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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

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P.L. 2019, CHAPTER 474, *approved January 21, 2020*
Assembly, No. 2767 (*Second Reprint*)

1 AN ACT concerning sexual assault and amending N.J.S.2C:14-2.

2

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

5

6 1. N.J.S. 2C:14-2 is amended to read as follows:

7 2C:14-2. Sexual assault. a. An actor is guilty of aggravated
8 sexual assault if **[he]** the actor commits an act of sexual penetration
9 with another person under any one of the following circumstances:

10 (1) The victim is less than 13 years old;

11 (2) The victim is at least 13 but less than 16 years old; and

12 (a) The actor is related to the victim by blood or affinity to the
13 third degree, or

14 (b) The actor has supervisory or disciplinary power over the
15 victim by virtue of the actor's legal, professional, or occupational
16 status, or

17 (c) The actor is a resource family parent, a guardian, or stands
18 in loco parentis within the household;

19 (3) The act is committed during the commission, or attempted
20 commission, whether alone or with one or more other persons, of
21 robbery, carjacking, kidnapping, homicide, aggravated assault on
22 **[another]** ²the victim or ²a person other than the victim, burglary,
23 arson, or criminal escape;

24 (4) The actor is armed with a weapon or any object fashioned in
25 such a manner as to lead the victim to reasonably believe it to be a
26 weapon and threatens by word or gesture to use the weapon or
27 object;

28 (5) The actor is aided or abetted by one or more other persons
29 and the actor **[uses physical force or]** commits the act using
30 coercion or without the victim's affirmative and freely-given
31 permission;

32 (6) The actor **[uses physical force or]** commits the act using
33 coercion or without the victim's affirmative and freely-given
34 permission and severe personal injury is sustained by the victim;

35 (7) The victim, at the time of sexual penetration, is one whom
36 the actor knew or should have known was:

37 (a) physically helpless or incapacitated**[,]** ;

38 (b) intellectually or mentally incapacitated**[,]** ; or

39 (c) had a mental disease or defect which rendered the victim
40 temporarily or permanently incapable of understanding the
41 distinctively sexual nature of **[his]** the conduct, including, but not
42 limited to, being incapable of providing consent, or incapable of

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:

¹Senate SLP committee amendments adopted December 9, 2019.

²Senate floor amendments adopted December 16, 2019.

1 understanding or exercising the right to refuse to engage in the
2 conduct.

3 Aggravated sexual assault is a crime of the first degree.

4 Except as otherwise provided in subsection d. of this section, a
5 person convicted under paragraph (1) of this subsection shall be
6 sentenced to a specific term of years which shall be fixed by the
7 court and shall be between 25 years and life imprisonment of which
8 the person shall serve 25 years before being eligible for parole,
9 unless a longer term of parole ineligibility is otherwise provided
10 pursuant to this Title.

11 b. An actor is guilty of sexual assault if ¹~~he~~ the actor¹
12 commits an act of sexual contact with a victim who is less than 13
13 years old and the actor is at least four years older than the victim.

14 c. An actor is guilty of sexual assault if ¹~~he~~ the actor¹
15 commits an act of sexual penetration with another person under any
16 one of the following circumstances:

17 (1) The actor ~~uses physical force or~~ commits the act using
18 coercion or without the victim's affirmative and freely-given
19 permission, but the victim does not sustain severe personal injury;

20 (2) The victim is on probation or parole, or is detained in a
21 hospital, prison or other institution and the actor has supervisory or
22 disciplinary power over the victim by virtue of the actor's legal,
23 professional or occupational status;

24 (3) The victim is at least 16 but less than 18 years old and:

25 (a) The actor is related to the victim by blood or affinity to the
26 third degree; or

27 (b) The actor has supervisory or disciplinary power of any
28 nature or in any capacity over the victim; or

29 (c) The actor is a resource family parent, a guardian, or stands
30 in loco parentis within the household;

31 (4) The victim is at least 13 but less than 16 years old and the
32 actor is at least four years older than the victim¹;

33 (5) The victim is a pupil at least 18 but less than 22 years old
34 and has not received a high school diploma and the actor is a
35 teaching staff member or substitute teacher, school bus driver, other
36 school employee, contracted service provider, or volunteer and the
37 actor has supervisory or disciplinary power of any nature or in any
38 capacity over the victim. As used in this paragraph, "teaching staff
39 member" has the meaning set forth in N.J.S.18A:1-1¹.

40 Sexual assault is a crime of the second degree.

41 d. Notwithstanding the provisions of subsection a. of this
42 section, where a defendant is charged with a violation under
43 paragraph (1) of subsection a. of this section, the prosecutor, in
44 consideration of the interests of the victim, may offer a negotiated
45 plea agreement in which the defendant would be sentenced to a
46 specific term of imprisonment of not less than 15 years, during
47 which the defendant shall not be eligible for parole. In such event,
48 the court may accept the negotiated plea agreement and upon such

1 conviction shall impose the term of imprisonment and period of
2 parole ineligibility as provided for in the plea agreement, and may
3 not impose a lesser term of imprisonment or parole or a lesser
4 period of parole ineligibility than that expressly provided in the plea
5 agreement. The Attorney General shall develop guidelines to ensure
6 the uniform exercise of discretion in making determinations
7 regarding a negotiated reduction in the term of imprisonment and
8 period of parole ineligibility set forth in subsection a. of this
9 section.

10 (cf: P.L.2019, c.108, s.1)

11

12 2. This act shall take effect immediately.

13

14

15

16

17 Amends certain provisions of sexual assault statute to clarify
18 elements necessary for conviction.

ASSEMBLY, No. 2767

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

**Assemblywoman Vainieri Huttie, Assemblymen Freiman, Tully,
Assemblywomen Swain and Murphy**

SYNOPSIS

Amends certain provisions of sexual assault statute to clarify elements necessary for conviction.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/28/2018)

1 AN ACT concerning sexual assault and amending N.J.S.2C:14-2.

2

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

5

6 1. N.J.S. 2C:14-2 is amended to read as follows:

7 2C:14-2. Sexual assault. a. An actor is guilty of aggravated
8 sexual assault if **the** the actor commits an act of sexual penetration
9 with another person under any one of the following circumstances:

10 (1) The victim is less than 13 years old;

11 (2) The victim is at least 13 but less than 16 years old; and

12 (a) The actor is related to the victim by blood or affinity to the
13 third degree, or

14 (b) The actor has supervisory or disciplinary power over the
15 victim by virtue of the actor's legal, professional, or occupational
16 status, or

17 (c) The actor is a resource family parent, a guardian, or stands
18 in loco parentis within the household;

19 (3) The act is committed during the commission, or attempted
20 commission, whether alone or with one or more other persons, of
21 robbery, carjacking, kidnapping, homicide, aggravated assault on
22 **another** a person other than the victim, burglary, arson, or
23 criminal escape;

24 (4) The actor is armed with a weapon or any object fashioned in
25 such a manner as to lead the victim to reasonably believe it to be a
26 weapon and threatens by word or gesture to use the weapon or
27 object;

28 (5) The actor is aided or abetted by one or more other persons
29 and the actor **uses physical force or** commits the act using
30 coercion or without the victim's affirmative and freely-given
31 permission;

32 (6) The actor **uses physical force or** commits the act using
33 coercion or without the victim's affirmative and freely-given
34 permission and severe personal injury is sustained by the victim;

35 (7) The victim, at the time of sexual penetration, is one whom
36 the actor knew or should have known was:

37 (a) physically helpless or incapacitated**[,]** ;

38 (b) intellectually or mentally incapacitated**[,]** ; or

39 (c) had a mental disease or defect which rendered the victim
40 temporarily or permanently incapable of understanding the
41 distinctively sexual nature of **his** the conduct, including, but not
42 limited to, being incapable of providing consent , or incapable of
43 understanding or exercising the right to refuse to engage in the
44 conduct.

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.

1 Aggravated sexual assault is a crime of the first degree.

2 Except as otherwise provided in subsection d. of this section, a
3 person convicted under paragraph (1) of this subsection shall be
4 sentenced to a specific term of years which shall be fixed by the
5 court and shall be between 25 years and life imprisonment of which
6 the person shall serve 25 years before being eligible for parole,
7 unless a longer term of parole ineligibility is otherwise provided
8 pursuant to this Title.

9 b. An actor is guilty of sexual assault if he commits an act of
10 sexual contact with a victim who is less than 13 years old and the
11 actor is at least four years older than the victim.

12 c. An actor is guilty of sexual assault if he commits an act of
13 sexual penetration with another person under any one of the
14 following circumstances:

15 (1) The actor **[uses physical force or]** commits the act using
16 coercion or without the victim's affirmative and freely-given
17 permission, but the victim does not sustain severe personal injury;

18 (2) The victim is on probation or parole, or is detained in a
19 hospital, prison or other institution and the actor has supervisory or
20 disciplinary power over the victim by virtue of the actor's legal,
21 professional or occupational status;

22 (3) The victim is at least 16 but less than 18 years old and:

23 (a) The actor is related to the victim by blood or affinity to the
24 third degree; or

25 (b) The actor has supervisory or disciplinary power of any
26 nature or in any capacity over the victim; or

27 (c) The actor is a resource family parent, a guardian, or stands
28 in loco parentis within the household;

29 (4) The victim is at least 13 but less than 16 years old and the
30 actor is at least four years older than the victim.

31 Sexual assault is a crime of the second degree.

32 d. Notwithstanding the provisions of subsection a. of this
33 section, where a defendant is charged with a violation under
34 paragraph (1) of subsection a. of this section, the prosecutor, in
35 consideration of the interests of the victim, may offer a negotiated
36 plea agreement in which the defendant would be sentenced to a
37 specific term of imprisonment of not less than 15 years, during
38 which the defendant shall not be eligible for parole. In such event,
39 the court may accept the negotiated plea agreement and upon such
40 conviction shall impose the term of imprisonment and period of
41 parole ineligibility as provided for in the plea agreement, and may
42 not impose a lesser term of imprisonment or parole or a lesser
43 period of parole ineligibility than that expressly provided in the plea
44 agreement. The Attorney General shall develop guidelines to ensure
45 the uniform exercise of discretion in making determinations
46 regarding a negotiated reduction in the term of imprisonment and
47 period of parole ineligibility set forth in subsection a. of this
48 section.

49 (cf: P.L.2014, c.7, s.1)

1 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill amends certain provisions of the sexual assault statute
7 to make it consistent with current law as established by relevant
8 case law, and as set forth in the instructions presented to the jury
9 during the course of criminal proceedings. The bill is based on
10 recommendations of the New Jersey Law Revision Commission
11 (NJLRC) pursuant to its 2014 final report relating to sexual
12 offenses.

13 This bill replaces the term “physical force” in accordance with
14 the New Jersey Supreme Court’s holding in State in Interest of
15 M.T.S., 129 N.J. 422 (1992), which holds that the only requirement
16 for a conviction under the sexual assault statute is proof beyond a
17 reasonable doubt that there was sexual penetration and that it was
18 accomplished without the affirmative and freely-given permission
19 of the victim. This amendment provides clarity by incorporating
20 the holding into the statute. As discussed by the NJLRC in its
21 report, since the M.T.S. decision, courts that consider sexual assault
22 cases need to use both statute and the court decision to determine
23 the elements necessary for conviction. The bill also amends the
24 statute to articulate the New Jersey Supreme Court’s determination,
25 as set forth in State v. Olivio, 123 N.J. 550 (1991), that a person is
26 “mentally defective” within the meaning of the statute if, at the time
27 of the sexual penetration, the person is incapable of understanding
28 the distinctively sexual nature of the conduct and is incapable of
29 understanding or exercising the right to refuse to engage in sexual
30 conduct.

31 In addition, the bill amends paragraph (3) of subsection a. of the
32 statute to clarify that the phrase “aggravated assault on another”
33 refers to a person other than the victim, and adds the crime of
34 carjacking as an aggravating offense. These changes are based on
35 the New Jersey Supreme Court opinions in State v. Rangel, 213 N.J.
36 500 (2013), and State v. Drury, 190 N.J. 197 (2007).

37 Finally, the bill replaces gender-specific language with gender-
38 neutral terms.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2767

STATE OF NEW JERSEY

DATED: JUNE 14, 2018

The Assembly Women and Children Committee reports favorably Assembly Bill No. 2767.

This bill amends certain provisions of the sexual assault statute to make it consistent with current law as established by relevant case law, and as set forth in the instructions presented to the jury during the course of criminal proceedings. The bill is based on recommendations of the New Jersey Law Revision Commission (NJLRC) pursuant to its 2014 final report relating to sexual offenses.

This bill replaces the term “physical force” in accordance with the New Jersey Supreme Court’s holding in State in Interest of M.T.S., 129 N.J. 422 (1992), which holds that the only requirement for a conviction under the sexual assault statute is proof beyond a reasonable doubt that there was sexual penetration and that it was accomplished without the affirmative and freely-given permission of the victim. This amendment provides clarity by incorporating the holding into the statute. As discussed by the NJLRC in its report, since the M.T.S. decision, courts that consider sexual assault cases need to use both statute and the court decision to determine the elements necessary for conviction. The bill also amends the statute to articulate the New Jersey Supreme Court’s determination, as set forth in State v. Olivio, 123 N.J. 550 (1991), that a person is “mentally defective” within the meaning of the statute if, at the time of the sexual penetration, the person is incapable of understanding the distinctively sexual nature of the conduct and is incapable of understanding or exercising the right to refuse to engage in sexual conduct.

In addition, the bill amends paragraph (3) of subsection a. of the statute to clarify that the phrase “aggravated assault on another” refers to a person other than the victim, and adds the crime of carjacking as an aggravating offense. These changes are based on the New Jersey Supreme Court opinions in State v. Rangel, 213 N.J. 500 (2013), and State v. Drury, 190 N.J. 197 (2007).

Finally, the bill replaces gender-specific language with gender-neutral terms.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2767

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Senate Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2767.

As amended and reported by the committee, this bill amends certain provisions of the sexual assault statute to make it consistent with current relevant case law as set forth in the instructions presented to the jury during the course of criminal proceedings. The bill is based on recommendations of the New Jersey Law Revision Commission (NJLRC) pursuant to its 2014 final report relating to sexual offenses.

The amended bill replaces the term “physical force” in accordance with the New Jersey Supreme Court’s holding in State in Interest of M.T.S., 129 N.J. 422 (1992), which holds that the only requirement for a conviction under the sexual assault statute is proof beyond a reasonable doubt that there was sexual penetration and that it was accomplished without the affirmative and freely-given permission of the victim. This amendment provides clarity by incorporating the holding into the statute. As discussed by the NJLRC in its report, since the M.T.S. decision, courts that consider sexual assault cases need to use both the statute and the court decision to determine the elements necessary for conviction. The bill also amends the statute to articulate the New Jersey Supreme Court’s determination, as set forth in State v. Olivio, 123 N.J. 550 (1991), that a person is “mentally defective” within the meaning of the statute if, at the time of the sexual penetration, the person is incapable of understanding the distinctively sexual nature of the conduct and is incapable of understanding or exercising the right to refuse to engage in sexual conduct.

In addition, the amended bill amends paragraph (3) of subsection a. of the statute to clarify that the phrase “aggravated assault on another” refers to a person other than the victim, and adds the crime of carjacking as an aggravating offense. These changes are based on the New Jersey Supreme Court opinions in State v. Rangel, 213 N.J. 500 (2013), and State v. Drury, 190 N.J. 197 (2007).

Finally, the amended bill replaces gender-specific language with gender-neutral terms.

As reported by the committee, this bill is identical to Senate Bill No. 2924, which was also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to conform the sexual assault statute to the provisions of P.L.2019, c.108.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2767

with Assembly Floor Amendments
(Proposed by Senator GREENSTEIN)

ADOPTED: DECEMBER 16, 2019

Assembly Bill No. 2767 (1R) amends certain provisions of the sexual assault statute to make it consistent with current relevant case law as set forth in the instructions presented to the jury during the course of criminal proceedings. One provision of the bill upgrades sexual assault to first degree aggravated sexual assault if the actor commits an act of sexual penetration during the commission of an aggravated assault against a person other than the victim.

This Senate amendment establishes that the upgrade to aggravated sexual assault also applies if the aggravated assault is committed against the victim.

As amended, this bill is identical to Senate Bill No. 2924 (1R), which also was amended by the Senate on this same date.

SENATE, No. 2924

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2018

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Amends certain provisions of sexual assault statute to clarify elements necessary for conviction.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning sexual assault and amending N.J.S.2C:14-2.

2

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

5

6 1. N.J.S. 2C:14-2 is amended to read as follows:

7 2C:14-2. Sexual assault. a. An actor is guilty of aggravated
8 sexual assault if **[he]** the actor commits an act of sexual penetration
9 with another person under any one of the following circumstances:

10 (1) The victim is less than 13 years old;

11 (2) The victim is at least 13 but less than 16 years old; and

12 (a) The actor is related to the victim by blood or affinity to the
13 third degree, or

14 (b) The actor has supervisory or disciplinary power over the
15 victim by virtue of the actor's legal, professional, or occupational
16 status, or

17 (c) The actor is a resource family parent, a guardian, or stands
18 in loco parentis within the household;

19 (3) The act is committed during the commission, or attempted
20 commission, whether alone or with one or more other persons, of
21 robbery, carjacking, kidnapping, homicide, aggravated assault on
22 **[another]** a person other than the victim, burglary, arson, or
23 criminal escape;

24 (4) The actor is armed with a weapon or any object fashioned in
25 such a manner as to lead the victim to reasonably believe it to be a
26 weapon and threatens by word or gesture to use the weapon or
27 object;

28 (5) The actor is aided or abetted by one or more other persons
29 and the actor **[uses physical force or]** commits the act using
30 coercion or without the victim's affirmative and freely-given
31 permission;

32 (6) The actor **[uses physical force or]** commits the act using
33 coercion or without the victim's affirmative and freely-given
34 permission and severe personal injury is sustained by the victim;

35 (7) The victim, at the time of sexual penetration, is one whom
36 the actor knew or should have known was:

37 (a) physically helpless or incapacitated**[,]** ;

38 (b) intellectually or mentally incapacitated**[,]** ; or

39 (c) had a mental disease or defect which rendered the victim
40 temporarily or permanently incapable of understanding the
41 distinctively sexual nature of **[his]** the conduct, including, but not
42 limited to, being incapable of providing consent , or incapable of
43 understanding or exercising the right to refuse to engage in the
44 conduct.

45 Aggravated sexual assault is a crime of the first degree.

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.

1 Except as otherwise provided in subsection d. of this section, a
2 person convicted under paragraph (1) of this subsection shall be
3 sentenced to a specific term of years which shall be fixed by the
4 court and shall be between 25 years and life imprisonment of which
5 the person shall serve 25 years before being eligible for parole,
6 unless a longer term of parole ineligibility is otherwise provided
7 pursuant to this Title.

8 b. An actor is guilty of sexual assault if he commits an act of
9 sexual contact with a victim who is less than 13 years old and the
10 actor is at least four years older than the victim.

11 c. An actor is guilty of sexual assault if he commits an act of
12 sexual penetration with another person under any one of the
13 following circumstances:

14 (1) The actor **【uses physical force or】** commits the act using
15 coercion or without the victim's affirmative and freely-given
16 permission, but the victim does not sustain severe personal injury;

17 (2) The victim is on probation or parole, or is detained in a
18 hospital, prison or other institution and the actor has supervisory or
19 disciplinary power over the victim by virtue of the actor's legal,
20 professional or occupational status;

21 (3) The victim is at least 16 but less than 18 years old and:

22 (a) The actor is related to the victim by blood or affinity to the
23 third degree; or

24 (b) The actor has supervisory or disciplinary power of any
25 nature or in any capacity over the victim; or

26 (c) The actor is a resource family parent, a guardian, or stands
27 in loco parentis within the household;

28 (4) The victim is at least 13 but less than 16 years old and the
29 actor is at least four years older than the victim.

30 Sexual assault is a crime of the second degree.

31 d. Notwithstanding the provisions of subsection a. of this
32 section, where a defendant is charged with a violation under
33 paragraph (1) of subsection a. of this section, the prosecutor, in
34 consideration of the interests of the victim, may offer a negotiated
35 plea agreement in which the defendant would be sentenced to a
36 specific term of imprisonment of not less than 15 years, during
37 which the defendant shall not be eligible for parole. In such event,
38 the court may accept the negotiated plea agreement and upon such
39 conviction shall impose the term of imprisonment and period of
40 parole ineligibility as provided for in the plea agreement, and may
41 not impose a lesser term of imprisonment or parole or a lesser
42 period of parole ineligibility than that expressly provided in the plea
43 agreement. The Attorney General shall develop guidelines to ensure
44 the uniform exercise of discretion in making determinations
45 regarding a negotiated reduction in the term of imprisonment and
46 period of parole ineligibility set forth in subsection a. of this
47 section.

48 (cf: P.L.2014, c.7, s.1)

1 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill amends certain provisions of the sexual assault statute
7 to make it consistent with current relevant case law as set forth in
8 the instructions presented to the jury during the course of criminal
9 proceedings. The bill is based on recommendations of the New
10 Jersey Law Revision Commission (NJLRC) pursuant to its 2014
11 final report relating to sexual offenses.

12 The bill replaces the term “physical force” in accordance with
13 the New Jersey Supreme Court’s holding in State in Interest of
14 M.T.S., 129 N.J. 422 (1992), which holds that the only requirement
15 for a conviction under the sexual assault statute is proof beyond a
16 reasonable doubt that there was sexual penetration and that it was
17 accomplished without the affirmative and freely-given permission
18 of the victim. This amendment provides clarity by incorporating
19 the holding into the statute. As discussed by the NJLRC in its
20 report, since the M.T.S. decision, courts that consider sexual assault
21 cases need to use both statute and the court decision to determine
22 the elements necessary for conviction. The bill also amends the
23 statute to articulate the New Jersey Supreme Court’s determination,
24 as set forth in State v. Olivio, 123 N.J. 550 (1991), that a person is
25 “mentally defective” within the meaning of the statute if, at the time
26 of the sexual penetration, the person is incapable of understanding
27 the distinctively sexual nature of the conduct and is incapable of
28 understanding or exercising the right to refuse to engage in sexual
29 conduct.

30 In addition, the bill amends paragraph (3) of subsection a. of the
31 statute to clarify that the phrase “aggravated assault on another”
32 refers to a person other than the victim, and adds the crime of
33 carjacking as an aggravating offense. These changes are based on
34 the New Jersey Supreme Court opinions in State v. Rangel, 213 N.J.
35 500 (2013), and State v. Drury, 190 N.J. 197 (2007).

36 Finally, the bill replaces gender-specific language with gender-
37 neutral terms.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2924

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2924.

As amended and reported by the committee, this bill amends certain provisions of the sexual assault statute to make it consistent with current relevant case law as set forth in the instructions presented to the jury during the course of criminal proceedings. The bill is based on recommendations of the New Jersey Law Revision Commission (NJLRC) pursuant to its 2014 final report relating to sexual offenses.

The amended bill replaces the term “physical force” in accordance with the New Jersey Supreme Court’s holding in State in Interest of M.T.S., 129 N.J. 422 (1992), which holds that the only requirement for a conviction under the sexual assault statute is proof beyond a reasonable doubt that there was sexual penetration and that it was accomplished without the affirmative and freely-given permission of the victim. This amendment provides clarity by incorporating the holding into the statute. As discussed by the NJLRC in its report, since the M.T.S. decision, courts that consider sexual assault cases need to use both the statute and the court decision to determine the elements necessary for conviction. The bill also amends the statute to articulate the New Jersey Supreme Court’s determination, as set forth in State v. Olivio, 123 N.J. 550 (1991), that a person is “mentally defective” within the meaning of the statute if, at the time of the sexual penetration, the person is incapable of understanding the distinctively sexual nature of the conduct and is incapable of understanding or exercising the right to refuse to engage in sexual conduct.

In addition, the amended bill amends paragraph (3) of subsection a. of the statute to clarify that the phrase “aggravated assault on another” refers to a person other than the victim, and adds the crime of carjacking as an aggravating offense. These changes are based on the New Jersey Supreme Court opinions in State v. Rangel, 213 N.J. 500 (2013), and State v. Drury, 190 N.J. 197 (2007).

Finally, the amended bill replaces gender-specific language with gender-neutral terms.

As reported by the committee, this bill is identical to Assembly Bill No. 2767, which also was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to conform the sexual assault statute to the provisions of P.L.2019, c.108.

STATEMENT TO
[First Reprint]
SENATE, No. 2924

with Senate Floor Amendments
(Proposed by Senator GREENSTEIN)

ADOPTED: DECEMBER 16, 2019

Senate Bill No. 2924 (1R) amends certain provisions of the sexual assault statute to make it consistent with current relevant case law as set forth in the instructions presented to the jury during the course of criminal proceedings. One provision of the bill upgrades sexual assault to first degree aggravated sexual assault if the actor commits an act of sexual penetration during the commission of an aggravated assault against a person other than the victim.

This Senate amendment establishes that the upgrade to aggravated sexual assault also applies if the aggravated assault is committed against the victim.

As amended, this bill is identical to Assembly Bill No. 2767 (1R), which also was amended by the Senate on this same date.

Governor Murphy Takes Action on Legislation

01/21/2020

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space) – Requires certain contractors to register under "The Public Works Contractor Registration Act"

S-358/A-4587 (Rice/Sumter, Reynolds-Jackson) – Establishes database with certain information about individuals elected to public office in this State

S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy) – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle) – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso) – Makes various changes to "Criminal Injuries Compensation Act of 1971"

S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle) – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty) – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey) – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson) – Authorizes use of certain electric school buses

S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano) – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson) – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer) – Increases workers' compensation for loss of hand or foot

S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin) – Prohibits resale of non-prescription diabetes test devices by pharmacists

S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight) – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera) – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

State correctional facilities

S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake) – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak) – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey) – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano) – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson) – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn) – Designates Seeing Eye® dog as State Dog

S-3036/A-1697 (Lagana, Scutari/Dancer, Downey) – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson) – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake) – Establishes youth apprenticeship pilot program in Department of Education

S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter) – Establishes five year Apprentice Assistance and Support Services Pilot Program

S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker) – Requires certain medical facilities to undertake end-of-life planning and training

S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz) – Requires emergency departments to take certain measures concerning palliative care for patients

S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti) – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land) – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

S-3227/A-5261 (Gopal/Tully, Pinkin, Swain) – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle) – Prohibits sale or distribution of flavored vapor products

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S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle) – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttie) – Establishes Task Force on Maximizing Employment for People with Disabilities

S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttie, Downey) – Authorizes certain health care and social service resources to be made available during Code Blue alert

S-3581/A-5963 (Singleton/Lopez, Quijano) – Prohibits certain business financing contracts that contain judgment by confession provisions

S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight) – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths) – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space) – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling) – Prohibits local governments from imposing fines on alarm companies in certain circumstances

S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon) – Adds member from Retired Judges Association of New Jersey to State Investment Council

SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin) – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

S-3920 wGR/A-5552 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy) – Concerns labor harmony agreements for hospitality projects

SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon) – Establishes Recycling Market Development Council

S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttie) – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

S-4025/A-5695 (Pou/Wimberly, Sumter) – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

S-4162/A-6014 (Smith, Greenstein/Vainieri Huttie, Pinkin, Houghtaling) – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

S-4165/A-4364 (Rice/Giblin, Caputo, Tucker) – Expands University Hospital board of directors membership from 11 to 13 members

S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt) – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley) – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey) – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese) – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

S-4275/A-6088 (Smith, Greenstein/Burzichelli) – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land) – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey) – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy) – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin) – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

S-4286/A-5890 (Vitale/Swain, Jones) – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker) – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez) – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli) – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land) – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain) – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker) – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter) – Establishes the "New Jersey State Commission on Urban Violence"

SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi) – Designates March 19th "Women in Public Office Day" in New Jersey

SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce) – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin) – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz) – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz) – Requires DHS to study social isolation occurring in certain population groups

A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado) – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

A-5432/S-3796 (Milam, Land/Andrzejczak) – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado) – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez) – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo) – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman) – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado) – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

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A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari) – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney) – Concerns responsibility of contractors for wage claims against subcontractors

A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown) – Allows certain persons to qualify for casino key employee license and casino employee registration

A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg) – Authorizes DOH to notify elected officials of financial distress of certain hospitals

A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale) – Expands hospital reporting requirements

A-5970/S-4201 (Lopez, Speight, Chaparro/Codey) – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado) – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton) – Makes changes to New Jersey Infrastructure Bank's enabling act

A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton) – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

A-6119/S-4336 (Egan, Houghtaling/Madden) – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein) – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado) – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden) – Designates April of each year as "Financial Literacy Month" in New Jersey

AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado) – Designates February in each year as "Career and Technical Education Month" in New Jersey

Governor Murphy declined to sign the following bills, meaning they expire without becoming law:

S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly) – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer) – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo) – Concerns installation of electric vehicle charging stations in common interest communities

S-2425/A-3851 (Singleton, Andrzejczak/Conaway) – Revises law relating to common interest communities

S-2429/A-4028 (Scutari, Pou/Bramnick, Downey) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy) – Requires public schools to administer written screenings for depression for students in certain grades

S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter) – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

S-2957/A-4712 (Stack/Mukherji, Chaparro) – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce) – Establishes the "Energy Infrastructure Public-Private Partnership Act"

S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy) – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo) – Provides tuition fee waiver apprenticeship courses

S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land) – The "Electronic Construction Procurement Act"

S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano) – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttie, Chiaravalloti, McKnight) – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce) – Establishes certain requirements for stop loss insurance offered to small employers

S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer) – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones) – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

S-3888/A-5585 (Ruiz/Dancer, Pintor Marin) – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter) – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin) – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones) – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

A-491/S-4340 (Jimenez/Sacco, Stack) – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden) – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho) – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

A-1526/S-1048 (Zwicker, Johnson/Vitale) – Concerns payment of independent contractors

A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho) – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith) – Requires paint producers to implement or participate in paint stewardship program

A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak) – Establishes "Electronic Permit Processing Review System"

A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan) – Establishes expedited construction inspection program

A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan) – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana) – Requires reporting of opioid deaths

A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado) – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

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ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney) – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

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