

2A:4A-23

LEGISLATIVE HISTORY CHECKLIST
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(Juvenile justice)

NJSA: 2A:4A-23

LAWS OF: 1997

CHAPTER: 383

BILL NO: S1569

SPONSOR(S): O'Connor

DATE INTRODUCED: October 3, 1996

COMMITTEE: ASSEMBLY: Judiciary

SENATE: Judiciary

AMENDED DURING PASSAGE: Yes Amendments during passage denoted by
Second reprint enacted superscript numbers

DATE OF PASSAGE: ASSEMBLY: January 8, 1998

SENATE: March 24, 1997

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

P.L. 1997, CHAPTER 383, *approved January 19, 1998*
Senate, No. 1569 (*Second Reprint*)

1 AN ACT An act concerning juvenile justice and amending ¹[P.L.1983,
2 c.404] P.L.1982, c.77¹.

3

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

6

7 1. Section 4 of P.L.1982, c.77 (C.2A:4A-23) is amended to read
8 as follows:

9 4. Definition of delinquency. As used in this act, "delinquency"
10 means the commission of an act by a juvenile which if committed by
11 an adult would constitute:

12 a. A crime;

13 b. A disorderly persons offense or petty disorderly persons offense;

14 or

15 c. A violation of any other penal statute, ordinance or regulation.

16 But, the commission of (1) an act which constitutes a violation of
17 chapter 3, 4, 6 or 8 of Title 39 of the Revised Statutes by a juvenile of
18 any age; (2) an act relating to the ownership or operation of a
19 motorized bicycle which constitutes a violation of chapter 3 or 4 of
20 Title 39 of the Revised Statutes by a juvenile of any age; (3) an act
21 which constitutes a violation of article 3 or 6 of chapter 4 of Title 39
22 of the Revised Statutes pertaining to pedestrians and bicycles, by a
23 juvenile of any age; ²[or]² (4) the commission of an act which
24 constitutes a violation of P.L.1981, c.318 (C.26:3D-1 et seq.),
25 P.L.1981, c.319 (C.26:3D-7 et seq.), P.L.1981, c.320 (C.26:3D-15 et
26 seq.), P.L.1985, c.185 (C.26:3E-7 et seq.), P.L.1985, c.186
27 (C.26:3D-32 et seq.), N.J.S.2C:33-13, P.L.1985, c.318 (C.26:3D-38
28 et seq.), P.L.1985, c.381 (C.26:3D-46 et seq.), or of any amendment
29 or supplement thereof, by a juvenile of any age; [or](5) an act which
30 constitutes a violation of chapter 7 of Title 12 of the Revised Statutes
31 relating to the regulation and registration of power vessels, by a

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 Senate SJU committee amendments adopted March 10, 1997.

² Assembly AJU committee amendments adopted December 15, 1997.

1 juvenile of any age or section 2 of P.L.1987, c.453 (C.12:7-61); or (6)
2 an act which constitutes a violation of ²a municipal ordinance enacted
3 pursuant to² section 2 of P.L.1992, c.132 (C.40:48-2.52) pertaining
4 to curfew ordinances shall not constitute delinquency as defined in this
5 act. The municipal court having jurisdiction over a case involving a
6 violation by a juvenile of a section of Title 26 listed in this subsection,
7 Title 40 listed in this subsection or N.J.S.2C:33-13, shall forward a
8 copy of the record of conviction in that case to the Family Part intake
9 service of the county where the municipal court is located. If a
10 municipal court orders detention or imposes a term of imprisonment
11 on a juvenile in connection with a violation of Title 39 of the Revised
12 Statutes, chapter 7 of Title 12 of the Revised Statutes, Title 40 of the
13 the Revised Statutes or N.J.S.2C:33-13, that detention or term of
14 imprisonment shall be served at a suitable juvenile institution and not
15 at a county jail or county workhouse.

16 (cf: P.L.1991, c.96, s.1)

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18 2. This act shall take effect immediately.

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23 Provides for municipal court jurisdiction over certain juvenile offenses.

1 involving a violation by a juvenile of a section of Title 26 listed in this
2 subsection, Title 40 listed in this subsection or N.J.S.2C:33-13, shall
3 forward a copy of the record of conviction in that case to the Family
4 Part intake service of the county where the municipal court is located.

5 If a municipal court orders detention or imposes a term of
6 imprisonment on a juvenile in connection with a violation of Title 39
7 of the Revised Statutes, chapter 7 of Title 12 of the Revised Statutes,
8 Title 40 of the the Revised Statutes or N.J.S.2C:33-13, that detention
9 or term of imprisonment shall be served at a suitable juvenile
10 institution and not at a county jail or county workhouse.

11 (cf: P.L.1991,c.96,s.1)

12

13 2. This act shall take effect immediately.

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STATEMENT

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18 This bill amends N.J.S.2A:4A-23 which defines "delinquency" in
19 order to clarify that a violation of a municipal curfew ordinance would
20 not constitute a delinquency, and therefore, municipal courts would
21 have jurisdiction over the matter.

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26 Provides for municipal court jurisdiction over certain juvenile offenses.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1569

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 15, 1997

The Assembly Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1569 (1R).

This bill amends N.J.S.A.2A:4A-23 which defines "delinquency" in order to clarify that a violation of a municipal curfew ordinance would not constitute delinquency and therefore that municipal courts would have jurisdiction over curfew violations by juveniles rather than the Family Court.

The committee amendments are technical to correct the reference to the enactment of a municipal ordinance pursuant to the curfew law. The violation would not be to the curfew law itself but to the municipal ordinance.

This bill is identical to Assembly Bill No. 2856(1R).

SENATE JUDICIARY COMMITTEE

STATEMENT TO
LAW LIBRARY
SENATE, No. 1569 NOT RECORDED

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 10, 1997

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1569.

This bill amends N.J.S.A.2A:4A-23 which defines "delinquency" in order to clarify that a violation of a municipal curfew or ordinance would not constitute delinquency and therefore that municipal courts would have jurisdiction over curfew violations.

The committee adopted amendments that corrected a drafting error.