

2C:12-13

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2003 **CHAPTER:** 283
NJSA: 2C:12-13 (Throwing bodily fluid at State juvenile facility employee)
BILL NO: A1172

SPONSOR(S): Previte and Johnson

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Law and Public Safety

SENATE: Law, Public Safety and Veterans Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** May 6, 2002

SENATE: January 8, 2004

DATE OF APPROVAL: January 14, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

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

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

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

[SENATE:](#) [Yes](#)

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 283, *approved January 14, 2003*
Assembly, No. 1172

1 AN ACT concerning criminal penalties and amending P.L.1997, c.182.

2

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

5

6 1. Section 2 of P.L.1997, c.182 (C.2C:12-13) is amended to read
7 as follows:

8 2. A person who throws a bodily fluid at a Department of
9 Corrections employee, county corrections officer, juvenile corrections
10 officer, State juvenile facility employee, juvenile detention staff
11 member, probation officer, any sheriff, undersheriff or sheriff's officer
12 or any municipal, county or State law enforcement officer while in the
13 performance of his duties or otherwise purposely subjects such
14 employee to contact with a bodily fluid commits an aggravated
15 assault. If the victim suffers bodily injury, this shall be a crime of the
16 third degree. Otherwise, this shall be a crime of the fourth degree. A
17 term of imprisonment imposed for this offense shall run consecutively
18 to any term of imprisonment currently being served and to any other
19 term imposed for another offense committed at the time of the assault.
20 Nothing herein shall be deemed to preclude, if the evidence so
21 warrants, an indictment and conviction for a violation or attempted
22 violation of chapter 11 of Title 2C of the New Jersey Statutes or
23 subsection b. of N.J.S.2C:12-1 or any other provision of the criminal
24 laws.

25 (cf: P.L.1999, c.429, s.1)

26

27 2. This act shall take effect immediately.

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32 _____
33 Makes throwing bodily fluid at State juvenile facility employee or
probation officer aggravated assault.

ASSEMBLY, No. 1172

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

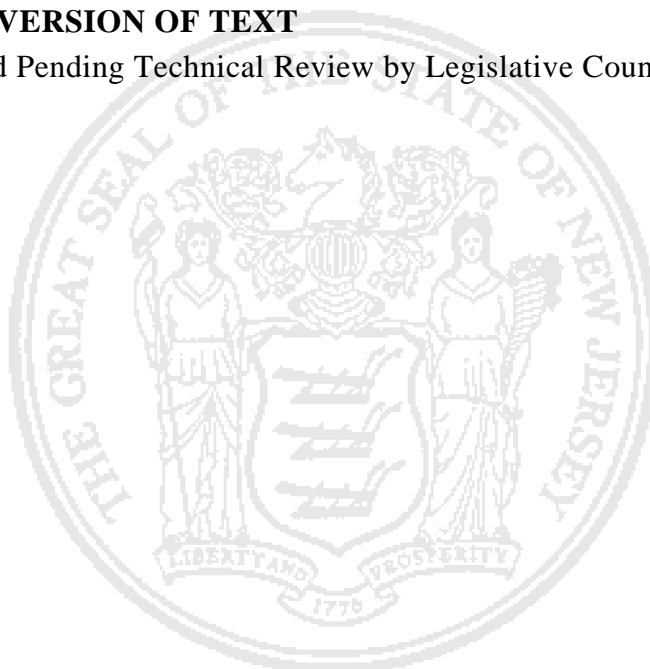
Assemblyman Gear

SYNOPSIS

Makes throwing bodily fluid at State juvenile facility employee or probation officer aggravated assault.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/12/2002)

1 AN ACT concerning criminal penalties and amending P.L.1997, c.182.

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15 assault. If the victim suffers bodily injury, this shall be a crime of the
16 third degree. Otherwise, this shall be a crime of the fourth degree. A
17 term of imprisonment imposed for this offense shall run consecutively
18 to any term of imprisonment currently being served and to any other
19 term imposed for another offense committed at the time of the assault.
20 Nothing herein shall be deemed to preclude, if the evidence so
21 warrants, an indictment and conviction for a violation or attempted
22 violation of chapter 11 of Title 2C of the New Jersey Statutes or
23 subsection b. of N.J.S.2C:12-1 or any other provision of the criminal
24 laws.

25 (cf: P.L.1999, c.429, s.1)

26

27 2. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 This bill establishes that throwing a bodily fluid at a probation
33 officer or State juvenile facility employee while in the performance of
34 his duties or purposely subjecting such an officer or employee to
35 contact with a bodily fluid constitutes aggravated assault.

36 Under current law, it is an aggravated assault to throw a bodily
37 fluid at or subject to contact with a bodily fluid a State corrections
38 employee, county corrections officer, juvenile corrections officer,
39 juvenile detention staff member, sheriff, undersheriff or sheriff's
40 officer, or any other municipal, county or State law enforcement
41 officer.

42 If the victim suffers bodily injury, the aggravated assault is a crime
43 of the third degree. Third-degree crimes are punishable by a fine of up
44 to \$15,000, a term of imprisonment of three-to-five years, or both. If
45 no bodily injury is incurred, it is a crime of the fourth degree. Fourth-
46 degree crimes are punishable by a fine of up to \$10,000, a term of
47 imprisonment of up to 18 months, or both.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1172

STATE OF NEW JERSEY

DATED: MARCH 4, 2002

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1172.

Assembly Bill No. 1172 establishes that throwing a bodily fluid at a probation officer or State juvenile facility employee while in the performance of his duties or purposely subjecting such an officer or employee to contact with a bodily fluid constitutes aggravated assault.

Under current law, it is an aggravated assault to throw a bodily fluid at or subject to contact with a bodily fluid a State corrections employee, county corrections officer, juvenile corrections officer, juvenile detention staff member, sheriff, undersheriff or sheriff's officer, or any other municipal, county or State law enforcement officer.

If the victim suffers bodily injury, the aggravated assault is a crime of the third degree. Third-degree crimes are punishable by a fine of up to \$15,000, a term of imprisonment of three-to-five years, or both. If no bodily injury is incurred, it is a crime of the fourth degree. Fourth-degree crimes are punishable by a fine of up to \$10,000, a term of imprisonment of up to 18 months, or both.

This bill was pre-filed for introduction in the 2002 legislative session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1172

STATE OF NEW JERSEY

DATED: NOVEMBER 24, 2003

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Assembly Bill No. 1172.

Assembly Bill No. 1172 establishes that throwing a bodily fluid at a probation officer or State juvenile facility employee while in the performance of his duties or purposely subjecting such an officer or employee to contact with a bodily fluid constitutes aggravated assault.

Under current law, it is an aggravated assault to throw a bodily fluid at or subject to contact with a bodily fluid a State corrections employee, county corrections officer, juvenile corrections officer, juvenile detention staff member, sheriff, undersheriff or sheriff's officer, or any other municipal, county or State law enforcement officer.

If the victim suffers bodily injury, the aggravated assault is a crime of the third degree. Third-degree crimes are punishable by a fine of up to \$15,000, a term of imprisonment of three-to-five years, or both. If no bodily injury is incurred, it is a crime of the fourth degree. Fourth-degree crimes are punishable by a fine of up to \$10,000, a term of imprisonment of up to 18 months, or both.