

30:4-15.1

LEGISLATIVE HISTORY CHECKLIST
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(Surcharge--commissary purchases)

NJSA: 30:4-15.1

LAWS OF: 1997 CHAPTER: 396

BILL NO: S2082

SPONSOR(S): Bennett and Martin

DATE INTRODUCED: May 15, 1997

COMMITTEE: ASSEMBLY: Appropriations

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: January 12, 1998

SENATE: December 1, 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

For 30:4-15.1
1997

§1
C. 30:4-15.1
&
Note To
30:9-3.1
§2
Note To §1

P.L. 1997, CHAPTER 396, *approved January 19, 1998*
Senate Committee Substitute (*First Reprint*) for
Senate, No. 2082

1 AN ACT concerning payment of Victims of Crime Compensation
2 Board assessments and supplementing Title 30 of the Revised
3 Statutes.

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

7
8 1. ¹[a.]¹ Every commissary in a county or State correctional
9 facility operated for the sale of commodities shall collect a surcharge
10 of 10% of the sales price of every item sold. The surcharge shall be
11 known as the "VCCB Surcharge." All funds collected pursuant to this
12 section shall be forwarded to the State Treasurer for deposit in the
13 Victims of Crime Compensation Board Account, shall be subject to
14 reporting and accounting procedures pursuant to the provisions of
15 section 2 of P.L.1970, c.396 (C.2C:43-3.1) and shall be used in
16 satisfying claims pursuant to the provisions of the "Criminal Injuries
17 Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.). A
18 sale subject to surcharge under this section shall not be subject to any
19 tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30
20 (C.54:32B-1 et seq.).

21 ¹[b. Pursuant to the "Administrative Procedure Act," P.L.1968,
22 c.410 (C.52:14B-1 et seq.), the Commissioner of Corrections shall
23 adopt rules and regulations necessary to implement the provisions of
24 this act.]¹

25
26 2. This act shall take effect immediately ¹but section 1 shall remain
27 inoperative until the 180th day following enactment¹.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted December 11, 1997.

- 1 _____
- 2
- 3 Imposes VCCB surcharge on prison inmates' commissary purchases.

SENATE, No. 2082

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1997

By Senators BENNETT and MARTIN

1 AN ACT concerning payment of Victim of Crime Compensation Board
2 assessments and supplementing Title 30 of the Revised Statutes.

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

6
7 1. Every commissary operated and maintained in a county or State
8 correctional facility for the sale of commodities to inmates shall collect
9 a surcharge of 10% of the sales price of any item sold to an inmate of
10 the facility. The surcharge shall be known and may be cited as the
11 "VCCB Surcharge." All funds collected pursuant to this section shall
12 be forwarded to the Victims of Crime Compensation Board for use in
13 compensating crime victims pursuant to the "Criminal Injuries
14 Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.) and
15 any other relevant provision of law.

16
17 2. The Department of Corrections shall adopt, pursuant to the
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
19 seq.), rules and regulations necessary to implement this act.

20
21 3. This act shall take effect immediately.

22
23
24 STATEMENT

25
26 This bill supplements Title 30 of the Revised Statutes to impose a
27 10% surcharge on all commissary sales in State and county
28 correctional facilities to generate additional revenues to compensate
29 crime victims pursuant to the "Criminal Injuries Compensation Act of
30 1971," P.L.1971, c.317 (C.52:4B-1 et seq.) or any other law.

31 Every defendant found guilty of a criminal offense is required by
32 law to pay an assessment to the Victims of Crime Compensation Board
33 (VCCB). The moneys paid into the VCCB's account are used to
34 provide compensation to the victims of crime.

35 Although every defendant is assessed a penalty payable to the
36 VCCB, not all of those assessments are paid.

37 The VCCB surcharge authorized under this bill will generate

1 additional funds for the VCCB to distribute as compensation to crime
2 victims.

3

4

5

6

7 Imposes VCCB surcharge on prison inmates' commissary purchases.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2082

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1997

The Assembly Appropriations Committee reports favorably Senate Bill No. 2082 SCS, with committee amendments.

Senate Bill No. 2082 SCS, as amended, supplements Title 30 of the Revised Statutes to impose a 10% surcharge on all commissary sales in State and county correctional facilities to generate additional revenues to compensate crime victims pursuant to the "Criminal Injuries Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.) or any other law.

Currently, each defendant found guilty of a criminal offense is required by law to pay an assessment to the Victims of Crime Compensation Board (VCCB). The moneys paid into the VCCB's account are used to provide compensation to the victims of crime.

As amended by this committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill No. 2731 as reported by this committee.

FISCAL IMPACT:

The VCCB surcharge authorized under this bill is expected to generate generate between \$1.2 and \$1.5 million annually for the VCCB. When coupled with federal matching funds, the VCCB should have approximately \$2 million in new moneys available to compensate crime victims.

COMMITTEE AMENDMENTS:

The committee amendments make two technical changes to the bill recommended by the Department of Corrections: (1) deleting rulemaking authority that would have required the Commissioner of the Department of Corrections to make rules governing the county correctional facilities that are not under the department's supervision and (2) deferring the operative date of the bill for 180 days after its enactment, to allow the departmental and the county facilities to make bookkeeping and other administrative changes.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2082

STATE OF NEW JERSEY

DATED: JUNE 16, 1997

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2082.

This bill supplements Title 30 of the Revised Statutes to impose a 10% surcharge on all commissary sales in State and county correctional facilities to generate additional revenues to compensate crime victims pursuant to the "Criminal Injuries Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.) or any other law. A sale subject to the surcharge would not be subject to sales tax.

Every defendant found guilty of a criminal offense is required by law to pay an assessment to the Victims of Crime Compensation Board (VCCB). The moneys paid into the VCCB's account are used to provide compensation to the victims of crime.

Although every defendant is assessed a penalty payable to the VCCB, not all of those assessments are paid.

The VCCB surcharge authorized under this bill will generate additional funds for the VCCB to distribute as compensation to crime victims.