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

1 1. Section 3 of P. L. 1982, c. 133 (C. 40A:9-117.8) is amended  
 2 to read as follows:

3 3. Every duly appointed employee holding permanent civil service  
 4 status in a title the functions of which encompass the performance  
 5 of duties set forth in section 1 of this act, may apply to the sheriff  
 6 for appointment as a sheriff's officer within 30 days after the  
 7 effective date of this act, and shall be so appointed to the corre-  
 8 sponding level sheriff's officer title and be granted permanent civil  
 9 service status upon meeting the training qualifications for the  
 10 position of sheriff's officer. Training **\*[shall]\*** *\*may\** be waived  
 11 *\*at the discretion of the sheriff,\** if the applicant has graduated  
 12 from a police training school or has 10 or more years in the position  
 13 **[of court attendant]** *held by the employee immediately prior to*  
 13A *appointment as a sheriff's officer.*

14 If no application is made, the employee's title shall remain in  
 15 effect, together with all duties, benefits, privileges and powers  
 16 pertaining thereto. If application is made and the applicant shall  
 17 fail to meet the qualifications for sheriff's officer within a reasonable  
 18 period as the Civil Service Commission shall prescribe, the em-  
 19 ployee's title shall remain in effect as if no application had been  
 20 made.

1 2. (New section) Nothing in P. L. 1982, c. 133 (C. 40A:9-117.6

**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.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Senate amendments adopted June 20, 1983.**

2 et seq.) shall preclude a sheriff from making promotions within  
3 the title "Sheriff's Identification Officer," provided that the pro-  
4 motions are made within six months of the effective date of this  
5 act from a promotion list or lists promulgated prior to September  
6 14, 1982.

1 3. This act shall take effect immediately.

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11 cant has graduated from a police training school or has 10 or more  
12 years in the position **[of court attendant]** *held by the employee*  
13 *immediately prior to appointment as a sheriff's officer.*

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19 ployee's title shall remain in effect as if no application had been  
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1 2. (New section) Nothing in P. L. 1982, c. 133 (C. 40A:9-117.6  
2 et seq.) shall preclude a sheriff from making promotions within

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6 14, 1982.

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#### STATEMENT

This bill would correct two deficiencies in P. L. 1982, c. 133 (C. 40A:9-117.6 et seq.) which provided for the unification of certain titles into the title of sheriff's officer.

The Department of Civil Service construes the act to apply to titles such as sheriff's identification officer, as well as to that of court attendant. Therefore, section 3 of that act requires amendment to permit training requirements to be waived for persons with 10 or more years experience in any position to which the act applies, not just in the position of court attendant.

Additionally, for the position of sheriff's identification officer, the effective date of P. L. 1982, c. 133 occurred in the period after the promulgation of a promotion list for the position. P. L. 1982, c. 133 was construed to prevent the making of promotions from that list. The bill provides sheriffs with six months from the effective date of this act to make promotions within the title "Sheriff's Identification Officer" from those promotional lists promulgated prior to September 14, 1982 (the effective date of P. L. 1982, c. 133). After that six month period, promotions within, as well as appointments to, that title would be barred as required in P. L. 1982, c. 133.

S 3158(1983)

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 3158**

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**STATE OF NEW JERSEY**

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DATED: JUNE 30, 1983

Senate Bill No. 3158, as amended, would correct two deficiencies in P. L. 1982, c. 133 (C. 40A:9-117.6 et seq.) which provided for the unification of certain titles into the title of sheriff's officer.

The Department of Civil Service construes the act to apply to titles such as sheriff's identification officer, as well as to that of court attendant. Therefore, section 3 of that act requires amendment to permit training requirements to be waived for persons with 10 or more years experience in any position to which the act applies, not just in the position of court attendant.

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The bill also permits waiver of the training requirements at the discretion of the sheriff on the conditions which required waiver in the law.