

52:17B-239 to 52:17B-242

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2013 **CHAPTER:** 109

NJSA: 52:17B-239 to 52:17B-242 (Declares violence a public health crisis. and establishes "Study Commission on Violence.")

BILL NO: S2430 (Substituted for A3690)

SPONSOR(S) Lesniak and others

DATE INTRODUCED: January 8, 2013

COMMITTEE: **ASSEMBLY:** Law and Public Safety

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 24, 2013

SENATE: June 27, 2013

DATE OF APPROVAL: August 8, 2013

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint senate committee substitute enacted) Yes

S2430

SPONSOR'S STATEMENT (Begins on page 5 of introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL NOTE: No

A3690

SPONSOR'S STATEMENT (Begins on page 5 introduced bill): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

OTHER: Yes

The New Jersey SAFE Task Force on Gun Protection, Addiction, Mental Health and Families, and Education Safety: Report to Governor Chris Christie.
[Trenton, N.J.] : [Office of the Attorney General] , 2013.

<http://hdl.handle.net/10929/34559>

"Christie signs extensive package of gun-control bills into law," NJ SPOTLIGHT, 8-9-13

"Christie cautious on guns," The Record, 8-9-13

"Christie signs limits on guns," The Philadelphia Inquirer, 8-9-13

"Christie balks on Controversial gun bills," The Star-Ledger, 8-9-13

"Christie signs 10 new gun bills, including local lawmakers' anti-trafficking measure, Burlington County Times, 8-9-13

"Tougher gun measures signed," CourierPostOnline.com, 8-9-13

"Christie signs some gun-control measures into law," The Trentonian, 8-9-13

LAW/KR

P.L.2013, CHAPTER 109, *approved August 8, 2013*
Senate Committee Substitute (*First Reprint*) for
Senate, No. 2430

1 AN ACT declaring violence a public health crisis, establishing the
2 “Study Commission on Violence” and supplementing Title 52 of
3 the Revised Statutes.

4

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

7

8 1. The Legislature finds and declares that:

9 a. On December 14, 2012, a heavily armed man, dressed in
10 black fatigues and a military vest, walked into a Newtown,
11 Connecticut elementary school and opened fire, horrifically killing
12 26 people before killing himself. Twenty of the victims were young
13 children, who were six and seven years old;

14 b. On August 31, 2012 at a Pathmark in Old Bridge, New
15 Jersey an employee armed with an assault rifle and automatic pistol
16 entered the store and killed two workers before taking his own life;

17 c. In July 2012, at a crowded midnight screening of “The Dark
18 Knight Rises” in Aurora, Colorado, a man wearing body armor and
19 a gas mask entered the theater armed with an assault rifle, shotgun,
20 and .40-caliber handgun and opened fire into the crowd. Twelve
21 people were killed and 59 others were wounded as a result. The
22 youngest victim was six years old;

23 d. On January 8, 2011 in Tucson, Arizona, Congresswoman
24 Gabrielle Giffords and 18 others were shot during a public meeting
25 held in a supermarket parking lot. Six of those people were killed;

26 e. On November 5, 2009 there was an attack at Fort Hood,
27 Texas where an Army psychiatrist was charged with killing 13
28 soldiers and civilians and wounding more than two dozen others;

29 f. In Colorado, the movie theater shooting described above was
30 the deadliest shooting since the Columbine High School massacre
31 on April 20, 1999, when two students opened fire in the Denver
32 suburb of Littleton, killing 12 classmates and a teacher and
33 wounding 26 others before killing themselves;

34 g. Assault weapons were used in the Tucson, Arizona shooting,
35 the Fort Hood shooting, and the Columbine High School shooting
36 described above;

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 ABU committee amendments adopted June 17, 2013.

- 1 h. The above examples represent a fraction of the violence that
2 occurs nationally and in this State every year. According to the
3 most recent data available, in this State alone, there are 372 murders
4 per year, meaning there is one murder every 23 hours and 33
5 minutes in New Jersey;
- 6 i. Nationwide, there have been more than 70 mass shootings
7 since the January 8, 2011 shooting of Arizona Congresswoman
8 Gabrielle Giffords described above;
- 9 j. The Centers for Disease Control and Prevention has
10 recognized violence as a serious public health problem in the
11 United States and has reported homicide as the second leading
12 cause of death among persons 15 to 24 years old. The Centers for
13 Disease Control and Prevention has found that in addition to the
14 many violent deaths that occur in this country each year, there are
15 many more individuals who survive violence and are left with
16 permanent physical and emotional scars and that this violence
17 erodes communities by reducing productivity, decreasing property
18 values, and disrupting social services;
- 19 k. In this State alone, there are 74,244 domestic violence
20 offenses reported by the police each year, with children being
21 involved or present during 31 percent of these offenses, according
22 to the most recent data available;
- 23 l. Nationwide, the equivalent of 10,000 busloads of children
24 end up in emergency rooms for violence-related injuries every year
25 and more than 5,500 children are murdered every year;
- 26 m. A study conducted by the World Health Organization stated
27 that communities with high numbers of violent children also have
28 higher health care costs, reduced productivity, and decreased
29 property values;
- 30 n. A 2001 Surgeon General report found that programs that
31 focused on classroom attendance, academic progress, and school
32 behavior helped reduce violence among children;
- 33 o. Although New Jersey has strict gun control laws, these laws
34 are easily circumvented because of the lack of similar federal laws.
35 In order to provide more safety for New Jersey residents, the federal
36 government must reinstate its ban on assault weapons which
37 expired on September 13, 1994 and must expand background check
38 requirements for gun purchases to include all sales and transfers;
- 39 p. The Centers for Disease Control and Prevention and other
40 scientific agencies have been barred by Congress from using federal
41 funds to advocate or promote gun control, which appears to ban
42 scientific agencies, including the Centers for Disease Control and
43 Prevention from using federal funding to conduct research on the
44 causes of gun violence. Congress should remove this ban and allow
45 these scientific agencies to use federal funding to conduct this
46 critical public health research; and
- 47 q. Based upon the foregoing findings regarding these recent
48 horrific incidents illustrating the alarming prevalence of violence

1 and the detrimental effects that unrelenting violence has for the
2 good citizens of this nation and State, the Legislature declares
3 violence to be a grave public health crisis. The Legislature finds
4 that it is, therefore, in the public interest for the State to establish a
5 commission to study violence in order to help raise awareness about
6 one of this country's most significant public health crises.
7

8 2. a. There is established a Study Commission on Violence to
9 study the issue of violence. The commission shall consist of nine
10 members. To the greatest extent practical, the public members shall
11 have a background or education in mental health or criminology.
12 One member of the commission shall be the Attorney General or a
13 designee, who shall serve ex-officio. One member of the
14 commission shall be the Commissioner of Health or a designee,
15 who shall serve ex-officio. One member of the commission shall be
16 the Administrative Director of the Courts or a designee, who shall
17 serve ex-officio. One member of the commission shall be the
18 Commissioner of Human Services or a designee, who shall serve
19 ex-officio. One member of the commission shall be the President of
20 the County Prosecutor's Association of New Jersey or a designee,
21 who shall serve ex-officio. Two public members of the commission
22 shall be appointed by the Governor. One member appointed by the
23 Governor shall be a person who has a background or education in
24 mental health ¹, and the other member appointed by the Governor
25 shall be a person who has a background or education in the study or
26 treatment of domestic violence¹. One public member of the
27 commission shall be appointed by the President of the Senate. One
28 public member of the commission shall be appointed by the Speaker
29 of the ¹General¹ Assembly.

30 Vacancies in the membership of the commission shall be filled in
31 the same manner as the original appointments were made.

32 b. The members of the commission shall be appointed within
33 30 days of the effective date ¹of P.L. , c. (C.)(pending before
34 the Legislature as this bill)¹ and shall hold their initial
35 organizational meeting as soon as practicable, but no later than 30
36 days following the appointment of the commission's members. The
37 members shall select a chairperson from among the members. The
38 chairperson shall appoint a secretary who need not be a member of
39 the commission.

40 c. Members of the commission shall serve without
41 compensation, but shall be reimbursed for necessary expenses
42 incurred in the performance of their duties as members of the
43 commission, within the limits of funds appropriated or otherwise
44 made available to the commission for its purpose.

45 d. The Department of Law and Public Safety shall provide
46 support staff to the commission, as necessary.

1 e. The commission shall further be entitled to call to its
2 assistance and avail itself of the services of the employees of any
3 State, county or municipal department, board, bureau, commission,
4 or agency as it may require and as may be available to it for its
5 purposes.

6
7 3. a. It shall be the duty of the commission to study the trends
8 of violence, the source of violence, and the impact of violence on
9 the community, to develop a method to address the epidemic of
10 violence at the federal and State levels, and to make
11 recommendations for State and Congressional action.

12 b. The commission shall seek out funding and grants for the
13 implementation of programs to reduce violence from sources
14 including, but not limited to, the Centers for Disease Control and
15 Prevention and any other funding sources.

16 c. The commission shall study the issue of insufficient access
17 to mental health treatment and violence.

18 d. The commission shall study and make recommendations
19 regarding whether the Special Offenders Unit created by the Union
20 County Prosecutor's Office to address the increase in criminal
21 prosecutions against individuals with mental illness should be
22 expanded to other counties.

23 e. The commission shall study and recommend whether the
24 community-based mental health treatment system, through which
25 there are involuntary outpatient commitments under a court order
26 supervised by a case manager, should be expanded to all counties in
27 this State and how to adequately fund the program in all counties.

28
29 4. a. The commission shall conduct public hearings in
30 furtherance of its general purposes at such place or places as it shall
31 designate, at which it may request the appearance of officials of any
32 federal, State or interstate department, board, bureau, commission,
33 agency, or authority and solicit the testimony of interested groups
34 and the general public.

35 b. The commission shall issue the first report to the Governor
36 and to the Legislature pursuant to section 2 of P.L.1991, c.164
37 (C.52:14-19.1), no later than the first day of the seventh month
38 following its organization and shall issue annual reports thereafter,
39 containing its findings and recommendations, including any
40 recommendations for legislation and recommendations for
41 Congressional action that it deems appropriate

42
43 5. This act shall take effect immediately.

44
45
46
47 Declares violence a public health crisis and establishes "Study
48 Commission on Violence."

SENATE, No. 2430

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 8, 2013

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Whelan, Cunningham, Vitale, Gordon, Rice and Ruiz

SYNOPSIS

Declares violence a public health crisis, recommends expansion of mental health programs, recommends federal adoption of gun control measures, and establishes “Study Commission on Violence.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/26/2013)

1 AN ACT declaring violence a public health crisis, recommending the
2 expansion of mental health programs, recommending federal
3 adoption of gun control measures, and establishing the “Study
4 Commission on Violence.”

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

8
9 1. The Legislature finds and declares that:

10 a. On December 14, 2012, a heavily armed man, dressed in
11 black fatigues and a military vest, walked into a Newtown,
12 Connecticut elementary school and opened fire, horrifically killing
13 26 people before killing himself. Twenty of the victims were young
14 children, who were six and seven years old;

15 b. On August 31, 2012 at a Pathmark in Old Bridge, New
16 Jersey an employee armed with an assault rifle and automatic pistol
17 entered the store and killed two workers before taking his own life;

18 c. In July 2012, at a crowded midnight screening of “The Dark
19 Knight Rises” in Aurora, Colorado, a man wearing body armor and
20 a gas mask entered the theater armed with an assault rifle, shotgun,
21 and .40-caliber handgun and opened fire into the crowd. Twelve
22 people were killed and 59 others were wounded as a result. The
23 youngest victim was six years old;

24 d. On January 8, 2011 in Tucson, Arizona, Congresswoman
25 Gabrielle Giffords and 18 others were shot during a public meeting
26 held in a supermarket parking lot. Six of those people were killed;

27 e. On November 5, 2009 there was an attack at Fort Hood,
28 Texas where an Army psychiatrist was charged with killing 13
29 soldiers and civilians and wounding more than two dozen others;

30 f. In Colorado, the movie theater shooting described above was
31 the deadliest shooting since the Columbine High School massacre
32 on April 20, 1999, when two students opened fire in the Denver
33 suburb of Littleton, killing 12 classmates and a teacher and
34 wounding 26 others before killing themselves;

35 g. Assault weapons were used in the Tuscon, Arizona shooting,
36 the Fort Hood shooting, and the Columbine High School shooting
37 described above;

38 h. The above examples represent a fraction of the violence that
39 occurs nationally and in this State every year. According to the
40 most recent data available, in this State alone, there are 372 murders
41 per year, meaning there is one murder every 23 hours and 33
42 minutes in New Jersey;

43 i. Nationwide, there have been more than 70 mass shootings
44 since the January 8, 2011 shooting of Arizona Congresswoman
45 Gabrielle Giffords described above;

46 j. The Centers for Disease Control and Prevention has
47 recognized violence as a serious public health problem in the
48 United States and has reported homicide as the second leading

1 cause of death among persons 15 to 24 years old. The Centers for
2 Disease Control and Prevention has found that in addition to the
3 many violent deaths that occur in this country each year, there are
4 many more individuals who survive violence and are left with
5 permanent physical and emotional scars and that this violence
6 erodes communities by reducing productivity, decreasing property
7 values, and disrupting social services;

8 k. In this State alone, there are 74,244 domestic violence
9 offenses reported by the police each year, with children being
10 involved or present during 31 percent of these offenses, according
11 to the most recent data available;

12 l. Nationwide, the equivalent of 10,000 busloads of children
13 end up in emergency rooms for violence-related injuries every year
14 and more than 5,500 children are murdered every year;

15 m. A study conducted by the World Health Organization stated
16 that communities with high numbers of violent children also have
17 higher health care costs, reduced productivity, and decreased
18 property values;

19 n. A 2001 Surgeon General report found that programs that
20 focused on classroom attendance, academic progress, and school
21 behavior helped reduce violence among children;

22 o. Although New Jersey has strict gun control laws, these laws
23 are easily circumvented because of the lack of similar federal laws.
24 In order to provide more safety for New Jersey residents, the federal
25 government must reinstate its ban on assault weapons which
26 expired on September 13, 1994 and must expand background check
27 requirements for gun purchases to include all sales and transfers;

28 p. The Union County Prosecutor's Office created a Special
29 Offenders Unit to address the marked increase in criminal
30 prosecutions against individuals with mental illness. The unit
31 partners with a hospital and rehabilitation services to operate the
32 Jail Diversion Pilot Program to attempt to divert mentally ill
33 criminal defendants from traditional prosecution, where the
34 underlying offense is related to the defendant's mental illness. It is
35 necessary for all counties in this State to implement a similar unit to
36 address mental illness in criminal defendants;

37 q. One of the most effective means of curtailing violence is
38 provided by the community based mental health system through
39 involuntary outpatient commitments under a court order supervised
40 by a case manager. This program must be adequately funded in all
41 21 counties; and

42 r. Based upon the foregoing findings regarding these recent
43 horrific incidents illustrating the alarming prevalence of violence
44 and the detrimental effects that unrelenting violence has for the
45 good citizens of this nation and State, the Legislature declares
46 violence to be a grave public health crisis. The Legislature finds
47 that it is, therefore, in the public interest for the State to establish a
48 commission to study the trends of violence, the source of violence,

1 and the impact of violence on the community in order to help raise
2 awareness about one of this country's most significant public health
3 crises, to develop a method to address the epidemic of violence, and
4 to make recommendations for Congressional and State action.

5

6 2. a. There is established a Study Commission on Violence to
7 study violence, develop a method to address the epidemic of
8 violence at the federal and State levels, and to make
9 recommendations for Congressional and State action.

10 b. The commission shall consist of nine members. To the
11 greatest extent practical, the public members shall have a
12 background or education in mental health or criminology. One
13 member of the commission shall be the Attorney General or a
14 designee, who shall serve ex-officio. One member of the
15 commission shall be the Commissioner of Health or a designee,
16 who shall serve ex-officio. One public member of the commission
17 shall be appointed by the Governor. Three public members of the
18 commission, not more than two of whom shall be of the same
19 political party, shall be appointed by the President of the Senate.
20 One member appointed by the Senate President shall be
21 recommended by the National United Youth Council INC. Three
22 public members of the commission, not more than two of whom
23 shall be of the same political party, shall be appointed by the
24 Speaker of the Assembly. One member appointed by the Assembly
25 Speaker shall be recommended by and be a member of the County
26 Prosecutor's Association of New Jersey.

27 Vacancies in the membership of the commission shall be filled in
28 the same manner as the original appointments were made.

29 c. The members of the commission shall be appointed within
30 30 days of the effective date and shall hold their initial
31 organizational meeting as soon as practicable, but no later than 30
32 days following the appointment of the commission's members. The
33 members shall select a chairperson from among the members. The
34 chairperson shall appoint a secretary who need not be a member of
35 the commission.

36 d. Members of the commission shall serve without
37 compensation, but shall be reimbursed for necessary expenses
38 incurred in the performance of their duties as members of the
39 commission, within the limits of funds appropriated or otherwise
40 made available to the commission for its purpose.

41 e. The Department of Law and Public Safety shall provide
42 support staff to the commission, as necessary.

43 f. The commission shall further be entitled to call to its
44 assistance and avail itself of the services of the employees of any
45 State, county or municipal department, board, bureau, commission,
46 or agency as it may require and as may be available to it for its
47 purposes.

1 3. a. It shall be the duty of the commission to study the trends
2 of violence, the source of violence, and the impact of violence on
3 the community, to develop a method to address the epidemic of
4 violence at the federal and State levels, and to make
5 recommendations for State and Congressional action.

6 b. The commission shall seek out funding and grants for the
7 implementation of programs to reduce violence from sources
8 including, but not limited to, the Centers for Disease Control and
9 Prevention and any other funding sources.

10
11 4. a. The commission shall conduct public hearings in
12 furtherance of its general purposes at such place or places as it shall
13 designate, at which it may request the appearance of officials of any
14 federal, State or interstate department, board, bureau, commission,
15 agency, or authority and solicit the testimony of interested groups
16 and the general public.

17 b. The commission shall issue a final report to the Governor
18 and to the Legislature pursuant to section 2 of P.L.1991, c.164
19 (C.52:14-19.1), containing its findings and recommendations,
20 including any recommendations for legislation and
21 recommendations for Congressional action that it deems
22 appropriate, no later than the first day of the seventh month
23 following its organization.

24
25 5. This act shall take effect immediately and shall expire upon
26 submission of the commission's final report to the Legislature.

27

28

29

STATEMENT

30

31 This bill declares violence a public health crisis, recommends the
32 expansion of mental health programs, recommends federal adoption
33 of gun control measures, and establishes a Study Commission on
34 Violence to study the trends of violence, the source of violence, and
35 the impact of violence on the community, to develop a method to
36 address the epidemic of violence at the federal and State levels, and
37 to make recommendations for Congressional and State action.

38 In addition, the commission would seek out funding from
39 sources such as the Centers for Disease Control and Prevention and
40 any other funding sources to implement programs to reduce
41 violence.

42 The study commission would consist of nine members. To the
43 greatest extent practical, the public members must have a
44 background or education in mental health or criminology. One
45 member would be the Attorney General or a designee, who would
46 serve ex-officio. One member would be the Commissioner of
47 Health or a designee, who would serve ex-officio. One public
48 member would be appointed by the Governor. Three public

1 members would be appointed by the President of the Senate, with
2 one member being recommended by the National United Youth
3 Council INC. Three public members would be appointed by the
4 Speaker of the Assembly, with one member being recommended by
5 and a member of the County Prosecutors Association of New
6 Jersey.

7 Under this bill, the commission is required to hold public
8 hearings and to submit a report to the Governor and the Legislature
9 no later than seven months after the organization of the commission
10 with its findings, including any recommendations for legislation and
11 recommendations for Congressional and State action.

12 On December 14, 2012, a heavily armed man walked into a
13 Newtown, Connecticut elementary school and open-fired. Twenty
14 people were killed, including 20 young children who were ages six
15 and seven.

16 In New Jersey, on August 31, 2012 at a Pathmark in Old Bridge,
17 an employee armed with an assault rifle and automatic pistol
18 entered the store and killed two workers before taking his own life.

19 In July 2012, at a crowded midnight screening of "The Dark
20 Knight Rises" in Aurora, Colorado, a man entered the theater, and
21 opened fire, killing 12 people and wounding 59 others.

22 The above examples represent a fraction of the violence that
23 occurs nationally and in this State. According to the most recent
24 data available, in New Jersey alone, there are 372 murders per year
25 and 74,244 domestic violence offenses reported by the police per
26 year. Nationwide, since the shooting of Arizona Congresswoman
27 Gabrielle Giffords in 2011, there have been more than 70 additional
28 mass shootings.

29 The Centers for Disease Control and Prevention (CDC) has
30 recognized violence as a serious public health problem in the
31 United States and has found that violence erodes communities by
32 reducing productivity, decreasing property values, and disrupting
33 social services. In addition, a World Health Organization study
34 found that communities with high numbers of violent children have
35 higher health care costs, reduced productivity, and decreased
36 property values.

37 Based upon findings regarding the recent horrific incidents that
38 illustrate the alarming prevalence of violence and the detrimental
39 effects that violence has for the nation and State, violence is
40 declared a serious public health crisis. Therefore, it is in the public
41 interest for the State to establish a commission to study violence in
42 order to help raise awareness about one of this country's most
43 significant public health crises, to develop a method to address this
44 epidemic at the federal and State level, and to make
45 recommendations for Congressional and State action.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 2430

STATE OF NEW JERSEY

DATED: APRIL 30, 2013

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2430.

This substitute declares violence a public health crisis and establishes a Study Commission on Violence. Under the provisions of this substitute, the commission would study the trends of violence, the source of violence, and the impact of violence on the community, develop a method to address the epidemic of violence at the federal and State levels, and make recommendations for Congressional and State action.

In addition, the commission would seek out funding from sources such as the Centers for Disease Control and Prevention and any other funding sources to implement programs to reduce violence. The commission would study the issue of insufficient access to mental health treatment and violence. The commission would also study and make recommendations regarding whether the Special Offenders Unit created by the Union County Prosecutor's Office to address the increase in criminal prosecutions against individuals with mental illness should be expanded to other counties. Lastly, the commission would study and recommend whether the community-based mental health treatment system, through which there are involuntary outpatient commitments under a court order and supervised by a case manager, should be expanded to all counties in this State and how to adequately fund the program in all counties.

The study commission would consist of nine members. To the greatest extent practical, the public members must have a background or education in mental health or criminology.

The following members would serve *ex-officio*: the Attorney General or a designee; the Commissioner of Health or a designee; the Administrative Director of the Courts or a designee; the Commissioner of Human Services or a designee; and the President of the County Prosecutor's Association of New Jersey or a designee.

Two public members would be appointed by the Governor, with one member being a person who has a background or education in mental health. One public member would be appointed by the President of the Senate. One public member would be appointed by the Speaker of the Assembly.

Under this substitute, the commission is required to hold public hearings and to submit the first report to the Governor and the Legislature no later than seven months after the organization of the commission with its findings and to submit annual reports thereafter.

On December 14, 2012, a heavily armed man walked into a Newtown, Connecticut elementary school and opened fire. Twenty people were killed, including 20 young children who were ages six and seven.

In New Jersey, on August 31, 2012 at a Pathmark in Old Bridge, an employee armed with an assault rifle and automatic pistol entered the store and killed two workers before taking his own life.

In July 2012, at a crowded midnight screening of "The Dark Knight Rises" in Aurora, Colorado, a man entered the theater, and opened fire, killing 12 people and wounding 59 others.

The above examples represent a fraction of the violence that occurs nationally and in this State. According to the most recent data available, in New Jersey alone, there are 372 murders per year and 74,244 domestic violence offenses reported by the police per year. Nationwide, since the shooting of Arizona Congresswoman Gabrielle Giffords in 2011, there have been more than 70 additional mass shootings.

The Centers for Disease Control and Prevention (CDC) has recognized violence as a serious public health problem in the United States and has found that violence erodes communities by reducing productivity, decreasing property values, and disrupting social services. In addition, a World Health Organization study found that communities with high numbers of violent children have higher health care costs, reduced productivity, and decreased property values.

Based upon findings regarding the recent horrific incidents that illustrate the alarming prevalence of violence and the detrimental effects that violence has for the nation and State, violence is declared a serious public health crisis. Therefore, it is in the public interest for the State to establish a commission to study violence in order to help raise awareness about one of this country's most significant public health crises.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2430**

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Assembly Budget Committee reports favorably Senate Bill No. 2430 (SCS), with committee amendments.

As amended, the bill declares violence a public health crisis and establishes a Study Commission on violence.

Citing multiple incidents of mass shooting, New Jersey's 372 annual murders and 74,244 *reported* domestic violence offenses, and studies on the public health effects of violence by the Centers for Disease Control and Prevention, the Surgeon General, and the World Health Organization, the bill recommends Congress act on multiple fronts to study and control gun violence and declares violence to be a grave public health crisis.

The bill establishes a Study Commission on Violence, and tasks that commission to:

- study the trends of violence, the source of violence, and the impact of violence on the community, to develop a method to address the epidemic of violence at the federal and State levels, and to make recommendations for Congressional and State action;
- seek out funding from sources such as the Centers for Disease Control and Prevention and any other funding sources to implement programs to reduce violence;
- study the issue of insufficient access to mental health treatment and violence;
- study and make recommendations regarding whether the Special Offenders Unit created by the Union County Prosecutor's Office to address the increase in criminal prosecutions against individuals with mental illness should be expanded to other counties; and
- study and recommend whether the community-based mental health treatment system, through which there are involuntary outpatient commitments under a court order and supervised by a case manager, should be expanded to all counties in this State and how to adequately fund the program in all counties.

The study commission will consist of nine members. To the greatest extent practical, the public members must have a background or education in mental health or criminology.

The following members will serve ex-officio: the Attorney General or a designee; the Commissioner of Health or a designee; the Administrative Director of the Courts or a designee; the Commissioner of Human Services or a designee; and the President of the County Prosecutor's Association of New Jersey or a designee.

Two public members will be appointed by the Governor, with one member being a person who has a background or education in mental health, and the other member being a person who has a background or education in the study or treatment of domestic violence. One public member will be appointed by the President of the Senate. One public member will be appointed by the Speaker of the General Assembly.

The bill requires the commission to hold public hearings and to submit the first report to the Governor and the Legislature no later than seven months after its organization and to submit annual reports thereafter, containing its findings and recommendations, including any recommendations for legislation and recommendations for Congressional action that it deems appropriate.

As amended and reported, this bill is identical to the Assembly Committee Substitute for Assembly Bill No. 3690, as substituted and reported by the committee.

FISCAL IMPACT:

This substitute was not certified as requiring a fiscal note.

COMMITTEE AMENDMENTS:

The amendments require that the Governor's second public member appointment to the commission be a person who has a background or education in the study or treatment of domestic violence.

ASSEMBLY, No. 3690

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 14, 2013

Sponsored by:

Assemblyman JOSEPH CRYAN

District 20 (Union)

Assemblyman ALBERT COUTINHO

District 29 (Essex)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman CHARLES MAINOR

District 31 (Hudson)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Co-Sponsored by:

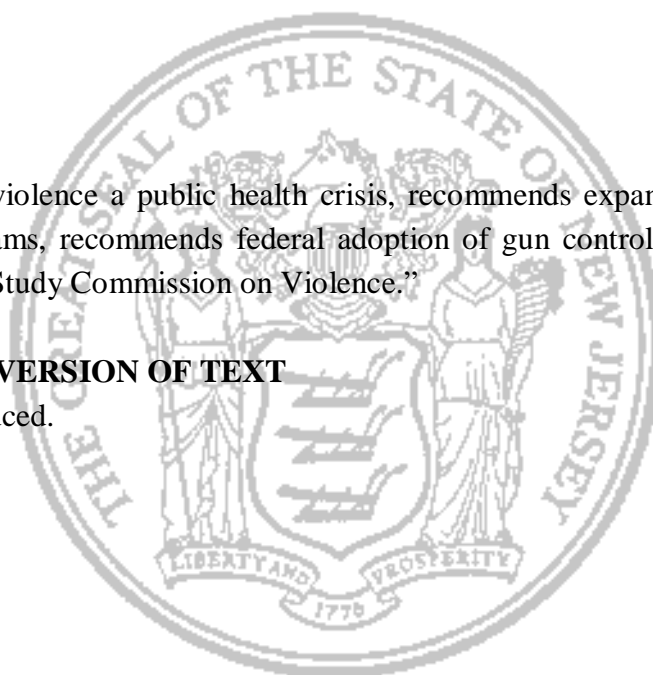
Assemblywoman Stender, Assemblymen S.Connors and Johnson

SYNOPSIS

Declares violence a public health crisis, recommends expansion of mental health programs, recommends federal adoption of gun control measures, and establishes "Study Commission on Violence."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/27/2013)

1 AN ACT declaring violence a public health crisis, recommending the
2 expansion of mental health programs, recommending federal
3 adoption of gun control measures, and establishing the “Study
4 Commission on Violence.”

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

8
9 1. The Legislature finds and declares that:

10 a. On December 14, 2012, a heavily armed man, dressed in
11 black fatigues and a military vest, walked into a Newtown,
12 Connecticut elementary school and opened fire, horrifically killing
13 26 people before killing himself. Twenty of the victims were young
14 children, who were six and seven years old;

15 b. On August 31, 2012 at a Pathmark in Old Bridge, New
16 Jersey an employee armed with an assault rifle and automatic pistol
17 entered the store and killed two workers before taking his own life;

18 c. In July 2012, at a crowded midnight screening of “The Dark
19 Knight Rises” in Aurora, Colorado, a man wearing body armor and
20 a gas mask entered the theater armed with an assault rifle, shotgun,
21 and .40-caliber handgun and opened fire into the crowd. Twelve
22 people were killed and 59 others were wounded as a result. The
23 youngest victim was six years old;

24 d. On January 8, 2011 in Tucson, Arizona, Congresswoman
25 Gabrielle Giffords and 18 others were shot during a public meeting
26 held in a supermarket parking lot. Six of those people were killed;

27 e. On November 5, 2009 there was an attack at Fort Hood,
28 Texas where an Army psychiatrist was charged with killing 13
29 soldiers and civilians and wounding more than two dozen others;

30 f. In Colorado, the movie theater shooting described above was
31 the deadliest shooting since the Columbine High School massacre
32 on April 20, 1999, when two students opened fire in the Denver
33 suburb of Littleton, killing 12 classmates and a teacher and
34 wounding 26 others before killing themselves;

35 g. Assault weapons were used in the Tuscon, Arizona shooting,
36 the Fort Hood shooting, and the Columbine High School shooting
37 described above;

38 h. The above examples represent a fraction of the violence that
39 occurs nationally and in this State every year. According to the
40 most recent data available, in this State alone, there are 372 murders
41 per year, meaning there is one murder every 23 hours and 33
42 minutes in New Jersey;

43 i. Nationwide, there have been more than 70 mass shootings
44 since the January 8, 2011 shooting of Arizona Congresswoman
45 Gabrielle Giffords described above;

46 j. The Centers for Disease Control and Prevention has
47 recognized violence as a serious public health problem in the
48 United States and has reported homicide as the second leading

1 cause of death among persons 15 to 24 years old. The Centers for
2 Disease Control and Prevention has found that in addition to the
3 many violent deaths that occur in this country each year, there are
4 many more individuals who survive violence and are left with
5 permanent physical and emotional scars and that this violence
6 erodes communities by reducing productivity, decreasing property
7 values, and disrupting social services;

8 k. In this State alone, there are 74,244 domestic violence
9 offenses reported by the police each year, with children being
10 involved or present during 31 percent of these offenses, according
11 to the most recent data available;

12 l. Nationwide, the equivalent of 10,000 busloads of children
13 end up in emergency rooms for violence-related injuries every year
14 and more than 5,500 children are murdered every year;

15 m. A study conducted by the World Health Organization stated
16 that communities with high numbers of violent children also have
17 higher health care costs, reduced productivity, and decreased
18 property values;

19 n. A 2001 Surgeon General report found that programs that
20 focused on classroom attendance, academic progress, and school
21 behavior helped reduce violence among children;

22 o. Although New Jersey has strict gun control laws, these laws
23 are easily circumvented because of the lack of similar federal laws.
24 In order to provide more safety for New Jersey residents, the federal
25 government must reinstate its ban on assault weapons which
26 expired on September 13, 1994 and must expand background check
27 requirements for gun purchases to include all sales and transfers;

28 p. The Union County Prosecutor's Office created a Special
29 Offenders Unit to address the marked increase in criminal
30 prosecutions against individuals with mental illness. The unit
31 partners with a hospital and rehabilitation services to operate the
32 Jail Diversion Pilot Program to attempt to divert mentally ill
33 criminal defendants from traditional prosecution, where the
34 underlying offense is related to the defendant's mental illness. It is
35 necessary for all counties in this State to implement a similar unit to
36 address mental illness in criminal defendants;

37 q. One of the most effective means of curtailing violence is
38 provided by the community based mental health system through
39 involuntary outpatient commitments under a court order supervised
40 by a case manager. This program must be adequately funded in all
41 21 counties; and

42 r. Based upon the foregoing findings regarding these recent
43 horrific incidents illustrating the alarming prevalence of violence
44 and the detrimental effects that unrelenting violence has for the
45 good citizens of this nation and State, the Legislature declares
46 violence to be a grave public health crisis. The Legislature finds
47 that it is, therefore, in the public interest for the State to establish a
48 commission to study the trends of violence, the source of violence,

1 and the impact of violence on the community in order to help raise
2 awareness about one of this country's most significant public health
3 crises, to develop a method to address the epidemic of violence, and
4 to make recommendations for Congressional and State action.

5
6 2. a. There is established a Study Commission on Violence to
7 study violence, develop a method to address the epidemic of
8 violence at the federal and State levels, and to make
9 recommendations for Congressional and State action.

10 b. The commission shall consist of nine members. To the
11 greatest extent practical, the public members shall have a
12 background or education in mental health or criminology. One
13 member of the commission shall be the Attorney General or a
14 designee, who shall serve ex-officio. One member of the
15 commission shall be the Commissioner of Health or a designee,
16 who shall serve ex-officio. One public member of the commission
17 shall be appointed by the Governor. Three public members of the
18 commission, not more than two of whom shall be of the same
19 political party, shall be appointed by the President of the Senate.
20 One member appointed by the Senate President shall be
21 recommended by the National United Youth Council INC. Three
22 public members of the commission, not more than two of whom
23 shall be of the same political party, shall be appointed by the
24 Speaker of the Assembly. One member appointed by the Assembly
25 Speaker shall be recommended by and be a member of the County
26 Prosecutor's Association of New Jersey.

27 Vacancies in the membership of the commission shall be filled in
28 the same manner as the original appointments were made.

29 c. The members of the commission shall be appointed within
30 30 days of the effective date and shall hold their initial
31 organizational meeting as soon as practicable, but no later than 30
32 days following the appointment of the commission's members. The
33 members shall select a chairperson from among the members. The
34 chairperson shall appoint a secretary who need not be a member of
35 the commission.

36 d. Members of the commission shall serve without
37 compensation, but shall be reimbursed for necessary expenses
38 incurred in the performance of their duties as members of the
39 commission, within the limits of funds appropriated or otherwise
40 made available to the commission for its purpose.

41 e. The Department of Law and Public Safety shall provide
42 support staff to the commission, as necessary.

43 f. The commission shall further be entitled to call to its
44 assistance and avail itself of the services of the employees of any
45 State, county or municipal department, board, bureau, commission,
46 or agency as it may require and as may be available to it for its
47 purposes.

1 3. a. It shall be the duty of the commission to study the trends
2 of violence, the source of violence, and the impact of violence on
3 the community, to develop a method to address the epidemic of
4 violence at the federal and State levels, and to make
5 recommendations for State and Congressional action.

6 b. The commission shall seek out funding and grants for the
7 implementation of programs to reduce violence from sources
8 including, but not limited to, the Centers for Disease Control and
9 Prevention and any other funding sources.

10
11 4. a. The commission shall conduct public hearings in
12 furtherance of its general purposes at such place or places as it shall
13 designate, at which it may request the appearance of officials of any
14 federal, State or interstate department, board, bureau, commission,
15 agency, or authority and solicit the testimony of interested groups
16 and the general public.

17 b. The commission shall issue a final report to the Governor
18 and to the Legislature pursuant to section 2 of P.L.1991, c.164
19 (C.52:14-19.1), containing its findings and recommendations,
20 including any recommendations for legislation and
21 recommendations for Congressional action that it deems
22 appropriate, no later than the first day of the seventh month
23 following its organization.

24
25 5. This act shall take effect immediately and shall expire upon
26 submission of the commission's final report to the Legislature.

27

28

29

STATEMENT

30

31 This bill declares violence a public health crisis, recommends the
32 expansion of mental health programs, recommends federal adoption
33 of gun control measures, and establishes a Study Commission on
34 Violence to study the trends of violence, the source of violence, and
35 the impact of violence on the community, to develop a method to
36 address the epidemic of violence at the federal and State levels, and
37 to make recommendations for Congressional and State action.

38 In addition, the commission would seek out funding from
39 sources such as the Centers for Disease Control and Prevention and
40 any other funding sources to implement programs to reduce
41 violence.

42 The study commission would consist of nine members. To the
43 greatest extent practical, the public members must have a
44 background or education in mental health or criminology. One
45 member would be the Attorney General or a designee, who would
46 serve ex-officio. One member would be the Commissioner of
47 Health or a designee, who would serve ex-officio. One public
48 member would be appointed by the Governor. Three public

1 members would be appointed by the President of the Senate, with
2 one member being recommended by the National United Youth
3 Council INC. Three public members would be appointed by the
4 Speaker of the Assembly, with one member being recommended by
5 and a member of the County Prosecutors Association of New
6 Jersey.

7 Under this bill, the commission is required to hold public
8 hearings and to submit a report to the Governor and the Legislature
9 no later than seven months after the organization of the commission
10 with its findings, including any recommendations for legislation and
11 recommendations for Congressional and State action.

12 On December 14, 2012, a heavily armed man walked into a
13 Newtown, Connecticut elementary school and open-fired. Twenty
14 people were killed, including 20 young children who were ages six
15 and seven.

16 In New Jersey, on August 31, 2012 at a Pathmark in Old Bridge,
17 an employee armed with an assault rifle and automatic pistol
18 entered the store and killed two workers before taking his own life.

19 In July 2012, at a crowded midnight screening of "The Dark
20 Knight Rises" in Aurora, Colorado, a man entered the theater, and
21 opened fire, killing 12 people and wounding 59 others.

22 The above examples represent a fraction of the violence that
23 occurs nationally and in this State. According to the most recent
24 data available, in New Jersey alone, there are 372 murders per year
25 and 74,244 domestic violence offenses reported by the police per
26 year. Nationwide, since the shooting of Arizona Congresswoman
27 Gabrielle Giffords in 2011, there have been more than 70 additional
28 mass shootings.

29 The Centers for Disease Control and Prevention (CDC) has
30 recognized violence as a serious public health problem in the
31 United States and has found that violence erodes communities by
32 reducing productivity, decreasing property values, and disrupting
33 social services. In addition, a World Health Organization study
34 found that communities with high numbers of violent children have
35 higher health care costs, reduced productivity, and decreased
36 property values.

37 Based upon findings regarding the recent horrific incidents that
38 illustrate the alarming prevalence of violence and the detrimental
39 effects that violence has for the nation and State, violence is
40 declared a serious public health crisis. Therefore, it is in the public
41 interest for the State to establish a commission to study violence in
42 order to help raise awareness about one of this country's most
43 significant public health crises, to develop a method to address this
44 epidemic at the federal and State level, and to make
45 recommendations for Congressional and State action.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 3690

STATE OF NEW JERSEY

DATED: JUNE 17, 2013

The Assembly Budget Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3690.

As reported, this substitute declares violence a public health crisis and establishes a Study Commission on violence.

Citing multiple incidents of mass shooting, New Jersey's 372 annual murders and 74,244 *reported* domestic violence offenses, and studies on the public health effects of violence by the Centers for Disease Control and Prevention, the Surgeon General, and the World Health Organization, the substitute recommends Congress act on multiple fronts to study and control gun violence and declares violence to be a grave public health crisis.

The substitute establishes a Study Commission on Violence, and tasks that commission to:

- study the trends of violence, the source of violence, and the impact of violence on the community, to develop a method to address the epidemic of violence at the federal and State levels, and to make recommendations for Congressional and State action;
- seek out funding from sources such as the Centers for Disease Control and Prevention and any other funding sources to implement programs to reduce violence;
- study the issue of insufficient access to mental health treatment and violence;
- study and make recommendations regarding whether the Special Offenders Unit created by the Union County Prosecutor's Office to address the increase in criminal prosecutions against individuals with mental illness should be expanded to other counties; and
- study and recommend whether the community-based mental health treatment system, through which there are involuntary outpatient commitments under a court order and supervised by a case manager, should be expanded to all counties in this State and how to adequately fund the program in all counties.

The study commission will consist of nine members. To the greatest extent practical, the public members must have a background or education in mental health or criminology.

The following members will serve ex-officio: the Attorney General or a designee; the Commissioner of Health or a designee; the Administrative Director of the Courts or a designee; the Commissioner of Human Services or a designee; and the President of the County Prosecutor's Association of New Jersey or a designee.

Two public members will be appointed by the Governor, with one member being a person who has a background or education in mental health, and the other member being a person who has a background or education in the study or treatment of domestic violence. One public member will be appointed by the President of the Senate. One public member will be appointed by the Speaker of the General Assembly.

The substitute requires the commission to hold public hearings and to submit the first report to the Governor and the Legislature no later than seven months after its organization and to submit annual reports thereafter, containing its findings and recommendations, including any recommendations for legislation and recommendations for Congressional action that it deems appropriate.

This Assembly Committee Substitute is identical to Senate Bill No. 2430 (ACS), as amended and reported by the committee.

FISCAL IMPACT:

This substitute was not certified as requiring a fiscal note.

[Home](#) [Newsroom](#) [Media](#) [Administration](#) [NJ's Priorities](#) [Contact Us](#)

[Press Releases](#) [Public Addresses](#) [Executive Orders](#) [Press Kit](#) [Reports](#)

[Home](#) > [Newsroom](#) > [Press Releases](#) > 2013

Governor Chris Christie Builds On Comprehensive Plan To Address Gun Violence, Takes Action On Gun Legislation

Thursday, August 08, 2013

Tags: [Bill Action](#)

Trenton, NJ – Responsibly addressing gun violence in a comprehensive manner, Governor Christie today signed into law 10 pieces of gun violence and firearm-related legislation recently passed by the Legislature. These bills build on the plan Governor Christie introduced in April, as well as New Jersey's already strict gun laws, currently the second toughest in the nation.

"These commonsense measures will both strengthen New Jersey's already tough gun laws and upgrade penalties for those who commit gun crimes and violate gun trafficking laws," said Governor Christie. "As elected leaders, our first duty is to maintain public safety, and these new laws will help reduce gun violence and keep our streets and communities safer."

Governor Christie included a signing statement with Assembly Bill No. 3687, which prevents individuals on the federal Terrorist Watchlist from obtaining a firearms identification card or permit to purchase handgun. The Governor noted that the bill represents his "commitment to keeping the citizens of New Jersey safe," but also noted the federal government's obligation to protect law-abiding citizens against "improper scrutiny." In carrying out that balance, Governor Christie said, "the government must be circumspect in its application of the law. There is little room for mistakes since they may harm the innocent and law abiding."

BILLS SIGNED:

S-1279/A-4179 (Turner, Norcross/Mainor, Singleton, Johnson) - Upgrades penalty for unlawfully transferring a firearm to an underage person; permits transfer for instruction and training

SCS for S-2430/ACS for A-3690 (Lesniak, Turner/Cryan, Coutinho, Gusclora, Tucker, Mainor, Quijano, Sumter) - Declares violence a public health crisis and establish "Study Commission on Violence"

S-2468/A-4180 (Norcross, Bateman/Wilson) – Authorizes impoundment of motor vehicles for certain crimes and offenses

S-2719/ACS for A-3953, 3854 (Norcross, Gill, Allen/Singleton, Oliver, Eustace, Spencer, Sumter, Caride) – Enhances penalties for certain firearms offenses; designated as Anti-Gun Trafficking Act of 2013

S-2720/A-4181 (Weinberg/Johnson) - Clarifies that information concerning the total number of firearms purchaser identification cards and permits to purchase a handgun issued in a municipality are public records

S-2804/A-4152 (Turner, Sweeney/Wilson, Johnson) - Upgrades certain unlawful possession of firearms to first degree crime; revises certain penalties under the "Grave Act"

A-3687/S-2485 (Stender, Fuentes, Quijano/Scutari, Gill) – **W/STATEMENT** - Disqualifies person named on federal Terrorist Watchlist from obtaining firearms identification card or permit to purchase handgun

A -3717/SCS for S-2492 (Lampitt, Singleton, Eustace, Gusciora, Johnson/Buono, Gill) - Requires submission of certain mental health records to National Instant Criminal Background Check System

A -3788/S-2552 (Rible, Dancer, A.M. Bucco, McHose, Webber/Van Drew, Oroho) - Codifies regulation exempting firearms records from State's open public records law

A -3796/S-2722 (Mainor/Norcross) - Provides 180-day window for persons to dispose of certain unlawfully possessed firearms

A copy of the Governor's signing statement A-3687 [pdf 27kB]

###

Press Contact:

<http://www.nj.gov/governor/news/news/552013/approved/20130808b.html>

Stay Connected
with Social Media

Stay Connected
with Email Alerts

LIKE THIS PAGE? SHARE IT
WITH YOUR FRIENDS.

SHARE   