

38A:14-5
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 118

NJSA: 38A:14-5 (New Jersey Stolen Valor Act; makes unauthorized use of military uniforms, medals or insignias, and certain false statements regarding receipt of military awards with intent to obtain benefit crimes of third degree.)

BILL NO: A4104 (Substituted for S2704)

SPONSOR(S) Mazzeo, Vincent, and others

DATE INTRODUCED: January 15, 2015

COMMITTEE: **ASSEMBLY:** Military and Veterans' Affairs

SENATE: Budget and Appropriations

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 3/26/2015

SENATE: 6/29/2015

DATE OF APPROVAL: October 26, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted)	Yes
 A4104	
INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes Military and Veterans' Affairs
	SENATE: Yes Budget & Appropriations

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

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes
 S2704	
INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No

SENATE: Yes Military and
Veterans' Affairs
Budget &
Appropriations

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

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 118, *approved October 26, 2015*
Assembly, No. 4104

1 AN ACT concerning the unauthorized presentation of oneself as a
2 member of the military or a veteran and designated as the New
3 Jersey Stolen Valor Act, and amending N.J.S.38A:14-5.

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

7
8 1. N.J.S.38A:14-5 is amended to read as follows:

9 38A:14-5. Any person who knowingly, with intent to
10 impersonate and with intent to deceive, misrepresents **[himself]**
11 oneself as a member or veteran of the United States Armed Forces
12 or organized militia by wearing the uniform or any medal or
13 insignia authorized for use by the members or veterans of the
14 United States Armed Forces or the organized militia, by Federal and
15 State laws and regulations, shall be guilty of a crime of the fourth
16 degree.

17 Any person who knowingly, with intent to impersonate and with
18 intent to deceive for the purpose of obtaining money, property, or
19 other tangible benefit, misrepresents oneself as a member or veteran
20 of the United States Armed Forces or organized militia by wearing
21 the uniform or any medal or insignia authorized for use by the
22 members or veterans of the United States Armed Forces or the
23 organized militia, by Federal and State laws and regulations, shall
24 be guilty of a crime of the third degree, subject to a minimum fine
25 of \$1,000.

26 Any person who knowingly, with intent to deceive for the
27 purpose of obtaining money, property, or other tangible benefit,
28 holds oneself out to be a recipient of any decoration or medal
29 created by Federal and State laws and regulations to honor the
30 members or veterans of the United States Armed Forces or the
31 organized militia shall be guilty of a crime of the third degree,
32 subject to a minimum fine of \$1,000.

33 Any monies collected pursuant to this section shall be forwarded
34 to the State Treasurer, and shall annually be appropriated to the
35 Military Dependents Scholarship Fund, as established pursuant to
36 P.L. , c. (C.) (pending before the Legislature as Assembly,
37 No.2849/Senate, No.1812 of 2014-2015), in the Higher Education
38 Student Assistance Authority. Until such time as the Military
39 Dependents Scholarship Fund is established, any monies collected
40 pursuant to this section shall be forwarded to the State Treasurer,
41 and deposited into the "NJ National Guard State Family Readiness

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 Council Fund,” as established, pursuant to section 1 of P.L.2011,
2 c.117 (C.54A:9-25.29).
3 (cf: P.L.2007, c.148, s.1)
4

5 2. This act shall take effect immediately.
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8 STATEMENT 9

10 This bill would make the knowing misrepresentation of oneself
11 as a veteran or member of the military for the purpose of obtaining
12 money, property or another benefit by wearing the uniform or any
13 medal or insignia authorized for use by the members or veterans of
14 the United Armed Forces or the organized militia a crime of the
15 third degree, with a mandatory minimum fine of \$1,000. At
16 present, State law makes it a crime of the fourth degree to
17 knowingly present oneself as a veteran or a member of the military
18 with the intent to deceive, but not necessarily for the purpose of
19 obtaining any kind of benefit, by wearing a military uniform or
20 medal or insignia.

21 Additionally, this bill would make false statements regarding
22 oneself as a recipient of any decoration or medal of the United
23 States Armed Forces or organized militia for the purpose of
24 obtaining money, property or another benefit a crime of the third
25 degree, with a mandatory minimum fine of \$1,000. State law does
26 not presently prohibit false statements of military or veteran status.

27 Federal law prohibits both the unauthorized wearing of a military
28 uniform or any distinctive part thereof and false statements as to
29 receipt of military decorations or medals for the purpose of
30 obtaining money, property, or some other tangible benefit.

31 Any fines collected under this bill would be dedicated to the
32 Military Dependents Scholarship Fund, which would be established
33 by Assembly, No.2489 and Senate, No.1812, currently pending
34 before the Legislature. The fund would provide college
35 scholarships to the spouses and children of those killed, missing in
36 action or disabled in Operation Noble Eagle, Operation Enduring
37 Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until
38 such time as the Military Dependents Scholarship Fund is
39 established, any fines collected under this bill would be dedicated to
40 the “NJ National Guard State Family Readiness Council Fund,” to
41 provide assistance to New Jersey National Guard members and their
42 families affected by extended deployment during Operation
43 Enduring Freedom and Operation Iraqi Freedom.

44 This bill, designated as the New Jersey Stolen Valor Act, is in
45 response to individuals attempting to obtain financial or other
46 benefits for themselves by falsely stating or otherwise representing
47 that they have certain military or veteran status. These false
48 representations demean those who have served in the military, and

1 the perpetrators that illegally wear military attire debase military
2 distinctions and awards.

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7 New Jersey Stolen Valor Act; makes unauthorized use of
8 military uniforms, medals or insignias, and certain false statements
9 regarding receipt of military awards with intent to obtain benefit
10 crimes of third degree.

ASSEMBLY, No. 4104

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED JANUARY 15, 2015

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

Assemblymen Conaway, Wilson, Johnson, Diegnan, Danielsen, Eustace, Assemblywoman McHose, Assemblyman Space, Assemblywoman Rodriguez-Gregg, Senators A.R.Bucco, Stack, Whelan, Madden, Oroho and Pou

SYNOPSIS

New Jersey Stolen Valor Act; makes unauthorized use of military uniforms, medals or insignias, and certain false statements regarding receipt of military awards with intent to obtain benefit crimes of third degree.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/30/2015)

1 AN ACT concerning the unauthorized presentation of oneself as a
2 member of the military or a veteran and designated as the New
3 Jersey Stolen Valor Act, and amending N.J.S.38A:14-5.

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

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12 or organized militia by wearing the uniform or any medal or
13 insignia authorized for use by the members or veterans of the
14 United States Armed Forces or the organized militia, by Federal and
15 State laws and regulations, shall be guilty of a crime of the fourth
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20 of the United States Armed Forces or organized militia by wearing
21 the uniform or any medal or insignia authorized for use by the
22 members or veterans of the United States Armed Forces or the
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24 be guilty of a crime of the third degree, subject to a minimum fine
25 of \$1,000.

26 Any person who knowingly, with intent to deceive for the
27 purpose of obtaining money, property, or other tangible benefit,
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38 Student Assistance Authority. Until such time as the Military
39 Dependents Scholarship Fund is established, any monies collected
40 pursuant to this section shall be forwarded to the State Treasurer,
41 and deposited into the “NJ National Guard State Family Readiness
42 Council Fund,” as established, pursuant to section 1 of P.L.2011,
43 c.117 (C.54A:9-25.29).

44 (cf: P.L.2007, c.148, s.1)

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 2. This act shall take effect immediately.

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STATEMENT

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6 This bill would make the knowing misrepresentation of oneself
7 as a veteran or member of the military for the purpose of obtaining
8 money, property or another benefit by wearing the uniform or any
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15 obtaining any kind of benefit, by wearing a military uniform or
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18 oneself as a recipient of any decoration or medal of the United
19 States Armed Forces or organized militia for the purpose of
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22 not presently prohibit false statements of military or veteran status.

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24 uniform or any distinctive part thereof and false statements as to
25 receipt of military decorations or medals for the purpose of
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28 Military Dependents Scholarship Fund, which would be established
29 by Assembly, No.2489 and Senate, No.1812, currently pending
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31 scholarships to the spouses and children of those killed, missing in
32 action or disabled in Operation Noble Eagle, Operation Enduring
33 Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until
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42 benefits for themselves by falsely stating or otherwise representing
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44 representations demean those who have served in the military, and
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46 distinctions and awards.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4104

STATE OF NEW JERSEY

DATED: MARCH 19, 2015

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 4104.

This bill would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

Additionally, this bill would make false statements regarding oneself as a recipient of any decoration or medal of the United States Armed Forces or organized militia for the purpose of obtaining money, property or another benefit a crime of the third degree, with a mandatory minimum fine of \$1,000. State law does not presently prohibit false statements of military or veteran status.

Federal law prohibits both the unauthorized wearing of a military uniform or any distinctive part thereof and false statements as to receipt of military decorations or medals for the purpose of obtaining money, property, or some other tangible benefit.

Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly, No. 2489 and Senate, No. 1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

This bill, designated as the New Jersey Stolen Valor Act, is in response to individuals attempting to obtain financial or other benefits for themselves by falsely stating or otherwise representing that they have certain military or veteran status.

Assembly Bill No. 4104 is identical to Senate Bill No. 2704 of 2014-2015.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4104

STATE OF NEW JERSEY

DATED: JUNE 23, 2015

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4104.

This bill would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

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Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly, No. 2849 and Senate, No. 1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

This bill, designated as the New Jersey Stolen Valor Act, is in response to individuals attempting to obtain financial or other benefits

for themselves by falsely stating or otherwise representing that they have certain military or veteran status.

As reported, this bill is identical to Senate Bill No. 2704, as reported by the committee.

FISCAL IMPACT:

The AOC states that according to data collected from the Judiciary's automated Criminal case management system, PROMIS GAVEL, there were no convictions under N.J.S.A. 38A:14-5 during the three-year period from January 1, 2012 through December 31, 2014.

The AOC notes that although the bill might increase the number of prosecutions and/or convictions under N.J.S.A. 38A:14-5, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

FISCAL NOTE
ASSEMBLY, No. 4104
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: JUNE 24, 2015

SUMMARY

- Synopsis:** New Jersey Stolen Valor Act; makes unauthorized use of military uniforms, medals or insignias, and certain false statements regarding receipt of military awards with intent to obtain benefit crimes of third degree.
- Type of Impact:** Nominal General Fund expenditure.
- Agencies Affected:** Judiciary

Executive Estimate

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

- The Office of Legislative Services (OLS) **concurs** with the Judiciary’s estimate.
- The bill, designated as the New Jersey Stolen Valor Act, would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000.
- The Administrative Office of the Courts (AOC) states that although the bill might increase the number of prosecutions and/or convictions, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

BILL DESCRIPTION

Assembly Bill No. 4104 of 2015, designated as the New Jersey Stolen Valor Act, would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or

insignia authorized for use by the members or veterans of the United States Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

Additionally, this bill would make false statements regarding oneself as a recipient of any decoration or medal of the United States Armed Forces or organized militia for the purpose of obtaining money, property or another benefit a crime of the third degree, with a mandatory minimum fine of \$1,000. State law does not presently prohibit false statements of military or veteran status.

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Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly Bill No. 2489 and Senate Bill No. 1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Administrative Office of the Courts

The AOC states that according to data collected from the Judiciary's automated Criminal case management system, PROMIS GAVEL, there were no convictions under N.J.S.A. 38A:14-5 during the three-year period from January 1, 2012 through December 31, 2014.

The AOC notes that although the bill might increase the number of prosecutions and/or convictions under N.J.S.A. 38A:14-5, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

OFFICE OF LEGISLATIVE SERVICES

The OLS concurs with the Judiciary's estimate.

Section: Judiciary

*Analyst: Anne Raughley
Principal Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

SENATE, No. 2704

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JANUARY 15, 2015

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

Senators A.R.Bucco, Stack, Whelan, Madden, Oroho and Pou

SYNOPSIS

New Jersey Stolen Valor Act; makes unauthorized use of military uniforms, medals or insignias, and certain false statements regarding receipt of military awards with intent to obtain benefit crimes of third degree.

CURRENT VERSION OF TEXT

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(Sponsorship Updated As Of: 6/30/2015)

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2 member of the military or a veteran and designated as the New
3 Jersey Stolen Valor Act, and amending N.J.S.38A:14-5.

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17 Any person who knowingly, with intent to impersonate and with
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27 purpose of obtaining money, property, or other tangible benefit,
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31 organized militia shall be guilty of a crime of the third degree,
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38 Student Assistance Authority. Until such time as the Military
39 Dependents Scholarship Fund is established, any monies collected
40 pursuant to this section shall be forwarded to the State Treasurer,
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42 Council Fund,” as established, pursuant to section 1 of P.L.2011,
43 c.117 (C.54A:9-25.29).

44 (cf: P.L.2007, c.148, s.1)

45
46 2. This act shall take effect immediately.

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.

STATEMENT

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Federal law prohibits both the unauthorized wearing of a military uniform or any distinctive part thereof and false statements as to receipt of military decorations or medals for the purpose of obtaining money, property, or some other tangible benefit.

Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly, No.2489 and Senate, No.1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

This bill, designated as the New Jersey Stolen Valor Act, is in response to individuals attempting to obtain financial or other benefits for themselves by falsely stating or otherwise representing that they have certain military or veteran status. These false representations demean those who have served in the military, and the perpetrators that illegally wear military attire debase military distinctions and awards.

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 2704

STATE OF NEW JERSEY

DATED: MARCH 12, 2015

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 2704.

This bill would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

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This bill, designated as the New Jersey Stolen Valor Act, is in response to individuals attempting to obtain financial or other benefits for themselves by falsely stating or otherwise representing that they have certain military or veteran status.

Senate Bill No. 2704 is identical to Assembly Bill No. 4104 of the 2014-2015 session.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2704

STATE OF NEW JERSEY

DATED: JUNE 23, 2015

The Senate Budget and Appropriations Committee reports favorably, Senate Bill No. 2704.

This bill would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

Additionally, this bill would make false statements regarding oneself as a recipient of any decoration or medal of the United States Armed Forces or organized militia for the purpose of obtaining money, property or another benefit a crime of the third degree, with a mandatory minimum fine of \$1,000. State law does not presently prohibit false statements of military or veteran status.

Federal law prohibits both the unauthorized wearing of a military uniform or any distinctive part thereof and false statements as to receipt of military decorations or medals for the purpose of obtaining money, property, or some other tangible benefit.

Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly, No. 2849 and Senate, No. 1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

This bill, designated as the New Jersey Stolen Valor Act, is in response to individuals attempting to obtain financial or other benefits

for themselves by falsely stating or otherwise representing that they have certain military or veteran status.

As reported, this bill is identical to Assembly Bill No. 4104, as reported by the committee.

FISCAL IMPACT:

The AOC states that according to data collected from the Judiciary's automated Criminal case management system, PROMIS GAVEL, there were no convictions under N.J.S.A. 38A:14-5 during the three-year period from January 1, 2012 through December 31, 2014.

The AOC notes that although the bill might increase the number of prosecutions and/or convictions under N.J.S.A. 38A:14-5, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

FISCAL NOTE
SENATE, No. 2704
STATE OF NEW JERSEY
216th LEGISLATURE

DATED: JUNE 24, 2015

SUMMARY

- Synopsis:** New Jersey Stolen Valor Act; makes unauthorized use of military uniforms, medals or insignias, and certain false statements regarding receipt of military awards with intent to obtain benefit crimes of third degree.
- Type of Impact:** Nominal General Fund expenditure.
- Agencies Affected:** Judiciary

Executive Estimate

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

- The Office of Legislative Services (OLS) **concurs** with the Judiciary’s estimate.
- The bill, designated as the New Jersey Stolen Valor Act, would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000.
- The Administrative Office of the Courts (AOC) states that although the bill might increase the number of prosecutions and/or convictions, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

BILL DESCRIPTION

Senate Bill No. 2704 of 2015, designated as the New Jersey Stolen Valor Act, would make the knowing misrepresentation of oneself as a veteran or member of the military for the purpose of obtaining money, property or another benefit by wearing the uniform or any medal or insignia



authorized for use by the members or veterans of the United States Armed Forces or the organized militia a crime of the third degree, with a mandatory minimum fine of \$1,000. At present, State law makes it a crime of the fourth degree to knowingly present oneself as a veteran or a member of the military with the intent to deceive, but not necessarily for the purpose of obtaining any kind of benefit, by wearing a military uniform or medal or insignia.

Additionally, this bill would make false statements regarding oneself as a recipient of any decoration or medal of the United States Armed Forces or organized militia for the purpose of obtaining money, property or another benefit a crime of the third degree, with a mandatory minimum fine of \$1,000. State law does not presently prohibit false statements of military or veteran status.

Federal law prohibits both the unauthorized wearing of a military uniform or any distinctive part thereof and false statements as to receipt of military decorations or medals for the purpose of obtaining money, property, or some other tangible benefit.

Any fines collected under this bill would be dedicated to the Military Dependents Scholarship Fund, which would be established by Assembly Bill No. 2489 and Senate Bill No. 1812, currently pending before the Legislature. The fund would provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn. Until such time as the Military Dependents Scholarship Fund is established, any fines collected under this bill would be dedicated to the "NJ National Guard State Family Readiness Council Fund," to provide assistance to New Jersey National Guard members and their families affected by extended deployment during Operation Enduring Freedom and Operation Iraqi Freedom.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Administrative Office of the Courts

The AOC states that according to data collected from the Judiciary's automated Criminal case management system, PROMIS GAVEL, there were no convictions under N.J.S.A. 38A:14-5 during the three-year period from January 1, 2012 through December 31, 2014.

The AOC notes that although the bill might increase the number of prosecutions and/or convictions under N.J.S.A. 38A:14-5, the Judiciary is unable to estimate with any certainty how many new cases might be created as a result of the legislation. As a result, the Judiciary cannot estimate the fiscal impact the bill would have on the courts.

OFFICE OF LEGISLATIVE SERVICES

The OLS concurs with the Judiciary's estimate.

Section: *Judiciary*
Analyst: *Anne Raughley*
 Principal Fiscal Analyst
Approved: *David J. Rosen*
 Legislative Budget and Finance Officer

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

Governor Christie Reaffirms Commitment to New Jersey Military Members Past and Present

Monday, October 26, 2015 Tags: [Bill Action](#)



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Trenton, NJ – Taking action to further strengthen support for New Jersey’s military members, veterans and their families, Governor Chris Christie today signed several measures designed to encourage entrepreneurship, provide educational opportunity assistance and protect the honor of the service of New Jersey’s military men and women.

“The service and sacrifice of our current military members and veterans to New Jersey and the nation is unequalled,” said Governor Christie. “This administration’s commitment to these brave men and women has never been stronger. By signing these three measures, we are not only reaffirming a pledge to those who serve, we are providing important opportunities for educational access and business development, and upholding the integrity and dignity of their service by punishing those who misrepresent themselves as serving in the military.”

Governor Christie signed the following legislation:

A976/S1353 (Assemblymembers Spencer and Schepisi/Senators Bateman and Smith): Creates State Contract Set-Aside programs for businesses owned and operated by disabled veterans;

A2849/S1812 (Assemblymembers Mazzeo, Eustace, Johnson, Wilson, Brown, Moriarty/Senators Whelan, Beach): Creates the Military Dependents Scholarship Fund Act to provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

A4104/S2704 (Assemblymembers Andzejczak, Garcia, Lagana, Mazzeo, Mukherji, Tucker/Senators Cruz-Perez Van Drew): Creates the Stolen Valor Act, which makes unauthorized use of military uniforms, medals, or insignias to obtain benefit a third degree crime.

Throughout his term in office, Governor Christie has supported New Jersey’s veterans and their families through increased funding and support for various veterans-based housing, employment, and educational services and programs. Additional information for veterans programs and services is available on DMAVA’s website [here](#).

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Statement From Governor Chris Christie on Veterans Day

Wednesday, November 11, 2015 Tags: [Statements](#)



Trenton, NJ – Governor Chris Christie issued the following statement marking Veterans Day:

“As Americans we owe an immeasurable debt of gratitude and appreciation to the brave men and women who have served or currently serve in our Armed Forces. These individuals defend our freedoms and preserve our way of life on a daily basis, all while putting their own lives at risk. New Jersey is home to over 400,000 veterans who have served our country honorably. We can never fully express our thanks and appreciation to our veterans and their families for their countless sacrifices to serve. Today we honor our veterans and express our appreciation for their patriotic service throughout our nation’s history.”

In October 2015, Governor Christie signed legislation bolstering opportunities for service members and their families. The legislation reaffirms Governor Christie’s commitment to encouraging entrepreneurship, providing educational opportunity assistance and protecting the honor of the service of New Jersey’s military men and women.

- A976/S1353** (Assemblymembers Spencer and Schepisi/Senators Bateman and Smith): Creates State Contract Set-Aside programs for businesses owned and operated by disabled veterans;
- A2849/S1812** (Assemblymembers Mazzeo, Eustace, Johnson, Wilson, Brown, Moriarty/Senators Whelan, Beach): Creates the Military Dependents Scholarship Fund Act to provide college scholarships to the spouses and children of those killed, missing in action or disabled in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;
- A4104/S2704** (Assemblymembers Andzejczak, Garcia, Lagana, Mazzeo, Mukherji, Tucker/Senators Cruz-Perez Van Drew): Creates the Stolen Valor Act, which makes unauthorized use of military uniforms, medals, or insignias to obtain benefit a third degree crime.

Throughout his term in office, Governor Christie has supported New Jersey’s veterans and their families through increased funding and support for various veterans-based housing, employment, and educational services and programs. In the FY2016 budget, Governor Christie maintains his commitment to New Jersey’s veterans by providing \$8 million in new funding to expand access to health care for our veterans. This funding has been utilized to continue the Vets4Warriors Program at Rutgers University, a 24/7 toll-free peer support line staffed entirely by veterans, following news that the US Department of Defense would discontinue federal funding for the program. Since its inception in December 2011, Vets4Warriors has made over 130,000 veteran contacts and has continuously employed over 40 New Jersey veterans.

Additional information for veterans programs and services is available on DMAVA’s website [here](#).

Governor Christie also proclaimed November 11, 2015 as “Veterans Day” throughout New Jersey.

A copy of the Governor’s proclamation [[pdf 365kB](#)]

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