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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"New law to help fund autism research," 8-7-2003 The Record, pA3.

"McGreevey signs bill for more autism-research funds," 8-7-2003 Asbury Park Press, p.B8

P.L. 2003, CHAPTER 144, *approved August 6, 2003*
Assembly Bill No. 2601 (*Third Reprint*)

1 AN ACT establishing an ¹[Infantile]¹ Autism Medical Research and
2 Treatment Fund, supplementing Title 52 of the Revised Statutes
3 and amending R.S.39:5-41.
4

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

7
8 1. (New section) a. There is established in the Department of the
9 Treasury a nonlapsing ²[revolving]² fund to be known as the
10 ¹["Infantile Autism"] "Autism"¹ Medical Research and Treatment
11 Fund." This fund shall be the repository for moneys provided pursuant
12 to subsection f. of R.S.39:5-41. Moneys deposited in the fund, and
13 any interest earned thereon, shall be allocated to the Governor's
14 Council for Medical Research and Treatment of Infantile Autism
15 established pursuant to P.L.1999, c.105 (C.30:6D-56 et seq.), ³[in
16 order to effectuate the purposes of that act] to support grants and
17 contracts awarded under subsection a. of section 5 of P.L.1999, c.105
18 (C.30:6D-60), and any grants for pilot studies selected under
19 subsection c. of section 6 of that P.L.1999, c.105 (C.30:6D-61),
20 provided that, if federal funds are available for the purpose, the
21 grantee or contractor shall, as a condition of receiving any such grant
22 or contract from the fund, apply for an amount of federal funds in
23 support of that grant or contract³.

24 b. Any costs incurred by the department in the collection or
25 administration of the fund may be deducted from the funds deposited
26 therein, as determined by the Director of the Division of Budget and
27 Accounting.
28

29 2. R.S.39:5-41 is amended to read as follows:

30 39:5-41. a. All fines, penalties and forfeitures imposed and collected
31 under authority of law for any violations of R.S.39:4-63 and
32 R.S.39:4-64 shall be forwarded by the judge to whom the same have
33 been paid to the proper financial officer of a county, if the violation
34 occurred within the jurisdiction of that county's central municipal
35 court, established pursuant to N.J.S.2B:12-1 et seq. or the
36 municipality wherein the violation occurred, to be used by the county
37 or municipality to help finance litter control activities in addition to or

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHH committee amendments adopted October 3, 2002.

² Assembly AAP committee amendments adopted November 18, 2002.

³ Senate SBA committee amendments adopted June 24, 2003.

1 supplementing existing litter pickup and removal activities in the
2 municipality.

3 b. Except as otherwise provided by subsection a. of this section, all
4 fines, penalties and forfeitures imposed and collected under authority
5 of law for any violations of the provisions of this Title, other than
6 those violations in which the complaining witness is the director, a
7 member of his staff, a member of the State Police, a member of a
8 county police department and force or a county park police system in
9 a county that has established a central municipal court, an inspector of
10 the Board of Public Utilities, or a law enforcement officer of any other
11 State agency, shall be forwarded by the judge to whom the same have
12 been paid as follows: one-half of the total amount collected to the
13 financial officer, as designated by the local governing body, of the
14 respective municipalities wherein the violations occurred, to be used
15 by the municipality for general municipal use and to defray the cost of
16 operating the municipal court; and one-half of the total amount
17 collected to the proper financial officer of the county wherein they
18 were collected, to be used by the county as a fund for the
19 construction, reconstruction, maintenance and repair of roads and
20 bridges, snow removal, the acquisition and purchase of rights-of-way,
21 and the purchase, replacement and repair of equipment for use on said
22 roads and bridges therein. Up to 25% of the money received by a
23 municipality pursuant to this subsection, but not more than the actual
24 amount budgeted for the municipal court, whichever is less, may be
25 used to upgrade case processing.

26 All fines, penalties and forfeitures imposed and collected under
27 authority of law for any violations of the provisions of this Title, in
28 which the complaining witness is a member of a county police
29 department and force or a county park police system in a county that
30 has established a central municipal court, shall be forwarded by the
31 judge to whom the same have been paid to the financial officer,
32 designated by the governing body of the county, for all violations
33 occurring within the jurisdiction of that court, to be used for general
34 county use and to defray the cost of operating the central municipal
35 court.

36 Whenever any county has deposited moneys collected pursuant to
37 this section in a special trust fund in lieu of expending the same for the
38 purposes authorized by this section, it may withdraw from said special
39 trust fund in any year an amount which is not in excess of the amount
40 expended by the county over the immediately preceding three-year
41 period from general county revenues for said purposes. Such moneys
42 withdrawn from the trust fund shall be accounted for and used as are
43 other general county revenues.

44 c. (Deleted by amendment, P.L.1993, c.293.)

45 d. Notwithstanding the provisions of subsections a. and b. of this
46 section, ~~[\$1.00]~~ \$1 shall be added to the amount of each fine and

1 penalty imposed and collected through a court under authority of any
2 law for any violation of the provisions of Title 39 of the Revised
3 Statutes or any other motor vehicle or traffic violation in this State and
4 shall be forwarded by the person to whom the same are paid to the
5 State Treasurer. In addition, upon the forfeiture of bail, [~~\$1.00~~] \$1
6 of that forfeiture shall be forwarded to the State Treasurer. The State
7 Treasurer shall annually deposit those moneys so forwarded in the
8 "Body Armor Replacement" fund established pursuant to section 1 of
9 P.L.1997, c.177 (C.52:17B-4.4). Beginning in the fiscal year next
10 following the effective date of this act, the State Treasurer annually
11 shall allocate from those moneys so forwarded an amount not to
12 exceed \$400,000 to the Department of Personnel to be expended
13 exclusively for the purposes of funding the operation of the "Law
14 Enforcement Officer Crisis Intervention Services" telephone hotline
15 established and maintained under the provisions of P.L.1998, c.149
16 (C.11A:2-25 et al.).

17 e. Notwithstanding the provisions of subsections a. and b. of this
18 section, \$1 shall be added to the amount of each fine and penalty
19 imposed and collected through a court under authority of any law for
20 any violation of the provisions of Title 39 of the Revised Statutes or
21 any other motor vehicle or traffic violation in this State and shall be
22 forwarded by the person to whom the same are paid to the State
23 Treasurer. The State Treasurer shall annually deposit those moneys
24 so forwarded in the "New Jersey Spinal Cord Research Fund"
25 established pursuant to section 9 of P.L.1999, c.201 (C.52:9E-9). In
26 order to comply with the provisions of Article VIII, Section II,
27 paragraph 5 of the State Constitution, a municipal or county agency
28 which forwards moneys to the State Treasurer pursuant to this
29 subsection may retain an amount equal to 2% of the moneys which it
30 collects pursuant to this subsection as compensation for its
31 administrative costs associated with implementing the provisions of
32 this subsection.

33 f. Notwithstanding the provisions of subsections a. and b. of this
34 section, ³during the period beginning on the effective date of this act
35 and ending five years thereafter,³ \$1 shall be added to the amount of
36 each fine and penalty imposed and collected through a court under
37 authority of any law for any violation of the provisions of Title 39 of
38 the Revised Statutes or any other motor vehicle or traffic violation in
39 this State and shall be forwarded by the person to whom the same are
40 paid to the State Treasurer. The State Treasurer shall annually deposit
41 those moneys so forwarded in the ¹["Infantile Autism"] "Autism¹
42 Medical Research and Treatment Fund" established pursuant to section
43 1 of P.L. , c. (C.) (pending before the Legislature as this bill).
44 (cf: P.L.1999, c.201, s.10)

45

46 3. This act shall take effect on the 180th day following enactment.

1

2

3 Establishes "Autism Medical Research and Treatment Fund."

ASSEMBLY, No. 2601

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JUNE 27, 2002

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Assemblyman MATT AHEARN

District 38 (Bergen)

Co-Sponsored by:

Assemblyman Eagler

SYNOPSIS

Establishes "Infantile Autism Medical Research and Treatment Fund."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2002)

A2601 WEINBERG, AHEARN

2

1 AN ACT establishing an Infantile Autism Medical Research and
2 Treatment Fund, supplementing Title 52 of the Revised Statutes
3 and amending R.S.39:5-41.

4

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

7

8 1. (New section) a. There is established in the Department of the
9 Treasury a nonlapsing revolving fund to be known as the "Infantile
10 Autism Medical Research and Treatment Fund." This fund shall be the
11 repository for moneys provided pursuant to subsection f. of R.S.39:5-
12 41. Moneys deposited in the fund, and any interest earned thereon,
13 shall be allocated to the Governor's Council for Medical Research and
14 Treatment of Infantile Autism established pursuant to P.L.1999, c.105
15 (C.30:6D-56 et seq.), in order to effectuate the purposes of that act.

16 b. Any costs incurred by the department in the collection or
17 administration of the fund may be deducted from the funds deposited
18 therein, as determined by the Director of the Division of Budget and
19 Accounting.

20

21 2. R.S.39:5-41 is amended to read as follows:

22 39:5-41. a. All fines, penalties and forfeitures imposed and collected
23 under authority of law for any violations of R.S.39:4-63 and
24 R.S.39:4-64 shall be forwarded by the judge to whom the same have
25 been paid to the proper financial officer of a county, if the violation
26 occurred within the jurisdiction of that county's central municipal
27 court, established pursuant to N.J.S.2B:12-1 et seq. or the
28 municipality wherein the violation occurred, to be used by the county
29 or municipality to help finance litter control activities in addition to or
30 supplementing existing litter pickup and removal activities in the
31 municipality.

32 b. Except as otherwise provided by subsection a. of this section, all
33 fines, penalties and forfeitures imposed and collected under authority
34 of law for any violations of the provisions of this Title, other than
35 those violations in which the complaining witness is the director, a
36 member of his staff, a member of the State Police, a member of a
37 county police department and force or a county park police system in
38 a county that has established a central municipal court, an inspector of
39 the Board of Public Utilities, or a law enforcement officer of any other
40 State agency, shall be forwarded by the judge to whom the same have
41 been paid as follows: one-half of the total amount collected to the
42 financial officer, as designated by the local governing body, of the
43 respective municipalities wherein the violations occurred, to be used

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 by the municipality for general municipal use and to defray the cost of
2 operating the municipal court; and one-half of the total amount
3 collected to the proper financial officer of the county wherein they
4 were collected, to be used by the county as a fund for the
5 construction, reconstruction, maintenance and repair of roads and
6 bridges, snow removal, the acquisition and purchase of rights-of-way,
7 and the purchase, replacement and repair of equipment for use on said
8 roads and bridges therein. Up to 25% of the money received by a
9 municipality pursuant to this subsection, but not more than the actual
10 amount budgeted for the municipal court, whichever is less, may be
11 used to upgrade case processing.

12 All fines, penalties and forfeitures imposed and collected under
13 authority of law for any violations of the provisions of this Title, in
14 which the complaining witness is a member of a county police
15 department and force or a county park police system in a county that
16 has established a central municipal court, shall be forwarded by the
17 judge to whom the same have been paid to the financial officer,
18 designated by the governing body of the county, for all violations
19 occurring within the jurisdiction of that court, to be used for general
20 county use and to defray the cost of operating the central municipal
21 court.

22 Whenever any county has deposited moneys collected pursuant to
23 this section in a special trust fund in lieu of expending the same for the
24 purposes authorized by this section, it may withdraw from said special
25 trust fund in any year an amount which is not in excess of the amount
26 expended by the county over the immediately preceding three-year
27 period from general county revenues for said purposes. Such moneys
28 withdrawn from the trust fund shall be accounted for and used as are
29 other general county revenues.

30 c. (Deleted by amendment, P.L.1993, c.293.)

31 d. Notwithstanding the provisions of subsections a. and b. of this
32 section, ~~[\$1.00]~~ \$1 shall be added to the amount of each fine and
33 penalty imposed and collected through a court under authority of any
34 law for any violation of the provisions of Title 39 of the Revised
35 Statutes or any other motor vehicle or traffic violation in this State and
36 shall be forwarded by the person to whom the same are paid to the
37 State Treasurer. In addition, upon the forfeiture of bail, ~~[\$1.00]~~ \$1
38 of that forfeiture shall be forwarded to the State Treasurer. The State
39 Treasurer shall annually deposit those moneys so forwarded in the
40 "Body Armor Replacement" fund established pursuant to section 1 of
41 P.L.1997, c.177 (C.52:17B-4.4). Beginning in the fiscal year next
42 following the effective date of this act, the State Treasurer annually
43 shall allocate from those moneys so forwarded an amount not to
44 exceed \$400,000 to the Department of Personnel to be expended
45 exclusively for the purposes of funding the operation of the "Law
46 Enforcement Officer Crisis Intervention Services" telephone hotline

1 established and maintained under the provisions of P.L.1998, c.149
2 (C.11A:2-25 et al.).

3 e. Notwithstanding the provisions of subsections a. and b. of this
4 section, \$1 shall be added to the amount of each fine and penalty
5 imposed and collected through a court under authority of any law for
6 any violation of the provisions of Title 39 of the Revised Statutes or
7 any other motor vehicle or traffic violation in this State and shall be
8 forwarded by the person to whom the same are paid to the State
9 Treasurer. The State Treasurer shall annually deposit those moneys
10 so forwarded in the "New Jersey Spinal Cord Research Fund"
11 established pursuant to section 9 of P.L.1999, c.201 (C.52:9E-9). In
12 order to comply with the provisions of Article VIII, Section II,
13 paragraph 5 of the State Constitution, a municipal or county agency
14 which forwards moneys to the State Treasurer pursuant to this
15 subsection may retain an amount equal to 2% of the moneys which it
16 collects pursuant to this subsection as compensation for its
17 administrative costs associated with implementing the provisions of
18 this subsection.

19 f. Notwithstanding the provisions of subsections a. and b. of this
20 section, \$1 shall be added to the amount of each fine and penalty
21 imposed and collected through a court under authority of any law for
22 any violation of the provisions of Title 39 of the Revised Statutes or
23 any other motor vehicle or traffic violation in this State and shall be
24 forwarded by the person to whom the same are paid to the State
25 Treasurer. The State Treasurer shall annually deposit those moneys
26 so forwarded in the "Infantile Autism Medical Research and Treatment
27 Fund" established pursuant to section 1 of P.L. , c. (C.)(pending
28 before the Legislature as this bill).

29 (cf: P.L.1999, c.201, s.10)

30

31 3. This act shall take effect on the 180th day following enactment.

32

33

34

STATEMENT

35

36 This bill establishes an "Infantile Autism Medical Research and
37 Treatment Fund" as a nonlapsing revolving fund in the Department of
38 the Treasury to provide a funding source to support the work of the
39 Governor's Council for Medical Research and Treatment of Infantile
40 Autism established pursuant to N.J.S.A.30:6D-56 et seq.

41 This new fund is to be the repository for moneys provided through
42 a \$1 surcharge on motor vehicle fines and penalties imposed by the
43 court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and
44 any interest earned thereon, would be allocated to the Governor's
45 Council for Medical Research and Treatment of Infantile Autism in
46 order to effectuate the purposes of N.J.S.A.30:6D-56 et seq. The bill

A2601 WEINBERG, AHEARN

5

1 stipulates that any costs incurred by the Department of the Treasury
2 in the collection or administration of the fund may be deducted from
3 the funds deposited therein, as determined by the Director of the
4 Division of Budget and Accounting.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2601

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 3, 2002

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 2601.

As amended by the committee, this bill establishes an "Autism Medical Research and Treatment Fund" as a nonlapsing revolving fund in the Department of the Treasury, in order to provide a funding source to support the work of the Governor's Council for Medical Research and Treatment of Infantile Autism established pursuant to the "New Jersey Infantile Autism Biomedical Research Act," N.J.S.A.30:6D-56 et seq.

This new fund is to be the repository for moneys provided through a \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and any interest earned thereon, would be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism in order to effectuate the purposes of N.J.S.A.30:6D-56 et seq. That statute provides for a Center of Excellence for Autism in the State to carry out basic and applied biomedical research, diagnosis and treatment for autism, within parameters defined by the council, and requires the council to implement a program to provide information and education on advances in the diagnosis and biomedical treatment of autism to families with autistic members and the general public.

This bill stipulates that any costs incurred by the Department of the Treasury in the collection or administration of the "Autism Medical Research and Treatment Fund" may be deducted from the funds deposited therein, as determined by the Director of the Division of Budget and Accounting.

As reported by the committee, this bill is similar to Senate Bill No. 1855 (Vitale/Buono), which is currently pending in the Senate Health, Human Services and Senior Citizens Committee.

COMMITTEE AMENDMENTS:

The committee amendments to the bill delete the word "Infantile" from the name of the fund established pursuant to this bill, so that the fund would be known as the "Autism Medical Research and Treatment Fund."

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2601

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2002

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2601 (1R), with committee amendments.

Assembly Bill No. 2601 (1R), as amended, establishes the "Autism Medical Research and Treatment Fund" as a nonlapsing fund in the Department of the Treasury to provide a funding source to support the work of the Governor's Council for Medical Research and Treatment of Infantile Autism.

The bill imposes a \$1 surcharge on motor vehicle fines and penalties imposed by a court pursuant to N.J.S.A.39:5-41. The surcharge monies will be deposited in the "Autism Medical Research and Treatment Fund," and together with any interest earned the monies will be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism to carry out the purposes of the "New Jersey Infantile Autism Biomedical Research Act," N.J.S.A.30:6D-56 et seq.

The "New Jersey Infantile Autism Biomedical Research Act" provided for a Center of Excellence for Autism in New Jersey to carry out basic and applied biomedical research, diagnosis and treatment for autism, within parameters defined by the Governor's Council for Medical Research and Treatment of Infantile Autism, and required the council to implement a program to provide information and education on advances in the diagnosis and biomedical treatment of autism to families with autistic members and to the general public.

FISCAL IMPACT:

Information provided by the Administrative Office of the Courts in relation to other legislation with a similar surcharge provision leads to the expectation that this bill will result in surcharge revenues of approximately \$4 million annually to the "Autism Medical Research and Treatment Fund."

The bill allows any costs incurred by the Department of the Treasury in the collection or administration of the fund to be deducted

from the monies deposited in the fund, as determined by the Director of the Division of Budget and Accounting.

COMMITTEE AMENDMENTS:

The amendments make technical changes to the legal description of the fund, deleting a reference to the fund as a "revolving" fund.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 2601

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 2003

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 2601 (2R).

This bill establishes an "Autism Medical Research and Treatment Fund" as a nonlapsing fund in the Department of the Treasury to provide funding for the work of the Governor's Council for Medical Research and Treatment of Infantile Autism established by law in 1999.

The fund is to be the repository for moneys provided through a new, temporary \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and any interest earned thereon, would be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism to support the Council's grant- and contract-awarding activity under the 1999 law. The bill stipulates that any costs incurred by the Department of the Treasury in the collection or administration of the fund may be deducted from the funds deposited therein, as determined by the Director of the Division of Budget and Accounting.

As amended by the committee, the provisions of this bill are identical to those of Senate Bill No. 1855 (1R) Sca, which the committee also reports this day.

COMMITTEE AMENDMENTS

Committee amendments to this bill (i) require that as a condition of receiving a grant or contract from the Autism Council, an applicant therefor must apply for any federal funds that may be available to support the grant or contract, and (ii) provide for expiration of the \$1 surcharge after five years.

FISCAL IMPACT

The Administrative Office of the Courts and the Office of Management and Budget estimate that in the first three years of imposition, the motor vehicle surcharge will raise \$3,230,000,

\$3,800,000 and \$3,800,000, respectively, for medical research and treatment of autism. The Office of Legislative Services (OLS) concurs, but notes that no information is available as to the administrative costs that the Department of the Treasury may incur.

LEGISLATIVE FISCAL ESTIMATE
 [Second Reprint]
ASSEMBLY, No. 2601
STATE OF NEW JERSEY
210th LEGISLATURE

DATED: JANUARY 9, 2003

SUMMARY

Synopsis: Establishes "Autism Medical Research and Treatment Fund."
Type of Impact: Net State revenue increase.
Agencies Affected: Department of the Treasury, Municipal Courts, Governor's Council for Medical Research and Treatment of Infantile Autism.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Revenue	Approximately \$4 million annually		
Local Cost	Indeterminate		

- ! Increases by \$1 surcharges on all fines and penalties imposed for any motor vehicle or traffic regulation violation.
- ! Municipal courts are charged with implementing the surcharge increase and forwarding the receipts.
- ! The Office of Legislative Services (OLS) revenue estimate is based on a similar \$1 surcharge on traffic fines to support the "Body Armor Replacement Fund," which produced approximately \$4.2 million in revenues in FY 2001. Actual revenue will be slightly offset by costs incurred to manage the fund.

BILL DESCRIPTION

Assembly Bill No. 2601 (2R) of 2002 establishes an "Autism Medical Research and Treatment Fund" as a nonlapsing fund in the Department of the Treasury. This new fund is to be the repository for moneys provided through a \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to Title 39 of the Revised Statutes or any other motor vehicle or traffic violation. Moneys deposited in the fund, and any interest earned thereon, would be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism in order to effectuate the purposes of N.J.S.A.30:6D-56 et seq.

This bill stipulates that any costs incurred by the Department of the Treasury in the collection or administration of the "Autism Medical Research and Treatment Fund" may be deducted from the funds deposited therein, as determined by the Director of the Division of Budget and Accounting. No provision is made for compliance with Article VIII, Section II, paragraph 5 of the State Constitution, to reimburse municipal or county agencies for administrative costs which may be incurred to implement the surcharge increase.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

OLS bases its revenue estimate on the amount raised by a similar \$1 surcharge on traffic fines to support the "Body Armor Replacement Fund." This surcharge produced approximately \$4.2 million in revenues in FY 2001. The OLS anticipates that similar but declining revenues will be collected in Years 1, 2, and 3. In response to a similar requirement in a previous bill, the Administrative Office of the Courts estimated a one-time expenditure of \$12,000 to \$15,000 would be needed for Automated Traffic System computer reprogramming.

OLS notes that State administrative costs will be offset by the revenues collected under the provisions of the bill. The bill requires municipal and county agencies to collect the surcharge and forward it to the State Treasurer for deposit in the fund.

Section: *Revenue, Finance and Appropriations*

Analyst: *Mark J. Trease*
Assistant Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

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

SENATE, No. 1855

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED SEPTEMBER 19, 2002

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator BARBARA BUONO

District 18 (Middlesex)

Co-Sponsored by:

Senators Singer and Matheussen

SYNOPSIS

Establishes "Infantile Autism Medical Research and Treatment Fund."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/25/2002)

1 AN ACT establishing an Infantile Autism Medical Research and
2 Treatment Fund, supplementing Title 52 of the Revised Statutes
3 and amending R.S.39:5-41.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
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11 repository for moneys provided pursuant to subsection f. of R.S.39:5-
12 41. Moneys deposited in the fund, and any interest earned thereon,
13 shall be allocated to the Governor's Council for Medical Research and
14 Treatment of Infantile Autism established pursuant to P.L.1999, c.105
15 (C.30:6D-56 et seq.), in order to effectuate the purposes of that act.

16 b. Any costs incurred by the department in the collection or
17 administration of the fund may be deducted from the funds deposited
18 therein, as determined by the Director of the Division of Budget and
19 Accounting.

20

21 2. R.S.39:5-41 is amended to read as follows:

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23 under authority of law for any violations of R.S.39:4-63 and
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28 municipality wherein the violation occurred, to be used by the county
29 or municipality to help finance litter control activities in addition to or
30 supplementing existing litter pickup and removal activities in the
31 municipality.

32 b. Except as otherwise provided by subsection a. of this section, all
33 fines, penalties and forfeitures imposed and collected under authority
34 of law for any violations of the provisions of this Title, other than
35 those violations in which the complaining witness is the director, a
36 member of his staff, a member of the State Police, a member of a
37 county police department and force or a county park police system in
38 a county that has established a central municipal court, an inspector of
39 the Board of Public Utilities, or a law enforcement officer of any other
40 State agency, shall be forwarded by the judge to whom the same have
41 been paid as follows: one-half of the total amount collected to the
42 financial officer, as designated by the local governing body, of the
43 respective municipalities wherein the violations occurred, to be used

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Matter underlined thus is new matter.

1 by the municipality for general municipal use and to defray the cost of
2 operating the municipal court; and one-half of the total amount
3 collected to the proper financial officer of the county wherein they
4 were collected, to be used by the county as a fund for the
5 construction, reconstruction, maintenance and repair of roads and
6 bridges, snow removal, the acquisition and purchase of rights-of-way,
7 and the purchase, replacement and repair of equipment for use on said
8 roads and bridges therein. Up to 25% of the money received by a
9 municipality pursuant to this subsection, but not more than the actual
10 amount budgeted for the municipal court, whichever is less, may be
11 used to upgrade case processing.

12 All fines, penalties and forfeitures imposed and collected under
13 authority of law for any violations of the provisions of this Title, in
14 which the complaining witness is a member of a county police
15 department and force or a county park police system in a county that
16 has established a central municipal court, shall be forwarded by the
17 judge to whom the same have been paid to the financial officer,
18 designated by the governing body of the county, for all violations
19 occurring within the jurisdiction of that court, to be used for general
20 county use and to defray the cost of operating the central municipal
21 court.

22 Whenever any county has deposited moneys collected pursuant to
23 this section in a special trust fund in lieu of expending the same for the
24 purposes authorized by this section, it may withdraw from said special
25 trust fund in any year an amount which is not in excess of the amount
26 expended by the county over the immediately preceding three-year
27 period from general county revenues for said purposes. Such moneys
28 withdrawn from the trust fund shall be accounted for and used as are
29 other general county revenues.

30 c. (Deleted by amendment, P.L.1993, c.293.)

31 d. Notwithstanding the provisions of subsections a. and b. of this
32 section, ~~[\$1.00]~~ \$1 shall be added to the amount of each fine and
33 penalty imposed and collected through a court under authority of any
34 law for any violation of the provisions of Title 39 of the Revised
35 Statutes or any other motor vehicle or traffic violation in this State and
36 shall be forwarded by the person to whom the same are paid to the
37 State Treasurer. In addition, upon the forfeiture of bail, ~~[\$1.00]~~ \$1
38 of that forfeiture shall be forwarded to the State Treasurer. The State
39 Treasurer shall annually deposit those moneys so forwarded in the
40 "Body Armor Replacement" fund established pursuant to section 1 of
41 P.L.1997, c.177 (C.52:17B-4.4). Beginning in the fiscal year next
42 following the effective date of this act, the State Treasurer annually
43 shall allocate from those moneys so forwarded an amount not to
44 exceed \$400,000 to the Department of Personnel to be expended
45 exclusively for the purposes of funding the operation of the "Law
46 Enforcement Officer Crisis Intervention Services" telephone hotline

1 established and maintained under the provisions of P.L.1998, c.149
2 (C.11A:2-25 et al.).

3 e. Notwithstanding the provisions of subsections a. and b. of this
4 section, \$1 shall be added to the amount of each fine and penalty
5 imposed and collected through a court under authority of any law for
6 any violation of the provisions of Title 39 of the Revised Statutes or
7 any other motor vehicle or traffic violation in this State and shall be
8 forwarded by the person to whom the same are paid to the State
9 Treasurer. The State Treasurer shall annually deposit those moneys
10 so forwarded in the "New Jersey Spinal Cord Research Fund"
11 established pursuant to section 9 of P.L.1999, c.201 (C.52:9E-9). In
12 order to comply with the provisions of Article VIII, Section II,
13 paragraph 5 of the State Constitution, a municipal or county agency
14 which forwards moneys to the State Treasurer pursuant to this
15 subsection may retain an amount equal to 2% of the moneys which it
16 collects pursuant to this subsection as compensation for its
17 administrative costs associated with implementing the provisions of
18 this subsection.

19 f. Notwithstanding the provisions of subsections a. and b. of this
20 section, \$1 shall be added to the amount of each fine and penalty
21 imposed and collected through a court under authority of any law for
22 any violation of the provisions of Title 39 of the Revised Statutes or
23 any other motor vehicle or traffic violation in this State and shall be
24 forwarded by the person to whom the same are paid to the State
25 Treasurer. The State Treasurer shall annually deposit those moneys
26 so forwarded in the "Infantile Autism Medical Research and Treatment
27 Fund" established pursuant to section 1 of P.L. , c. (C.)(pending
28 before the Legislature as this bill).

29 (cf: P.L.1999, c.201, s.10)

30

31 3. This act shall take effect on the 180th day following enactment.

32

33

34

STATEMENT

35

36 This bill establishes an "Infantile Autism Medical Research and
37 Treatment Fund" as a nonlapsing revolving fund in the Department of
38 the Treasury to provide a funding source to support the work of the
39 Governor's Council for Medical Research and Treatment of Infantile
40 Autism established pursuant to N.J.S.A.30:6D-56 et seq.

41 This new fund is to be the repository for moneys provided through
42 a \$1 surcharge on motor vehicle fines and penalties imposed by the
43 court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and
44 any interest earned thereon, would be allocated to the Governor's
45 Council for Medical Research and Treatment of Infantile Autism in
46 order to effectuate the purposes of N.J.S.A.30:6D-56 et seq. The bill

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1 stipulates that any costs incurred by the Department of the Treasury
2 in the collection or administration of the fund may be deducted from
3 the funds deposited therein, as determined by the Director of the
4 Division of Budget and Accounting.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1855

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 17, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1855.

As amended, this bill establishes an "Autism Medical Research and Treatment Fund" as a nonlapsing revolving fund in the Department of the Treasury to provide a funding source to support the work of the Governor's Council for Medical Research and Treatment of Infantile Autism established pursuant to N.J.S.A.30:6D-56 et seq.

This new fund is to be the repository for moneys provided through a \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and any interest earned thereon, would be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism in order to effectuate the purposes of N.J.S.A.30:6D-56 et seq. The bill stipulates that any costs incurred by the Department of the Treasury in the collection or administration of the fund may be deducted from the funds deposited therein, as determined by the Director of the Division of Budget and Accounting.

The bill also permits the Administrative Office of the Courts to retain an amount equal to \$475,000 from the moneys that it initially collects under the bill, prior to depositing any moneys in the "Autism Medical Research and Treatment Fund," in order to meet the expenses associated with utilizing the Automated Traffic System Fund created pursuant to N.J.S.A.2B:12-30 to implement the provisions of the bill and serve other statutory purposes.

The committee amended the bill to:

- C change the name of the fund from the "Infantile Autism Medical Research and Treatment Fund" to the "Autism Medical Research and Treatment Fund"; and
- C permit the Administrative Office of the Courts to retain an amount equal to \$475,000 from the moneys that it initially collects under the bill, prior to depositing any moneys in the fund, in order to meet the expenses associated with utilizing

the Automated Traffic System Fund to implement the provisions of the bill and serve other statutory purposes;

As amended by the committee, this bill is similar to Assembly Bill No. 2601 (1R) (Weinberg/Ahearn), which is pending in the Assembly Appropriations Committee.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1855

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 24, 2003

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1855 (1R).

This bill establishes an "Autism Medical Research and Treatment Fund" as a nonlapsing fund in the Department of the Treasury to provide funding for the work of the Governor's Council for Medical Research and Treatment of Infantile Autism established by law in 1999.

The fund is to be the repository for moneys provided through a new, temporary \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and any interest earned thereon, would be allocated to the Governor's Council for Medical Research and Treatment of Infantile Autism to support the Council's grant- and contract-awarding activity under the 1999 law. The bill stipulates that any costs incurred by the Department of the Treasury in the collection or administration of the fund may be deducted from the funds deposited therein, as determined by the Director of the Division of Budget and Accounting.

As amended by the committee, the provisions of this bill are identical to those of Assembly Bill No. 2601 (2R) Sca, which the committee also reports this day.

COMMITTEE AMENDMENTS

Committee amendments to this bill (i) require that as a condition of receiving a grant or contract from the Autism Council, an applicant therefor must apply for any federal funds that may be available to support the grant or contract, (ii) provide for expiration of the \$1 surcharge after five years, (iii) delete a designation of the Research and Treatment Fund as a "revolving" fund and (iv) delete a provision authorizing retention by the Administrative Office of the Courts of the first \$475,000 collected from the new surcharge for the expenses of the Automated Traffic System Fund.

FISCAL IMPACT

The Administrative Office of the Courts and the Office of Management and Budget estimate that in the first three years of imposition, the motor vehicle surcharge will raise \$3,230,000, \$3,800,000 and \$3,800,000, respectively, for medical research and treatment of autism. The Office of Legislative Services (OLS) concurs, but notes that no information is available as to the administrative costs that the Department of the Treasury may incur.

FISCAL NOTE
[First Reprint]
SENATE, No. 1855
STATE OF NEW JERSEY
210th LEGISLATURE

DATED: JUNE 16, 2003

SUMMARY

Synopsis: Establishes "Autism Medical Research and Treatment Fund."
Type of Impact: None, as program costs are supported by its own dedicated revenue source.
Agencies Affected: Governor's Council for Medical Research and Treatment of Infantile Autism; Department of the Treasury; and the Administrative Office of the Courts.

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$3,230,000	\$3,800,000	\$3,800,000
State Revenue	\$3,230,000	\$3,800,000	\$3,800,000

- ! The Office of Legislative Services (OLS) **concurs** with the Executive estimate. To the extent that the revenue estimates are either greater than or less than the amount estimated, the Governor's Council will have either more revenue or less revenue available to conduct its activities.
- ! Increases by \$1 surcharges on all fines and penalties imposed for any motor vehicle or traffic regulation violation.
- ! Municipal courts are charged with implementing the surcharge increase and forwarding the receipts.

BILL DESCRIPTION

Senate Bill No. 1855 (1R) of 2002 establishes an "Autism Medical Research Fund" as a nonlapsing revolving fund in the Department of the Treasury to provide a funding source to support the work of the Governor's Council for Medical Research and Treatment of Infantile Autism (Autism Council) established pursuant to N.J.S.A.30:6D-56 et seq. The new fund is to be the repository of moneys provided through a \$1 surcharge on motor vehicle fines and penalties imposed by the court pursuant to N.J.S.A.39:5-41. Moneys deposited in the fund, and

any interest earned thereon, would be allocated to the Autism Council to effectuate the purposes of N.J.S.A.30:6D-56 et seq. Any administrative costs incurred by the Department of the Treasury in the collection or administration of the fund may be deducted from the funds deposited, as determined by the Director of the Division of Budget and Accounting. Also the Administrative Office of the Courts can retain \$475,000 from the moneys that it initially collects in order to meet the expenses associated with utilizing the Automated Traffic System Fund created pursuant to N.J.S.A.2B:12-30 to implement the provisions of the bill and for other statutory purposes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Administrative Office of the Courts and the Office of Management and Budget estimate that the motor vehicle surcharge will raise \$3,230,000, \$3,800,000 and \$3,800,000 in each of the first three years, respectively. One time costs to reprogram computers is estimated at \$470,000. No information is provided as to the administrative costs the Department of the Treasury may incur.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) concurs with the Executive estimate provided by the Administration. After deducting \$470,000 for costs associated with reprogramming computers, the Autism Council will have up to \$2.8 million available for medical research and treatment of autism during the first year and up to \$3.8 million in subsequent years available for various activities.

Section: *Human Services*

Analyst: *Jay Hershberg*
Principal Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

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

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Press Releases

PO BOX 004
TRENTON, NJ 08625

Contact: Micah Rasmussen
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RELEASE: August 06, 2003

[Previous Screen](#)

Governor Signs Bill to Help Autistic Children

New law will fund research opportunities

(TENAFLY) – New Jersey’s autistic children and their families will benefit from legislation signed into law today by Governor James E. McGreevey.

“Children are a top priority for our administration,” McGreevey said. “We are a state which recognizes the need and responsibility of helping others – and it’s reflected today by our commitment to this new law which will help New Jersey’s autistic children and their families.”

The bill (A-2601) will create a permanent source of funding for research into the causes, diagnosis, prevention, control and treatment of autism in New Jersey. The funds will go to the Governor’s Council for Medical Research and Treatment of Infantile Autism.

“In addition to supporting research in New Jersey, the funding will place our state in a better position to successfully compete for federal grants to for autism research,” said McGreevey, who signed the bill at JCC on the Palisades in Tenafly.

“The autism community is gratified by Governor McGreevey’s strong show of support for this bill and for his leadership in making New Jersey a national leader in autism research,” Judah Zeigler, the parent of an autistic child, said during the bill signing ceremony.

An estimated 12,000 to 18,000 individuals in New Jersey have autism or an autism spectrum disorder. As many as one of every 250 children in New Jersey may have autism or an autism spectrum disorder.

"Autism is a perplexing disease that warrants much more in-depth and technologically advanced research," said Assemblywoman Loretta Weinberg (D-Bergen), who joined the Governor for the bill signing. "The new law will generate funds to benefit autistic children in New Jersey while supplementing the appropriation to the Governor's Council in the current state budget."

"Families with an autistic member are often crippled by lack of knowledge or frustrated by a perceived physician runaround during diagnosis," said Senator Joseph F. Vitale (D-Middlesex), a sponsor of the bill and the Democratic Chair of the Senate Health, Human Services and Senior Citizens Committee. "Currently there is no cure for autism. If the grant money provided by this law aids even one family coping with an autistic member, then the program has been a success in my eyes. In time, projects like this may help us find the cause and hopefully a cure for autism."

"With the Governor's signature, this new law will help provide research opportunities and insights into understanding autism," added Senator Barbara Buono (D-Middlesex), another sponsor. "For the first time, families in New Jersey fighting a daily battle with this disease will have support from the State."

"New Jersey is fulfilling an important obligation by funding research into the treatment and diagnosis of autism," said Senator Joseph Coniglio (D-Bergen.), a co-sponsor of the bill. "Currently, we only have a very basic understanding of this socially crippling disability that can steal from children the ability to communicate or even function in the world. When you consider the effects of this disease, not just on the children, but on their families, and the grief and sadness it causes to the parents of autistic children, it just seems like the right thing to support this law."

The new law continues New Jersey's record of pioneering work in the field of autism.

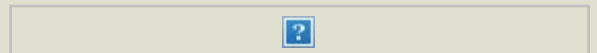
Over the past few years, the state has funded research and educational programs on autism and also established a voluntary autism registry.

Three of the leading schools in the world for children with autism are located in New Jersey.

New Jersey was the first state in the nation to offer the First Signs program, a nationally-recognized autism educational and outreach campaign for pediatricians, family practitioners and parents.

The state also offers an Early Intervention system, which provides a comprehensive system of services for infants and toddlers with autism – as well as their families.

Photos and audio and video clips from Governor McGreevey's press conferences are available in the Office of the Governor section on the State of New Jersey web page, <http://www.nj.gov/>.



State of New Jersey Governor's Office

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