52:17B-244, 2A:158-22 LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2017 **CHAPTER**: 18

NJSA: 52:17B-244, 2A:158-22 (Requires AG and county prosecutor to provide notification on website concerning

persons indicted or prosecuted for crimes under certain circumstances)

BILL NO: A1945 (Substituted for S1243)

SPONSOR(S) Coughlin and others

DATE INTRODUCED: 1-27-2016

COMMITTEE: ASSEMBLY: Law & Public Safety

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: 12-19-2016

SENATE: 11-14-2016

DATE OF APPROVAL: 2-10-2017

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted)

Yes

A1945

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: No

(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: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S1243

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: ASSEMBLY: No

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: Yes

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@njstatelit	o.org
REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes
"Christie acts to clear names of N.J. defendants found not guilty of crimes," nj.com, February	12, 201

RWH/JA

P.L.2017, CHAPTER 18, approved February 10, 2017 Assembly, No. 1945 (Second Reprint)

1 AN ACT concerning certain prosecutorial information posted on 2 websites and supplementing Title 52 of the Revised Statutes and 3 Title 2A of the New Jersey Statutes.

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

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1. a. ¹ To the extent possible, the Attorney General shall remove, from the Office of the Attorney General website, all references and information, including, but not limited to, press releases, concerning indictments by the State and prosecutions by the Attorney General of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, For all indictments ²[by the State]² and prosecutions by the Attorney General of persons who were thereafter acquitted of ²[the] all criminal ² charges ²against them arising from the indictment or prosecution² or persons who had ²[the] all criminal² charges against them dismissed ²with prejudice², ¹ ²if the Attorney General published on its website a press release or information, other than information required to be made available to the public under section 3 of P.L.1963, c.73 (C.47:1A-3), concerning the indictment or prosecution which identified the person by name, upon written request of that person,² the Attorney General shall ²cause that press release or information to be removed from its website or 2 inform the public 2 on its website² that the person who was indicted ¹[by the State]¹ or prosecuted ¹[by the Attorney General] was acquitted of the ²criminal² charges or that the ²criminal² charges were dismissed ²[which shall include, but not be limited to, posting ¹[an updated] a¹ press release on the Office of the Attorney General website]².

b. ²[The] <u>Upon written request, the</u>² Attorney General shall provide a letter to ²[every] <u>any</u>² person who was indicted by the State or prosecuted by the Attorney General and was thereafter acquitted of ²[the] <u>all criminal</u>² charges ² <u>arising from the indictment or prosecution</u>² or who had ²[the] <u>all criminal</u>² charges against him dismissed ² <u>with prejudice</u>², ²[certifying] <u>indicating</u>² that the person was acquitted of, or that there was a dismissal ² <u>with</u>

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:

Assembly ALP committee amendments adopted February 4, 2016.

²Senate floor amendments adopted October 20, 2016.

<u>prejudice</u>² of, all ²<u>criminal</u>² charges arising from the indictment or prosecution.

2. a. ¹ [To the extent possible, each county prosecutor shall remove, from the county prosecutor's website, all references and information, including, but not limited to, press releases, concerning indictments and prosecutions by the county prosecutor of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, For all indictments and prosecutions by the county prosecutor of persons who were thereafter acquitted of ²[the] all criminal² charges ²against them arising from the indictment or prosecution² or persons who had ²[the] all criminal² charges against them dismissed 2 with prejudice2,1 2 [a] if the county prosecutor published on its website a press release or information, other than information required to be made available to the public under section 3 of P.L.1963, c.73 (C.47:1A-3), concerning the indictment or prosecution which identified the person by name, upon written request of that person, the² county prosecutor shall ²cause that press release or information to be removed from its website or 2 inform the public 2 on its website 2 that the person who was indicted ²[by the county grand jury]² or prosecuted ²[by the county prosecutor 2 was acquitted of the 2 criminal 2 charges or that the ²criminal² charges were dismissed ²[which shall include, but not be limited to, posting ¹ [an updated] <u>a</u>¹ press release on the county prosecutor's website **1**².

b. ²[A] <u>Upon written request, the</u>² county prosecutor shall provide a letter to ²[every] <u>any</u>² person who was indicted or prosecuted by the county prosecutor and was thereafter acquitted of ²[the] <u>all criminal</u>² charges ²<u>arising from the indictment or prosecution</u>² or who had ²[the] <u>all criminal</u>² charges against him dismissed ²<u>with prejudice</u>², ²[certifying] <u>indicating</u>² that the person was acquitted of, or that there was a dismissal ²<u>with prejudice</u>² of, all ²<u>criminal</u>² charges arising from the indictment or prosecution.

3. This act shall take effect on the first day of the seventh month following enactment.

Requires AG and county prosecutor to provide notification on website concerning persons indicted or prosecuted for crimes under certain circumstances.

ASSEMBLY, No. 1945

STATE OF NEW JERSEY

217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblyman CRAIG J. COUGHLIN
District 19 (Middlesex)
Assemblywoman SHAVONDA E. SUMTER
District 35 (Bergen and Passaic)
Assemblywoman L. GRACE SPENCER
District 29 (Essex)

Co-Sponsored by: Assemblyman Diegnan

SYNOPSIS

Requires AG and county prosecutor to remove information from website concerning persons indicted or prosecuted for crimes under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



AN ACT concerning certain prosecutorial information post	ed on
websites and supplementing Title 52 of the Revised Statute	es and
Title 2A of the New Jersey Statutes.	

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

1. a. To the extent possible, the Attorney General shall remove, from the Office of the Attorney General website, all references and information, including, but not limited to, press releases, concerning indictments by the State and prosecutions by the Attorney General of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, the Attorney General shall inform the public that the person who was indicted by the State or prosecuted by the Attorney General was acquitted of the charges or that the charges were dismissed which shall include, but not be limited to, posting an updated press release on the Office of the Attorney General website.

b. The Attorney General shall provide a letter to every person who was indicted by the State or prosecuted by the Attorney General and was thereafter acquitted of the charges or who had the charges against him dismissed, certifying that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

 2. a. To the extent possible, each county prosecutor shall remove, from the county prosecutor's website, all references and information, including, but not limited to, press releases, concerning indictments and prosecutions by the county prosecutor of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, a county prosecutor shall inform the public that the person who was indicted by the county grand jury or prosecuted by the county prosecutor was acquitted of the charges or that the charges were dismissed which shall include, but not be limited to, posting an updated press release on the county prosecutor's website.

b. A county prosecutor shall provide a letter to every person who was indicted or prosecuted by the county prosecutor and was thereafter acquitted of the charges or who had the charges against him dismissed, certifying that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

3. This act shall take effect on the first day of the seventh month following enactment.

STATEMENT

This bill requires the Attorney General and each county prosecutor to remove from their respective websites all references

A1945 COUGHLIN, SUMTER

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and information concerning indictments and prosecutions of 1 2 persons who were later acquitted of criminal charges or had the 3 charges dismissed. The bill also requires the Attorney General and 4 each county prosecutor to post information, including an updated 5 press release, on their website notifying the public that the person 6 was acquitted or had the charges dismissed. The Attorney General 7 or county prosecutor, as the case may be, is also required to provide a letter to every person who was indicted or prosecuted and 8 9 thereafter acquitted or had the charges dismissed. The letter is to 10 certify that the person was acquitted of, or that there was a 11 dismissal of, all charges arising from the indictment or prosecution.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1945

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 4, 2016

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 1945.

As amended and reported by the committee, Assembly Bill No. 1945 requires the Attorney General and each county prosecutor to post information, including a press release, on their websites notifying the public that a person who was indicted or prosecuted was acquitted or that the criminal charges against him or her were dismissed. The Attorney General or county prosecutor, as the case may be, is also required to provide a letter to these individuals. The letter is to certify that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the amended bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended the bill to remove the requirement that the Attorney General and each county prosecutor remove from their respective websites all references and information concerning indictments and prosecutions of persons who were later acquitted of criminal charges or had the charges dismissed.

STATEMENT TO

[First Reprint] **ASSEMBLY, No. 1945**

with Senate Floor Amendments (Proposed by SENATOR VITALE)

ADOPTED: OCTOBER 20, 2016

Assembly Bill No. 1945 (1R) requires the Attorney General and each county prosecutor to post information, including a press release, on their websites notifying the public that a person who was indicted or prosecuted was acquitted or that the criminal charges against him or her were dismissed.

These Senate amendments modify this provision to provide that if the Attorney General or county prosecutor published on its website a press release or information, other than information concerning a criminal investigation that is statutorily required to be made available, concerning the indictment or prosecution which identified the person by name, the Attorney General or county prosecutor is required, upon written request, to remove the press release or information from its website or inform the public on its website that that the person was acquitted or that there was a dismissal with prejudice of all criminal charges. In addition, these amendments remove the requirement that the Attorney General or county prosecutor post a press release on its website to inform the public that the person was acquitted or the charges were dismissed.

Assembly Bill No. 1945 (1R) requires the Attorney General or county prosecutor to provide a letter to every person who was indicted or prosecuted and thereafter acquitted of the charges or who had the charges against him or her dismissed certifying that the person was acquitted of or that there was a dismissal of all criminal charges.

These Senate amendments modify this provision to require the Attorney General or county prosecutor to provide a letter, upon written request, to any person who was indicted or prosecuted and thereafter acquitted of all criminal charges, or who had all criminal charges arising from the indictment or prosecution dismissed with prejudice, indicating that there was an acquittal or dismissal of the charges.

SENATE, No. 1243

STATE OF NEW JERSEY

217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

Sponsored by: Senator JOSEPH F. VITALE District 19 (Middlesex)

SYNOPSIS

Requires AG and county prosecutor to remove information from website concerning persons indicted or prosecuted for crimes under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



S1243 VITALE

AN ACT concerning certain prosecutorial information posted on websites and supplementing Title 52 of the Revised Statutes and Title 2A of the New Jersey Statutes.

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

1. a. To the extent possible, the Attorney General shall remove, from the Office of the Attorney General website, all references and information, including, but not limited to, press releases, concerning indictments by the State and prosecutions by the Attorney General of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, the Attorney General shall inform the public that the person who was indicted by the State or prosecuted by the Attorney General was acquitted of the charges or that the charges were dismissed which shall include, but not be limited to, posting an updated press release on the Office of the Attorney General website.

b. The Attorney General shall provide a letter to every person who was indicted by the State or prosecuted by the Attorney General and was thereafter acquitted of the charges or who had the charges against him dismissed, certifying that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

2. a. To the extent possible, each county prosecutor shall remove, from the county prosecutor's website, all references and information, including, but not limited to, press releases, concerning indictments and prosecutions by the county prosecutor of persons who were thereafter acquitted of the charges or persons who had the charges against them dismissed.

In addition, a county prosecutor shall inform the public that the person who was indicted by the county grand jury or prosecuted by the county prosecutor was acquitted of the charges or that the charges were dismissed which shall include, but not be limited to, posting an updated press release on the county prosecutor's website.

b. A county prosecutor shall provide a letter to every person who was indicted or prosecuted by the county prosecutor and was thereafter acquitted of the charges or who had the charges against him dismissed, certifying that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

3. This act shall take effect on the first day of the seventh month following enactment.

S1243 VITALE

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This bill requires the Attorney General and each county prosecutor to remove from their respective websites all references and information concerning indictments and prosecutions of persons who were later acquitted of criminal charges or had the charges dismissed. The bill also requires the Attorney General and each county prosecutor to post information, including an updated press release, on their website notifying the public that the person was acquitted or had the charges dismissed.

The Attorney General or county prosecutor, as the case may be, is also required to provide a letter to every person who was indicted or prosecuted and thereafter acquitted or had the charges dismissed. The letter is to certify that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1243

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 2016

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1243.

As amended and reported by the committee, Senate Bill No. 1243 requires the Attorney General and each county prosecutor to post information, including a press release, on their websites notifying the public that a person who was indicted or prosecuted was acquitted or that the criminal charges against him or her were dismissed.

The Attorney General or county prosecutor, as the case may be, is also required to provide a letter to these individuals. The letter is to certify that the person was acquitted of, or that there was a dismissal of, all charges arising from the indictment or prosecution.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1945 (1R).

The committee amended the bill to remove the requirement that the Attorney General and each county prosecutor remove from their respective websites all references and information concerning indictments and prosecutions of persons who were later acquitted of criminal charges or had the charges dismissed.

STATEMENT TO

[First Reprint] **SENATE, No. 1243**

with Senate Floor Amendments (Proposed by Senator VITALE)

ADOPTED: OCTOBER 20, 2016

Senate Bill No. 1243 (1R) requires the Attorney General and each county prosecutor to post information, including a press release, on their websites notifying the public that a person who was indicted or prosecuted was acquitted or that the criminal charges against him or her were dismissed.

These Senate amendments modify this provision to provide that if the Attorney General or county prosecutor published on its website a press release or information, other than information concerning a criminal investigation that is statutorily required to be made available, concerning the indictment or prosecution which identified the person by name, the Attorney General or county prosecutor is required, upon written request, to remove the press release or information from its website or inform the public on its website that that the person was acquitted or that there was a dismissal with prejudice of all criminal charges. In addition, these amendments remove the requirement that the Attorney General or county prosecutor post a press release on its website to inform the public that the person was acquitted or the charges were dismissed.

Senate Bill No. 1243 (1R) requires the Attorney General or county prosecutor to provide a letter to every person who was indicted or prosecuted and thereafter acquitted of the charges or who had the charges against him or her dismissed certifying that the person was acquitted of or that there was a dismissal of all criminal charges.

These Senate amendments modify this provision to require the Attorney General or county prosecutor to provide a letter, upon written request, to any person who was indicted or prosecuted and thereafter acquitted of all criminal charges, or who had all criminal charges arising from the indictment or prosecution dismissed with prejudice, indicating that there was an acquittal or dismissal of the charges.

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Governor Chris Christie Takes Action On Pending Legislation

Friday, February 10, 2017

Tags: Bill Action



Trenton, NJ – Governor Chris Christie announced that he has taken action on the following legislation:

BILL SIGNINGS:

A-333/S-2300 (Singleton, Quijano, Caputo, Taliaferro, Green, Caride, Houghtaling/Stack, Beck) – w/STATEMENT - Ensures project deadline fairness, enhances transparency, and establishes foreclosure protection and mortgage relief program for certain Superstorm Sandy-impacted homeowners

A-544/S-385 (Pinkin, Lagana, Mazzeo, Mukherji, Houghtaling/Stack, Barnes) - Requires annual notice of assessment on property to contain bolded notice of filing deadline for appeal

A-1668/S-354 (Schaer, Jasey, Johnson, Zwicker, Giblin, Downey, Wimberly/T. Kean) - Establishes New Jersey Commission on Higher Education and Business Partnerships

A-1945/S-1243 (Coughlin, Sumter, Wimberly/Vitale, Cunningham) - Requires AG and county prosecutor to provide notification on website concerning persons indicted or prosecuted for crimes under certain circumstances

A-2199/S-744 (Singleton, Holley, Rodriquez-Gregg, Downey/Beach, Turner) - Establishes veterans' preference for affordable housing in certain housing projects

A-2228/S-2489 (DeAngelo, Lagana, Pinkin, McKnight, Benson/Cruz-Perez, Van Drew) - Includes all disabled veterans in NJT discount program for senior citizens and persons with disabilities

A-2514/S-2178 (DeAngelo, Pinkin, Tucker, Space, Phoebus/Beach, Oroho) - Permits local units of government to enter into shared services agreements with federal military installations located in the State

A-2517/S-2008 (DeAngelo, Andrzejczak, Tucker, Conaway, Land/Beach, Allen) - Provides preference to certain employers applying for workforce development grants

A-2619/S-2409 (Gusciora, Wimberly, Holley, Muoio, Chiaravalloti, Sumter/Vitale, Cruz-Perez) - Requires that certain inmates with detainers be provided access to drug treatment programs

A-3267/S-2519 (Singleton, Webber, Holley, Mukherji, Lampitt, Wimberly, Houghtaling/Vitale) - Provides for voluntary contributions by taxpayers on gross income tax returns to support autism programs

A-333/S-1509 (Singleton, Mukherji, Oliver, Muoio, Houghtaling/Turner, Cruz-Perez) - Establishes microenterprise training program and assistance for microentrepreneurs; gives priority status to projects involving microenterprises under Neighborhood Revitalization Tax Credit Program

BILLS VETOED:

A-756/S-2046 (Moriarty, Coughlin, Mukherji, Benson/Cruz-Perez) – CONDITIONAL - Regulates use of motor vehicle payment assurance devices

A-4189/S-2670 (Gusciora, Muoio, Mukherji, Pintor Marin, Chiaravalloti, Wimberly/Van Drew, Turner) – CONDITIONAL - Extends duration of first five designated UEZs for two additional years; specifies permissible use of

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Governor'S Statement Upon Signing Assembly Bill No. 333 [pdf 30kB] UEZ funds; requires DCA Commissioner to assess and issue report on UEZ program

Press Contact:

Brian Murray 609-777-2600



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