



**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

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**NEWSPAPER ARTICLES:** No



P.L. 2021, CHAPTER 293, *approved November 8, 2021*  
 Assembly, No. 4367 (*Third Reprint*)

1 AN ACT concerning <sup>3</sup>**[plea bargaining in]** certain<sup>3</sup> municipal court  
 2 procedures,<sup>3</sup> and amending P.L.2000, c.75.

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.2000, c.75 (C.2B:25-11) is amended to read  
 8 as follows:

9 2. a. In accordance with the Rules of Court adopted by the  
 10 Supreme Court of New Jersey <sup>3</sup>or procedures promulgated by the  
 11 Administrative Office of the Courts<sup>3</sup>, a municipal prosecutor may  
 12 recommend to the court to accept a plea to a lesser or other offense.

13 b. <sup>3</sup>[(1) Except as set forth in paragraph (2) of this subsection  
 14 or as otherwise provided by the Rules of Court, in a case where the  
 15 defendant is charged with a violation of a provision of Title 39 of  
 16 the Revised Statutes the municipal prosecutor may use mail or  
 17 email to engage in discussions and negotiations with the defendant  
 18 or the defendant's attorney concerning a plea by the defendant to a  
 19 lesser or other offense <sup>2</sup>or offenses<sup>2</sup>. The municipal prosecutor may  
 20 also use mail or email to relay to the defendant or his attorney the  
 21 prosecutor's final determination as to whether he will recommend  
 22 that the court accept any such plea.

23 (2) <sup>2</sup>(a) The Administrative Office of the Courts shall promulgate  
 24 a standardized form to be used in cases pursuant to this subsection.  
 25 The municipal prosecutor shall send the form to the defendant or the  
 26 defendant's attorney by mail or email. The form shall be signed by the  
 27 defendant and notarized and returned to the court. The form shall state  
 28 that the defendant waives his right to appearance in court and waives  
 29 his right to trial, and pleads guilty to the specific offense or offenses  
 30 pursuant to the plea agreement. The form shall include all terms of the  
 31 plea agreement.

32 (b) If the judge accepts the plea agreement, the judge shall  
 33 dispose of the charges accordingly. The defendant shall not be  
 34 required to appear in person.

35 (3)<sup>2</sup> The municipal prosecutor shall not use mail or email as  
 36 provided in <sup>2</sup>[paragraph (1) of]<sup>2</sup> this subsection in any case where  
 37 the defendant is charged with a violation of any of the following:  
 38 section 5 of P.L.1990, c.10 (C.39:3-10.13); section 16 of  
 39 P.L.1990, c.10 (C.39:3-10.24); R.S.39:3-40; R.S.39:4-50; section 2

**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:

<sup>1</sup>Assembly ALP committee amendments adopted July 20, 2020.

<sup>2</sup>Assembly AAP committee amendments adopted July 27, 2020.

<sup>3</sup>Senate SJU committee amendments adopted October 22, 2020.

1 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1999, c.410  
2 (C.39:4-50.15); section 4 of P.L.1999, c.417 (C.39:4-50.19); section  
3 1 of P.L.2007, c.78 (C.39:4-80.1); section 1 of P.L.1942, c.192  
4 (C.39:4-128.1); or section 3 of P.L.1952, c.157 (C.12:7-46).】

5 (1) The Administrative Office of the Courts has developed and  
6 shall administer a Municipal Case Resolution Program that would  
7 allow a defendant charged with a matter falling within the jurisdiction  
8 of the municipal court to engage in online:

9 (a) plea negotiations with a municipal prosecutor;

10 (b) entry of a guilty plea; and

11 (c) payment of a fine or penalty.

12 (2) A municipal prosecutor shall use the Municipal Case  
13 Resolution Program developed by the Administrative Office of the  
14 Courts.<sup>3</sup>

15 c. Nothing in this section shall be construed to alter or limit<sup>2</sup>【<sup>1</sup>:

16 (1) the defendant's obligation to be physically present at  
17 sentencing or other final determination by the court; or

18 (2)<sup>1</sup>】<sup>2</sup> the authority or discretion of the Supreme Court to  
19 regulate the practice of plea agreements in municipal court, or to  
20 alter or limit the authority or discretion of a prosecutor.

21 (cf: P.L.2000, c.75, s.2)

22

23 2. This act shall take effect on the <sup>1</sup>【60<sup>th</sup> day】 first day of the  
24 third month next<sup>1</sup> following <sup>1</sup>the date of<sup>1</sup> enactment.

25

26

27

28

29 Provides that AOC shall administer program for municipal courts  
30 allowing defendants to engage in online plea negotiations, entry of  
31 guilty plea, and payment of fine or penalty.

# ASSEMBLY, No. 4367

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 29, 2020

**Sponsored by:**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblywoman SHAVONDA E. SUMTER**

**District 35 (Bergen and Passaic)**

**Assemblyman ADAM J. TALIAFERRO**

**District 3 (Cumberland, Gloucester and Salem)**

**Co-Sponsored by:**

**Assemblywoman Reynolds-Jackson**

**SYNOPSIS**

Provides that municipal prosecutor may use mail or email to engage in discussions and negotiations with defendants concerning plea bargains for certain traffic offenses.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 7/20/2020)**

1 AN ACT concerning plea bargaining in municipal court and  
2 amending P.L.2000, c.75.

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.2000, c.75 (C.2B:25-11) is amended to read  
8 as follows:

9 2. a. In accordance with the Rules of Court adopted by the  
10 Supreme Court of New Jersey, a municipal prosecutor may  
11 recommend to the court to accept a plea to a lesser or other offense.

12 b. (1) Except as set forth in paragraph (2) of this subsection or  
13 as otherwise provided by the Rules of Court, in a case where the  
14 defendant is charged with a violation of a provision of Title 39 of  
15 the Revised Statutes the municipal prosecutor may use mail or  
16 email to engage in discussions and negotiations with the defendant  
17 or the defendant's attorney concerning a plea by the defendant to a  
18 lesser or other offense. The municipal prosecutor may also use mail  
19 or email to relay to the defendant or his attorney the prosecutor's  
20 final determination as to whether he will recommend that the court  
21 accept any such plea.

22 (2) The municipal prosecutor shall not use mail or email as  
23 provided in paragraph (1) of this subsection in any case where the  
24 defendant is charged with a violation of any of the following:  
25 section 5 of P.L.1990, c.10 (C.39:3-10.13); section 16 of  
26 P.L.1990, c.10 (C.39:3-10.24); R.S.39:3-40; R.S.39:4-50; section 2  
27 of P.L.1981, c.512 (C.39:4-50.4a); section 1 of P.L.1999, c.410  
28 (C.39:4-50.15); section 4 of P.L.1999, c.417 (C.39:4-50.19); section  
29 1 of P.L.2007, c.78 (C.39:4-80.1); section 1 of P.L.1942, c.192  
30 (C.39:4-128.1); or section 3 of P.L.1952, c.157 (C.12:7-46).

31 c. Nothing in this section shall be construed to alter or limit the  
32 authority or discretion of the Supreme Court to regulate the practice  
33 of plea agreements in municipal court, or to alter or limit the  
34 authority or discretion of a prosecutor.

35 (cf: P.L.2000, c.75, s.2)

36

37 2. This act shall take effect on the 60<sup>th</sup> day following  
38 enactment.

39

40

41

#### STATEMENT

42

43 This bill would allow the municipal prosecutor to use mail or  
44 email to engage in discussions and negotiations with defendants  
45 concerning plea bargains for certain traffic offenses.

**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 Under current law, in accordance with the Rules of Court  
2 adopted by the Supreme Court of New Jersey, a municipal  
3 prosecutor may recommend to the municipal court to accept a plea  
4 to a lesser or other offense, and may move before the municipal  
5 court to amend the original charge.

6 The bill provides that in a case where the defendant is charged  
7 with a traffic offense pursuant to Title 39 of the Revised Statutes,  
8 except for certain enumerated offenses, or as otherwise provided by  
9 Court Rule, the municipal prosecutor may use mail or email to  
10 engage in discussions and negotiations with the defendant or the  
11 defendant's attorney concerning a plea by the defendant to a lesser  
12 or other offense. The municipal prosecutor could also use mail or  
13 email to relay the prosecutor's final determination as to whether he  
14 will recommend that the court accept any such plea.

15 The bill would not apply to the following enumerated offenses:

- 16 - section 5 of P.L.1990, c.10 (C.39:3-10.13) (operating  
17 commercial motor vehicle with alcohol concentration of  
18 0.04% or more, or while under the influence of a controlled  
19 substance) ;
- 20 - section 16 of P.L.1990, c.10 (C.39:3-10.24) (operator of  
21 commercial motor vehicle refusing a breath test);
- 22 - R.S.39:3-40 (operating motor vehicle while driver's license is  
23 suspended or revoked);
- 24 - R.S.39:4-50 (driving under the influence);
- 25 - section 2 of P.L.1981, c.512 (C.39:4-50.4a) (refusal to submit  
26 to breath test);
- 27 - section 1 of P.L.1999, c.410 (C.39:4-50.15) (driving under  
28 the influence with passenger who is a minor);
- 29 - section 4 of P.L.1999, c.417 (C.39:4-50.19) (failure to install  
30 court-ordered ignition interlock device);
- 31 - section 1 of P.L.2007, c.78 (C.39:4-80.1) (failure to comply  
32 with school crossing guard's signal to stop);
- 33 - section 1 of P.L.1942, c.192 (C.39:4-128.1) (unlawfully  
34 passing a stopped school bus); or
- 35 - section 3 of P.L.1952, c.157 (C.12:7-46) (operating a vessel  
36 while under the influence).

37 The bill specifies that it shall not be construed to alter or limit  
38 the authority or discretion of the Supreme Court to regulate the  
39 practice of plea agreements in municipal court, or to alter or limit  
40 the authority or discretion of a prosecutor..



# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 4367**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JULY 20, 2020

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 4367.

As amended and reported by the committee, Assembly Bill No. 4367 allows the municipal prosecutor to use mail or email to engage in discussions and negotiations with defendants concerning plea bargains for certain traffic offenses.

Under current law, in accordance with the Rules of Court adopted by the Supreme Court of New Jersey, a municipal prosecutor may recommend to the municipal court to accept a plea to a lesser or other offense, and may move before the municipal court to amend the original charge.

The bill provides that in a case where the defendant is charged with a traffic offense pursuant to Title 39 of the Revised Statutes, except for certain enumerated offenses, or as otherwise provided by Court Rule, the municipal prosecutor may use mail or email to engage in discussions and negotiations with the defendant or the defendant's attorney concerning a plea by the defendant to a lesser or other offense. The municipal prosecutor could also use mail or email to relay the prosecutor's final determination as to whether he will recommend that the court accept any such plea.

The bill would not apply to the following enumerated offenses:

- section 5 of P.L.1990, c.10 (C.39:3-10.13) (operating commercial motor vehicle with alcohol concentration of 0.04% or more, or while under the influence of a controlled substance) ;
- section 16 of P.L.1990, c.10 (C.39:3-10.24) (operator of commercial motor vehicle refusing a breath test);
- R.S.39:3-40 (operating motor vehicle while driver's license is suspended or revoked);
- R.S.39:4-50 (driving under the influence);
- section 2 of P.L.1981, c.512 (C.39:4-50.4a) (refusal to submit to breath test);
- section 1 of P.L.1999, c.410 (C.39:4-50.15) (driving under the influence with passenger who is a minor);
- section 4 of P.L.1999, c.417 (C.39:4-50.19) (failure to install court-ordered ignition interlock device);

- section 1 of P.L.2007, c.78 (C.39:4-80.1) (failure to comply with school crossing guard's signal to stop);
- section 1 of P.L.1942, c.192 (C.39:4-128.1) (unlawfully passing a stopped school bus); or
- section 3 of P.L.1952, c.157 (C.12:7-46) (operating a vessel while under the influence).

The bill specifies that it shall not be construed to alter or limit: 1) the defendant's obligation to be physically present at sentencing or other final determination by the court; or 2) the discretion of the Supreme Court to regulate the practice of plea agreements in municipal court, or to alter or limit the authority or discretion of a prosecutor's authority.

#### COMMITTEE AMENDMENTS

The committee amendments:

- 1) clarify that the bill's provisions do not alter the defendant's obligation to be physically present at sentencing or other final determination by the court; and
- 2) make a technical correction.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 4367

with committee amendments

# STATE OF NEW JERSEY

DATED: JULY 27, 2020

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4367 (1R) with committee amendments.

As amended by the committee, this bill authorizes the municipal prosecutor to use mail or email to engage in discussions and negotiations with a municipal court defendant or the defendant's attorney concerning a plea by the defendant to a lesser or other offense or offenses. The bill provides that the municipal prosecutor may also use mail or email to relay to the defendant or his attorney the prosecutor's final determination as to whether he will recommend that the court accept any such plea.

These amendments provide that the defendant would not be required to appear in person if the plea bargain is accepted by the municipal court judge.

Under the amendments, the Administrative Office of the Courts would promulgate a standardized form to be used in cases where plea bargains are negotiated and resolved by mail or email in municipal court. The municipal prosecutor would send the form to the defendant or the defendant's attorney by mail or email. The form would be signed by the defendant and notarized and returned to the municipal court. The form would state that the defendant waives his right to appearance in court and waives his right to trial, and pleads guilty to the specific offense or offenses pursuant to the plea agreement. The form would include all terms of the plea agreement.

The amendments provide that if the municipal court judge accepts the plea agreement, the judge would dispose of the charges accordingly. The defendant would not be required to appear in person. The amendments also make a technical correction, clarifying that the bill encompasses a plea by the defendant to a lesser or other offense "or offenses."

### COMMITTEE AMENDMENTS:

1. Provide that Administrative Office of the Courts would promulgate a standardized form to be sent to the defendant, who would notarize the form and return it to the court. The form would provide

that the defendant waives appearance in court and waives his right to trial, and pleads guilty to the specific offense or offenses pursuant to the plea agreement. The form would include all terms of the plea agreement.

2. Provide that if the municipal court judge accepts the plea agreement, the judge would dispose of the charges accordingly. The defendant would not be required to appear in person.

3. Make a technical correction, adding the term “or offenses” to the phrase “a plea by the defendant to a lesser or other offense.”

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

[Second Reprint]

## ASSEMBLY, No. 4367

with committee amendments

# STATE OF NEW JERSEY

DATED: OCTOBER 22, 2020

The Senate Judiciary Committee reports favorably and with committee amendments the Second Reprint of Assembly Bill No. 4367.

This bill, as amended, would codify existing municipal court procedures that have been developed by the Administrative Office of the Courts (AOC), which permit a defendant charged with a matter falling within a municipal court's jurisdiction to do the following via the Internet: plea negotiations with a municipal prosecutor; entry of a guilty plea; and payment of a fine or penalty. These procedures are currently administered by the AOC through its Municipal Case Resolution Program, and the bill further provides that municipal prosecutors would be required to utilize this program when engaging with defendants on procedures handled through the program.

This bill, as amended and reported by the committee is identical to Senate Bill No. 2794, as amended and also reported by the committee today.

The committee amendments to the bill:

- delete provisions which would have permitted municipal court plea negotiations to be conducted by mail or email for most motor vehicle and traffic violations set forth in Title 39 of the Revised Statutes;
- codify the existing municipal court procedures which may be conducted online via the Internet and that are administered by the AOC through its Municipal Case Resolution Program, as described in the statement above; and
- update the bill's title and synopsis to more accurately reflect the changes made by the amendments.

# SENATE, No. 2794

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 3, 2020

**Sponsored by:**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Provides that municipal prosecutor may use mail or email to engage in discussions and negotiations with defendants concerning plea bargains for certain traffic offenses.

**CURRENT VERSION OF TEXT**

As introduced.



S2794 POU, SCUTARI

2

1 AN ACT concerning plea bargaining in municipal court and  
2 amending P.L.2000, c.75.

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.2000, c.75 (C.2B:25-11) is amended to read  
8 as follows:

9 2. a. In accordance with the Rules of Court adopted by the  
10 Supreme Court of New Jersey, a municipal prosecutor may  
11 recommend to the court to accept a plea to a lesser or other offense.

12 b. (1) Except as set forth in paragraph (2) of this subsection or  
13 as otherwise provided by the Rules of Court, in a case where the  
14 defendant is charged with a violation of a provision of Title 39 of  
15 the Revised Statutes the municipal prosecutor may use mail or  
16 email to engage in discussions and negotiations with the defendant  
17 or the defendant's attorney concerning a plea by the defendant to a  
18 lesser or other offense or offenses. The municipal prosecutor may  
19 also use mail or email to relay to the defendant or his attorney the  
20 prosecutor's final determination as to whether he will recommend  
21 that the court accept any such plea.

22 (2) (a) The Administrative Office of the Courts shall promulgate  
23 a standardized form to be used in cases pursuant to this subsection.  
24 The municipal prosecutor shall send the form to the defendant or the  
25 defendant's attorney by mail or email. The form shall be signed by the  
26 defendant and notarized and returned to the court. The form shall state  
27 that the defendant waives his right to appearance in court and waives  
28 his right to trial, and pleads guilty to the specific offense or offenses  
29 pursuant to the plea agreement. The form shall include all terms of the  
30 plea agreement.

31 (b) If the judge accepts the plea agreement, the judge shall  
32 dispose of the charges accordingly. The defendant shall not be  
33 required to appear in person.

34 (3) The municipal prosecutor shall not use mail or email as  
35 provided in this subsection in any case where the defendant is  
36 charged with a violation of any of the following: section 5 of  
37 P.L.1990, c.10 (C.39:3-10.13); section 16 of P.L.1990, c.10  
38 (C.39:3-10.24); R.S.39:3-40; R.S.39:4-50; section 2 of P.L.1981,  
39 c.512 (C.39:4-50.4a); section 1 of P.L.1999, c.410 (C.39:4-50.15);  
40 section 4 of P.L.1999, c.417 (C.39:4-50.19); section 1 of P.L.2007,  
41 c.78 (C.39:4-80.1); section 1 of P.L.1942, c.192 (C.39:4-128.1); or  
42 section 3 of P.L.1952, c.157 (C.12:7-46).

43 c. Nothing in this section shall be construed to alter or limit the  
44 authority or discretion of the Supreme Court to regulate the practice

**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 of plea agreements in municipal court, or to alter or limit the  
2 authority or discretion of a prosecutor.

3 (cf: P.L.2000, c.75, s.2)

4

5 2. This act shall take effect on the first day of the third month  
6 next following the date of enactment.

7

8

9

STATEMENT

10

11 This bill allows the municipal prosecutor to use mail or email to  
12 engage in discussions and negotiations with defendants concerning  
13 plea bargains for certain traffic offenses.

14 Under current law, in accordance with the Rules of Court  
15 adopted by the Supreme Court of New Jersey, a municipal  
16 prosecutor may recommend to the municipal court to accept a plea  
17 to a lesser or other offense, and may move before the municipal  
18 court to amend the original charge.

19 The bill provides that in a case where the defendant is charged  
20 with a traffic offense pursuant to Title 39 of the Revised Statutes,  
21 except for certain enumerated offenses, or as otherwise provided by  
22 Court Rule, the municipal prosecutor may use mail or email to  
23 engage in discussions and negotiations with the defendant or the  
24 defendant's attorney concerning a plea by the defendant to a lesser  
25 or other offense or offenses. The municipal prosecutor could also  
26 use mail or email to relay the prosecutor's final determination as to  
27 whether he will recommend that the court accept any such plea.

28 The bill would not apply to the following enumerated offenses:

- 29 - section 5 of P.L.1990, c.10 (C.39:3-10.13) (operating  
30 commercial motor vehicle with alcohol concentration of 0.04% or  
31 more, or while under the influence of a controlled substance);
- 32 - section 16 of P.L.1990, c.10 (C.39:3-10.24) (operator of  
33 commercial motor vehicle refusing a breath test);
- 34 - R.S.39:3-40 (operating motor vehicle while driver's license is  
35 suspended or revoked);
- 36 - R.S.39:4-50 (driving under the influence);
- 37 - section 2 of P.L.1981, c.512 (C.39:4-50.4a) (refusal to submit to  
38 breath test);
- 39 - section 1 of P.L.1999, c.410 (C.39:4-50.15) (driving under the  
40 influence with passenger who is a minor);
- 41 - section 4 of P.L.1999, c.417 (C.39:4-50.19) (failure to install  
42 court-ordered ignition interlock device);
- 43 - section 1 of P.L.2007, c.78 (C.39:4-80.1) (failure to comply with  
44 school crossing guard's signal to stop);
- 45 - section 1 of P.L.1942, c.192 (C.39:4-128.1) (unlawfully passing  
46 a stopped school bus); or
- 47 - section 3 of P.L.1952, c.157 (C.12:7-46) (operating a vessel  
48 while under the influence).



**S2794 POU, SCUTARI**

1       The bill provides that the Administrative Office of the Courts  
2 would promulgate a standardized form to be used in cases where  
3 plea bargains are negotiated and resolved by mail or email in  
4 municipal court. The municipal prosecutor would send the form to  
5 the defendant or the defendant's attorney by mail or email. The  
6 form would be signed by the defendant and notarized and returned  
7 to the municipal court. The form would state that the defendant  
8 waives his right to appearance in court and waives his right to trial,  
9 and pleads guilty to the specific offense or offenses pursuant to the  
10 plea agreement. The form would include all terms of the plea  
11 agreement. Under the bill, if the municipal court judge accepts  
12 the plea agreement, the judge would dispose of the charges  
13 accordingly. The defendant would not be required to appear in  
14 person.

15       The bill specifies that it shall not be construed to alter or limit  
16 the discretion of the Supreme Court to regulate the practice of plea  
17 agreements in municipal court, or to alter or limit the authority or  
18 discretion of a prosecutor.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### **SENATE, No. 2794**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: OCTOBER 22, 2020

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2794.

This bill, as amended, would codify existing municipal court procedures that have been developed by the Administrative Office of the Courts (AOC), which permit a defendant charged with a matter falling within a municipal court's jurisdiction to do the following via the Internet: plea negotiations with a municipal prosecutor; entry of a guilty plea; and payment of a fine or penalty. These procedures are currently administered by the AOC through its Municipal Case Resolution Program, and the bill further provides that municipal prosecutors would be required to utilize this program when engaging with defendants on procedures handled through the program.

This bill, as amended and reported by the committee is identical to the Second Reprint of Assembly Bill No. 4367, as amended and also reported by the committee today.

#### COMMITTEE AMENDMENTS:

The committee amendments to the bill:

- delete provisions which would have permitted municipal court plea negotiations to be conducted by mail or email for most motor vehicle and traffic violations set forth in Title 39 of the Revised Statutes;

- codify the existing municipal court procedures which may be conducted online via the Internet and that are administered by the AOC through its Municipal Case Resolution Program, as described in the statement above; and

- update the bill's title and synopsis to more accurately reflect the changes made by the amendments.

# Governor Murphy Takes Action on Legislation

11/8/2021

**TRENTON** – Today, Governor Murphy signed the following bills into law:

**S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle)** – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

**S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce)** – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

**SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley)** – Requires residential landlords to install covers on steam radiators upon request of tenant

**S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle)** – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

**S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle)** – Requires certain student identification cards to contain telephone number for suicide prevention hotline

**SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley)** – Revises cybersecurity, asset management, and related reporting requirements in “Water Quality Accountability Act”

**S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli)** – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

**S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy)** – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

**S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway)** – Requires public water systems to offer drinking water tests to customers in certain circumstances

**S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle)** – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

**S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson)** – Permits counties and municipalities to bond for alternative fuel vehicles

**S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin)** – Concerns disclosure of certain information prior to sale of real estate

**S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly)** – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

**S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey)** – Authorizes imposition of fee for connection to municipal electric distribution system

**S-1259/A-2628 (Singleton/Murphy)** – Concerns labor contractors

**S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker)** – Prohibits sale of cosmetic products that have been tested on animals

- S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttle, Jasey, McKnight)** – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations
- S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight)** – Concerns certain restrictive covenants on real property
- S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson)** – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services
- S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttle)** – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program
- S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttle, Chiaravalloti)** – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes
- S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji)** – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology
- S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji)** – Establishes alternate route to expedite certification of teachers at early college high school programs
- S-3318/A-5893 (Sweeney, Pou/Vainieri Huttle, Caputo, Karabinchak)** – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey
- S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin)** – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions
- S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter)** – Establishes Kean University as public urban research university
- S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey)** – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation
- SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight)** – Designates June 2 of each year as “Gun Violence Awareness Day”
- SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttle)** – Condemns hate and violent extremism and commits to defense of safe and just democracy
- A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach)** – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge
- A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty)** – Prohibits municipal licensure of children operating temporary businesses
- A-2311/S-356 (Calabrese, Jasey/Cryan, Codey)** – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities
- A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton)** – Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development
- ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith)** – Requires certain newly constructed warehouses to be solar-ready buildings

**A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal)** – Increases fee for New Jersey Waterfowl Stamps

**A-4138/S-2701 (Vainieri Huttle, Benson, Giblin/Gopal, Codey)** – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

**A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari)** – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

**A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale)** – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

**A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco)** – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

**A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey)** – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

**A-4633/S-2856 (Giblin, DeCroce/Pou)** – Permits certain nonresident Certified Public Accountants to provide attest services

**A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari)** – Clarifies classification in this State of criminal offenses committed in other states or under federal law

**A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner)** – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

**A-4861/S-3041 (Vainieri Huttle, Armato, Verrelli/Vitale, Gopal)** – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

**A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden)** – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

**A-5059/S-3031 (Conaway, Vainieri Huttle, Benson/Sweeney, Vitale)** – Requires DOH to establish certain nursing education and professional advancement programs

**A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan)** – Permits dentists to administer vaccines under certain circumstances

**A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal)** – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

**A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan)** – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

**A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan)** – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

**AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean)** – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

**AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton)** – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

**S-108/A-169 (Gill, Turner/Caputo, Wirths)** – **CONDITIONAL** - Concerns speech rights of student journalists at public schools and public institutions of higher education

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**S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttie) – CONDITIONAL** - Establishes “Stillbirth Resource Center” and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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**S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – CONDITIONAL** - Creates special education unit within the Office of Administrative Law; requires annual report

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**S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – CONDITIONAL** - Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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**S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – CONDITIONAL** - Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates \$5 million

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**S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – CONDITIONAL** - Mandates training on culturally responsive teaching for all candidates for teaching certification

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**S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – CONDITIONAL** - Expands scope of inmate reentry assistance and benefits

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**S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – CONDITIONAL** - Establishes New Jersey Easy Enrollment Health Insurance Program

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**S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – CONDITIONAL** - Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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**S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttie) – CONDITIONAL** - Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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**S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – CONDITIONAL** - Establishes “Rental Assistance Navigation Program” in DCA; makes appropriation

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**A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – CONDITIONAL** - Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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**A-2455/S-2204 (Benson, Vainieri Huttie, DeAngelo/Greenstein, Oroho) – CONDITIONAL** - Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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**A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – CONDITIONAL** - Establishes three year Financial Empowerment Pilot Program

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**A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – CONDITIONAL** - Allows deduction of promotional gaming credit from gross revenue on sports wagering

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**A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL** - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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**A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – CONDITIONAL** - Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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**A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL** - Concerns labor harmony agreements in retail and distribution center projects

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**A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – CONDITIONAL** - Requires that certain provider subsidy payments for child care services be based on enrollment

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**A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – CONDITIONAL** - Requires disclosure letter be included with mail falsely implying State government connection

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**A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – CONDITIONAL** - Establishes expedited construction inspection program

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**A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – CONDITIONAL** - Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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**A-5353/S-3421 (Conaway, Vainieri Huttie, Benson/Madden, Turner) – CONDITIONAL** - Provides for certification of temporary nurse aides

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**A-5599/S-3916 (Chiaravalloti, Vainieri Huttie, McKnight/Scutari, Gill) – CONDITIONAL** - Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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**A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL** - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

**S-415/A-4685 (Turner/Quijano, Verrelli) – ABSOLUTE** - Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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**S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – CONDITIONAL** - Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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**S-2261/A-4265 (Singleton/Conaway) – ABSOLUTE** - Revises law relating to common interest communities

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**S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – ABSOLUTE** - Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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**S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsen) – ABSOLUTE** - Establishes county-based mitigation plan to allow businesses to operate during pandemic

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**S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – ABSOLUTE** - Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates \$1.8 million

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**S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE** - Concerns construction code enforcing agency fee revenue

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**A-2722/S-1862 (Mukherji/Gopal, Oroho) – ABSOLUTE** - Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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**A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – ABSOLUTE** - Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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**A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – ABSOLUTE** - Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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