



**FLOOR AMENDMENT STATEMENT:** Yes

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Christie Signs Bill to Let NJ Towns Reduce Public Smoking Penalties," Observer, August 7, 2017

"Christie signs nine bills sponsored by Oroho, Phoebus and Space," NJHerald, August 8, 2017

RH/CL

P.L.2017, CHAPTER 205, *approved August 7, 2017*

Assembly, No. 1199 (*Third Reprint*)

1 AN ACT concerning closed circuit testimony in certain <sup>1</sup>[domestic  
2 violence] criminal<sup>1</sup> cases <sup>1</sup>[and],<sup>1</sup> <sup>2</sup>[supplementing]<sup>2</sup>  
3 <sup>1</sup>[chapter 84A of]<sup>1</sup> <sup>2</sup>[Title 2A of the New Jersey Statutes]<sup>2</sup>  
4 <sup>1</sup>and amending P.L.1985, c.126<sup>1</sup> <sup>2</sup>and P.L.1989, c.336<sup>2</sup>.

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

8  
9 <sup>2</sup>[1.<sup>1</sup>(New section)<sup>1</sup> Prosecutions <sup>1</sup>[or actions]<sup>1</sup> for domestic  
10 violence<sup>1</sup>, sexual assault, and certain other crimes<sup>1</sup>; closed circuit  
11 testimony by certain vulnerable witnesses and victims.

12 a. In prosecutions for a crime <sup>1</sup>[or offense]<sup>1</sup> involving  
13 domestic violence <sup>1</sup>as defined in section 3 of P.L.1991, c.261  
14 (C.2C:25-19)<sup>1</sup>, <sup>1</sup>aggravated sexual assault, sexual assault,  
15 aggravated criminal sexual contact, criminal sexual contact, or  
16 human trafficking involving sexual activity,<sup>1</sup> the court may, on  
17 motion and after conducting a hearing in camera, order the taking of  
18 the testimony of a <sup>1</sup>victim or<sup>1</sup> witness <sup>1</sup>[who is under the age of 16  
19 or the testimony of a victim of any age] over the age of 16<sup>1</sup> on  
20 closed circuit television at the trial, out of the view of the jury,  
21 defendant, or spectators upon making findings as provided in  
22 subsection b. of this section.

23 b. An order under this section may be made only if the court  
24 determines by clear and convincing evidence that there is a  
25 substantial likelihood that the <sup>1</sup>victim or<sup>1</sup> witness <sup>1</sup>[under the age  
26 of 16 or the victim]<sup>1</sup> would suffer severe emotional or mental  
27 distress if required to testify in open court. The order shall be  
28 specific as to whether the <sup>1</sup>victim or<sup>1</sup> witness <sup>1</sup>[under the age of 16  
29 or the victim]<sup>1</sup> will testify outside the presence of spectators, the  
30 defendant, the jury, or all of them and shall be based on specific  
31 findings relating to the impact of the presence of each.

32 c. A motion seeking closed circuit testimony under subsection  
33 a. of this section may be filed by:

- 34 (1) The victim or witness <sup>1</sup>[under the age of 16]<sup>1</sup> or <sup>1</sup>, in the  
35 case of a victim or witness who is under the age of 18,<sup>1</sup> the victim's  
36 or witness's attorney, parent or legal guardian;  
37 (2) The prosecutor;  
38 (3) The defendant or the defendant's counsel; or  
39 (4) The trial judge on the judge's own motion.

**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:

<sup>1</sup>Assembly AJU committee amendments adopted March 7, 2016.

<sup>2</sup>Assembly AAP committee amendments adopted April 4, 2016.

<sup>3</sup>Assembly floor amendments adopted May 26, 2016.

1 d. The defendant's counsel shall be present at the taking of  
2 testimony in camera. If the defendant is not present, he and his  
3 attorney shall be able to confer privately with each other during the  
4 testimony by a separate audio system.

5 e. If testimony is taken on closed circuit television pursuant to  
6 the provisions of this act, a stenographic recording of that testimony  
7 shall also be required. A transcript of that testimony shall be  
8 included in the record on appeal. The closed circuit testimony itself  
9 shall not constitute part of the record on appeal except on motion  
10 for good cause shown. **]**<sup>2</sup>

11  
12 **[2.]** 1.<sup>2</sup> Section 1 of P.L.1985, c.126 (C.2A:84A-32.4) is  
13 amended to read as follows:

14 1. a. (1)<sup>2</sup> In prosecutions for aggravated sexual assault, sexual  
15 assault, aggravated criminal sexual contact, criminal sexual contact,  
16 human trafficking involving sexual activity, a crime involving  
17 domestic violence as defined in section 3 of P.L.1991, c.261  
18 (C.2C:25-19), **[child abuse]** endangering the welfare of a child  
19 pursuant to N.J.S.2C:24-4, abuse or neglect of a child pursuant to  
20 R.S.9:6-3<sup>2</sup>, or in any action alleging an abused or neglected child  
21 under P.L.1974, c.119 (C.9:6-8.21 et seq.), the court may, on  
22 motion and after conducting a hearing in camera, order the taking of  
23 the testimony of a victim or witness on closed circuit television at  
24 the trial, out of the view of the jury, defendant, or spectators upon  
25 making findings as provided in subsection b. of this section.

26 (2) In granting such an order, the court shall assure that:

27 (a) the victim or witness will testify under oath;

28 (b) the victim or witness will submit to cross-examination by the  
29 defendant's attorney; and

30 (c) the defendant, jury, and judge will be permitted to observe  
31 the demeanor of the victim or witness when making testimonial  
32 statements using closed circuit television.<sup>2</sup>

33 b. An order under this section may be made only if the court  
34 **[finds that the** victim or witness is 16 years of age or younger  
35 **and]**<sup>2</sup> determines by clear and convincing evidence that there is a  
36 substantial likelihood that the victim or witness would suffer severe  
37 emotional or mental distress if required to testify in **[open court]**  
38 the presence of spectators, the defendant, the jury, or all of them<sup>2</sup>.  
39 The order shall be specific as to whether the victim or witness will  
40 testify outside the presence of spectators, the defendant, the jury, or  
41 all of them and shall be based on specific findings relating to the  
42 impact of the presence of each.

43 c. A motion seeking closed circuit testimony under subsection  
44 a. of this section may be filed by:

45 (1) The victim or witness or 2, in the case of a victim or witness  
46 who is under the age of 18,<sup>2</sup> the victim's or witness's attorney,  
47 parent or legal guardian;

- 1 (2) The prosecutor; <sup>2</sup>or<sup>2</sup>
- 2 (3) The defendant or the defendant's counsel<sup>2</sup>; or
- 3 (4) The trial judge on the judge's own motion<sup>2</sup>.
- 4 d. The defendant's counsel shall be present <sup>2</sup>in the same room
- 5 as the victim or witness<sup>2</sup> at the taking of testimony <sup>2</sup>[in camera] on
- 6 closed circuit television<sup>2</sup>. <sup>2</sup>[If the defendant is not present, he and
- 7 his] The defendant and the defendant's<sup>2</sup> attorney shall be able to
- 8 confer privately with each other during the testimony by a separate
- 9 audio system.
- 10 e. If testimony is taken on closed circuit television pursuant to
- 11 the provisions of this <sup>2</sup>[act, a stenographic recording of that
- 12 testimony shall also be required. A typewritten transcript of that
- 13 testimony shall be included in the record on appeal. The closed
- 14 circuit testimony itself shall not constitute part of the record on
- 15 appeal except on motion for good cause shown] section, <sup>3</sup>[all] the
- 16 video portion of the testimony shall not be recorded and shall not
- 17 constitute part of the record on appeal. All<sup>3</sup> audio <sup>3</sup>[and video]<sup>3</sup>
- 18 transmissions, except private conversations between the defendant
- 19 and the defendant's attorney, shall be recorded and thereafter shall
- 20 be subject to the following provisions:
- 21 (1) If the victim or witness is 18 years of age or older at the time
- 22 of the court proceedings, any recording of the audio <sup>3</sup>[or video]<sup>3</sup>
- 23 portion of the closed circuit testimony shall constitute part of the
- 24 record on appeal, unless the court orders otherwise for good cause
- 25 shown upon motion of the parties.
- 26 (2) If the victim or witness is under the age of 18 at the time of
- 27 the court proceedings, any recording of the audio <sup>3</sup>[or video]<sup>3</sup>
- 28 portion of the closed circuit testimony shall not constitute part of
- 29 the record on appeal and shall be deemed confidential and not
- 30 available to the public, unless the court orders otherwise for good
- 31 cause shown upon motion of the parties. In making <sup>3</sup>[this] the<sup>3</sup>
- 32 determination <sup>3</sup>regarding the availability of the audio portion of the
- 33 testimony<sup>3</sup>, the court shall consider potential trauma or stigma to
- 34 the victim or witness. A transcript of the audio portion of the
- 35 closed circuit testimony shall constitute part of the record on
- 36 appeal, subject to any personal identification safeguards contained
- 37 in section 1 of P.L.1989, c.336 (C.2A:82-46).
- 38 f. For purposes of this section, "closed circuit television"
- 39 means any closed-circuit, videoconferencing or other audio-visual
- 40 electronic technology capable of producing a simultaneous, one-
- 41 way broadcast from a victim or witness to a defendant in a separate
- 42 physical location. The technology shall allow for the live
- 43 observation of the victim or witness by the defendant, jury, and
- 44 judge during the course of testimony or cross-examination, while
- 45 excluding a victim or witness from directly hearing or viewing the
- 46 defendant during the proceedings<sup>2</sup>.<sup>1</sup>
- 47 (cf: P.L.2013, c.51, s.16)

1       <sup>2</sup>2. Section 1 of P.L.1989, c.336 (C.2A:82-46) is amended to  
2 read as follows:

3       1. Disclosure of identity of victims of certain crimes under age  
4 18 prohibited.

5       a. In prosecutions for aggravated sexual assault, sexual assault,  
6 aggravated criminal sexual contact, criminal sexual contact, human  
7 trafficking involving sexual activity, a crime involving domestic  
8 violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19)  
9 which involves sexual activity, endangering the welfare of children  
10 under N.J.S.2C:24-4, abuse or neglect of a child pursuant to  
11 R.S.9:6-3, or in any action alleging an abused or neglected child  
12 under P.L.1974, c.119 (C.9:6-8.21 et seq.), the name, address, and  
13 identity of a victim who was under the age of 18 at the time of the  
14 alleged commission of an offense shall not appear on the  
15 indictment, complaint, or any other public record as defined in  
16 P.L.1963, c.73 (C.47:1A-1 et seq.). In its place initials or a  
17 fictitious name shall appear.

18       b. Any report, statement, photograph, court document,  
19 indictment, complaint or any other public record which states the  
20 name, address and identity of a victim shall be confidential and  
21 unavailable to the public. Unless authorized pursuant to subsection  
22 c. of this section, any person who purposefully discloses, releases or  
23 otherwise makes available to the public any of the above-listed  
24 documents which contain the name, address and identity of a victim  
25 who was under the age of 18 at the time of the alleged commission  
26 of an offense enumerated in subsection a. of this section shall be  
27 guilty of a disorderly persons offense.

28       c. The information described in this **[act]** section shall remain  
29 confidential and unavailable to the public unless the court, after a  
30 hearing, determines that good cause exists for disclosure. The  
31 hearing shall be held after notice has been made to the victim,  
32 parents of victim, spouse, partner in a civil union or other person  
33 legally responsible for the maintenance and care of the victim, and  
34 to the person charged with the commission of the offense, counsel  
35 or guardian of that person.

36       d. Nothing contained herein shall prohibit the court from  
37 imposing further restrictions with regard to the disclosure of the  
38 name, address, and identity of the victim when it deems it necessary  
39 to prevent trauma or stigma to the victim.<sup>2</sup>

40 (cf: P.L.1989, c.336, s.1)

41

42       <sup>1</sup>**[2.] 3.**<sup>1</sup> This act shall take effect immediately.

43

44

45       Permits a victim or witness of any age to testify by closed circuit  
46 television under certain circumstances in prosecutions for domestic  
47 violence, sexual assault, and certain other crimes.

# ASSEMBLY, No. 1199

## STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblyman JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblymen Benson, Mazzeo, Assemblywoman Lampitt, Assemblymen  
McKeon, Diegnan and Eustace**

**SYNOPSIS**

Permits a witness who is under the age of 16 or a victim of any age to testify by closed circuit television in prosecutions for crimes or offenses involving domestic violence.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning closed circuit testimony in certain domestic  
2 violence cases and supplementing chapter 84A of Title 2A of the  
3 New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Prosecutions or actions for domestic violence; closed circuit  
9 testimony by certain vulnerable witnesses and victims.

10 a. In prosecutions for a crime or offense involving domestic  
11 violence, the court may, on motion and after conducting a hearing  
12 in camera, order the taking of the testimony of a witness who is  
13 under the age of 16 or the testimony of a victim of any age on closed  
14 circuit television at the trial, out of the view of the jury, defendant,  
15 or spectators upon making findings as provided in subsection b. of  
16 this section.

17 b. An order under this section may be made only if the court  
18 determines by clear and convincing evidence that there is a  
19 substantial likelihood that the witness under the age of 16 or the  
20 victim would suffer severe emotional or mental distress if required  
21 to testify in open court. The order shall be specific as to whether  
22 the witness under the age of 16 or the victim will testify outside the  
23 presence of spectators, the defendant, the jury, or all of them and  
24 shall be based on specific findings relating to the impact of the  
25 presence of each.

26 c. A motion seeking closed circuit testimony under subsection  
27 a. of this section may be filed by:

28 (1) The victim or witness under the age of 16 or the victim's or  
29 witness's attorney, parent or legal guardian;

30 (2) The prosecutor;

31 (3) The defendant or the defendant's counsel; or

32 (4) The trial judge on the judge's own motion.

33 d. The defendant's counsel shall be present at the taking of  
34 testimony in camera. If the defendant is not present, he and his  
35 attorney shall be able to confer privately with each other during the  
36 testimony by a separate audio system.

37 e. If testimony is taken on closed circuit television pursuant to  
38 the provisions of this act, a stenographic recording of that testimony  
39 shall also be required. A transcript of that testimony shall be  
40 included in the record on appeal. The closed circuit testimony itself  
41 shall not constitute part of the record on appeal except on motion  
42 for good cause shown.

43  
44 2. This act shall take effect immediately.



1 STATEMENT

2

3 This bill permits certain domestic violence victims and witness  
4 to testify against an alleged abuser via closed circuit television in  
5 prosecutions for a crime or offense involving domestic violence.

6 The bill provides that the court may, on motion and following a  
7 hearing, order the taking of the testimony of a witness who is under  
8 the age of 16 or the testimony of a victim of any age out of the  
9 presence of the jury, defendant, or spectators. The bill provides that  
10 closed circuit testimony will be allowed only if the court determines  
11 by clear and convincing evidence that there is a substantial  
12 likelihood that the victim or witness would suffer severe emotional  
13 or mental distress if required to testify in open court.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1199

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 7, 2016

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1199.

This bill, as amended, permits certain witnesses to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence or certain sex crimes.

Under current law, set out in section 1 of P.L.1985, c.126 (C.2A:84A-32.4), the court may order the taking of the testimony of a witness *16 years of age or younger* on closed circuit television in prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, human trafficking involving sexual activity, child abuse, or in any action alleging an abused or neglected child if the court finds that there is a substantial likelihood that the witness would suffer severe emotional or mental distress if required to testify in open court.

As introduced, section 1 of the bill would have supplemented the current law to allow closed circuit testimony in prosecutions for a crime or offense involving domestic violence, and would have applied to a witness *under the age of 16 or to a victim of any age*.

Because current law addresses victims and witnesses 16 years of age or younger, the committee amendments to section 1 of the bill (supplementing current law) address only those victims and witnesses who are over age 16. The committee expanded the provisions of section 1 to also encompass prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, or human trafficking involving sexual activity where the victim or witness is *over the age of 16*. In addition, the committee amendments limit the bill to prosecutions for *crimes* involving domestic violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19), and exclude *offenses* involving domestic violence. The amendments also provide that if the victim or witness is under the age of 18, an attorney, parent, or guardian can file the motion seeking closed circuit testimony. This provision is consistent with current law as set out in section 1 of P.L.1985, c.126 (C.2A:84A-32.4).

The committee amendments add a new section 2 to the bill amending the current law, section 1 of P.L.1985, c.126 (C.2A:84A-32.4). The amendments add prosecutions for crimes involving domestic violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19) to the crimes listed in the statute. In addition, the amendments to this section clarify that the court would have to make its determination (of a substantial likelihood that the witness would suffer severe emotional or mental distress if required to testify in open court) by *clear and convincing evidence*. The amendments also clarify that this section applies to victims or witnesses.

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

COMMITTEE AMENDMENTS:

1. Amend the bill title to reflect the committee amendments to section 1 of P.L.1985, c.126 (C.2A:84A-32.4).

2. Amend section 1 of the bill to provide that the bill applies only to crimes involving domestic violence and not to offenses involving domestic violence; add the crimes of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, or human trafficking involving sexual activity; provide that this section applies to a victim or witness over the age of 16; clarify that this section applies to victims or witnesses; and provide that if the victim or witness is under the age of 18, an attorney, parent, or guardian can file the motion.

3. Insert a new section 2 in the bill to amend section 1 of P.L.1985, c.126 (C.2A:84A-32.4) to add prosecutions for a crime involving domestic violence, as defined in section 3 of P.L.1991, c.261 (C.2C:25-19), to the crimes listed in the statute; provide that the court's determination would be by clear and convincing evidence; and clarify that this section applies to victims or witnesses.

4. Replace the synopsis to reflect the provisions of the bill as amended.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 1199

with committee amendments

# STATE OF NEW JERSEY

DATED: APRIL 4, 2016

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1199 (1R), with committee amendments.

As amended, this bill permits certain witnesses and victims to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence, certain sex crimes, or crimes involving the abuse or neglect of a child.

Under current law, the court may order the taking of the testimony of a witness 16 years of age or younger on closed circuit television in prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, human trafficking involving sexual activity, child abuse, or in any action alleging an abused or neglected child if the court finds that there is a substantial likelihood that the witness would suffer severe emotional or mental distress if required to testify in open court.

This bill, as amended, expands current law to encompass victims and witnesses of any age, and provides that the court, in granting an order to allow closed circuit testimony, shall assure that: the victim or witness will testify under oath; the victim or witness will submit to cross-examination by the defendant's attorney; and the defendant, jury, and judge will be permitted to observe the demeanor of the victim or witness when making testimonial statements using closed circuit television. The bill, as amended, eliminates the provision in current law authorizing the trial judge to file a motion seeking closed circuit testimony, as these motions are properly filed by the victim or witness seeking such testimony, rather than the judge.

In addition, the bill, as amended, clarifies certain procedural provisions, including that the defendant's counsel would be present in the same room as the victim or witness at the taking of testimony on closed circuit television, and that the defendant and defendant's attorney would be able to confer privately with each other during the testimony by a separate audio system.

The bill replaces certain existing statutory language with specific citations, and deletes several provisions in current law that have been rendered obsolete by newer technologies.

The bill provides that if testimony is taken on closed circuit television, all audio and video transmissions, except private conversations between the defendant and the defendant's attorney, shall be recorded and thereafter shall be subject to the following provisions:

(1) If the victim or witness is 18 years of age or older at the time of the court proceedings, any recording of the audio or video portion of the closed circuit testimony shall constitute part of the record on appeal, unless the court orders otherwise for good cause shown upon motion of the parties.

(2) If the victim or witness is under the age of 18 at the time of the court proceedings, any recording of the audio or video portion of the closed circuit testimony shall not constitute part of the record on appeal and shall be deemed confidential and not available to the public, unless the court orders otherwise for good cause shown upon motion of the parties. In making this determination, the court shall consider potential trauma or stigma to the victim or witness. A transcript of the audio portion of the closed circuit testimony shall constitute part of the record on appeal, subject to any personal identification safeguards contained in section 1 of P.L.1989, c.336 (C.2A:82-46).

The bill, as amended, defines "closed circuit television" as: "any closed-circuit, videoconferencing or other audio-visual electronic technology capable of producing a simultaneous, one-way broadcast from a victim or witness to a defendant in a separate physical location. The technology shall allow for the live observation of the victim or witness by the defendant, jury, and judge during the course of testimony or cross-examination, while excluding a victim or witness from directly hearing or viewing the defendant during the proceedings."

The bill, as amended, also adds human trafficking involving sexual activity, a crime involving domestic violence which involves sexual activity, and abuse or neglect of the child pursuant to R.S.9:6-3 to the provisions of current law that protect the identity of victims under the age of 18 in certain prosecutions by requiring that the name, address, and identity of the minor victim not appear on any public record.

#### FISCAL IMPACT:

The Administrative Office of the Courts (AOC) states that the Judiciary is unable to ascertain the number of additional closed circuit television testimonies which would be ordered by the court as a result of the bill. The AOC notes that the bill would require the purchase, installation and recurring maintenance of numerous closed circuit television systems. However, without first identifying the potential need, the Judiciary cannot determine the number of systems required. Therefore, although the fiscal impact on the courts cannot be estimated, the costs associated with the

purchase and installation of a closed circuit television system are substantial.

COMMITTEE AMENDMENTS:

1. Omit section 1 of the bill and renumber section 2 as section 1.
2. In the renumbered section 1 replace the term “child abuse” with “endangering the welfare of a child pursuant to N.J.S.2C:24-4” and “abuse or neglect of a child pursuant to R.S.9:6-3.”
3. Add provision that, in granting an order for closed circuit testimony, the court shall assure that: the victim or witness will testify under oath; the victim or witness will submit to cross-examination by the defendant’s attorney; and the defendant, jury, and judge will be permitted to observe the demeanor of the victim or witness when making testimonial statements using closed circuit television.
4. Provide that in the case of a victim or witness who is under the age of 18, the victim's or witness's attorney, parent or legal guardian may make the motion seeking closed circuit testimony.
5. Provide that the defendant's counsel shall be present in the same room as the victim or witness at the taking of testimony on closed circuit television and that the defendant and the defendant’s attorney shall be able to confer privately with each other during the testimony by a separate audio system.
6. Remove provision that the motion for closed circuit testimony may be made by the trial judge on the judge’s own motion.
7. Remove provisions concerning stenographic recordings and typed transcripts and add provision requiring all audio and video transmissions, except private conversations between the defendant and the defendant’s attorney, shall be recorded and subject to certain provisions applicable to victims and witnesses who are 18 or older and those who are under 18.
8. Add definition of “closed circuit television”: any closed-circuit, videoconferencing or other audio-visual electronic technology capable of producing a simultaneous, one-way broadcast from a victim or witness to a defendant in a separate physical location. The technology shall allow for the live observation of the victim or witness by the defendant, jury, and judge during the course of testimony or cross-examination, while excluding a victim or witness from directly hearing or viewing the defendant during the proceedings.
9. Insert new section 2 amending section 1 of P.L.1989, c.336 (C.2A:82-46) to add certain crimes to the statute.

STATEMENT TO  
[Second Reprint]  
**ASSEMBLY, No. 1199**

with Assembly Floor Amendments  
(Proposed by Assemblywoman MOSQUERA)

ADOPTED: MAY 26, 2016

These floor amendments provide that when victims and witnesses testify at trial by closed circuit television, the video portion of the testimony would not be recorded and would not be part of the record on appeal. Only the audio portion of the testimony would be recorded. Such audio recording could be part of the record on appeal, depending on the age of the victim or witness and the order of the court.

Under the amendments, if the victim or witness is *under age 18*, any recording of the audio portion of the closed circuit testimony *would not* constitute part of the record on appeal and would be deemed confidential and not available to the public, *unless the court orders otherwise* for good cause shown.

If the victim or witness is *18 or older*, any recording of the audio portion of the closed circuit testimony *would* constitute part of the record on appeal, *unless the court orders otherwise for good cause shown*.

**FISCAL NOTE**  
 [Second Reprint]  
**ASSEMBLY, No. 1199**  
**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

DATED: APRIL 21, 2016

**SUMMARY**

- Synopsis:** Permits a victim or witness of any age to testify by closed circuit television under certain circumstances in prosecutions for domestic violence, sexual assault, and certain other crimes.
- Type of Impact:** General Fund expenditure.
- Agencies Affected:** Judiciary

**Executive Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost</b>	Indeterminate – See comments below		

- The Office of Legislative Services (OLS) **concurs** with the Judiciary estimate.
- The bill would permit certain victims or witnesses to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence or certain sex crimes.
- The bill provides that closed circuit testimony will be allowed only if the court determines by clear and convincing evidence that there is a substantial likelihood that the victim or witness would suffer severe emotional or mental distress if required to testify in open court.
- The Administrative Office of the Courts (AOC) states that the Judiciary has the ability to modify existing audio-visual systems to implement the closed circuit television (CCTV) testimony provisions of the bill as well as record and store audio recordings of such testimony for potential appeal purposes. However, the recording, storage, cataloging, and retrieval of the video portion of CCTV testimony as required by the bill presents a significant challenge and cost to the Judiciary’s present system of digital court record storage.
- The AOC also states that while existing audio-visual systems can be adapted for the purposes of the bill to accommodate a limited number of cases, a large growth in the number of cases in which CCTV testimony is ordered will tax existing resources and require the purchase of additional audio-visual equipment at a cost to the State.



- Because of the expanded scope and discretionary standards in the bill, the Judiciary is unable to ascertain how many CCTV testimonies may be ordered by the court. As a result, the AOC is unable to estimate the potential fiscal impact of the bill with any certainty.

## **BILL DESCRIPTION**

Assembly Bill No. 1199 (2R) of 2016 permits certain witnesses and victims to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence, certain sex crimes, or crimes involving the abuse or neglect of a child.

Under current law, the court may order the taking of the testimony of a witness 16 years of age or younger on closed circuit television in prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, human trafficking involving sexual activity, child abuse, or in any action alleging an abused or neglected child if the court finds that there is a substantial likelihood that the witness would suffer severe emotional or mental distress if required to testify in open court.

This bill expands current law to encompass victims and witnesses of any age, and provides that the court, in granting an order to allow closed circuit testimony, shall assure that: the victim or witness will testify under oath; the victim or witness will submit to cross-examination by the defendant's attorney; and the defendant, jury, and judge will be permitted to observe the demeanor of the victim or witness when making testimonial statements using closed circuit television. The bill eliminates the provision in current law authorizing the trial judge to file a motion seeking closed circuit testimony, as these motions are properly filed by the victim or witness seeking such testimony, rather than the judge.

In addition, the bill clarifies certain procedural provisions, including that the defendant's counsel would be present in the same room as the victim or witness at the taking of testimony on closed circuit television, and that the defendant and defendant's attorney would be able to confer privately with each other during the testimony by a separate audio system.

The bill replaces certain existing statutory language with specific citations, and deletes several provisions in current law that have been rendered obsolete by newer technologies.

The bill provides that if testimony is taken on closed circuit television, all audio and video transmissions, except private conversations between the defendant and the defendant's attorney, shall be recorded and thereafter shall be subject to the following provisions:

(1) If the victim or witness is 18 years of age or older at the time of the court proceedings, any recording of the audio or video portion of the closed circuit testimony shall constitute part of the record on appeal, unless the court orders otherwise for good cause shown upon motion of the parties.

(2) If the victim or witness is under the age of 18 at the time of the court proceedings, any recording of the audio or video portion of the closed circuit testimony shall not constitute part of the record on appeal and shall be deemed confidential and not available to the public, unless the court orders otherwise for good cause shown upon motion of the parties. In making this determination, the court shall consider potential trauma or stigma to the victim or witness. A transcript of the audio portion of the closed circuit testimony shall constitute part of the record on appeal, subject to any personal identification safeguards contained in section 1 of P.L.1989, c.336 (C.2A:82-46).

The bill defines "closed circuit television" as: "any closed-circuit, videoconferencing or other audio-visual electronic technology capable of producing a simultaneous, one-way broadcast from a victim or witness to a defendant in a separate physical location. The technology shall allow for the live observation of the victim or witness by the defendant,

jury, and judge during the course of testimony or cross-examination, while excluding a victim or witness from directly hearing or viewing the defendant during the proceedings.”

The bill also adds human trafficking involving sexual activity, a crime involving domestic violence which involves sexual activity, and abuse or neglect of the child pursuant to R.S.9:6-3 to the provisions of current law that protects the identity of victims under the age of 18 in certain prosecutions by requiring that the name, address, and identity of the minor victim not appear on any public record.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

#### **Administrative Office of the Courts**

The AOC states that the Judiciary has the ability to modify existing audio-visual systems to implement the CCTV testimony provisions of the bill as well as record and store audio recordings of such testimony for potential appeal purposes. However, the recording, storage, cataloging, and retrieval of the video portion of CCTV testimony as required by the bill presents a significant challenge and cost to the Judiciary’s present system of digital court record storage. Developing a system of recording, storing and retrieving the video portion of the testimony would require the development of new technology that would interface with the current CourtSmart system that is used for the digital storage of audio court records. Revising the bill’s requirement for storage of the video portion of the testimony could alleviate this cost without affecting the substantive nature of the appeal.

While existing audio-visual systems can be adapted for the purposes of the bill to accommodate a limited number of cases, a large growth in the number of cases in which CCTV testimony is ordered will tax existing resources and require the purchase of additional audio-visual equipment at a cost to the State. Because of the expanded scope and discretionary standards in the bill, the Judiciary is unable to ascertain how many CCTV testimonies may be ordered by the court. Therefore, the Judiciary is unable to estimate the potential fiscal impact of the bill with any certainty.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concurs with the Judiciary estimate.

*Section: Judiciary*  
*Analyst: Raughley, Anne C.*  
*Principal Fiscal Analyst*  
*Approved: Frank W. Haines III*  
*Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**FISCAL NOTE**  
[Third Reprint]  
**ASSEMBLY, No. 1199**  
**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

DATED: SEPTEMBER 19, 2016

**SUMMARY**

- Synopsis:** Permits a victim or witness of any age to testify by closed circuit television under certain circumstances in prosecutions for domestic violence, sexual assault, and certain other crimes.
- Type of Impact:** General Fund expenditure.
- Agencies Affected:** Judiciary

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate – See comments below		

- The Office of Legislative Services (OLS) **concurs** with the Judiciary estimate.
- The bill would permit certain victims or witnesses to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence or certain sex crimes.
- The bill provides that closed circuit testimony will be allowed only if the court determines by clear and convincing evidence that there is a substantial likelihood that the victim or witness would suffer severe emotional or mental distress if required to testify in open court.
- The Administrative Office of the Courts (AOC) states that the Judiciary has the ability to modify existing audio-visual systems to implement the closed circuit television (CCTV) testimony provisions of the bill as well as record and store audio recordings of such testimony for potential appeal purposes. However, the recording, storage, cataloging, and retrieval of the video portion of CCTV testimony as required by the bill presents a significant challenge and cost to the Judiciary's present system of digital court record storage.
- The AOC also states that while existing audio-visual systems can be adapted for the purposes of the bill to accommodate a limited number of cases, a large growth in the number of cases

in which CCTV testimony is ordered will tax existing resources and require the purchase of additional audio-visual equipment at a cost to the State.

- Because of the expanded scope and discretionary standards in the bill, the Judiciary is unable to ascertain how many CCTV testimonies may be ordered by the court. As a result, the AOC is unable to estimate the potential fiscal impact of the bill with any certainty.

## **BILL DESCRIPTION**

Assembly Bill No. 1199 (3R) of 2016 permits certain witnesses and victims to testify against the defendant via closed circuit television in prosecutions for a crime involving domestic violence, certain sex crimes, or crimes involving the abuse or neglect of a child.

Under current law, the court may order the taking of the testimony of a witness 16 years of age or younger on closed circuit television in prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, human trafficking involving sexual activity, child abuse, or in any action alleging an abused or neglected child if the court finds that there is a substantial likelihood that the witness would suffer severe emotional or mental distress if required to testify in open court.

This bill expands current law to encompass victims and witnesses of any age, and provides that the court, in granting an order to allow closed circuit testimony, shall assure that: the victim or witness will testify under oath; the victim or witness will submit to cross-examination by the defendant's attorney; and the defendant, jury, and judge will be permitted to observe the demeanor of the victim or witness when making testimonial statements using closed circuit television. The bill eliminates the provision in current law authorizing the trial judge to file a motion seeking closed circuit testimony, as these motions are properly filed by the victim or witness seeking such testimony, rather than the judge.

In addition, the bill clarifies certain procedural provisions, including that the defendant's counsel would be present in the same room as the victim or witness at the taking of testimony on closed circuit television, and that the defendant and defendant's attorney would be able to confer privately with each other during the testimony by a separate audio system.

The bill replaces certain existing statutory language with specific citations, and deletes several provisions in current law that have been rendered obsolete by newer technologies.

The bill provides that if testimony is taken on closed circuit television, the video portion of the testimony shall not be recorded and shall not constitute part of the record of appeals. All audio transmissions, except private conversations between the defendant and the defendant's attorney, shall be recorded and thereafter shall be subject to the following provisions:

(1) If the victim or witness is 18 years of age or older at the time of the court proceedings, any recording of the audio portion of the closed circuit testimony shall constitute part of the record on appeal, unless the court orders otherwise for good cause shown.

(2) If the victim or witness is under the age of 18 at the time of the court proceedings, any recording of the audio portion of the closed circuit testimony shall not constitute part of the record on appeal and shall be deemed confidential and not available to the public, unless the court orders otherwise for good cause shown. In making this determination, the court shall consider potential trauma or stigma to the victim or witness. A transcript of the audio portion of the closed circuit testimony shall constitute part of the record on appeal, subject to any personal identification safeguards contained in section 1 of P.L.1989, c.336 (C.2A:82-46).

The bill defines “closed circuit television” as: “any closed-circuit, videoconferencing or other audio-visual electronic technology capable of producing a simultaneous, one-way broadcast from a victim or witness to a defendant in a separate physical location. The technology shall allow for the live observation of the victim or witness by the defendant, jury, and judge during the course of testimony or cross-examination, while excluding a victim or witness from directly hearing or viewing the defendant during the proceedings.”

The bill also adds human trafficking involving sexual activity, a crime involving domestic violence which involves sexual activity, and abuse or neglect of the child pursuant to R.S.9:6-3 to the provisions of current law that protects the identity of victims under the age of 18 in certain prosecutions by requiring that the name, address, and identity of the minor victim not appear on any public record.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

#### **Administrative Office of the Courts**

The AOC states that the Judiciary has the ability to modify existing audio-visual systems to implement the CCTV testimony provisions of the bill as well as record and store audio recordings of such testimony for potential appeal purposes. However, the recording, storage, cataloging, and retrieval of the video portion of CCTV testimony as required by the bill presents a significant challenge and cost to the Judiciary’s present system of digital court record storage. Developing a system of recording, storing and retrieving the video portion of the testimony would require the development of new technology that would interface with the current CourtSmart system that is used for the digital storage of audio court records. Revising the bill’s requirement for storage of the video portion of the testimony could alleviate this cost without affecting the substantive nature of the appeal.

While existing audio-visual systems can be adapted for the purposes of the bill to accommodate a limited number of cases, a large growth in the number of cases in which CCTV testimony is ordered will tax existing resources and require the purchase of additional audio-visual equipment at a cost to the State. Because of the expanded scope and discretionary standards in the bill, the Judiciary is unable to ascertain how many CCTV testimonies may be ordered by the court. Therefore, the Judiciary is unable to estimate the potential fiscal impact of the bill with any certainty.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS concurs with the Judiciary estimate.

*Section:           Judiciary*

*Analyst:          Anne Raughley*  
*Principal Fiscal Analyst*

*Approved:       Frank W. Haines III*  
*Legislative Budget and Finance Officer*

This fiscal note has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**SENATE, No. 1326**

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**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

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INTRODUCED FEBRUARY 11, 2016

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Permits domestic violence victim witness to testify via closed circuit television under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/12/2016)**

1 AN ACT concerning domestic violence witnesses and supplementing  
2 chapter 84A of Title 2A of the New Jersey Statutes.

3

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

6

7 1. Prosecutions or actions for domestic violence; closed circuit  
8 testimony by vulnerable witness.

9 a. In prosecutions for a crime or offense involving domestic  
10 violence, the court may, on motion and after conducting a hearing  
11 in camera, order the taking of the testimony of a witness on closed  
12 circuit television at the trial, out of the view of the jury, defendant,  
13 or spectators upon making findings as provided in subsection b. of  
14 this section.

15 b. An order under this section may be made only if the court  
16 determines by clear and convincing evidence that there is a  
17 substantial likelihood that the witness would suffer severe  
18 emotional or mental distress if required to testify in open court.  
19 The order shall be specific as to whether the witness will testify  
20 outside the presence of spectators, the defendant, the jury, or all of  
21 them and shall be based on specific findings relating to the impact  
22 of the presence of each.

23 c. A motion seeking closed circuit testimony under subsection  
24 a. of this section may be filed by:

25 (1) The victim or witness or the victim's or witness's attorney,  
26 parent or legal guardian;

27 (2) The prosecutor;

28 (3) The defendant or the defendant's counsel; or

29 (4) The trial judge on the judge's own motion.

30 d. The defendant's counsel shall be present at the taking of  
31 testimony in camera. If the defendant is not present, he and his  
32 attorney shall be able to confer privately with each other during the  
33 testimony by a separate audio system.

34 e. If testimony is taken on closed circuit television pursuant to  
35 the provisions of this act, a stenographic recording of that testimony  
36 shall also be required. A transcript of that testimony shall be  
37 included in the record on appeal. The closed circuit testimony  
38 itself shall not constitute part of the record on appeal except on  
39 motion for good cause shown.

40

41 2. This act shall take effect immediately.

42

43

44

#### STATEMENT

45

46 This bill would permit a domestic violence victim to testify  
47 against an alleged abuser via closed circuit television in  
48 prosecutions for a crime or offense involving domestic violence.

**S1326 TURNER, OROHO**

3

1 Under the bill, the court may, following a hearing order the  
2 taking of the testimony out of the presence of the jury, defendant, or  
3 spectators. Closed circuit testimony would be allowed if the court  
4 determines by clear and convincing evidence that there is a  
5 substantial likelihood that the witness would suffer severe  
6 emotional or mental distress if required to testify in open court.



**STATEMENT TO**  
**SENATE, No. 1326**

with Senate Floor Amendments  
(Proposed by Senators TURNER and OROHO)

ADOPTED: JANUARY 23, 2017

As originally introduced, this bill had provided that in prosecutions for a crime or offense involving domestic violence, the court may order closed circuit testimony by a witness under certain circumstances.

These floor amendments add several crimes to the provisions of the bill, also allowing closed circuit testimony by victims and witnesses in prosecutions for endangering the welfare of a child and for abuse or neglect of a child. The floor amendments provide that in granting an order for such testimony, the court shall assure that:

- (a) the victim or witness will testify under oath;
- (b) the victim or witness will submit to cross-examination by the defendant's attorney; and
- (c) the defendant, jury, and judge will be permitted to observe the demeanor of the victim or witness when making testimonial statements using closed circuit television.

Current law only allows closed circuit testimony when a witness is 16 years of age or younger. Under the floor amendments, such testimony could be ordered if the witness is any age and the court determines by clear and convincing evidence that there is a substantial likelihood that the victim or witness would suffer severe emotional or mental distress if required to testify in the presence of spectators, the defendant, the jury, or all of them.

If testimony is taken on closed circuit television pursuant to the amendments, the video portion of the testimony would not be recorded and would not constitute part of the record on appeal. All audio transmissions, except private conversations between the defendant and the defendant's attorney, would be recorded and thereafter be subject to the following provisions:

(1) If the victim or witness is 18 years of age or older at the time of the court proceedings, any recording of the audio portion of the closed circuit testimony would constitute part of the record on appeal, unless the court orders otherwise for good cause shown upon motion of the parties.

(2) If the victim or witness is under the age of 18, any recording of the audio portion of the closed circuit testimony would not constitute part of the record on appeal and would be deemed confidential and not available to the public, unless the court orders otherwise for good cause shown upon motion of the parties. In making the determination regarding the availability of the audio portion of the testimony, the court would consider potential trauma

or stigma to the victim or witness. A transcript of the audio portion of the closed circuit testimony would constitute part of the record on appeal, subject to any personal identification safeguards contained in section 1 of P.L.1989, c.336 (C.2A:82-46).

The amendments define “closed circuit television” as any closed-circuit, videoconferencing or other audio-visual electronic technology capable of producing a simultaneous, one-way broadcast from a victim or witness to a defendant in a separate physical location. The technology shall allow for the live observation of the victim or witness by the defendant, jury, and judge during the course of testimony or cross-examination, while excluding a victim or witness from directly hearing or viewing the defendant during the proceedings.

The floor amendments also amend section 1 of P.L.1989, c.336 (C.2A:82-46), which bars the disclosure of the identity of victims of sex crimes, endangering the welfare of a child, or child abuse. Under the amendments, disclosure of the identity of victims of the following crimes would also be barred: human trafficking involving sexual activity, a crime involving domestic violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19) which involves sexual activity, or abuse or neglect of a child pursuant to R.S.9:6-3.

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## Governor Christie Takes Action On Pending Legislation

Monday, August 7, 2017

Tags: [Bill Action](#)

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

### **BILL SIGNINGS:**

**S-169/A-4329 (Bateman/McKeon, Zwicker)** - Allows certain emergency squad volunteers holding municipal elective office to vote on emergency squad concerns

**S-452/A-838 (Sacco, Greenstein/Jimenez, Moriarty)** - Requires waiver of dealer obligation regarding necessary repairs impacting vehicle inspection to include description of known defects

**S-678/A-4967 (Rice/Watson, Tucker, Caputo)** - Requires local government units to certify compliance with certain federal hiring requirements when filing annual budgets

**S-726/A-4460 (Cruz-Perez, Oroho/Jones, Mosquera, Downey, Johnson)** – Extends full protection of Law Against Discrimination to persons having liability for service in Armed Forces of United States; guarantees equal employment opportunity in State contracting to all veterans

**S-996wGR/A-1378 (Rice, Van Drew, Turner/Muoio, Benson, Pintor Marin, Quijano, Schaer)** – Requires report on status of lead-safe program in DCA

**S-1219/A-936 (Holzapfel, Allen/Wolfe, McGuckin, Oliver, Giblin, Wimberly)** - Requires reporting of suspected abuse of institutionalized elderly to police and that facility employees receive notice of reporting requirement annually; designated as "Peggy's Law"

**S-1359/A-4096 (A.R. Bucco, Stack/A.M. Bucco, Vainieri Huttie, McKnight, Mazzeo)** - Guarantees full and equal access to all housing to disabled persons who retain their retired service or guide dog as a pet, and who also obtain a new service or guide dog

**S-1497/A-3225 (A.R. Bucco, Pennacchio/Dancer, Clifton, Munoz, A.M. Bucco)** - Designates Killed in Action flag as an official State flag; mandates it be displayed at certain public buildings

**SCS for S-1640, 1642, 1013/AS AS ACS for A-3152, 3154, 2426 (Van Drew, Holzapfel, Singer, Turner/Andrzejczak, McGuckin, Land, Wolfe, Vainieri Huttie, Taliaferro, Benson)** - Establishes requirements concerning necessary care of dogs, domestic companion animals, and service animals, and for tethering of dogs

**S-1660/A-770 (Van Drew, Cruz-Perez/Andrzejczak, Land, Houghtaling, DeAngelo, Johnson)** - Provides for voluntary contributions by taxpayers on gross income tax returns for maintenance of certain State memorials honoring war veterans

**S-1731/A-2368 (Gordon, Allen/Vainieri Huttie)** - Permits municipality to establish civil penalty for smoking in public places

**S-1739/A-2167 (Turner, Diegnan/Johnson, Vainieri Huttie, Wimberly)** - Establishes sexual assault training requirements for law enforcement officers

**S-1750/A-2729 (Madden, Cruz-Perez/A.M. Bucco, DeAngelo, Space, Mosquera, Wisniewski, DeCroce, Mukherji, Jones)** - Establishes special motorcycle license plates for veterans

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### More Information

[Letter Regarding S3074 \[pdf 45kB\]](#)

**S-1808/A-3342 (Van Drew, Diegnan/Karabinchak)** - Designates striped bass as NJ State Saltwater Fish; redesignates brook trout as NJ Freshwater Fish

**S-2153/A-3520 (Gordon/Eustace, Sumter, Wimberly, Vainieri Huttle, Johnson)** – Requires NJTA to study impact of constructing rail stations at certain park and ride facilities

**S-2369/A-4152 (Whelan, Van Drew, Connors/Andrzejczak, Mazzeo, Land, Burzichelli)** - Limits application of DEP shellfish habitat rules for certain dredging activities

**S-2457/A-3999 (Van Drew, Oroho/Houghtaling, Andrzejczak, Mazzeo, Space, Downey)** - Enables collection of voluntary contributions for Jersey Fresh Program through gross income tax returns

**S-2578/A-4239 (Cunningham, Pou, Gordon/Sumter, Jasey, Benson, Muoio, Downey, Mukherji)** - Revises New Jersey College Loans to Assist State Students Loan Program to require applicants first exhaust federal student loans, require income verification, and limit total student loan amounts

**S-2884/A-4484 (Whelan, Greenstein/Eustace, Quijano, Chiaravalloti, Caride)** - Declares that deed restrictions or agreements that prevent raising or constructing of a structure to certain flood elevation standards are unenforceable

**S-2892/A-5042 (Sweeney/Giblin)** - Exempts certain real estate brokers, broker-salespersons and salespersons from continuing education requirement

**S-3074/A-4586 (Lesniak, Turner/Johnson, Oliver, Holley, Chiaravalloti)** - Establishes gubernatorial veto power over Waterfront Commission of New York Harbor's meeting minutes; expands gubernatorial oversight powers over commission

**S-3244/A-4854 (Sweeney, Allen/Singleton, Burzichelli, Taliaferro)** - Designates portion of Interstate Highway Route 295 in West Deptford Township as "State Trooper Sean E. Cullen Memorial Highway"

**A-445/S-1661 (Mazzeo, Pinkin, DeAngelo, Chiaravalloti/Van Drew, A.R. Bucco)** - Provides for voluntary contributions by taxpayers on gross income tax returns for the NJ World War II Veterans' Memorial Fund

**A-1185/S-2771 (Mosquera, Holley, Moriarty, Quijano/Cruz-Perez, Van Drew)** - Requires State Comptroller to report findings of audit compliance reviews

**A-1199/S-1326 (Mosquera, Moriarty, Lagana, Zwicker, Downey/Turner, Oroho)** - Permits a victim or witness of any age to testify by closed circuit television under certain circumstances in prosecutions for domestic violence, sexual assault, and certain other crimes

**ACS for A-1690/SCS SCS for S-660, 2002 (Dancer, Singleton, Andrzejczak, Land, Benson, Moriarty, Houghtaling/Turner, Beach, Van Drew)** - Allows fire district elections to be moved to November; eliminates certain fire district budget referenda; and eliminates certain fire district capital purchase referenda

**A-1953/S-2448 (Coughlin, Lagana, Muoio, Benson, Houghtaling, Danielsen, Mukherji/Vitale, Whelan)** - Allows installment payments for senior and disabled property taxpayers to repay overpayments of homestead credits and homestead property tax reimbursements

**A-1955/SCS for S-1795 (Jones, Lampitt, Phoebus, Space/A.R. Bucco, Oroho)** - Provides for voluntary discharge of personal representatives overseeing administration of estates by application to the Surrogate's Court

**A-2176/S-156 (Taliaferro, Eustace, Benson, Mazzeo, Chiaravalloti/Madden, Ruiz)** - Criminalizes possession and sale of alpha-pyrrolidinopentophenone (alpha-PVP), commonly known as "flakka" or "flocka"

**A-3056/SCS for S-2360, 3030 (Taliaferro, Dancer, Houghtaling, Space, Andrzejczak, Webber/Allen, Greenstein, Bateman, Smith, Wimberly)** – Requires DEP to establish voluntary guidelines for K-12 schools and institutions of higher education to reduce, recover, and recycle food waste; extends "Food Bank Good Samaritan Act" immunity protections to public and nonpublic schools.

**A-3058/S-2366 (Space, Taliaferro, Dancer, Houghtaling, Andrzejczak/Oroho, Ruiz)** - Establishes Farm to School Coordinating Council

**A-3381 (McKnight, Holley, Vainieri Huttle, Houghtaling, Chiaravalloti, Quijano, Gordon)** – Authorizes municipal volunteer programs for free removal of snow from certain residential properties occupied by seniors or disabled persons.

**A-3386/S-2711 (Schaer, Vainieri Huttle, Chiaravalloti, Caride, Mukherji, Wimberly/Vitale, Rice)** - Provides protections for children under the age of 18 with developmental disabilities and individuals with developmental disabilities ages 18-21 receiving services from Division of Children's System of Care

**A-3437/S-1076 (DeAngelo, Gusciora, Land, Andrzejczak/Turner)** - Designates "Garden State" as State Slogan

**A-3896/S-2790 (Sumter, Mukherji, Pintor Marin/Scutari, Turner)** - Concerns sale of certain tires

**A-3908/S-3021 (Mazzeo, DeAngelo, Mukherji, Houghtaling, Quijano/Whelan, T. Kean)** - Establishes 9/11 Memorial Registry

**A-3911/S-2863 (Wisniewski, Vainieri Huttle, Mukherji/Cardinale, Pennacchio)** - Provides that motor vehicle registration expires on registrant's numerical calendar day of birth

**A-4164/S-2588 (Houghtaling, Downey, Holley, Muoio, Webber/Van Drew, Cruz-Perez)** - Requires State Auditor to annually report on unspent State account balances

**A-4206/S-2676 (Karabinchak, Prieto, Webber, Holley/Diegnan, A.R. Bucco)** - Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office

**A-4230/S-3141 (Conaway, O'Scanlon, Mukherji, Pintor Marin/Codey)** - Requires health insurance carriers; SHBP, and SEHBP to inform covered persons about organ and tissue donation

**ACS for A-4432/SCS for S-2841 (Schaer, Lampitt, Benson, Singleton, Chiaravalloti, Wimberly/Cunningham)** - Provides increased tax credit amounts under Grow New Jersey Assistance Program for certain businesses that have collaborative research relationships with colleges or universities

**A-4542/S-2986 (Mazzeo, Johnson, Land, Andrzejczak, DeCrocce/Van Drew)** - Designates portion of State Highway Route 55 as "State Trooper Frankie L. Williams Memorial Highway"

**A-4580/S-2989 (Taliaferro, Burzichelli, Quijano, Houghtaling/Lesniak, Oroho)** - Appropriates \$2,900,000 from "2009 Farmland Preservation Fund" for grants to certain nonprofit organizations for farmland preservation purposes

**A-4581/S-2987 (Houghtaling, Andrzejczak, Singleton, Downey/Cruz-Perez, Oroho)** - Appropriates \$22,385,743 to State Agriculture Development Committee for farmland preservation purposes

**A-4582/S-2990 (Andrzejczak, Mazzeo, Taliaferro, Zwicker, Houghtaling/Whelan, Van Drew)** - Appropriates \$32.5 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants

**A-4584/S-2988 (Zwicker, Taliaferro, Burzichelli, Houghtaling/Sweeney)** - Appropriates \$7,500,000 from constitutionally dedicated CBT revenues for planning incentive grants to municipalities for farmland preservation purposes

**A-4630/S-1938 (Jones/Cruz-Perez)** - Repeals law regulating charges assessed by a miller for grinding grain

**A-4673/S-3095 (Houghtaling, Downey/Van Drew)** - Concerns assessment of buildings or structures on real property located in certain counties following material depreciation thereof

**A-4713/S-3235 (Burzichelli, Prieto, Gusciora, DeAngelo, Benson/Kyrillos, Whelan)** - Designates building where NJEDA is located in memory of Caren Franzini to commemorate her outstanding service to State

**A-4895/S-3056 (Egan, Sumter, Pinkin/Cunningham)** - Eliminates UI exemption for interns employed by hospitals

#### **BILL VETOED:**

**S-2214/A-3847 (Turner, Cunningham/Lampitt, Mukherji, Johnson, Eustace) - CONDITIONAL** - Requires institutions of higher education and proprietary degree-granting institutions to improve transparency of tuition and fees

###

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