

56:8-14.1

LEGISLATIVE HISTORY CHECKLIST  
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NJSA: 56:8-14.1

(Consumer affairs  
actions--municipal  
court jurisdiction)

LAWS OF: 1991

CHAPTER: 149

Bill No: S2668

Sponsor(s): Paterniti

Date Introduced: May 17, 1990

Committee: Assembly: Consumer Affairs

Senate: Law, Public Safety & Defense

Amended during passage: Yes      Amendments during passage  
denoted by asterisks.

Date of Passage: Assembly: April 8, 1991

Senate: January 24, 1991

Date of Approval: May 28, 1991

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

(over)

**Sponsor's statement:**

This bill affirms that a "court of appropriate jurisdiction" in the section of the consumer fraud act concerning actions by county and municipal consumer affairs offices, is intended to include all municipal courts.

**KBG/SLJ**

[FIRST REPRINT]  
SENATE, No. 2668

STATE OF NEW JERSEY

INTRODUCED MAY 17, 1990

By Senator PATERNITI

1 AN ACT concerning consumer affairs actions in municipal courts  
2 and amending P.L.1981, c.178.

3

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

6 1. Section 1 of P.L.1981, c.178 (C.56:8-14.1) is amended to  
7 read as follows:

8 1. In any action in a court of appropriate jurisdiction  
9 <sup>1</sup>[including any municipal court in the municipality where the  
10 offense was committed or where the defendant may be found  
11 which is]<sup>1</sup> initiated by the director of any certified county or  
12 municipal office of consumer affairs, the office of consumer  
13 affairs shall be entitled, if successful in the action, to such  
14 penalties, fines or fees as may be authorized pursuant to chapter  
15 8 of Title 56 of the Revised Statutes and awarded by the court,  
16 and to the reasonable costs of any such action, including  
17 investigative and legal costs, as may be filed with and approved  
18 by the court. Such costs shall be in addition to the taxed costs  
19 authorized in successful proceedings under the Rules Governing  
20 the Courts of the State of New Jersey.

21 <sup>1</sup>As used in this section, "court of appropriate jurisdiction"  
22 includes a municipal court in the municipality where the offense  
23 was committed or where the defendant may be found. However,  
24 the term shall not include a municipal court in a city of the First  
25 Class if the Chief Justice of the Supreme Court approves a  
26 recommendation submitted by the assignment judge of the  
27 vicinage in which the court is located to exempt that court from  
28 such jurisdiction.<sup>1</sup>

29 All moneys collected pursuant to this section shall be paid to  
30 the officer lawfully charged with the custody of the general funds  
31 of the county or municipality.

32 (cf: P.L.1981, c.178, s.1)

33 2. This act shall take effect immediately.

34

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36

CONSUMER AFFAIRS

37

38 Clarifies right of county and municipal consumer affairs offices  
39 to bring actions in municipal courts.

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> Senate SLP committee amendments adopted December 3, 1990.

SENATE, No. 2668

STATE OF NEW JERSEY

INTRODUCED MAY 17, 1990

By Senator PATERNITI

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2 and amending P.L.1981, c.178.

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5 State of New Jersey:

6 1. Section 1 of P.L.1981, c.178 (C.56:8-14.1 is amended to  
7 read as follows:

8 1. In any action in a court of appropriate jurisdiction including  
9 any municipal court in the municipality where the offense was  
10 committed or where the defendant may be found which is  
11 initiated by the director of any certified county or municipal  
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13 entitled, if successful in the action, to such penalties, fines or  
14 fees as may be authorized pursuant to chapter 8 of Title 56 of the  
15 Revised Statutes and awarded by the court, and to the reasonable  
16 costs of any such action, including investigative and legal costs,  
17 as may be filed with and approved by the court. Such costs shall  
18 ~~be in addition to the taxed costs authorized in successful~~  
19 proceedings under the Rules Governing the Courts of the State of  
20 New Jersey.

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22 the officer lawfully charged with the custody of the general funds  
23 of the county or municipality.

24 (cf. P.L. 1981, c.178, s.1)

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28 STATEMENT

29  
30 This bill affirms that a "court of appropriate jurisdiction," in  
31 the section of the consumer fraud act concerning actions by  
32 county and municipal consumer affairs offices, is intended to  
33 include all municipal courts.

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36 CONSUMER AFFAIRS

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38 Clarifies right of county and municipal consumer affairs offices  
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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the  
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ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 2668

STATE OF NEW JERSEY

DATED: MARCH 18, 1991

The Assembly Consumer Affairs Committee favorably reports Senate Bill No. 2668 [1R].

Under section 1 of P.L.1981, c.178 (C.56:8-14.1), the directors of certified county and municipal consumer affairs offices are authorized to initiate actions in courts of "appropriate jurisdiction."

Senate Bill No. 2668 [1R] amends that section in order to clarify that the phrase "a court of appropriate jurisdiction" includes the municipal court in the municipality where the offense was committed or where the defendant may be found.

The bill does, however, permit the Chief Justice of the Supreme Court to grant a jurisdictional exemption for a municipal court in any city of the First Class upon the recommendation of the assignment judge in the vicinage in which that court is located.

SENATE LAW, PUBLIC SAFETY AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 2668

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1990

The Senate Law, Public Safety and Defense Committee reports favorably Senate Bill No. 2668 with amendments.

As amended, this bill affirms that a "court of appropriate jurisdiction," in the section of the consumer fraud act concerning actions by county and municipal consumer affairs offices, is intended to include all municipal courts.

The committee amended the bill to permit a jurisdictional exemption to be granted by the Chief Justice of the Supreme Court to a municipal court in a city of the First Class upon the recommendation of the assignment judge in the vicinage in which the municipal court is located.

SENATE SLP COMMITTEE

AMENDMENTS

to

SENATE, No. 2668  
(Sponsored by Senator Paterniti)

**ADOPTED**

**DEC 3 1990**

REPLACE SECTION 1 TO READ:

1. Section 1 of P.L.1981, c.178 (C.56:8-14.1 is amended to read as follows:

1. In any action in a court of appropriate jurisdiction <sup>1</sup>[including any municipal court in the municipality where the offense was committed or where the defendant may be found which is]<sup>1</sup> initiated by the director of any certified county or municipal office of consumer affairs, the office of consumer affairs shall be entitled, if successful in the action, to such penalties, fines or fees as may be authorized pursuant to chapter 8 of Title 56 of the Revised Statutes and awarded by the court, and to the reasonable costs of any such action, including investigative and legal costs, as may be filed with and approved by the court. Such costs shall be in addition to the taxed costs authorized in successful proceedings under the Rules Governing the Courts of the State of New Jersey.

<sup>1</sup>As used in this section, "court of appropriate jurisdiction" includes a municipal court in the municipality where the offense was committed or where the defendant may be found. However, the term shall not include a municipal court in a city of the First Class if the Chief Justice of the Supreme Court approves a recommendation submitted by the assignment judge of the vicinage in which the court is located to exempt that court from such jurisdiction.<sup>1</sup>

All moneys collected pursuant to this section shall be paid to the officer lawfully charged with the custody of the general funds of the county or municipality.

(cf: P.L.1981, c.178, s.1)