

2A:73B-2

LEGISLATIVE HISTORY CHECKLIST

(Grand Jury Reports -- required when no indictment returned)

NJSA 2A:73B-2

LAWS 1981

CHAPTER 476

Bill No. S225

Sponsor(s) A. Russo and others

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Jan. 11, 1982

Senate May 14, 1981

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement	Yes	No	
Committee Statement: Assembly	Yes	No	
Senate	Yes	No	not attached since identical to sponsors statement
Fiscal Note	Yes	No	
Veto Message	Yes	No	
Message on signing	<u>YES</u> Yes	No	

Following were printed:

Reports	Yes	No
Hearings	Yes	No

See newspaper clipping file "N.J. - Grand Jury (1980-2)" in New Jersey Reference Section.

6/22/81
PP

P. L. 1981, CHAPTER 476, approved January 12, 1982

1980 Senate No. 225 (Official Copy Reprint)

AN ACT concerning the operation of grand juries.

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

1 1. a. A grand jury which investigates a charge against a person
2 and as a result does not return an indictment against the person,
3 at the request of the person and upon the approval of the court
4 which summoned the grand jury, shall issue **to that person** a
5 report or statement indicating that a charge against the person was
6 investigated and that the grand jury ***[could]*** **did** not from
7 the evidence presented return an indictment. The report or state-
8 ment shall be issued upon completion of the investigation of the
9 suspected criminal conduct, or series of related suspected criminal
10 conduct, but not beyond the end of the grand jury's term.

11 b. A grand jury which calls a person for a purpose other than to
12 investigate a charge against the person, at the request of the
13 person called and upon the approval of the court which summoned
14 the grand jury, shall issue **to that person** a report or statement
15 indicating the person was called only as a witness to an investiga-
16 tion which did not involve a charge against the person. The report
17 or statement shall be issued upon completion of the investigation
18 of the suspected criminal conduct, or series of related suspected
19 criminal conduct, but not beyond the end of the grand jury's term.

1 2. This act shall take effect immediately.

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

SENATE, No. 225

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senators A. RUSSO, GREGORIO, YATES and FRIEDLAND

AN ACT concerning the operation of grand juries.

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

1 1. a. A grand jury which investigates a charge against a person
2 and as a result does not return an indictment against the person,
3 at the request of the person and upon the approval of the court
4 which summoned the grand jury, shall issue a report or statement
5 indicating that a charge against the person was investigated and
6 that the grand jury could not from the evidence presented return
7 an indictment. The report or statement shall be issued upon comple-
8 tion of the investigation of the suspected criminal conduct, or
9 series of related suspected criminal conduct, but not beyond the end
10 of the grand jury's term.

11 b. A grand jury which calls a person for a purpose other than to
12 investigate a charge against the person, at the request of the
13 person called and upon the approval of the court which summoned
14 the grand jury, shall issue a report or statement indicating the
15 person was called only as a witness to an investigation which did
16 not involve a charge against the person. The report or statement
17 shall be issued upon completion of the investigation of the sus-
18 pected criminal conduct, or series of related suspected criminal
19 conduct, but not beyond the end of the grand jury's term.

1 2. This act shall take effect immediately.

STATEMENT

This bill would permit a person who had been the subject of a grand jury investigation to request that such grand jury issue a report or statement indicating that the charge against the person had been investigated and that based on the evidence presented no indictment was returned.

The bill would also permit a person summoned before the grand jury as a witness to request that the grand jury issue a report or statement indicating that the person was called before the grand jury only as a witness to an investigation which did not involve a charge against that person.

[ASSEMBLY REPRINT]

SENATE, No. 225

with Assembly committee amendments adopted November 16, 1981

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senators A. RUSSO, GREGORIO, YATES and FRIEDLAND

AN ACT concerning the operation of grand juries.

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

1 1. a. A grand jury which investigates a charge against a person
2 and as a result does not return an indictment against the person,
3 at the request of the person and upon the approval of the court
4 which summoned the grand jury, shall issue **to that person** a
5 report or statement indicating that a charge against the person was
6 investigated and that the grand jury ***[could]*** **did** not from
7 the evidence presented return an indictment. The report or state-
8 ment shall be issued upon completion of the investigation of the
9 suspected criminal conduct, or series of related suspected criminal
10 conduct, but not beyond the end of the grand jury's term.

11 b. A grand jury which calls a person for a purpose other than to
12 investigate a charge against the person, at the request of the
13 person called and upon the approval of the court which summoned
14 the grand jury, shall issue **to that person** a report or statement
15 indicating the person was called only as a witness to an investiga-
16 tion which did not involve a charge against the person. The report
17 or statement shall be issued upon completion of the investigation
18 of the suspected criminal conduct, or series of related suspected
19 criminal conduct, but not beyond the end of the grand jury's term.

1 2. This act shall take effect immediately.

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

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
SENATE, No. 225
with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 1981

This bill, as amended, would permit a person who had been the subject of a grand jury investigation to request that the grand jury issue a report or statement indicating that the charge against the person had been investigated and that based on the evidence presented, no indictment was returned. A grand jury witness may request and receive a report that indicates he was only a witness and that no charge was filed against him.

The committee amendments specifically provide that the report or statement shall be issued to the subject of the investigation or witness who had requested it.

ASSEMBLY COMMITTEE AMENDMENTS TO

SENATE, No. 225

STATE OF NEW JERSEY

ADOPTED NOVEMBER 16, 1981

Amend page 1, section 1, line 4, after "issue", insert "to that person".

Amend page 1, section 1, line 6, omit "could", insert "did".

Amend page 1, section 1, line 14, after "issue", insert "to that person".

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 225

STATE OF NEW JERSEY

DATED: APRIL 27, 1981

Senate Bill No. 225 would permit a person who had been the subject of a grand jury investigation to request that such grand jury issue a report or statement indicating that the charge against the person had been investigated and that based on the evidence no indictment was returned.

JANUARY 13, 1982

Development Authority.

The bond act must be approved by the voters next November.

S-224, S-225, and S-229, all sponsored by Senator Anthony E. Russo (D-Union) and all concerning the reform of the Grand Jury system.

S-224 requires that colloquy between the prosecutor and the witnesses as well as comments by the prosecutor be recorded; S-225 requires that a grand jury issue reports to persons it investigates and does not indict, indicating as such; and S-229 provides penalties for the unlawful disclosure of Grand Jury proceedings, allowing civil actions against violators by the injured party.

S-3434, sponsored by Senator Frank J. Dodd (D-Essex), increasing the threshold from \$2,500 to \$4,500 above which the New Jersey Water Supply Authority must publicly advertise for contract bids.

The bill conforms the laws governing the Water Supply Authority to those recently established under the Local Public Contracts Law and the Public School Contracts Law.

S-3190, sponsored by Senator William Hamilton (D-Middlesex), establishing a program within the Department of Corrections to administer the State grants recently awarded to counties for the construction of correctional facilities. The grants were funded by the Public Purpose Buildings Construction Bond Act Fund.

S-3540, sponsored by Senator James Galdieri (D-Hudson), appropriating \$51,000 as State aid under the "Interlocal Services Act of 1973" for the joint Jersey City-Hoboken disaster program. The program provides immediate aid to families forced from their homes by fire or other calamities.

S-1353, sponsored by Senator Raymond J. Zane (D-Salem), legalizing the possession and carrying of chemical self-defense sprays which are intended to produce temporary physical discomfort and are not capable of inflicting serious bodily harm.

Anyone 18 or older who is not a convicted felon may possess a pocket-sized device containing no more than 3/4 of an ounce of a particular chemical.