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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

“DYFS gets full access to sex offender info,” 4-12-2006 The Press, p.A3

“New tool for DYFS on sex offenders,” 4-12-2006 The Record, pA3

“DYFS gets access to offender data,” 4-12-2006 Courier News, pA3

KBP

P.L. 2006, CHAPTER 6, *approved April 11, 2006*
Senate, No. 1248

1 AN ACT concerning sex offender information and amending
2 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 5 of P.L.1994, c.133 (C.2C:7-5) is amended to read as
8 follows:

9 5. a. Records maintained pursuant to this act shall be open to
10 any law enforcement agency in this State, the United States or any
11 other state and may be released to the Division of Youth and Family
12 Services in the Department of Human Services for use in carrying
13 out its responsibilities under law. Law enforcement agencies in this
14 State shall be authorized to release relevant and necessary
15 information regarding sex offenders to the public when the release
16 of the information is necessary for public protection in accordance
17 with the provisions of P.L.1994, c.128 (C.2C:7-6 et seq.).

18 b. An elected public official, public employee, or public agency
19 is immune from civil liability for damages for any discretionary
20 decision to release relevant and necessary information, unless it is
21 shown that the official, employee, or agency acted with gross
22 negligence or in bad faith. The immunity provided under this
23 section applies to the release of relevant information to other
24 employees or officials or to the general public.

25 c. Nothing in this act shall be deemed to impose any liability
26 upon or to give rise to a cause of action against any public official,
27 public employee, or public agency for failing to release information
28 as authorized in subsection d. of this section.

29 d. Nothing in this section shall be construed to prevent law
30 enforcement officers from notifying members of the public exposed
31 to danger of any persons that pose a danger under circumstances
32 that are not enumerated in this act.

33 (cf: P.L.1994, c.133, s.5)

34
35 2. This act shall take effect immediately.

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STATEMENT

39

40 This bill would allow the release of sex offender information to
41 the Division of Youth and Family Services (DYFS) in the
42 Department of Human Services for use in carrying out its
43 responsibilities under law.

44 For purposes of community notification and Internet publication
45 under Megan's Law, county prosecutors assess a sex offender's risk

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.

S1248

2

1 of reoffense and categorize the offender as low risk (Tier I),
2 moderate risk (Tier II) or high risk (Tier III). Attorney General
3 guidelines require the county prosecutors to compile and maintain a
4 separate file for each sex offender containing all information and
5 documentation used to make this assessment.

6 Information contained in these files may be sought by DYFS in
7 carrying out its duties under law, such as in an investigation
8 involving the care, custody or placement of a child or determining
9 whether a child may be at risk of abuse or neglect. The information
10 also may be useful to DYFS in court proceedings. This bill clarifies
11 that records maintained pursuant to Megan's Law may be released
12 to DYFS for use in carrying out these duties.

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Allows release of sex offender information to DYFS.

SENATE, No. 1248

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Assemblyman WILLIAM D. PAYNE

District 29 (Essex and Union)

Assemblyman LOUIS M. MANZO

District 31 (Hudson)

Assemblyman JIM WHELAN

District 2 (Atlantic)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

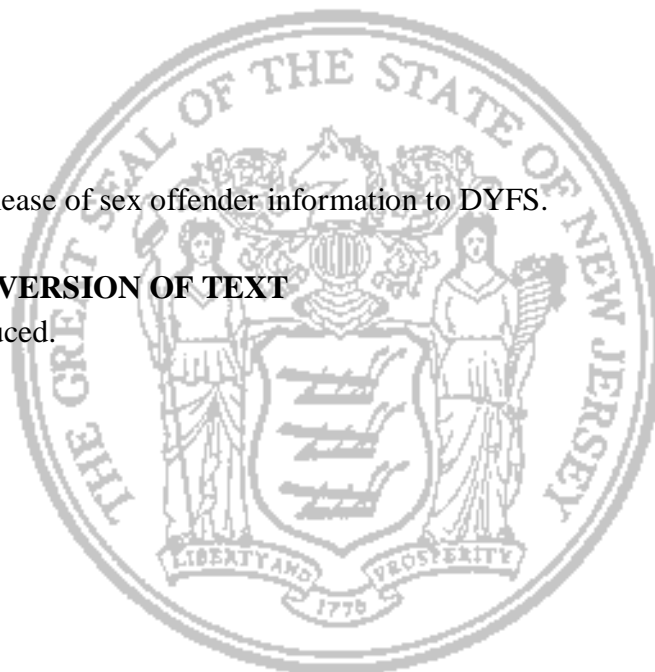
**Senators Allen, McNamara, Assemblymen O'Toole, Rumpf, Chivukula
and Stack**

SYNOPSIS

Allows release of sex offender information to DYFS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/17/2006)

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S1248 VITALE, MADDEN

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SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1248

STATE OF NEW JERSEY

DATED: MARCH 2, 2006

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 1248

This bill would allow the release of sex offender information to the Division of Youth and Family Services (DYFS) in the Department of Human Services for use in carrying out its responsibilities under law.

For purposes of community notification and Internet publication under Megan's Law, county prosecutors assess a sex offender's risk of reoffense and categorize the offender as low risk (Tier I), moderate risk (Tier II) or high risk (Tier III). Attorney General guidelines require the county prosecutors to compile and maintain a separate file for each sex offender containing all information and documentation used to make this assessment.

Information contained in these files may be sought by DYFS in carrying out its duties under law, such as in an investigation involving the care, custody or placement of a child or determining whether a child may be at risk of abuse or neglect. The information also may be useful to DYFS in court proceedings. This bill clarifies that records maintained pursuant to Megan's Law may be released to DYFS for use in carrying out these duties.

ASSEMBLY, No. 2249

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

Sponsored by:

Assemblyman WILLIAM D. PAYNE

District 29 (Essex and Union)

Assemblyman LOUIS M. MANZO

District 31 (Hudson)

Assemblyman JIM WHELAN

District 2 (Atlantic)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

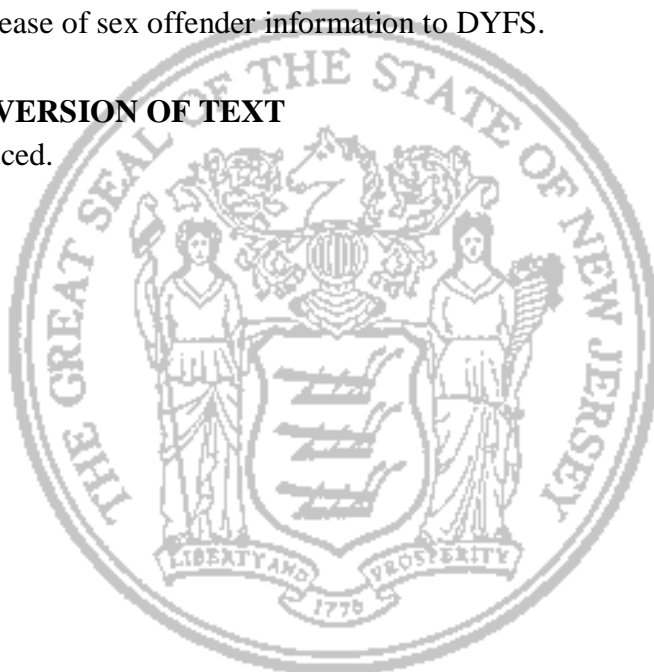
Assemblymen O'Toole, Rumpf, Chivukula and Stack

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12 to DYFS for use in carrying out these duties.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2249

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 2006

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2249.

Assembly Bill No. 2249 allows the release of sex offender information to the Division of Youth and Family Services (DYFS) in the Department of Human Services for use in carrying out its responsibilities under law.

For purposes of community notification and Internet publication under Megan's Law, county prosecutors assess a sex offender's risk of reoffense and categorize the offender as low risk (Tier I), moderate risk (Tier II) or high risk (Tier III). Attorney General guidelines require the county prosecutors to compile and maintain a separate file for each sex offender containing all information and documentation used to make this assessment.

Information contained in these files may be sought by DYFS in carrying out its duties under law, such as in an investigation involving the care, custody or placement of a child or determining whether a child may be at risk of abuse or neglect. The information also may be useful to DYFS in court proceedings. This bill clarifies that records maintained pursuant to Megan's Law may be released to DYFS for use in carrying out these duties.