

40:48-2.52

LEGISLATIVE HISTORY CHECKLIST
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(Curfew ordinances)

NJSA: 40:48-2.52

LAWS OF: 1995 CHAPTER: 388

BILL NO: S611

SPONSOR(S): Cafiero

DATE INTRODUCED: February 24, 1994


COMMITTEE: ASSEMBLY: Judiciary
SENATE: Community Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: January 4, 1996
SENATE: November 10, 1994

DATE OF APPROVAL: January 10, 1996

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

See newspaper clipping--attached:
"Assembly oks bill clarifying curfew," 1-5-96, Atlantic City Press.

KBP:pp

Legislative History Checklist
(Compiled by the Office of Legislative Services Library)

Synopsis: Permits municipalities to adopt curfew ordinances for juveniles with certain exceptions.

Bill No.: S611

P.L. 1995, c. 388

Identical to:
Substituted for:
Combined with:
Last Session Bill No.:

See Above Bill(s) for Additional History

NJSA: 40:48-2.52

Sponsor(s): Cafiero

Date Introduced: 02/24/94

Committee Reference:

Statement:

Public Hearing:

Assembly:

Judiciary, Law and Public Safety

Yes

No

Senate:

Community Affairs

Yes

No

Sponsor Statement: Yes

Fiscal Note: No

Dates of Passage:

Assembly:

01/04/96 (63-11)

Senate:

11/10/94 (34-0)

Amended During Passage: No

Governor's Action:

Veto: No

Date of Veto:

Date of Approval: 01/10/96

Message on Signing: No

Additional Information:

P.L.1995, CHAPTER 388, *approved January 10, 1996*

1994 Senate No. 611

AN ACT concerning the adoption of curfew ordinances for juveniles by municipalities and amending P.L.1992, c.132.

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

1. Section 2 of P.L.1992, c.132 (C.40:48-2.52) is amended to read as follows:

2. a. As used in this act:

(1) "Juvenile" means an individual who is under the age of 18 years.

(2) "Guardian" means a person, other than a parent, to whom legal custody of the juvenile has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

(3) "Public place" means any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

b. A municipality is hereby authorized and empowered to enact an ordinance making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by the juvenile's parent or guardian or unless engaged in, or traveling to or from, a business or occupation which the laws of this State authorize a juvenile to perform. Such an ordinance may also make it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours.

c. An ordinance enacted pursuant to this act shall provide that violators shall be required to perform community service and may be subject to a fine of up to \$1,000.00. If both a juvenile and the juvenile's parent or guardian violate such an ordinance, they shall be required to perform community service together.

d. An ordinance enacted pursuant to this act shall include exceptions permitting juveniles to engage in errands involving medical emergencies and to attend extracurricular school activities [, activities sponsored by religious or community-based organizations], and other cultural, educational and social events, sponsored by religious or community-based organizations after 10 p.m. and before 6 a.m.

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.

e. An ordinance enacted pursuant to this act shall establish clear standards in precise language adequate to apprise a juvenile and a parent or guardian of that which is unlawful and adequate to circumscribe the discretion of police officers in order to overcome subjective and discriminatory enforcement.

(cf: P.L.1992, c.132, s.2)

2. This act shall take effect immediately.

STATEMENT

This bill amends section 2 of P.L.1992, c.132 (C.40:48-2.52). Under the current law, juveniles are permitted to engage in errands involving medical emergencies and to attend extracurricular school activities, activities sponsored by religious or community-based organizations, and other cultural, educational and social events after 10 p.m. and before 6 a.m. without violating municipal curfew ordinances. There is concern that the term "other cultural, educational and social events" could be interpreted to permit juveniles to attend friends' parties between the hours of 10 p.m. and 6:00 a.m. without violating curfew ordinances. Such an interpretation would diminish the impact of these curfew ordinances. The bill clarifies that a juvenile is permitted to attend other cultural, educational and social events which are sponsored by religious or community-based organizations without violating the curfew ordinance.

Permits municipalities to adopt curfew ordinances for juveniles with certain exceptions.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 611

STATE OF NEW JERSEY

DATED: JUNE 2, 1994

The Senate Community Affairs Committee reports favorably Senate Bill No. 611.

Senate Bill No. 611 amends section 2 of P.L.1992, c.132 (C.40:48-2.52). Under the current law, juveniles are permitted to engage in errands involving medical emergencies and to attend extracurricular school activities, activities sponsored by religious or community-based organizations, and other cultural, educational and social events after 10 p.m. and before 6 a.m. without violating municipal curfew ordinances. There is concern that the term "other cultural, educational and social events" could be interpreted to permit juveniles to attend friends' parties between the hours of 10 p.m. and 6:00 a.m. without violating curfew ordinances. Such an interpretation would diminish the impact of these curfew ordinances. The bill clarifies that a juvenile is permitted to attend other cultural, educational and social events which are sponsored by religious or community-based organizations without violating the curfew ordinance.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE

STATEMENT TO

SENATE, No. 611

STATE OF NEW JERSEY

DATED: APRIL 12, 1995

The Assembly Judiciary, Law and Public Safety Committee reports favorably Senate Bill No. 611.

This bill amends section 2 of P.L.1992, c.132 (C.40:48-2.52). Under the current law, juveniles are permitted to engage in errands involving medical emergencies and to attend extracurricular school activities, activities sponsored by religious or community-based organizations, and other cultural, educational and social events after 10 p.m. and before 6 a.m. without violating municipal curfew ordinances. There is concern that the term "other cultural, educational and social events" could be interpreted to permit juveniles to attend friends' parties between the hours of 10 p.m. and 6:00 a.m. without violating curfew ordinances. Such an interpretation would diminish the impact of these curfew ordinances. The bill clarifies that a juvenile is permitted to attend other cultural, educational and social events which are sponsored by religious or community-based organizations without violating the curfew ordinance.