



LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:134

NJSA: 52:17B-191 to 52:17B-193

"High Technology Crimes and Interactive Computer Services Protection Act"

BILL NO: S75 (Substituted for A131 - 1st Reprint)

SPONSOR(S): Ciesla and Gormley

DATE INTRODUCED: Pre-filed

COMMITTEE:

ASSEMBLY: Appropriations

SENATE: Judiciary; Budget

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

ASSEMBLY: September 28, 1998

SENATE: October 22, 1998

DATE OF APPROVAL: December 3, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 2nd Reprint
(Amendments during passage denoted by superscript numbers)

S75

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:*Yes*

SENATE:*Yes*

March 2, 1998

March 26, 1998

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

A131

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)
(Bill and Sponsors Statement identical to S75)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

January 29, 1998

July 27, 1998

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *Yes*

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

To check for circulating copies contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 102 or refdesk@njstatelib.org

REPORTS: *No*

HEARINGS:

974.90 C536 1997a

New Jersey. Legislature. General Assembly. Policy and Regulatory Oversight Committee.

Committee meeting of Assembly Policy and Regulatory Oversight Committee : the safety and protection of children using the Internet : [November 17, 1997, Trenton, New Jersey]

Trenton, N.J. : The Unit, [1997]

NEWSPAPER ARTICLES: *No*

[Second Reprint]
SENATE, No. 75

STATE OF NEW JERSEY
208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator ANDREW R. CIESLA
District 10 (Monmouth and Ocean)
Senator WILLIAM L. GORMLEY
District 2 (Atlantic)

Co-Sponsored by:

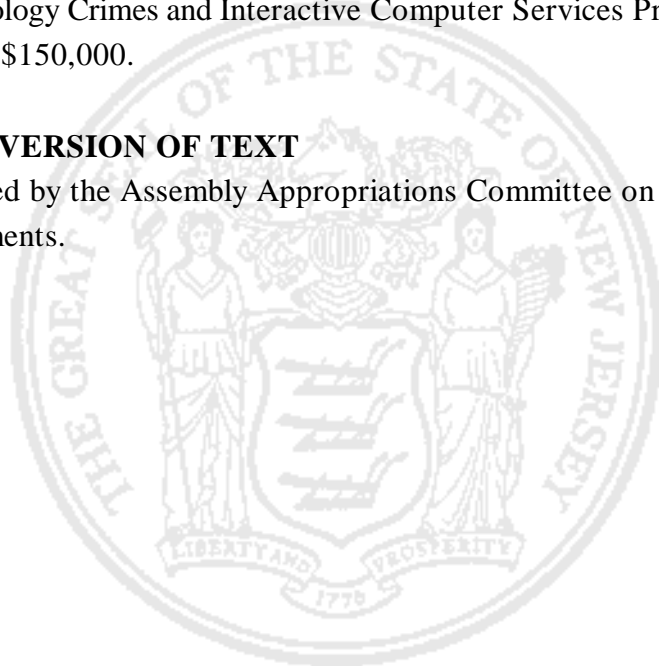
Assemblymen Holzapfel, Wolfe, LeFevre, Corodemus, Talarico and
Senator DiFrancesco

SYNOPSIS

"High Technology Crimes and Interactive Computer Services Protection Act";
appropriates \$150,000.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on July 27, 1998,
with amendments.



(Sponsorship Updated As Of: 10/23/1998)

1 AN ACT concerning high technology crimes, supplementing Title 53
2 of the Revised Statutes and Title 18A of the New Jersey Statutes,
3 and ²~~making an appropriation~~ ².

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

7
8 1. This act may be known and shall be cited as the "High
9 Technology Crimes and Interactive Computer Services Protection
10 Act."

11
12 2. As used in this act:

13 ¹~~"Department" means the Department of Law and Public Safety.~~¹

14 "Interactive computer service" means ¹~~an information service such~~
15 as a 'chat room', 'newsgroup' or 'e-mail' that allows network
16 communication among multiple users and shall include, but not be
17 limited to, the Internet, bulletin board systems (BBS) and proprietary
18 online services.

19 "Juvenile" means a person under 16 years of age or believed to be
20 under 16 years of age ~~any information service, system, or access~~
21 ~~software provider that provides or enables computer access by~~
22 ~~multiple users to a computer server, including specifically a service or~~
23 ~~system that provides access to the internet and such systems operated~~
24 ~~or services offered by libraries or educational institutions.~~

25 ~~"Internet" means the international computer network of both~~
26 ~~Federal and non-Federal interoperable packet switched data~~
27 ~~networks~~¹.

28 ¹~~["Juvenile" means a person under 16 years of age or believed to~~
29 ~~be under 16 years of age.]~~¹

30
31 ¹~~3. There is created in the Division of State Police of the~~
32 ~~Department of Law and Public Safety a High Technology Crimes and~~
33 ~~Investigation Support Unit. It shall be the responsibility of this unit~~
34 ~~to:~~

35 a. Implement the toll-free "hot line" telephone service for children
36 and their families created in section 4 of P.L. , c. (C.) (now
37 pending before the Legislature as this bill).

38 b. Conduct investigations in which computers, telecommunications
39 devices and other high technology instruments are the vehicles for the
40 commission of criminal acts or are the objects of the investigation.
41 The crimes shall include but shall not be limited to computer

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SJU committee amendments adopted March 2, 1998.

² Assembly AAP committee amendments adopted July 27, 1998.

1 manipulation crimes, illegal online activities, telecommunications
2 crimes and thefts of computer related technologies.

3 c. Provide technological support to investigative units in the
4 division concerning the search, seizure, evidence preservation, forensic
5 recovery and analysis of all computer systems seized by the division or
6 any other law enforcement agencies within the State requesting such
7 technical assistance.

8 d. Provide training for division personnel and other law
9 enforcement agencies throughout the State in computer,
10 telecommunications and other high technology crimes.

11 e. Monitor existing laws and proposed legislation that focus on
12 high technology and computer crimes, and identify and recommend
13 further legislation if required.]¹

14

15 ¹[4. The High Technology Crimes and Investigation Support Unit
16 shall establish and maintain on a daily basis a 24-hour toll-free hot line
17 telephone service. The service shall allow for the immediate
18 notification of a duty detective knowledgeable in the investigation of
19 high technology crimes and interactive computer services, under the
20 direction of the superintendent. The hot line service shall receive and
21 respond to inquiries or complaints from the public reporting high
22 technology crimes, generally, where an immediate response is
23 necessary to protect life or property or both; preserve evidence; or
24 properly investigate reported crimes through the identification,
25 subsequent arrest and prosecution of the perpetrators.

26 The hot line shall be available for the reporting of bona fide
27 complaints by the families of juveniles who may be subject to
28 unsolicited contacts on interactive computer services from persons
29 suspected of being age 18 or over who:

30 a. Attempt to identify the age, gender, sexual orientation or sexual
31 interests of a juvenile in a manner that would lead an observer to
32 reasonably believe that such attempts are motivated by an intention to
33 use such information for unlawful purposes;

34 b. Initiate or otherwise engage in sexually explicit messages or
35 dialogue with a juvenile;

36 c. Generate or reproduce text, data, computer programs, sounds,
37 visual images or moving video images for a juvenile that depict
38 specified sexual activity as defined in paragraph (4) of N.J.S.2C:34-3;

39 d. Generate or reproduce a visual artistic representation containing
40 any specified anatomical area as defined in paragraph (3) of
41 N.J.S.2C:34-3 for a juvenile; or

42 e. Solicit material from a juvenile that would contain or does
43 contain any specified anatomical area as defined in paragraph (3) of
44 N.J.S.2C:34-3.]¹

45

46 ¹[5.] 3.¹ The ¹[High Technology Crimes and Investigation

1 Support Unit] department¹ shall establish and maintain ¹[a World
2 Wide Web page] information available through the internet¹. The
3 ¹[web page] information¹ shall include but not be limited to guidelines
4 and recommendations on computer ethics, proper methods for
5 reporting high technology crimes, safe computing practices for
6 children and their families, ¹[the use of the hot line established under
7 section 4 of this act,]¹ and methods to filter, screen or block the
8 receipt of objectionable material on interactive computer services.

9 The ¹[Division of State Police] department¹ shall
10 ¹[conduct] design¹ a continuing educational program ¹[designed]¹ to
11 inform ¹law enforcement¹, educational, civic and business groups on
12 the emerging issues of high technology crimes including those
13 perpetrated through the use of interactive computer services. ¹This
14 continuing educational program shall be made available by the
15 department through the internet.¹

16
17 ¹[6.] 4.¹ Every district or regional board of education shall
18 ¹[include instruction, in an appropriate place in the curriculum]¹, ¹as
19 part of any computer education instruction it provides, notify students¹
20 on the potential risks and dangers posed to children by persons who
21 use interactive computer services for illegal purposes. ¹[This
22 instruction] The notification¹ shall be adapted to the age and
23 understanding of elementary and secondary school pupils. The
24 ¹[instruction] notification¹ shall include information concerning the
25 safe computing guidelines ¹[contained] made available¹ on the
26 ¹[World Wide Web page and the use of the toll-free hot line both of
27 which are established] internet¹ by the ¹[New Jersey State Police
28 High Technology Crimes and Investigation Support Unit] department¹
29 pursuant to ¹section 3 of¹ P.L. , c. (C.) (now pending before
30 the Legislature as this bill). The Department of Education shall
31 ¹[develop] recommend¹ guidelines and curriculum materials for
32 utilization by local school districts on the ¹[the]¹ ethical use of
33 computers and the potential risks and dangers posed to juveniles by
34 persons who use interactive computer services for unlawful purposes.
35

36 ¹[7.] 5.¹ There is appropriated to the Department of Law and
37 Public Safety ¹[\$400,000] ²[\$400,000.00] ¹\$150,000 ² to carry out
38 the purposes of this act. This appropriation shall supplement, but not
39 supplant, funds currently provided for the operation of the ¹[New
40 Jersey State Police High Technology Crimes and Investigation Support
41 Unit] department¹.

42
43 ¹[8.] 6.¹ This act shall take effect on the first day of the fifth
44 month after enactment¹ [, but the superintendent may take such prior

S75 [2R] CIESLA, GORMLEY

5

- 1 administrative actions as may be necessary to establish the telephone
- 2 hot line authorized by this act¹.

SENATE, No. 75

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

SYNOPSIS

"High Technology Crimes and Interactive Computer Services Protection Act"; appropriates \$400,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning high technology crimes, supplementing Title 53
2 of the Revised Statutes and Title 18A of the New Jersey Statutes,
3 and appropriating \$400,000.

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

7
8 1. This act may be known and shall be cited as the "High
9 Technology Crimes and Interactive Computer Services Protection
10 Act."

11
12 2. As used in this act:

13 "Interactive computer service" means an information service
14 such as a 'chat room', 'newsgroup' or 'e-mail' that allows network
15 communication among multiple users and shall include, but not be
16 limited to, the Internet, bulletin board systems (BBS) and proprietary
17 online services.

18 "Juvenile" means a person under 16 years of age or believed to
19 be under 16 years of age.

20
21 3. There is created in the Division of State Police of the
22 Department of Law and Public Safety a High Technology Crimes and
23 Investigation Support Unit. It shall be the responsibility of this unit
24 to:

25 a. Implement the toll-free "hot line" telephone service for children
26 and their families created in section 4 of P.L. , c. (C.) (now
27 pending before the Legislature as this bill).

28 b. Conduct investigations in which computers, telecommunications
29 devices and other high technology instruments are the vehicles for the
30 commission of criminal acts or are the objects of the investigation.
31 The crimes shall include but shall not be limited to computer
32 manipulation crimes, illegal online activities, telecommunications
33 crimes and thefts of computer related technologies.

34 c. Provide technological support to investigative units in the
35 division concerning the search, seizure, evidence preservation, forensic
36 recovery and analysis of all computer systems seized by the division or
37 any other law enforcement agencies within the State requesting such
38 technical assistance.

39 d. Provide training for division personnel and other law
40 enforcement agencies throughout the State in computer,
41 telecommunications and other high technology crimes.

42 e. Monitor existing laws and proposed legislation that focus on
43 high technology and computer crimes, and identify and recommend
44 further legislation if required.

45
46 4. The High Technology Crimes and Investigation Support Unit

1 shall establish and maintain on a daily basis a 24-hour toll-free hot line
2 telephone service. The service shall allow for the immediate
3 notification of a duty detective knowledgeable in the investigation of
4 high technology crimes and interactive computer services, under the
5 direction of the superintendent. The hot line service shall receive and
6 respond to inquiries or complaints from the public reporting high
7 technology crimes, generally, where an immediate response is
8 necessary to protect life or property or both; preserve evidence; or
9 properly investigate reported crimes through the identification,
10 subsequent arrest and prosecution of the perpetrators.

11 The hot line shall be available for the reporting of bona fide
12 complaints by the families of juveniles who may be subject to
13 unsolicited contacts on interactive computer services from persons
14 suspected of being age 18 or over who:

15 a. Attempt to identify the age, gender, sexual orientation or sexual
16 interests of a juvenile in a manner that would lead an observer to
17 reasonably believe that such attempts are motivated by an intention to
18 use such information for unlawful purposes;

19 b. Initiate or otherwise engage in sexually explicit messages or
20 dialogue with a juvenile;

21 c. Generate or reproduce text, data, computer programs, sounds,
22 visual images or moving video images for a juvenile that depict
23 specified sexual activity as defined in paragraph (4) of N.J.S.2C:34-3;

24 d. Generate or reproduce a visual artistic representation containing
25 any specified anatomical area as defined in paragraph (3) of
26 N.J.S.2C:34-3 for a juvenile; or

27 e. Solicit material from a juvenile that would contain or does
28 contain any specified anatomical area as defined in paragraph (3) of
29 N.J.S.2C:34-3.

30

31 5. The High Technology Crimes and Investigation Support Unit
32 shall establish and maintain a World Wide Web page. The web page
33 shall include but not be limited to guidelines and recommendations on
34 computer ethics, proper methods for reporting high technology
35 crimes, safe computing practices for children and their families, the use
36 of the hot line established under section 4 of this act, and
37 methods to filter, screen or block the receipt of objectionable material
38 on interactive computer services.

39 The Division of State Police shall conduct a continuing educational
40 program designed to inform educational, civic and business groups on
41 the emerging issues of high technology crimes including those
42 perpetrated through the use of interactive computer services.

43

44 6. Every district or regional board of education shall include
45 instruction, in an appropriate place in the curriculum, on the potential
46 risks and dangers posed to children by persons who use interactive

1 computer services for illegal purposes. This instruction shall be
2 adapted to the age and understanding of elementary and secondary
3 school pupils. The instruction shall include information concerning the
4 safe computing guidelines contained on the World Wide Web page
5 and the use of the toll-free hot line both of which are established by
6 the New Jersey State Police High Technology Crimes and
7 Investigation Support Unit pursuant to P.L. , c. (C.) (now
8 pending before the Legislature as this bill). The Department of
9 Education shall develop guidelines and curriculum materials for
10 utilization by local school districts on the the ethical use of computers
11 and the potential risks and dangers posed to juveniles by persons who
12 use interactive computer services for unlawful purposes .
13

14 7. There is appropriated to the Department of Law and Public
15 Safety \$400,000 to carry out the purposes of this act. This
16 appropriation shall supplement, but not supplant, funds currently
17 provided for the operation of the New Jersey State Police High
18 Technology Crimes and Investigation Support Unit.
19

20 8. This act shall take effect on the first day of the fifth month after
21 enactment, but the superintendent may take such prior administrative
22 actions as may be necessary to establish the telephone hot line
23 authorized by this act.
24

25

26 STATEMENT

27

28 The purpose of this bill is to protect New Jersey residents from
29 cyber-criminals who prey on the public via interactive computer
30 networks, such as the Internet, and other high technology systems.

31 The bill creates in law a High Technology Crimes and Investigation
32 Support Unit within the Division of State Police. The unit is charged
33 with investigating computer manipulation crimes, illegal online
34 activities, telecommunications crimes, thefts of computer-related
35 technologies, and related activities. This unit was established
36 administratively in January 1997 and is staffed by three State troopers
37 and one civilian analyst. The unit's existing functions are codified in
38 the bill.

39 The bill also establishes within the unit a 24-hour toll-free hot line
40 telephone service. The hot line would be available to the public to
41 report crimes involving computers, the Internet or other high
42 technology instruments or services where an immediate response is
43 necessary to protect life or property, preserve evidence or otherwise
44 provide for proper investigation. Hot line personnel would notify a
45 duty detective trained in high technology crime investigations and
46 knowledgeable in the workings of the Internet and other interactive

1 computer services.

2 The bill requires the unit to publish a World Wide Web page on the
3 Internet concerning computer ethics, safe computing practices and the
4 proper methods for reporting high technology crimes on the toll-free
5 hot line. In addition, the State Police would conduct an educational
6 program to inform educational, civic and business groups on the
7 emerging issues of high technology crimes and interactive computer
8 services such as the Internet.

9 Also, the bill requires boards of education to include instruction on
10 the risks and dangers of the use of the Internet and other interactive
11 computer technologies such as bulletin boards and the "chat rooms" of
12 online services. Such advice would be age-related and taught in the
13 elementary and secondary grades. This small addition to the school
14 curriculum would include information about the hot line telephone
15 service and the role of children and families in reporting questionable
16 computer contacts. Guidelines and curriculum materials would be
17 developed by the Department of Education.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 75

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JULY 27, 1998

The Assembly Appropriations Committee reports favorably Senate Bill No. 75 (1R) with Committee amendments.

Senate Bill No. 75 (1R), as amended, requires the Department of Law and Public Safety to make information available through the internet regarding computer ethics, proper methods of reporting high technology crimes, safe computing practices for children and their families, and methods to filter, screen or block receipt of objectionable material on interactive computer services.

The bill requires local school districts, as part of any computer education they offer, to notify students of the potential risks and dangers posed to children by persons who could use interactive computer services for illegal purposes. The notification would include information about the safe computing guidelines available from the Department of Law and Public Safety through the internet. The Department of Education is to recommend guidelines and curriculum materials to local school districts on the ethical use of computers and on the potential dangers to juveniles posed by those who use interactive computer services for illegal purposes.

As amended and reported by this committee, this bill is identical to Assembly Bill No. 131 as amended and reported by this committee.

FISCAL IMPACT:

The bill appropriates \$150,000 to the Department of Law and Public Safety to carry out the bill's purposes. The bill provides that this appropriation is to supplement, but not supplant, funds currently provided for the department's operation.

COMMITTEE AMENDMENTS:

The amendments reduce the amount of the appropriation to the department from \$400,000 to \$150,000.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 75

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 2, 1998

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 75.

As amended by the committee, this bill would require the Department of Law and Public Safety to make available through the internet information with regard to computer ethics, proper methods to report high technology crimes and safe computing practices for children and their families.

The bill would also provide that local school districts, as part of any computer education they provide, notify students of the potential risk and dangers posed to children by persons who use interactive computers for illegal purposes. Under the bill, the Department of Education is authorized to recommend guidelines and curriculum materials to local school districts on the ethical use of computers and on the potential dangers posed to juveniles by those who might use computer services for illegal purposes.

In addition, the bill appropriates \$400,000.00 to the Department of Law and Public Safety to carry out the bill's purposes.

This bill was prefiled in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 75

STATE OF NEW JERSEY

DATED: MARCH 26, 1998

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 75 (1R).

Senate Bill No. 75 (1R) would require the Department of Law and Public Safety to make available through the internet information with regard to computer ethics, proper methods of reporting high technology crimes, safe computing practices for children and their families, and methods to filter, screen or block receipt of objectionable material on interactive computer services.

The bill, requires local school districts, as part of any computer education they offer, to notify students of the potential risks and dangers posed to children by persons who use interactive computer services for illegal purposes. The notification would include information about the safe computing guidelines available from the Department of Law and Public Safety through the internet. The Department of Education is to recommend guidelines and curriculum materials to local school districts on the ethical use of computers and on the potential dangers to juveniles posed by those who use interactive computer services for illegal purposes.

The bill appropriates \$400,000 to the Department of Law and Public Safety to carry out the bill's purposes.

FISCAL IMPACT:

The bill appropriates to the Department of Law and Public Safety \$400,000 to carry out its purposes. The bill provides that this appropriation is to supplement, but not supplant, funds currently provided for the department's operation.

ASSEMBLY, No. 131

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman JAMES W. HOLZAPFEL

District 10 (Monmouth and Ocean)

Assemblyman DAVID W. WOLFE

District 10 (Monmouth and Ocean)

SYNOPSIS

"High Technology Crimes and Interactive Computer Services Protection Act"; appropriates \$400,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning high technology crimes, supplementing Title 53
2 of the Revised Statutes and Title 18A of the New Jersey Statutes,
3 and appropriating \$400,000.

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

7
8 1. This act may be known and shall be cited as the "High
9 Technology Crimes and Interactive Computer Services Protection
10 Act."

11
12 2. As used in this act:

13 "Interactive computer service" means an information service
14 such as a 'chat room', 'newsgroup' or 'e-mail' that allows network
15 communication among multiple users and shall include, but not be
16 limited to, the Internet, bulletin board systems (BBS) and proprietary
17 online services.

18 "Juvenile" means a person under 16 years of age or believed to be
19 under 16 years of age.

20
21 3. There is created in the Division of State Police of the
22 Department of Law and Public Safety a High Technology Crimes and
23 Investigation Support Unit. It shall be the responsibility of this unit
24 to:

25 a. Implement the toll-free "hot line" telephone service for children
26 and their families created in section 4 of P.L. , c. (C.) (now
27 pending before the Legislature as this bill).

28 b. Conduct investigations in which computers, telecommunications
29 devices and other high technology instruments are the vehicles for the
30 commission of criminal acts or are the objects of the investigation.
31 The crimes shall include but shall not be limited to computer
32 manipulation crimes, illegal online activities, telecommunications
33 crimes and thefts of computer related technologies.

34 c. Provide technological support to investigative units in the
35 division concerning the search, seizure, evidence preservation, forensic
36 recovery and analysis of all computer systems seized by the division or
37 any other law enforcement agencies within the State requesting such
38 technical assistance.

39 d. Provide training for division personnel and other law
40 enforcement agencies throughout the State in computer,
41 telecommunications and other high technology crimes.

42 e. Monitor existing laws and proposed legislation that focus on
43 high technology and computer crimes, and identify and recommend
44 further legislation if required.

45
46 4. The High Technology Crimes and Investigation Support Unit

1 shall establish and maintain on a daily basis a 24-hour toll-free hot line
2 telephone service. The service shall allow for the immediate
3 notification of a duty detective knowledgeable in the investigation of
4 high technology crimes and interactive computer services, under the
5 direction of the superintendent. The hot line service shall receive and
6 respond to inquiries or complaints from the public reporting high
7 technology crimes, generally, where an immediate response is
8 necessary to protect life or property or both; preserve evidence; or
9 properly investigate reported crimes through the identification,
10 subsequent arrest and prosecution of the perpetrators.

11 The hot line shall be available for the reporting of bona fide
12 complaints by the families of juveniles who may be subject to
13 unsolicited contacts on interactive computer services from persons
14 suspected of being age 18 or over who:

15 a. Attempt to identify the age, gender, sexual orientation or sexual
16 interests of a juvenile in a manner that would lead an observer to
17 reasonably believe that such attempts are motivated by an intention to
18 use such information for unlawful purposes;

19 b. Initiate or otherwise engage in sexually explicit messages or
20 dialogue with a juvenile;

21 c. Generate or reproduce text, data, computer programs, sounds,
22 visual images or moving video images for a juvenile that depict
23 specified sexual activity as defined in paragraph (4) of N.J.S.2C:34-3;

24 d. Generate or reproduce a visual artistic representation containing
25 any specified anatomical area as defined in paragraph (3) of
26 N.J.S.2C:34-3 for a juvenile; or

27 e. Solicit material from a juvenile that would contain or does
28 contain any specified anatomical area as defined in paragraph (3) of
29 N.J.S.2C:34-3.

30

31 5. The High Technology Crimes and Investigation Support Unit
32 shall establish and maintain a World Wide Web page. The web page
33 shall include but not be limited to guidelines and recommendations on
34 computer ethics, proper methods for reporting high technology
35 crimes, safe computing practices for children and their families, the use
36 of the hot line established under section 4 of this act, and
37 methods to filter, screen or block the receipt of objectionable material
38 on interactive computer services.

39 The Division of State Police shall conduct a continuing educational
40 program designed to inform educational, civic and business groups on
41 the emerging issues of high technology crimes including those
42 perpetrated through the use of interactive computer services.

43

44 6. Every district or regional board of education shall include
45 instruction, in an appropriate place in the curriculum, on the potential
46 risks and dangers posed to children by persons who use interactive

1 computer services for illegal purposes. This instruction shall be
2 adapted to the age and understanding of elementary and secondary
3 school pupils. The instruction shall include information concerning the
4 safe computing guidelines contained on the World Wide Web page
5 and the use of the toll-free hot line both of which are established by
6 the New Jersey State Police High Technology Crimes and
7 Investigation Support Unit pursuant to P.L. , c. (C.) (now
8 pending before the Legislature as this bill). The Department of
9 Education shall develop guidelines and curriculum materials for
10 utilization by local school districts on the the ethical use of computers
11 and the potential risks and dangers posed to juveniles by persons who
12 use interactive computer services for unlawful purposes .

13

14 7. There is appropriated to the Department of Law and Public
15 Safety \$400,000 to carry out the purposes of this act. This
16 appropriation shall supplement, but not supplant, funds currently
17 provided for the operation of the New Jersey State Police High
18 Technology Crimes and Investigation Support Unit.

19

20 8. This act shall take effect on the first day of the fifth month after
21 enactment, but the superintendent may take such prior administrative
22 actions as may be necessary to establish the telephone hot line
23 authorized by this act.

24

25

26

STATEMENT

27

28 The purpose of this bill is to protect New Jersey residents from
29 cyber-criminals who prey on the public via interactive computer
30 networks, such as the Internet, and other high technology systems.

31 The bill creates in law a High Technology Crimes and Investigation
32 Support Unit within the Division of State Police. The unit is charged
33 with investigating computer manipulation crimes, illegal online
34 activities, telecommunications crimes, thefts of computer-related
35 technologies, and related activities. This unit was established
36 administratively in January 1997 and is staffed by three State troopers
37 and one civilian analyst. The unit's existing functions are codified in
38 the bill.

39 The bill also establishes within the unit a 24-hour toll-free hot line
40 telephone service. The hot line would be available to the public to
41 report crimes involving computers, the Internet or other high
42 technology instruments or services where an immediate response is
43 necessary to protect life or property, preserve evidence or otherwise
44 provide for proper investigation. Hot line personnel would notify a
45 duty detective trained in high technology crime investigations and
46 knowledgeable in the workings of the Internet and other interactive

1 computer services.

2 The bill requires the unit to publish a World Wide Web page on the
3 Internet concerning computer ethics, safe computing practices and the
4 proper methods for reporting high technology crimes on the toll-free
5 hot line. In addition, the State Police would conduct an educational
6 program to inform educational, civic and business groups on the
7 emerging issues of high technology crimes and interactive computer
8 services such as the Internet.

9 Also, the bill requires boards of education to include instruction on
10 the risks and dangers of the use of the Internet and other interactive
11 computer technologies such as bulletin boards and the "chat rooms" of
12 online services. Such advice would be age-related and taught in the
13 elementary and secondary grades. This small addition to the school
14 curriculum would include information about the hot line telephone
15 service and the role of children and families in reporting questionable
16 computer contacts. Guidelines and curriculum materials would be
17 developed by the Department of Education.

ASSEMBLY POLICY AND REGULATORY OVERSIGHT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 131

STATE OF NEW JERSEY

DATED: JANUARY 29, 1998

The Assembly Policy and Regulatory Oversight Committee reports favorably Assembly Bill No. 131.

The purpose of this bill is to protect New Jersey residents from cyber-criminals who prey on the public via interactive computer networks, such as the Internet, and other high technology systems.

The bill creates in law a High Technology Crimes and Investigation Support Unit within the Division of State Police. The unit is charged with investigating computer manipulation crimes, illegal online activities, telecommunications crimes, thefts of computer-related technologies, and related activities. This unit was established administratively in January 1997 and is staffed by three State troopers and one civilian analyst. The unit's existing functions are codified in the bill.

The bill also establishes within the unit a 24-hour toll-free hot line telephone service. The hot line would be available to the public to report crimes involving computers, the Internet or other high technology instruments or services where an immediate response is necessary to protect life or property, preserve evidence or otherwise provide for proper investigation. Hot line personnel would notify a duty detective trained in high technology crime investigations and knowledgeable in the workings of the Internet and other interactive computer services.

The bill requires the unit to publish a World Wide Web page on the Internet concerning computer ethics, safe computing practices and the proper methods for reporting high technology crimes on the toll-free hot line. In addition, the State Police would conduct an educational program to inform educational, civic and business groups on the emerging issues of high technology crimes and interactive computer services such as the Internet.

Also, the bill requires boards of education to include instruction on the risks and dangers of the use of the Internet and other interactive computer technologies such as bulletin boards and the "chat rooms" of online services. Such advice would be age-related and taught in the elementary and secondary grades. This small addition to the school curriculum would include information about the hot line telephone

service and the role of children and families in reporting questionable computer contacts. Guidelines and curriculum materials would be developed by the Department of Education.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 131

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JULY 27, 1998

The Assembly Appropriations Committee reports favorably Assembly Bill No. 131 with Committee amendments.

Assembly Bill No. 131, as amended, requires the Department of Law and Public Safety to make information available through the internet regarding computer ethics, proper methods of reporting high technology crimes, safe computing practices for children and their families, and methods to filter, screen or block receipt of objectionable material on interactive computer services.

The bill requires local school districts, as part of any computer education they offer, to notify students of the potential risks and dangers posed to children by persons who could use interactive computer services for illegal purposes. The notification would include information about the safe computing guidelines available from the Department of Law and Public Safety through the internet. The Department of Education is to recommend guidelines and curriculum materials to local school districts on the ethical use of computers and on the potential dangers to juveniles posed by those who use interactive computer services for illegal purposes.

As amended and reported by this committee, this bill is identical to Senate Bill No.75 (1R) as amended and reported by this committee.

FISCAL IMPACT:

The bill appropriates \$150,000 to the Department of Law and Public Safety to carry out the bill's purposes. The bill provides that this appropriation is to supplement, but not supplant, funds currently provided for the department's operation.

COMMITTEE AMENDMENTS:

The amendments clarify the definition of "interactive computer service" and add a definition of the "internet." The amendments delete provisions that would have codified the establishment of the High Technology Crimes and Investigation Support Unit in the Division of

State Police of the Department of Law and Public Safety and had it maintain a high technology crimes and interactive computer services hotline. The amendments also clarify educational requirements, that the risks and dangers of computer communications be included as part of computer instruction rather than be mandated instruction for curriculum inclusion. The amendments reduce the amount of the appropriation to the department from \$400,000 to \$150,000.

FISCAL NOTE

[First Reprint]

ASSEMBLY, No. 131

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: OCTOBER 21, 1998

Assembly Bill No. 131 (1R) of 1998 requires the Department of Law and Public Safety to make information available through the internet regarding computer ethics, proper methods of reporting high technology crimes, safe computing practices and methods to screen or block receipt of objectionable material on interactive computer services.

The bill would require local school districts, as part of any computer education they offer, to notify students of the potential risks and dangers posed to children by those using interactive computer services for illegal purposes. The notification would include information about the safe computing guidelines available from department through the internet. The Department of Education would be required to recommend guidelines and curriculum materials to local school districts on the ethical use of computers and on the potential dangers to juveniles posed by those who use interactive computer services for illegal purposes.

The bill would appropriate \$150,000 to the Department of Law and Public Safety to supplement, but not supplant, funds currently provided under the department's operation for this purpose.

The Office of Legislative Services (OLS) notes that the High Technology Crimes and Investigation Support Unit in the Division of State Police currently carries out operations related to the purposes of this bill. The department indicates that the salaries of the seven State troopers and one civilian in this unit are funded from existing resources at a cost of \$467,000 per year. Information on other costs incurred by the unit, such as equipment and supplies, is not readily available, according to the department.

Given this existing level of related activity, OLS estimates that the \$150,000 appropriated by this bill should be more than sufficient to cover any additional costs incurred by the department. OLS further notes that the Department of Education and local boards of education should be able to carry out their responsibilities under the bill with existing resources.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

Office of the Governor

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TRENTON, NJ 08625

NEWS RELEASE

CONTACT: Jayne O'Connor
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RELEASE: December 3, 1998

Gov. Christie Whitman today signed the following pieces of legislation;

S-75, the High Technology Crimes and Interactive Computer Services Protection Act, establishes a procedure to disseminate information regarding computer safety when using the Internet. The bill requires the Department of Law and Public Safety (L&PS) to establish and maintain information to be made available thorough the Internet that will include, among other things, guidelines and recommendations on computer ethics and safe computing practices.

The bill requires L&PS to design and make available through the Internet a continuing educational program on emerging issues in high technology crimes. The bill also requires district and regional school boards of education that provide computer education to notify students about potential risks and dangers associated with computers, and directs the Department of Education to recommend guidelines and curriculum on the ethical use of computers and potential risks posed to juveniles.

The bill, which is a response to the increased use of computers to commit crime, appropriates \$150,000 to L&PS to carry out the purposes of the act.

Sponsors of the bill were Senators Andrew R. Ciesla (R- Monmouth/Ocean) and William L. Gormley (R-Atlantic) and Assembly Members James W. Holzapfel (R-Monmouth/Ocean) and David W. Wolfe (R-Monmouth/Ocean).

A-1115, sponsored by Assembly Members Joseph Azzolina (R- Middlesex/Monmouth) and John V. Kelly (R-Bergen/Essex/Passaic), revises the requirements for transporting manufactured homes on certain house type semitrailers and trailers.

The bill allows house type semitrailers or trailers carrying manufactured houses with a width not exceeding 16 feet to be transported on a transportation trailer system that conforms to the federal Manufactured Home Construction and Safety Standards.

Current regulations of the Division of Motor Vehicles provide that semitrailers or trailers carrying a load whose width is greater than 14 feet must transport such loads on a commercial low-bed trailer, semitrailer or properly registered dolly wheels. Under the bill, only those semitrailers or trailers carrying a load whose width is greater than 16 feet would be required to transport such loads on a commercial low-bed trailer, semitrailer or properly registered dolly wheels. The DMV will implement regulations to address safety issues.