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RH/CL

P.L. 2017, CHAPTER 280, *approved January 8, 2018*
Assembly, No. 4865

1 AN ACT concerning oaths and amending P.L.1982, c.221.

2

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

5

6 1. Section 1 of P.L.1982, c.221 (C.41:2-3.2) is amended to read
7 as follows:

8 1. State detectives and investigators **【attached】** assigned to the
9 Division of Criminal Justice or the Division of State Police may
10 administer oaths, if the oaths are administered only in relation to a
11 matter involving a violation or an attempted violation of the
12 criminal laws of this State.

13 (cf: P.L.1982, c.221, s.1)

14

15 2. This act shall take effect immediately.

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17

18

STATEMENT

19

20 This bill permits both detectives and investigators in the Division
21 of State Police in the Department of Law and Public Safety to
22 administer oaths in matters related to a violation or an attempted
23 violation of the criminal laws. This same authority to administer
24 oaths is already conferred on investigators in the Division of
25 Criminal Justice in the Department of Law and Public Safety and on
26 both detectives and investigators in the County Prosecutors'
27 Offices.

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32 _____
33 Permits State detectives and investigators to administer oaths
34 when investigating violations or attempted violations of criminal
law.

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.

ASSEMBLY, No. 4865

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 18, 2017

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Permits State detectives and investigators to administer oaths when investigating violations or attempted violations of criminal law.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/19/2017)

A4865 BENSON

2

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ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4865

STATE OF NEW JERSEY

DATED: JUNE 12, 2017

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 4865 .

As reported by the committee, Assembly Bill No. 4865 permits detectives in the Division of State Police in the Department of Law and Public Safety to administer oaths when investigating a violation or attempted violation of a criminal law.

Under current law, investigators in the Division of Criminal Justice in the Department of Law and Public Safety, as well as both detectives and investigators in the County Prosecutors' Offices, are authorized to administer oaths in relation to a matter involving a violation or attempted violation of a criminal law. The bill extends this same authority to administer oaths to detectives in the Division of State Police in the Department of Law and Public Safety.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4865

STATE OF NEW JERSEY

DATED: NOVEMBER 30, 2017

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 4865.

As reported by the committee, this bill permits detectives in the Division of State Police in the Department of Law and Public Safety to administer oaths when investigating a violation or attempted violation of a criminal law.

Current law confers this same authority to administer oaths on investigators in the Division of Criminal Justice in the Department of Law and Public Safety and on both detectives and investigators in the County Prosecutors' Offices in relation to a matter involving a violation or attempted violation of a criminal law. The bill extends this same authority to administer oaths to detectives in the Division of State Police in the Department of Law and Public Safety.

During the course of criminal investigations, it is necessary for State police detectives to question witnesses and take sworn statements. They currently do not have the statutory authority to administer the oath in taking these statements, and therefore they rely on investigators in the county prosecutor's office or the Division of Criminal Justice to do so. This bill will streamline the investigative process.

As reported by the committee, Assembly Bill No. 4865 is identical to Senate Bill No. 3230, which also was reported by the committee on this same date.

SENATE, No. 3230

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED MAY 25, 2017

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Permits State detectives and investigators to administer oaths when investigating violations or attempted violations of criminal law.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning oaths and amending P.L.1982, c.221.

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

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Matter underlined thus is new matter.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 3230

STATE OF NEW JERSEY

DATED: NOVEMBER 30, 2017

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 3230.

As reported by the committee, this bill permits both detectives and investigators in the Division of State Police in the Department of Law and Public Safety to administer oaths in matters related to a violation or an attempted violation of the criminal laws.

Current law confers this same authority to administer oaths on investigators in the Division of Criminal Justice in the Department of Law and Public Safety and on both detectives and investigators in the County Prosecutors' Offices in relation to a matter involving a violation or attempted violation of a criminal law. The bill extends this same authority to administer oaths to detectives in the Division of State Police in the Department of Law and Public Safety.

During the course of criminal investigations, it is necessary for State police detectives to question witnesses and take sworn statements. They currently do not have the statutory authority to administer the oath in taking these statements, and therefore they rely on investigators in the county prosecutor's office or the Division of Criminal Justice to do so. This bill will streamline the investigative process.

As reported by the committee, Senate Bill No. 3230 is identical to Assembly Bill No. 4865, which also was reported by the committee on this same date.