

2C:7-2

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2003 CHAPTER: 34

NJSA: 2C:7-2 (Megans Law - comply with Campus Sex Crimes Prevention Act)

BILL NO: A3173 (Substituted for S2176)

SPONSOR(S): Greenstein and Guear

DATE INTRODUCED: January 16, 2003

COMMITTEE: ASSEMBLY: Law and Public Safety

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: February 24, 2003

SENATE: February 27, 2003

DATE OF APPROVAL: March 27, 2003

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

A3173

[SPONSORS STATEMENT](#): (Begins on page 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY](#): [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2176

[SPONSORS STATEMENT](#): (Begins on page 6 of original bill) [Yes](#)

Bill and Sponsors Statement identical to A3173

COMMITTEE STATEMENT: [ASSEMBLY](#): No

[SENATE](#): [Yes](#)
Identical to Assembly Statement for A3173

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR’S PRESS RELEASE ON SIGNING: No

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

P.L. 2003, CHAPTER 34, *approved March 27, 2003*
Assembly, No. 3173

1 AN ACT concerning sex offenders registration requirements and
2 amending P.L.1994, c.133.

3

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

6

7 1. Section 2 of P.L.1994, c.133 (C.2C:7-2) is amended to read as
8 follows:

9 2. a. (1) A person who has been convicted, adjudicated delinquent
10 or found not guilty by reason of insanity for commission of a sex
11 offense as defined in subsection b. of this section shall register as
12 provided in subsections c. and d. of this section.

13 (2) A person who in another jurisdiction is required to register as
14 a sex offender and (a) is enrolled on a full-time or part-time basis in
15 any public or private educational institution in this State, including any
16 secondary school, trade or professional institution, institution of higher
17 education or other post-secondary school, or (b) is employed or
18 carries on a vocation in this State, on either a full-time or a part-time
19 basis, with or without compensation, for more than 14 consecutive
20 days or for an aggregate period exceeding 30 days in a calendar year,
21 shall register in this State as provided in subsections c. and d. of this
22 section. A person who fails to register as required under this act shall
23 be guilty of a crime of the fourth degree.

24 b. For the purposes of this act a sex offense shall include the
25 following:

26 (1) Aggravated sexual assault, sexual assault, aggravated criminal
27 sexual contact, kidnapping pursuant to paragraph (2) of subsection c.
28 of N.J.S.2C:13-1 or an attempt to commit any of these crimes if the
29 court found that the offender's conduct was characterized by a pattern
30 of repetitive, compulsive behavior, regardless of the date of the
31 commission of the offense or the date of conviction;

32 (2) A conviction, adjudication of delinquency, or acquittal by
33 reason of insanity for aggravated sexual assault; sexual assault;
34 aggravated criminal sexual contact; kidnapping pursuant to paragraph
35 (2) of subsection c. of N.J.S.2C:13-1; endangering the welfare of a
36 child by engaging in sexual conduct which would impair or debauch
37 the morals of the child pursuant to subsection a. of N.J.S.2C:24-4;
38 endangering the welfare of a child pursuant to paragraph (4) of
39 subsection b. of N.J.S.2C:24-4; luring or enticing pursuant to section
40 1 of P.L.1993, c.291 (C.2C:13-6); criminal sexual contact pursuant to
41 N.J.S.2C:14-3b. if the victim is a minor; kidnapping pursuant to

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 N.J.S.2C:13-1, criminal restraint pursuant to N.J.S.2C:13-2, or false
2 imprisonment pursuant to N.J.S.2C:13-3 if the victim is a minor and
3 the offender is not the parent of the victim; knowingly promoting
4 prostitution of a child pursuant to paragraph (3) or paragraph (4) of
5 subsection b. of N.J.S.2C:34-1; or an attempt to commit any of these
6 enumerated offenses if the conviction, adjudication of delinquency or
7 acquittal by reason of insanity is entered on or after the effective date
8 of this act or the offender is serving a sentence of incarceration,
9 probation, parole or other form of community supervision as a result
10 of the offense or is confined following acquittal by reason of insanity
11 or as a result of civil commitment on the effective date of this act;

12 (3) A conviction, adjudication of delinquency or acquittal by
13 reason of insanity for an offense similar to any offense enumerated in
14 paragraph (2) or a sentence on the basis of criteria similar to the
15 criteria set forth in paragraph (1) of this subsection entered or imposed
16 under the laws of the United States, this State or another state.

17 c. A person required to register under the provisions of this act
18 shall do so on forms to be provided by the designated registering
19 agency as follows:

20 (1) A person who is required to register and who is under
21 supervision in the community on probation, parole, furlough, work
22 release, or a similar program, shall register at the time the person is
23 placed under supervision or no later than 120 days after the effective
24 date of this act, whichever is later, in accordance with procedures
25 established by the Department of Corrections, the Department of
26 Human Services, the Juvenile Justice Commission established pursuant
27 to section 2 of P.L.1995, c.284 (C.52:17B-170) or the Administrative
28 Office of the Courts, whichever is responsible for supervision;

29 (2) A person confined in a correctional or juvenile facility or
30 involuntarily committed who is required to register shall register prior
31 to release in accordance with procedures established by the
32 Department of Corrections, the Department of Human Services or the
33 Juvenile Justice Commission;

34 (3) A person moving to or returning to this State from another
35 jurisdiction shall register with the chief law enforcement officer of the
36 municipality in which the person will reside or, if the municipality does
37 not have a local police force, the Superintendent of State Police within
38 120 days of the effective date of this act or ~~[70]~~ 10 days of first
39 residing in or returning to a municipality in this State, whichever is
40 later;

41 (4) A person required to register on the basis of a conviction prior
42 to the effective date who is not confined or under supervision on the
43 effective date of this act shall register within 120 days of the effective
44 date of this act with the chief law enforcement officer of the
45 municipality in which the person will reside or, if the municipality does
46 not have a local police force, the Superintendent of State Police.

1 (5) A person who in another jurisdiction is required to register as
2 a sex offender and who is enrolled on a full-time or part-time basis in
3 any public or private educational institution in this State, including any
4 secondary school, trade or professional institution, institution of higher
5 education or other post-secondary school shall, within ten days of
6 commencing attendance at such educational institution, register with
7 the chief law enforcement officer of the municipality in which the
8 educational institution is located or, if the municipality does not have
9 a local police force, the Superintendent of State Police.

10 (6) A person who in another jurisdiction is required to register as
11 a sex offender and who is employed or carries on a vocation in this
12 State, on either a full-time or a part-time basis, with or without
13 compensation, for more than 14 consecutive days or for an aggregate
14 period exceeding 30 days in a calendar year, shall, within ten days after
15 commencing such employment or vocation, register with the chief law
16 enforcement officer of the municipality in which the employer is
17 located or where the vocation is carried on, as the case may be, or, if
18 the municipality does not have a local police force, the Superintendent
19 of State Police.

20 (7) In addition to any other registration requirements set forth in
21 this section, a person required to register under this act who is
22 enrolled at, employed by or carries on a vocation at an institution of
23 higher education or other post-secondary school in this State shall,
24 within ten days after commencing such attendance, employment or
25 vocation, register with the law enforcement unit of the education
26 institution, if the institution has such a unit.

27 d. Upon a change of address, a person shall notify the law
28 enforcement agency with which the person is registered and [must]
29 shall re-register with the appropriate law enforcement agency no less
30 than 10 days before he intends to first reside at his new address. Upon
31 a change of employment or school enrollment status, a person shall
32 notify the appropriate law enforcement agency no later than five days
33 after any such change. A person who fails to notify the appropriate
34 law enforcement agency of a change of address or status in accordance
35 with this subsection is guilty of a crime of the fourth degree.

36 e. A person required to register under paragraph (1) of subsection
37 b. of this section or under paragraph (3) of subsection b. due to a
38 sentence imposed on the basis of criteria similar to the criteria set forth
39 in paragraph (1) of subsection b. shall verify his address with the
40 appropriate law enforcement agency every 90 days in a manner
41 prescribed by the Attorney General. A person required to register
42 under paragraph (2) of subsection b. of this section or under paragraph
43 (3) of subsection b. on the basis of a conviction for an offense similar
44 to an offense enumerated in paragraph (2) of subsection b. shall verify
45 his address annually in a manner prescribed by the Attorney General.
46 One year after the effective date of this act, the Attorney General shall

1 review, evaluate and, if warranted, modify pursuant to the
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
3 the verification requirement.

4 f. Except as provided in subsection g. of this section, a person
5 required to register under this act may make application to the
6 Superior Court of this State to terminate the obligation upon proof
7 that the person has not committed an offense within 15 years following
8 conviction or release from a correctional facility for any term of
9 imprisonment imposed, whichever is later, and is not likely to pose a
10 threat to the safety of others.

11 g. person required to register under this section who has been
12 convicted of, adjudicated delinquent, or acquitted by reason of insanity
13 for more than one sex offense as defined in subsection b. of this
14 section or who has been convicted of, adjudicated delinquent, or
15 acquitted by reason of insanity for aggravated sexual assault pursuant
16 to subsection a. of N.J.S.2C:14-2 or sexual assault pursuant to
17 paragraph (1) of subsection c. of N.J.S.2C:14-2 is not eligible under
18 subsection f. of this section to make application to the Superior Court
19 of this State to terminate the registration obligation.

20 (cf: P.L.2001, c.392, s.1)

21

22 2. Section 4 of P.L.1994, c.133 (C.2C:7-4) is amended to read as
23 follows:

24 4. a. Within 60 days of the effective date of this act, the
25 Superintendent of State Police, with the approval of the Attorney
26 General, shall prepare the form of registration statement as required
27 in subsection b. of this section and shall provide such forms to each
28 organized full-time municipal police department, the Department of
29 Corrections, the Administrative Office of the Courts and the
30 Department of Human Services. In addition, the Superintendent of
31 State Police shall make such forms available to the Juvenile Justice
32 Commission established pursuant to section 2 of P.L.1995, c.284
33 (C.52:17B-170).

34 b. The form of registration required by this act shall include:

35 (1) A statement in writing signed by the person required to register
36 acknowledging that the person has been advised of the duty to register
37 and reregister imposed by this act and including the person's name,
38 social security number, age, race, sex, date of birth, height, weight,
39 hair and eye color, address of legal residence, address of any current
40 temporary residence, date and place of employment ; and any
41 anticipated or current school enrollment, including but not limited to
42 enrollment at or employment by any institution of higher education;

43 (2) Date and place of each conviction, adjudication or acquittal by
44 reason of insanity, indictment number, fingerprints, and a brief
45 description of the crime or crimes for which registration is required;
46 and

1 (3) Any other information that the Attorney General deems
2 necessary to assess risk of future commission of a crime, including
3 criminal and corrections records, nonprivileged personnel, treatment,
4 and abuse registry records, and evidentiary genetic markers when
5 available.

6 c. Within three days of receipt of a registration pursuant to
7 subsection c. of section 2 of this act, the registering agency shall
8 forward the statement and any other required information to the
9 prosecutor who shall, as soon as practicable, transmit the form of
10 registration to the Superintendent of State Police, and, if the registrant
11 will reside in a different county, to the prosecutor of the county in
12 which the person will reside. The prosecutor of the county in which
13 the person will reside shall transmit the form of registration to the law
14 enforcement agency responsible for the municipality in which the
15 person will reside and other appropriate law enforcement agencies.
16 The superintendent shall promptly transmit the conviction data and
17 fingerprints to the Federal Bureau of Investigation.

18 d. The Superintendent of State Police shall maintain a central
19 registry of registrations provided pursuant to this act.

20 (cf: P.L.1995, c.280, s.20)

21
22 3. This act shall take effect on the first day of the fourth month
23 after enactment.

24 25 26 STATEMENT

27
28 This bill amends "Megan's Law" to conform to new federal
29 guidelines promulgated pursuant to the "Campus Sex Crimes
30 Prevention Act" (the "CSCPA").

31 The federal Jacob Wetterling Crimes Against Children and Sexually
32 Violent Offender Registration Act (the "Wetterling Act") sets
33 minimum standards for state sex offender registration and community
34 notification programs, and directs the United States Attorney General
35 to issue guidelines for such programs. States that fail to comply with
36 the Wetterling Act's requirements, as implemented in the Attorney
37 General's guidelines, are subject to a mandatory 10% reduction of the
38 formula grant funding available under the Edward Byrne Memorial
39 State and Local Law Enforcement Assistance Program (42 U.S.C.
40 §3756). In order to maintain the full Byrne grant funding eligibility,
41 the Legislature enacted P.L.2001, c.372, which amended certain
42 aspects of New Jersey's Megan's Law to comply with Wetterling Act
43 requirements. Recently, the CSCPA further amended the Wetterling
44 Act to provide special requirements relating to registration and
45 community notification for sex offenders who are enrolled in or work
46 at institutions of higher education and to sex offenders who are

1 enrolled in school or are employed or carry on a vocation in another
2 state. The CSCPA provisions are set forth at 42 U.S.C. §14071(j), and
3 have been interpreted in supplementary guidelines recently adopted by
4 the Department of Justice.

5 This bill would satisfy the requirements of the CSCPA by amending
6 Megan's Law to apply the sex offender registration requirements to
7 any person who in another jurisdiction is required to register as a sex
8 offender, and either is enrolled on a full-time basis in any public or
9 private educational institution in this State, including any secondary
10 school, trade or professional institution, institution of higher education
11 or other post-secondary school, or who is employed or carries on a
12 vocation in this State, on either a full-time or a part-time basis, with
13 or without compensation, for more than 14 consecutive days or for an
14 aggregated period exceeding 30 days in a calendar year. The bill
15 provides that such individuals must, within ten days of commencing
16 such school attendance or employment, register with the chief law
17 enforcement officer of the municipality in which the educational
18 institution is located or, if the municipality does not have a local police
19 force, the Superintendent of State Police. Consistent with the
20 CSCPA, the bill specifies that the sex offender registration form
21 include any anticipated or current school enrollment, including but not
22 limited to enrollment at or employment by any institution of higher
23 education, and requires any registrant who is enrolled at, employed by
24 or carries on a vocation at an institution of higher education or other
25 post-secondary school in this State to register with the law
26 enforcement unit of the educational institution, if the institution has
27 such a unit, within ten days of commencement of such enrollment or
28 employment. The bill also clarifies that registrants are required to
29 notify the appropriate law enforcement agency of any change of
30 address or school enrollment or employment status no later than five
31 days after any such change and that failure to do so constitutes a crime
32 of the fourth degree. These statutory changes, in combination with
33 modifications to the current administrative procedures to implement
34 Megan's Law, will bring New Jersey into full compliance with the
35 Wetterling Act requirements.

36 In furtherance of the public safety, the bill also reduces from 70 to
37 10 days the period of time granted to sex offenders so they may
38 register upon moving to or returning to this State from another
39 jurisdiction.

40

41

42

43

44 Amends Megan's Law to comply with requirements of federal Campus
45 Sex Crimes Prevention Act.

ASSEMBLY, No. 3173

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JANUARY 16, 2003

Sponsored by:

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblyman GARY L. GUEAR, SR.

District 14 (Mercer and Middlesex)

Co-Sponsored by:

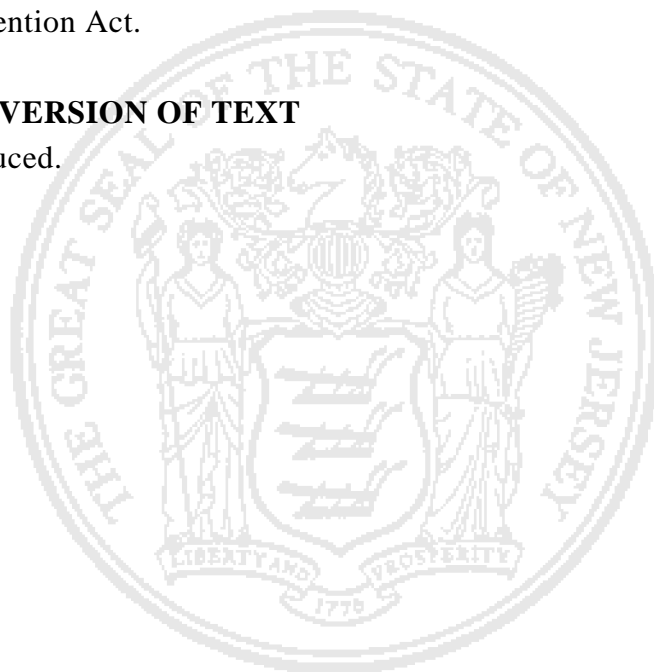
Assemblymen Dancer, Eagler, Assemblywoman Heck, Assemblymen Johnson, S.Kean, Assemblywoman McHose, Assemblyman Munoz, Assemblywoman Weinberg, Senators Furnari and Coniglio

SYNOPSIS

Amends Megan's Law to comply with requirements of federal Campus Sex Crimes Prevention Act.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/28/2003)

1 AN ACT concerning sex offenders registration requirements and
2 amending P.L.1994, c.133.

3

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

6

7 1. Section 2 of P.L.1994, c.133 (C.2C:7-2) is amended to read as
8 follows:

9 2. a. (1) A person who has been convicted, adjudicated delinquent
10 or found not guilty by reason of insanity for commission of a sex
11 offense as defined in subsection b. of this section shall register as
12 provided in subsections c. and d. of this section.

13 (2) A person who in another jurisdiction is required to register as
14 a sex offender and (a) is enrolled on a full-time or part-time basis in
15 any public or private educational institution in this State, including any
16 secondary school, trade or professional institution, institution of higher
17 education or other post-secondary school, or (b) is employed or
18 carries on a vocation in this State, on either a full-time or a part-time
19 basis, with or without compensation, for more than 14 consecutive
20 days or for an aggregate period exceeding 30 days in a calendar year,
21 shall register in this State as provided in subsections c. and d. of this
22 section. A person who fails to register as required under this act shall
23 be guilty of a crime of the fourth degree.

24 b. For the purposes of this act a sex offense shall include the
25 following:

26 (1) Aggravated sexual assault, sexual assault, aggravated criminal
27 sexual contact, kidnapping pursuant to paragraph (2) of subsection c.
28 of N.J.S.2C:13-1 or an attempt to commit any of these crimes if the
29 court found that the offender's conduct was characterized by a pattern
30 of repetitive, compulsive behavior, regardless of the date of the
31 commission of the offense or the date of conviction;

32 (2) A conviction, adjudication of delinquency, or acquittal by
33 reason of insanity for aggravated sexual assault; sexual assault;
34 aggravated criminal sexual contact; kidnapping pursuant to paragraph
35 (2) of subsection c. of N.J.S.2C:13-1; endangering the welfare of a
36 child by engaging in sexual conduct which would impair or debauch
37 the morals of the child pursuant to subsection a. of N.J.S.2C:24-4;
38 endangering the welfare of a child pursuant to paragraph (4) of
39 subsection b. of N.J.S.2C:24-4; luring or enticing pursuant to section
40 1 of P.L.1993, c.291 (C.2C:13-6); criminal sexual contact pursuant to
41 N.J.S.2C:14-3b. if the victim is a minor; kidnapping pursuant to
42 N.J.S.2C:13-1, criminal restraint pursuant to N.J.S.2C:13-2, or false
43 imprisonment pursuant to N.J.S.2C:13-3 if the victim is a minor and

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 the offender is not the parent of the victim; knowingly promoting
2 prostitution of a child pursuant to paragraph (3) or paragraph (4) of
3 subsection b. of N.J.S.2C:34-1; or an attempt to commit any of these
4 enumerated offenses if the conviction, adjudication of delinquency or
5 acquittal by reason of insanity is entered on or after the effective date
6 of this act or the offender is serving a sentence of incarceration,
7 probation, parole or other form of community supervision as a result
8 of the offense or is confined following acquittal by reason of insanity
9 or as a result of civil commitment on the effective date of this act;

10 (3) A conviction, adjudication of delinquency or acquittal by
11 reason of insanity for an offense similar to any offense enumerated in
12 paragraph (2) or a sentence on the basis of criteria similar to the
13 criteria set forth in paragraph (1) of this subsection entered or imposed
14 under the laws of the United States, this State or another state.

15 c. A person required to register under the provisions of this act
16 shall do so on forms to be provided by the designated registering
17 agency as follows:

18 (1) A person who is required to register and who is under
19 supervision in the community on probation, parole, furlough, work
20 release, or a similar program, shall register at the time the person is
21 placed under supervision or no later than 120 days after the effective
22 date of this act, whichever is later, in accordance with procedures
23 established by the Department of Corrections, the Department of
24 Human Services, the Juvenile Justice Commission established pursuant
25 to section 2 of P.L.1995, c.284 (C.52:17B-170) or the Administrative
26 Office of the Courts, whichever is responsible for supervision;

27 (2) A person confined in a correctional or juvenile facility or
28 involuntarily committed who is required to register shall register prior
29 to release in accordance with procedures established by the
30 Department of Corrections, the Department of Human Services or the
31 Juvenile Justice Commission;

32 (3) A person moving to or returning to this State from another
33 jurisdiction shall register with the chief law enforcement officer of the
34 municipality in which the person will reside or, if the municipality does
35 not have a local police force, the Superintendent of State Police within
36 120 days of the effective date of this act or ~~[70]~~ 10 days of first
37 residing in or returning to a municipality in this State, whichever is
38 later;

39 (4) A person required to register on the basis of a conviction prior
40 to the effective date who is not confined or under supervision on the
41 effective date of this act shall register within 120 days of the effective
42 date of this act with the chief law enforcement officer of the
43 municipality in which the person will reside or, if the municipality does
44 not have a local police force, the Superintendent of State Police.

45 (5) A person who in another jurisdiction is required to register as
46 a sex offender and who is enrolled on a full-time or part-time basis in

1 any public or private educational institution in this State, including any
2 secondary school, trade or professional institution, institution of higher
3 education or other post-secondary school shall, within ten days of
4 commencing attendance at such educational institution, register with
5 the chief law enforcement officer of the municipality in which the
6 educational institution is located or, if the municipality does not have
7 a local police force, the Superintendent of State Police.

8 (6) A person who in another jurisdiction is required to register as
9 a sex offender and who is employed or carries on a vocation in this
10 State, on either a full-time or a part-time basis, with or without
11 compensation, for more than 14 consecutive days or for an aggregate
12 period exceeding 30 days in a calendar year, shall, within ten days after
13 commencing such employment or vocation, register with the chief law
14 enforcement officer of the municipality in which the employer is
15 located or where the vocation is carried on, as the case may be, or, if
16 the municipality does not have a local police force, the Superintendent
17 of State Police.

18 (7) In addition to any other registration requirements set forth in
19 this section, a person required to register under this act who is
20 enrolled at, employed by or carries on a vocation at an institution of
21 higher education or other post-secondary school in this State shall,
22 within ten days after commencing such attendance, employment or
23 vocation, register with the law enforcement unit of the education
24 institution, if the institution has such a unit.

25 d. Upon a change of address, a person shall notify the law
26 enforcement agency with which the person is registered and [must]
27 shall re-register with the appropriate law enforcement agency no less
28 than 10 days before he intends to first reside at his new address. Upon
29 a change of employment or school enrollment status, a person shall
30 notify the appropriate law enforcement agency no later than five days
31 after any such change. A person who fails to notify the appropriate
32 law enforcement agency of a change of address or status in accordance
33 with this subsection is guilty of a crime of the fourth degree.

34 e. A person required to register under paragraph (1) of subsection
35 b. of this section or under paragraph (3) of subsection b. due to a
36 sentence imposed on the basis of criteria similar to the criteria set forth
37 in paragraph (1) of subsection b. shall verify his address with the
38 appropriate law enforcement agency every 90 days in a manner
39 prescribed by the Attorney General. A person required to register
40 under paragraph (2) of subsection b. of this section or under paragraph
41 (3) of subsection b. on the basis of a conviction for an offense similar
42 to an offense enumerated in paragraph (2) of subsection b. shall verify
43 his address annually in a manner prescribed by the Attorney General.
44 One year after the effective date of this act, the Attorney General shall
45 review, evaluate and, if warranted, modify pursuant to the
46 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)

1 the verification requirement.

2 f. Except as provided in subsection g. of this section, a person
3 required to register under this act may make application to the
4 Superior Court of this State to terminate the obligation upon proof
5 that the person has not committed an offense within 15 years following
6 conviction or release from a correctional facility for any term of
7 imprisonment imposed, whichever is later, and is not likely to pose a
8 threat to the safety of others.

9 g. person required to register under this section who has been
10 convicted of, adjudicated delinquent, or acquitted by reason of insanity
11 for more than one sex offense as defined in subsection b. of this
12 section or who has been convicted of, adjudicated delinquent, or
13 acquitted by reason of insanity for aggravated sexual assault pursuant
14 to subsection a. of N.J.S.2C:14-2 or sexual assault pursuant to
15 paragraph (1) of subsection c. of N.J.S.2C:14-2 is not eligible under
16 subsection f. of this section to make application to the Superior Court
17 of this State to terminate the registration obligation.

18 (cf: P.L.2001, c.392, s.1)

19

20 2. Section 4 of P.L.1994, c.133 (C.2C:7-4) is amended to read as
21 follows:

22 4. a. Within 60 days of the effective date of this act, the
23 Superintendent of State Police, with the approval of the Attorney
24 General, shall prepare the form of registration statement as required
25 in subsection b. of this section and shall provide such forms to each
26 organized full-time municipal police department, the Department of
27 Corrections, the Administrative Office of the Courts and the
28 Department of Human Services. In addition, the Superintendent of
29 State Police shall make such forms available to the Juvenile Justice
30 Commission established pursuant to section 2 of P.L.1995, c.284
31 (C.52:17B-170).

32 b. The form of registration required by this act shall include:

33 (1) A statement in writing signed by the person required to register
34 acknowledging that the person has been advised of the duty to register
35 and reregister imposed by this act and including the person's name,
36 social security number, age, race, sex, date of birth, height, weight,
37 hair and eye color, address of legal residence, address of any current
38 temporary residence, date and place of employment ; and any
39 anticipated or current school enrollment, including but not limited to
40 enrollment at or employment by any institution of higher education;

41 (2) Date and place of each conviction, adjudication or acquittal by
42 reason of insanity, indictment number, fingerprints, and a brief
43 description of the crime or crimes for which registration is required;
44 and

45 (3) Any other information that the Attorney General deems
46 necessary to assess risk of future commission of a crime, including

1 criminal and corrections records, nonprivileged personnel, treatment,
2 and abuse registry records, and evidentiary genetic markers when
3 available.

4 c. Within three days of receipt of a registration pursuant to
5 subsection c. of section 2 of this act, the registering agency shall
6 forward the statement and any other required information to the
7 prosecutor who shall, as soon as practicable, transmit the form of
8 registration to the Superintendent of State Police, and, if the registrant
9 will reside in a different county, to the prosecutor of the county in
10 which the person will reside. The prosecutor of the county in which
11 the person will reside shall transmit the form of registration to the law
12 enforcement agency responsible for the municipality in which the
13 person will reside and other appropriate law enforcement agencies.
14 The superintendent shall promptly transmit the conviction data and
15 fingerprints to the Federal Bureau of Investigation.

16 d. The Superintendent of State Police shall maintain a central
17 registry of registrations provided pursuant to this act.
18 (cf: P.L.1995, c.280, s.20)

19

20 3. This act shall take effect on the first day of the fourth month
21 after enactment.

22

23

24

STATEMENT

25

26 This bill amends "Megan's Law" to conform to new federal
27 guidelines promulgated pursuant to the "Campus Sex Crimes
28 Prevention Act" (the "CSCPA").

29 The federal Jacob Wetterling Crimes Against Children and Sexually
30 Violent Offender Registration Act (the "Wetterling Act") sets
31 minimum standards for state sex offender registration and community
32 notification programs, and directs the United States Attorney General
33 to issue guidelines for such programs. States that fail to comply with
34 the Wetterling Act's requirements, as implemented in the Attorney
35 General's guidelines, are subject to a mandatory 10% reduction of the
36 formula grant funding available under the Edward Byrne Memorial
37 State and Local Law Enforcement Assistance Program (42 U.S.C.
38 §3756). In order to maintain the full Byrne grant funding eligibility,
39 the Legislature enacted P.L.2001, c.372, which amended certain
40 aspects of New Jersey's Megan's Law to comply with Wetterling Act
41 requirements. Recently, the CSCPA further amended the Wetterling
42 Act to provide special requirements relating to registration and
43 community notification for sex offenders who are enrolled in or work
44 at institutions of higher education and to sex offenders who are
45 enrolled in school or are employed or carry on a vocation in another
46 state. The CSCPA provisions are set forth at 42 U.S.C.§14071(j), and

1 have been interpreted in supplementary guidelines recently adopted by
2 the Department of Justice.

3 This bill would satisfy the requirements of the CSCPA by amending
4 Megan's Law to apply the sex offender registration requirements to
5 any person who in another jurisdiction is required to register as a sex
6 offender, and either is enrolled on a full-time basis in any public or
7 private educational institution in this State, including any secondary
8 school, trade or professional institution, institution of higher education
9 or other post-secondary school, or who is employed or carries on a
10 vocation in this State, on either a full-time or a part-time basis, with
11 or without compensation, for more than 14 consecutive days or for an
12 aggregated period exceeding 30 days in a calendar year. The bill
13 provides that such individuals must, within ten days of commencing
14 such school attendance or employment, register with the chief law
15 enforcement officer of the municipality in which the educational
16 institution is located or, if the municipality does not have a local police
17 force, the Superintendent of State Police. Consistent with the
18 CSCPA, the bill specifies that the sex offender registration form
19 include any anticipated or current school enrollment, including but not
20 limited to enrollment at or employment by any institution of higher
21 education, and requires any registrant who is enrolled at, employed by
22 or carries on a vocation at an institution of higher education or other
23 post-secondary school in this State to register with the law
24 enforcement unit of the educational institution, if the institution has
25 such a unit, within ten days of commencement of such enrollment or
26 employment. The bill also clarifies that registrants are required to
27 notify the appropriate law enforcement agency of any change of
28 address or school enrollment or employment status no later than five
29 days after any such change and that failure to do so constitutes a crime
30 of the fourth degree. These statutory changes, in combination with
31 modifications to the current administrative procedures to implement
32 Megan's Law, will bring New Jersey into full compliance with the
33 Wetterling Act requirements.

34 In furtherance of the public safety, the bill also reduces from 70 to
35 10 days the period of time granted to sex offenders so they may
36 register upon moving to or returning to this State from another
37 jurisdiction.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3173

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 2003

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3173.

Assembly Bill No. 3173 amends "Megan's Law" to conform to new federal guidelines promulgated pursuant to the "Campus Sex Crimes Prevention Act" (CSCPA).

The federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Wetterling Act) sets minimum standards for state sex offender registration and community notification programs, and directs the United States Attorney General to issue guidelines for such programs. States that fail to comply with the Wetterling Act's requirements, as implemented in the Attorney General's guidelines, are subject to a mandatory 10% reduction of the formula grant funding available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. §3756). In order to maintain the full Byrne grant funding eligibility, the Legislature enacted P.L.2001, c.372, which amended certain aspects of New Jersey's Megan's Law to comply with Wetterling Act requirements. Recently, the CSCPA further amended the Wetterling Act to provide special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institutions of higher education and to sex offenders who are enrolled in school or are employed or carry on a vocation in another state. The CSCPA provisions are set forth at 42 U.S.C. §14071(j), and have been interpreted in supplementary guidelines recently adopted by the Department of Justice.

This bill would satisfy the requirements of the CSCPA by amending Megan's Law to apply sex offender registration requirements to any person who in another jurisdiction is required to register as a sex offender, and either is enrolled on a full-time basis in any public or private educational institution in this State, including any secondary school, trade or professional institution, institution of higher education or other post-secondary school, or who is employed or carries on a vocation in this State, on either a full-time or a part-time basis, with or without compensation, for more than 14 consecutive days or for an aggregated period exceeding 30 days in a calendar year. The bill provides that such individuals must, within ten days of commencing such school attendance or employment, register with the chief law

enforcement officer of the municipality in which the educational institution is located or, if the municipality does not have a local police force, the Superintendent of State Police. Consistent with the CSCPA, the bill specifies that the sex offender registration form include any anticipated or current school enrollment, including but not limited to enrollment at or employment by any institution of higher education, and requires any registrant who is enrolled at, employed by or carries on a vocation at an institution of higher education or other post-secondary school in this State to register with the law enforcement unit of the educational institution, if the institution has such a unit, within ten days of commencement of such enrollment or employment. The bill also clarifies that registrants are required to notify the appropriate law enforcement agency of any change of address or school enrollment or employment status no later than five days after any such change and that failure to do so constitutes a crime of the fourth degree. These statutory changes, in combination with modifications to the current administrative procedures to implement Megan's Law, will bring New Jersey into full compliance with the Wetterling Act requirements.

In furtherance of the public safety, the bill also reduces from 70 to 10 days the period of time granted to sex offenders so they may register upon moving to or returning to this State from another jurisdiction.

SENATE, No. 2176

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED DECEMBER 16, 2002

Sponsored by:

Senator GARRY J. FURNARI

District 36 (Bergen, Essex and Passaic)

Senator JOSEPH CONIGLIO

District 38 (Bergen)

SYNOPSIS

Amends Megan's Law to comply with requirements of federal Campus Sex Crimes Prevention Act.

CURRENT VERSION OF TEXT

As introduced.



S2176 FURNARI, CONIGLIO

2

1 AN ACT concerning sex offenders registration requirements and
2 amending P.L.1994, c.133.

3

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

6

7 1. Section 2 of P.L.1994, c.133 (C.2C:7-2) is amended to read as
8 follows:

9 2. a. (1) A person who has been convicted, adjudicated delinquent
10 or found not guilty by reason of insanity for commission of a sex
11 offense as defined in subsection b. of this section shall register as
12 provided in subsections c. and d. of this section.

13 (2) A person who in another jurisdiction is required to register as
14 a sex offender, who (a) is enrolled on a full-time or part-time basis in
15 any public or private educational institution in this State, including any
16 secondary school, trade or professional institution, institution of higher
17 education or other post-secondary school, or (b) is employed or
18 carries on a vocation in this State, on either a full-time or a part-time
19 basis, with or without compensation, for more than 14 consecutive
20 days or for an aggregate period exceeding 30 days in a calendar year,
21 shall register in this State as provided in subsections c. and d. of this
22 section. A person who fails to register as required under this act shall
23 be guilty of a crime of the fourth degree.

24 b. For the purposes of this act a sex offense shall include the
25 following:

26 (1) Aggravated sexual assault, sexual assault, aggravated criminal
27 sexual contact, kidnapping pursuant to paragraph (2) of subsection c.
28 of N.J.S.2C:13-1 or an attempt to commit any of these crimes if the
29 court found that the offender's conduct was characterized by a pattern
30 of repetitive, compulsive behavior, regardless of the date of the
31 commission of the offense or the date of conviction;

32 (2) A conviction, adjudication of delinquency, or acquittal by
33 reason of insanity for aggravated sexual assault; sexual assault;
34 aggravated criminal sexual contact; kidnapping pursuant to paragraph
35 (2) of subsection c. of N.J.S.2C:13-1; endangering the welfare of a
36 child by engaging in sexual conduct which would impair or debauch
37 the morals of the child pursuant to subsection a. of N.J.S.2C:24-4;
38 endangering the welfare of a child pursuant to paragraph (4) of
39 subsection b. of N.J.S.2C:24-4; luring or enticing pursuant to section
40 1 of P.L.1993, c.291 (C.2C:13-6); criminal sexual contact pursuant to
41 N.J.S.2C:14-3b. if the victim is a minor; kidnapping pursuant to
42 N.J.S.2C:13-1, criminal restraint pursuant to N.J.S.2C:13-2, or false
43 imprisonment pursuant to N.J.S.2C:13-3 if the victim is a minor and

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 the offender is not the parent of the victim; knowingly promoting
2 prostitution of a child pursuant to paragraph (3) or paragraph (4) of
3 subsection b. of N.J.S.2C:34-1; or an attempt to commit any of these
4 enumerated offenses if the conviction, adjudication of delinquency or
5 acquittal by reason of insanity is entered on or after the effective date
6 of this act or the offender is serving a sentence of incarceration,
7 probation, parole or other form of community supervision as a result
8 of the offense or is confined following acquittal by reason of insanity
9 or as a result of civil commitment on the effective date of this act;

10 (3) A conviction, adjudication of delinquency or acquittal by
11 reason of insanity for an offense similar to any offense enumerated in
12 paragraph (2) or a sentence on the basis of criteria similar to the
13 criteria set forth in paragraph (1) of this subsection entered or imposed
14 under the laws of the United States, this State or another state.

15 c. A person required to register under the provisions of this act
16 shall do so on forms to be provided by the designated registering
17 agency as follows:

18 (1) A person who is required to register and who is under
19 supervision in the community on probation, parole, furlough, work
20 release, or a similar program, shall register at the time the person is
21 placed under supervision or no later than 120 days after the effective
22 date of this act, whichever is later, in accordance with procedures
23 established by the Department of Corrections, the Department of
24 Human Services, the Juvenile Justice Commission established pursuant
25 to section 2 of P.L.1995, c.284 (C.52:17B-170) or the Administrative
26 Office of the Courts, whichever is responsible for supervision;

27 (2) A person confined in a correctional or juvenile facility or
28 involuntarily committed who is required to register shall register prior
29 to release in accordance with procedures established by the
30 Department of Corrections, the Department of Human Services or the
31 Juvenile Justice Commission;

32 (3) A person moving to or returning to this State from another
33 jurisdiction shall register with the chief law enforcement officer of the
34 municipality in which the person will reside or, if the municipality does
35 not have a local police force, the Superintendent of State Police within
36 120 days of the effective date of this act or 70 days of first residing in
37 or returning to a municipality in this State, whichever is later;

38 (4) A person required to register on the basis of a conviction prior
39 to the effective date who is not confined or under supervision on the
40 effective date of this act shall register within 120 days of the effective
41 date of this act with the chief law enforcement officer of the
42 municipality in which the person will reside or, if the municipality does
43 not have a local police force, the Superintendent of State Police.

44 (5) A person who in another jurisdiction is required to register as
45 a sex offender and who is enrolled on a full-time or part-time basis in
46 any public or private educational institution in this State, including any

1 secondary school, trade or professional institution, institution of higher
2 education or other post-secondary school shall, within ten days of
3 commencing attendance at such educational institution, register with
4 the chief law enforcement officer of the municipality in which the
5 educational institution is located or, if the municipality does not have
6 a local police force, the Superintendent of State Police.

7 (6) A person who in another jurisdiction is required to register as
8 a sex offender and who is employed or carries on a vocation in this
9 State, on either a full-time or a part-time basis, with or without
10 compensation, for more than 14 consecutive days or for an aggregate
11 period exceeding 30 days in a calendar year, shall, within ten days after
12 commencing such employment or vocation, register with the chief law
13 enforcement officer of the municipality in which the employer is
14 located or where the vocation is carried on, as the case may be, or, if
15 the municipality does not have a local police force, the Superintendent
16 of State Police.

17 (7) In addition to any other registration requirements set forth in
18 this section, a person required to register under this act who is
19 enrolled at, employed by or carries on a vocation at an institution of
20 higher education or other post-secondary school in this State shall,
21 within ten days after commencing such attendance, employment or
22 vocation, register with the law enforcement unit of the education
23 institution, if the institution has such a unit.

24 d. Upon a change of address, a person shall notify the law
25 enforcement agency with which the person is registered and [must]
26 shall re-register with the appropriate law enforcement agency no less
27 than 10 days before he intends to first reside at his new address. Upon
28 a change of employment or school enrollment status, a person shall
29 notify the appropriate law enforcement agency no later than five days
30 after any such change. A person who fails to notify the appropriate
31 law enforcement agency of a change of address or status in accordance
32 with this subsection is guilty of a crime of the fourth degree.

33 e. A person required to register under paragraph (1) of subsection
34 b. of this section or under paragraph (3) of subsection b. due to a
35 sentence imposed on the basis of criteria similar to the criteria set forth
36 in paragraph (1) of subsection b. shall verify his address with the
37 appropriate law enforcement agency every 90 days in a manner
38 prescribed by the Attorney General. A person required to register
39 under paragraph (2) of subsection b. of this section or under paragraph
40 (3) of subsection b. on the basis of a conviction for an offense similar
41 to an offense enumerated in paragraph (2) of subsection b. shall verify
42 his address annually in a manner prescribed by the Attorney General.
43 One year after the effective date of this act, the Attorney General shall
44 review, evaluate and, if warranted, modify pursuant to the
45 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
46 the verification requirement.

1 f. Except as provided in subsection g. of this section, a person
2 required to register under this act may make application to the
3 Superior Court of this State to terminate the obligation upon proof
4 that the person has not committed an offense within 15 years following
5 conviction or release from a correctional facility for any term of
6 imprisonment imposed, whichever is later, and is not likely to pose a
7 threat to the safety of others.

8 g. A person required to register under this section who has been
9 convicted of, adjudicated delinquent, or acquitted by reason of insanity
10 for more than one sex offense as defined in subsection b. of this
11 section or who has been convicted of, adjudicated delinquent, or
12 acquitted by reason of insanity for aggravated sexual assault pursuant
13 to subsection a. of N.J.S.2C:14-2 or sexual assault pursuant to
14 paragraph (1) of subsection c. of N.J.S.2C:14-2 is not eligible under
15 subsection f. of this section to make application to the Superior Court
16 of this State to terminate the registration obligation.

17 (cf: P.L.2001, c.392, s.1)

18
19 2. Section 4 of P.L.1994, c.133 (C.2C:7-4) is amended to read as
20 follows:

21 4. a. Within 60 days of the effective date of this act, the
22 Superintendent of State Police, with the approval of the Attorney
23 General, shall prepare the form of registration statement as required
24 in subsection b. of this section and shall provide such forms to each
25 organized full-time municipal police department, the Department of
26 Corrections, the Administrative Office of the Courts and the
27 Department of Human Services. In addition, the Superintendent of
28 State Police shall make such forms available to the Juvenile Justice
29 Commission established pursuant to section 2 of P.L.1995, c.284
30 (C.52:17B-170).

31 b. The form of registration required by this act shall include:

32 (1) A statement in writing signed by the person required to register
33 acknowledging that the person has been advised of the duty to register
34 and reregister imposed by this act and including the person's name,
35 social security number, age, race, sex, date of birth, height, weight,
36 hair and eye color, address of legal residence, address of any current
37 temporary residence, date and place of employment ; and any
38 anticipated or current school enrollment, including but not limited to
39 enrollment at or employment by any institution of higher education;

40 (2) Date and place of each conviction, adjudication or acquittal by
41 reason of insanity, indictment number, fingerprints, and a brief
42 description of the crime or crimes for which registration is required;
43 and

44 (3) Any other information that the Attorney General deems
45 necessary to assess risk of future commission of a crime, including
46 criminal and corrections records, nonprivileged personnel, treatment,

1 and abuse registry records, and evidentiary genetic markers when
2 available.

3 c. Within three days of receipt of a registration pursuant to
4 subsection c. of section 2 of this act, the registering agency shall
5 forward the statement and any other required information to the
6 prosecutor who shall, as soon as practicable, transmit the form of
7 registration to the Superintendent of State Police, and, if the registrant
8 will reside in a different county, to the prosecutor of the county in
9 which the person will reside. The prosecutor of the county in which
10 the person will reside shall transmit the form of registration to the law
11 enforcement agency responsible for the municipality in which the
12 person will reside and other appropriate law enforcement agencies.
13 The superintendent shall promptly transmit the conviction data and
14 fingerprints to the Federal Bureau of Investigation.

15 d. The Superintendent of State Police shall maintain a central
16 registry of registrations provided pursuant to this act.

17 (cf: P.L.1995, c.280, s.20)

18

19 3. This act shall take effect on the first day of the fourth month
20 after enactment.

21

22

23

STATEMENT

24

25 This bill amends "Megan's Law" to conform to new federal
26 guidelines promulgated pursuant to the "Campus Sex Crimes
27 Prevention Act" (the "CSCPA").

28 The federal Jacob Wetterling Crimes Against Children and Sexually
29 Violent Offender Registration Act (the "Wetterling Act") sets
30 minimum standards for state sex offender registration and community
31 notification programs, and directs the United States Attorney General
32 to issue guidelines for such programs. States that fail to comply with
33 the Wetterling Act's requirements, as implemented in the Attorney
34 General's guidelines, are subject to a mandatory 10% reduction of the
35 formula grant funding available under the Edward Byrne Memorial
36 State and Local Law Enforcement Assistance Program (42 U.S.C.
37 §3756). In order to maintain the full Byrne grant funding eligibility,
38 the Legislature enacted P.L.2001, c.372, which amended certain
39 aspects of New Jersey's Megan's Law to comply with Wetterling Act
40 requirements. Recently, the CSCPA further amended the Wetterling
41 Act to provide special requirements relating to registration and
42 community notification for sex offenders who are enrolled in or work
43 at institutions of higher education and to sex offenders who are
44 enrolled in school or are employed or carry on a vocation in another
45 state. The CSCPA provisions are set forth at 42 U.S.C.§14071(j), and
46 have been interpreted in supplementary guidelines recently adopted by

1 the Department of Justice.

2 This bill would satisfy the requirements of the CSCPA by amending
3 Megan's Law to apply the sex offender registration requirements to
4 any person who in another jurisdiction is required to register as a sex
5 offender, and either is enrolled on a full-time basis in any public or
6 private educational institution in this State, including any secondary
7 school, trade or professional institution, institution of higher education
8 or other post-secondary school, or who is employed or carries on a
9 vocation in this State, on either a full-time or a part-time basis, with
10 or without compensation, for more than 14 consecutive days or for an
11 aggregated period exceeding 30 days in a calendar year. The bill
12 provides that such individuals must, within ten days of commencing
13 such school attendance or employment, register with the chief law
14 enforcement officer of the municipality in which the educational
15 institution is located or, if the municipality does not have a local police
16 force, the Superintendent of State Police. Consistent with the
17 CSCPA, the bill specifies that the sex offender registration form
18 include any anticipated or current school enrollment, including but not
19 limited to enrollment at or employment by any institution of higher
20 education, and requires any registrant who is enrolled at, employed by
21 or carries on a vocation at an institution of higher education or other
22 post-secondary school in this State to register with the law
23 enforcement unit of the educational institution, if the institution has
24 such a unit, within ten days of commencement of such enrollment or
25 employment. The bill also clarifies that registrants are required to
26 notify the appropriate law enforcement agency of any change of
27 address or school enrollment or employment status no later than five
28 days after any such change and that failure to do so constitutes a crime
29 of the fourth degree. These statutory changes, in combination with
30 modifications to the current administrative procedures to implement
31 Megan's Law, will bring New Jersey into full compliance with the
32 Wetterling Act requirements.

33 In furtherance of the public safety, the bill also reduces from 70 to
34 10 days the period of time granted to sex offenders so they may
35 register upon moving to or returning to this State from another
36 jurisdiction.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2176

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 9, 2003

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably and with committee amendments Senate Bill No. 2176.

This bill amends "Megan's Law" to conform to new federal guidelines promulgated pursuant to the "Campus Sex Crimes Prevention Act" (CSCPA).

The federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Wetterling Act) sets minimum standards for state sex offender registration and community notification programs and directs the United States Attorney General to issue guidelines for such programs. States that fail to comply with the Wetterling Act's requirements, as implemented in the Attorney General's guidelines, are subject to a mandatory 10% reduction of the formula grant funding available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. §3756). In order to maintain the full Byrne grant funding eligibility, the Legislature enacted P.L.2001, c.372, which amended certain aspects of New Jersey's Megan's Law to comply with Wetterling Act requirements. Recently, the CSCPA further amended the Wetterling Act to provide special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institutions of higher education and to sex offenders who are enrolled in school or are employed or carry on a vocation in another state. The CSCPA provisions are set forth at 42 U.S.C. §14071(j) and have been interpreted in supplementary guidelines recently adopted by the Department of Justice.

This bill would satisfy the requirements of the CSCPA by amending Megan's Law to apply the sex offender registration requirements to any person who in another jurisdiction is required to register as a sex offender, and either is enrolled on a full-time basis in any public or private educational institution in this State, including any secondary school, trade or professional institution, institution of higher education or other post-secondary school, or who is employed or carries on a

vocation in this State, on either a full-time or a part-time basis, with or without compensation, for more than 14 consecutive days or for an aggregated period exceeding 30 days in a calendar year. The bill provides that such individuals must, within ten days of commencing such school attendance or employment, register with the chief law enforcement officer of the municipality in which the educational institution is located or, if the municipality does not have a local police force, the Superintendent of State Police. Consistent with the CSCPA, the bill specifies that the sex offender registration form include any anticipated or current school enrollment, including but not limited to enrollment at or employment by any institution of higher education, and requires any registrant who is enrolled at, employed by or carries on a vocation at an institution of higher education or other post-secondary school in this State to register with the law enforcement unit of the educational institution, if the institution has such a unit, within ten days of commencement of such enrollment or employment. The bill also clarifies that registrants are required to notify the appropriate law enforcement agency of any change of address or school enrollment or employment status no later than five days after any such change and that failure to do so constitutes a crime of the fourth degree. These statutory changes, in combination with modifications to the current administrative procedures to implement Megan's Law, will bring New Jersey into full compliance with the Wetterling Act requirements.

In furtherance of the public safety, the amended bill also reduces from 70 to 10 days the period of time granted to sex offenders to register upon moving to or returning to this State from another jurisdiction.

The other committee amendment is technical in nature.