

2C:35-15

LEGISLATIVE HISTORY CHECKLIST
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("Partnership Drug Free NJ")

NJSA: 2C:35-15

LAWS OF: 1997 CHAPTER: 174

BILL NO: S1990

SPONSOR(S): DiFrancesco and others

DATE INTRODUCED: April 17, 1997

COMMITTEE: ASSEMBLY: ---

SENATE: Health; Budget

^a
AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: June 23, 1997

SENATE: June 16, 1997

DATE OF APPROVAL: July 30, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes 5-15-97 & 6-5-97

FISCAL NOTE: No

VE TO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

P.L. 1997, CHAPTER 174, *approved July 30, 1997*
Senate, No. 1990

1 **ANACT** concerning drug and alcohol abuse, amending N.J.S.2C:35-15
2 and making an appropriation.

3

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

6

7 1. N.J.S.2C:35-15 is amended to read as follows:

8 a. In addition to any disposition authorized by this title, the
9 provisions of section 24 of P.L.1982, c.77 (C.2A:4A-43), or any other
10 statute indicating the dispositions that can be ordered for an
11 adjudication of delinquency, every person convicted of or adjudicated
12 delinquent for a violation of any offense defined in this chapter or
13 chapter 36 of this title shall be assessed for each such offense a penalty
14 fixed at:

- 15 (1) \$3,000.00 in the case of a crime of the first degree;
16 (2) \$2,000.00 in the case of a crime of the second degree;
17 (3) \$1,000.00 in the case of a crime of the third degree;
18 (4) \$750.00 in the case of a crime of the fourth degree;
19 (5) \$500.00 in the case of a disorderly persons or petty disorderly
20 persons offense.

21 Every person placed in supervisory treatment pursuant to the
22 provisions of N.J.S.2C:36A-1 or N.J.S.2C:43-12 for a violation of any
23 offense defined in this chapter or chapter 36 of this title shall be
24 assessed the penalty prescribed herein and applicable to the degree of
25 the offense charged, except that the court shall not impose more than
26 one such penalty regardless of the number of offenses charged. If the
27 person is charged with more than one offense, the court shall impose
28 as a condition of supervisory treatment the penalty applicable to the
29 highest degree offense for which the person is charged.

30 All penalties provided for in this section shall be in addition to and
31 not in lieu of any fine authorized by law or required to be imposed
32 pursuant to the provisions of N.J.S.2C:35-12.

33 b. All penalties provided for in this section shall be collected as

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

Matter underlined thus is new matter.

1 provided for collection of fines and restitutions in section 3 of
2 P.L.1979, c.396 (C.2C:46-4), and shall be forwarded to the
3 Department of the Treasury as provided in subsection c. of this
4 section.

5 c. All moneys collected pursuant to this section shall be forwarded
6 to the Department of the Treasury to be deposited in a nonlapsing
7 revolving fund to be known as the "Drug Enforcement and Demand
8 Reduction Fund." Monies in the fund shall be appropriated by the
9 Legislature on an annual basis for the purposes of funding in the
10 following order of priority: (1) the Alliance to Prevent Alcoholism and
11 Drug Abuse and its administration by the Governor's Council on
12 Alcoholism and Drug Abuse; (2) the "Alcoholism and Drug Abuse
13 Program for the Deaf, Hard of Hearing and Disabled" established
14 pursuant to section 2 of P.L.1995, c.318 (C.26:2B-37); (3) the
15 "Partnership for a Drug Free New Jersey," the State affiliate of the
16 "Partnership for a Drug Free America"; and ~~[(3)]~~ (4) other alcohol and
17 drug abuse programs.

18 Moneys appropriated for the purpose of funding the "Alcoholism
19 and Drug Abuse Program for the Deaf, Hard of Hearing and Disabled"
20 shall not be used to supplant monies that are available to the
21 Department of Health as of the effective date of P.L.1995, c.316
22 (C.26:2B-36 et al.), and that would otherwise have been made
23 available to provide alcoholism and drug abuse services for the deaf,
24 hard of hearing and disabled, nor shall the moneys be used for the
25 administrative costs of the program.

26 d. (Deleted by amendment, P.L.1991, c.329).

27 e. The court may suspend the collection of a penalty imposed
28 pursuant to this section; provided the defendant agrees to enter a
29 residential drug rehabilitation program approved by the court; and
30 further provided that the defendant agrees to pay for all or some
31 portion of the costs associated with the rehabilitation program. In this
32 case, the collection of a penalty imposed pursuant to this section shall
33 be suspended during the defendant's participation in the approved
34 rehabilitation program. Upon successful completion of the program,
35 the defendant may apply to the court to reduce the penalty imposed
36 pursuant to this section by any amount actually paid by the defendant
37 for his participation in the program. The court shall not reduce the
38 penalty pursuant to this subsection unless the defendant establishes to
39 the satisfaction of the court that he has successfully completed the
40 rehabilitation program. If the defendant's participation is for any
41 reason terminated before his successful completion of the rehabilitation
42 program, collection of the entire penalty imposed pursuant to this
43 section shall be enforced. Nothing in this section shall be deemed to
44 affect or suspend any other criminal sanctions imposed pursuant to this
45 chapter or chapter 36 of this title.

46 (cf: P.L.1995, c.318, s.5)

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE, No. 1990

STATE OF NEW JERSEY

DATED: MAY 15, 1997

The Senate Health Committee reports favorably Senate Bill No. 1990.

This bill provides annual funding for the "Partnership for a Drug Free New Jersey" from the Drug Enforcement and Demand Reduction (DEDR) fund, to be appropriated by the Legislature as available. The bill also makes a current year appropriation of \$350,000 from the DEDR fund to this program.

The "Partnership for a Drug Free New Jersey," the State affiliate of the national "Partnership for a Drug Free America," is a nonprofit coalition of professionals whose mission is to reduce the demand for and incidence of substance abuse in New Jersey through a Statewide media campaign.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1990

STATE OF NEW JERSEY

DATED: JUNE 5, 1997

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1990.

Senate Bill No. 1990 lists the "Partnership for a Drug Free New Jersey," the State affiliate of the "Partnership for a Drug Free America," as one of the programs to be funded annually from the proceeds in the Drug Enforcement and Demand Reduction (DEDR) fund. Current law lists the Alliance to Prevent Alcoholism and Drug Abuse and its administration by the Governor's Council on Alcoholism and Drug Abuse, the "Alcoholism and Drug Abuse Program for the Deaf, Hard of Hearing and Disabled" established pursuant to section 2 of P.L.1995, c.318 (C.26:2B-37), and other alcohol and drug abuse programs. The bill does not provide a specific amount to be appropriated annually for any of these listed programs. However, the bill does provide an initial appropriation of \$350,000 from the DEDR fund to the new program, "Partnership for a Drug Free New Jersey."

The "Partnership for a Drug Free New Jersey," the State affiliate of the "Partnership for a Drug Free America," is a nonprofit coalition of professionals whose mission is to reduce the demand for and incidence of substance abuse in New Jersey through a Statewide media campaign. The Statewide media campaign is designed to influence attitudes about illicit drugs and alcohol abuse complete with tracking research to measure effectiveness. The "Partnership for a Drug Free America" was formed in 1986 by the American Association of Advertising Agencies and the State affiliate in New Jersey was established in November 1992. The Department of Health and Senior Services has awarded grants in the past to this organization.

As reported, this bill is identical to Assembly Bill No. 2835 (DiGaetano/Doria).

FISCAL IMPACT:

This bill appropriates \$350,000 from the DEDR fund to the Department of Health and Senior Services for a grant to the "Partnership for a Drug Free New Jersey."