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No

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No

**NEWSPAPER ARTICLES:**

No

RH/CL

P.L. 2021, CHAPTER 191, *approved August 5, 2021*  
Senate, No. 3049 (*Third Reprint*)

1 AN ACT concerning municipal courts, and supplementing Title 2B  
2 of the New Jersey Statutes.

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

6  
7 1. <sup>1</sup>a. <sup>1</sup>The Administrative Office of the Courts shall establish  
8 a regional municipal court pilot program in no fewer than <sup>2</sup>**[three]**  
9 two qualified<sup>2</sup> counties and no fewer than five municipalities in  
10 each county. <sup>3</sup>The pilot program shall take place only in  
11 municipalities and counties that apply to the Administrative Office  
12 of the Courts to participate.<sup>3</sup> The Administrative Director of the  
13 Courts in consultation with the assignment judges shall select  
14 appropriate counties and municipalities <sup>1</sup>from a list of those  
15 counties and municipalities that have applied for the program<sup>1</sup> for  
16 the implementation of the program.

17 <sup>1</sup>b. Any <sup>2</sup>qualified<sup>2</sup> county that has considered municipal court  
18 consolidation on a county-wide basis prior to the enactment of  
19 P.L. c. (C. ) (pending before the Legislature as this bill) may  
20 submit that information to the Administrative Director of the Courts  
21 and that county shall be included in the pilot program.

22 c. <sup>2</sup>To qualify for selection under this section, a county shall  
23 have a population of less than 300,000 and a population density of  
24 less than 500 people per square mile according to the 2010  
25 decennial census. If one county in a multi-county vicinage qualifies,  
26 all the counties in the vicinage qualify.<sup>2</sup> The population and  
27 population density figures set forth in subsection e. of N.J.S. 2B:12-  
28 1 shall not apply to any regional municipal court in any county  
29 participating in this pilot program, including any county included  
30 pursuant to subsection b. of this section.<sup>1</sup>

31  
32 2. A regional municipal court shall have jurisdiction over all  
33 matters falling within the jurisdiction of the municipal courts in the  
34 pilot program. All complaints issued in the county by the State  
35 Police or any statewide law enforcement agency, or by any county  
36 law enforcement agency, any county code enforcement entity, or by  
37 any other non-municipal law enforcement agency, shall also fall

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 SJU committee amendments adopted May 13, 2021.

<sup>2</sup>Senate floor amendments adopted June 3, 2021.

<sup>3</sup>Assembly floor amendments adopted June 21, 2021.

1 within the jurisdiction of the regional municipal court, consistent  
2 with the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18.

3  
4 3. <sup>1</sup>a.<sup>1</sup> Notwithstanding any other law to the contrary, fines  
5 and costs collected by the regional municipal court shall be retained  
6 by the regional municipal court on a pro rata basis equal to the costs  
7 associated with management, administration, operation, judge and  
8 staff salaries, and technology for the regional municipal court. The  
9 remainder of the fines and costs collected by the regional municipal  
10 court shall be distributed in accordance with N.J.S.22A:3-4,  
11 R.S.39:5-40, R.S.39:5-41, and subsection c. of section 3 of  
12 P.L.1979, c.396 (C.2C:46-4).

13 <sup>1</sup>b. A county participating in the pilot program may consider  
14 determining budgets for participating municipalities in that county  
15 by way of an assessment based on each participating municipality's  
16 equalized value as determined by the appropriate county board of  
17 taxation.<sup>1</sup>

18  
19 4. Judicial appointments to the regional municipal court shall  
20 be made in accordance with the provisions of Article VI, Section  
21 VI, paragraph 1 of the State Constitution. <sup>2</sup>Municipal court judges  
22 sitting in the municipal courts selected under section 1 of this act  
23 may be considered for appointment to the regional municipal court.<sup>2</sup>  
24 The assignment judge of the vicinage shall have the authority to  
25 make a temporary appointment in the event of a vacancy.

26  
27 5. <sup>1</sup>【The】 Any regional municipal court established in a county  
28 that is included in the pilot program pursuant to subsection b. of  
29 section 1 of P.L. , c. (C. ) (pending before the Legislature as  
30 this bill), because that <sup>2</sup>qualified<sup>2</sup> county considered municipal  
31 court consolidation on a county-wide basis prior to the enactment of  
32 P.L. , c. (C. ) (pending before the Legislature as this bill)  
33 and submitted information on that previous consideration to the  
34 Administrative Director of the Courts, shall begin hearing cases no  
35 later than January 1, 2022, and any<sup>1</sup> regional municipal court <sup>1</sup>in  
36 any other <sup>2</sup>qualified<sup>2</sup> county selected by the Administrative Director  
37 of the Courts for the<sup>1</sup> pilot <sup>1</sup>【programs】 program<sup>1</sup> shall begin  
38 hearing cases <sup>1</sup>no later than<sup>1</sup> one year following enactment.

39  
40 6. This act shall take effect <sup>1</sup>【180】 60<sup>1</sup> days after enactment  
41 except the Administrative Director of the Courts may take any  
42 anticipatory action in advance as the director deems necessary for  
43 the implementation of the pilot program.

44  
45  
46  
47 Establishes regional municipal court pilot program.

## CHAPTER 191

AN ACT concerning municipal courts, and supplementing Title 2B of the New Jersey Statutes.

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

C.2B:12-34 Regional municipal court pilot program.

1. a. The Administrative Office of the Courts shall establish a regional municipal court pilot program in no fewer than two qualified counties and no fewer than five municipalities in each county. The pilot program shall take place only in municipalities and counties that apply to the Administrative Office of the Courts to participate. The Administrative Director of the Courts in consultation with the assignment judges shall select appropriate counties and municipalities from a list of those counties and municipalities that have applied for the program for the implementation of the program.

b. Any qualified county that has considered municipal court consolidation on a county-wide basis prior to the enactment of P.L.2021, c.191 (C.2B:12-34 et seq.) may submit that information to the Administrative Director of the Courts and that county shall be included in the pilot program.

c. To qualify for selection under this section, a county shall have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. The population and population density figures set forth in subsection e. of N.J.S. 2B:12-1 shall not apply to any regional municipal court in any county participating in this pilot program, including any county included pursuant to subsection b. of this section.

C.2B:12-35 Jurisdiction of regional municipal court.

2. A regional municipal court shall have jurisdiction over all matters falling within the jurisdiction of the municipal courts in the pilot program. All complaints issued in the county by the State Police or any Statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency, shall also fall within the jurisdiction of the regional municipal court, consistent with the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18.

C.2B:12-36 Disposition of fines, costs collected.

3. a. Notwithstanding any other law to the contrary, fines and costs collected by the regional municipal court shall be retained by the regional municipal court on a pro rata basis equal to the costs associated with management, administration, operation, judge and staff salaries, and technology for the regional municipal court. The remainder of the fines and costs collected by the regional municipal court shall be distributed in accordance with N.J.S.22A:3-4, R.S.39:5-40, R.S.39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

b. A county participating in the pilot program may consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality's equalized value as determined by the appropriate county board of taxation.

C.2B:12-37 Judicial appointments.

4. Judicial appointments to the regional municipal court shall be made in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. Municipal court judges sitting in the municipal courts selected under section 1 of this act may be considered for appointment to the regional municipal court. The assignment judge of the vicinage shall have the authority to make a temporary appointment in the event of a vacancy.

C.2B:12-38 Certain regional municipal courts to begin hearing cases.

5. Any regional municipal court established in a county that is included in the pilot program pursuant to subsection b. of section 1 of P.L.2021, c.191 (C.2B:12-34), because that qualified county considered municipal court consolidation on a county-wide basis prior to the enactment of P.L.2021, c.191 (C.2B:12-34 et seq.) and submitted information on that previous consideration to the Administrative Director of the Courts, shall begin hearing cases no later than January 1, 2022, and any regional municipal court in any other qualified county selected by the Administrative Director of the Courts for the pilot program shall begin hearing cases no later than one year following enactment.

6. This act shall take effect 60 days after enactment except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program.

Approved August 5, 2021.

**SENATE, No. 3049**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED OCTOBER 22, 2020

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**SYNOPSIS**

Establishes regional municipal court pilot program.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning municipal courts, and supplementing Title 2B  
2 of the New Jersey Statutes.

3

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

6

7 1. The Administrative Office of the Courts shall establish a  
8 regional municipal court pilot program in no fewer than three  
9 counties and no fewer than five municipalities in each county. The  
10 Administrative Director of the Courts in consultation with the  
11 assignment judges shall select appropriate counties and  
12 municipalities for the implementation of the program.

13

14 2. A regional municipal court shall have jurisdiction over all  
15 matters falling within the jurisdiction of the municipal courts in the  
16 pilot program. All complaints issued in the county by the State  
17 Police or any statewide law enforcement agency, or by any county  
18 law enforcement agency, any county code enforcement entity, or by  
19 any other non-municipal law enforcement agency, shall also fall  
20 within the jurisdiction of the regional municipal court, consistent  
21 with the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18.

22

23 3. Notwithstanding any other law to the contrary, fines and  
24 costs collected by the regional municipal court shall be retained by  
25 the regional municipal court on a pro rata basis equal to the costs  
26 associated with management, administration, operation, judge and  
27 staff salaries, and technology for the regional municipal court. The  
28 remainder of the fines and costs collected by the regional municipal  
29 court shall be distributed in accordance with N.J.S.22A:3-4,  
30 R.S.39:5-40, R.S.39:5-41, and subsection c. of section 3 of  
31 P.L.1979, c.396 (C.2C:46-4).

32

33 4. Judicial appointments to the regional municipal court shall  
34 be made in accordance with the provisions of Article VI, Section  
35 VI, paragraph 1 of the State Constitution. The assignment judge of  
36 the vicinage shall have the authority to make a temporary  
37 appointment in the event of a vacancy.

38

39 5. The regional municipal court pilot programs shall begin  
40 hearing cases one year following enactment.

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42 6. This act shall take effect 180 days after enactment except the  
43 Administrative Director of the Courts may take any anticipatory  
44 action in advance as the director deems necessary for the  
45 implementation of the pilot program.



STATEMENT

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This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts.

The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county. The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would fall in the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints these municipal judges with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fees, fines, charges, and costs collected by the regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court shall retain these monies on a pro rata basis equal to the costs incurred.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### **SENATE, No. 3049**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 13, 2021

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 3049.

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated

Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

The committee amendments to the bill:

- provide for any county that has considered municipal court consolidation on a county-wide basis prior to the bill’s enactment to submit information to the Administrative Director of the Courts and be included in the pilot program;

- exclude the use of county population and population density figures set forth in N.J.S.2B:12-1, applicable to establishing a county-wide central municipal court, as criteria for selecting counties for the bill’s county-based regional municipal court pilot program;

- provide that a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation; and

- change the effective date to 60 days after enactment, and require a regional municipal court in a county included in the program that previously considered county-wide municipal court consolidation to begin hearing cases no later than January 1, 2022, and any other regional courts to begin hearing cases no later than one year following the bill’s enactment.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 3049**

with Senate Floor Amendments  
(Proposed by Senator SWEENEY)

ADOPTED: JUNE 3, 2021

These floor amendments provide that a regional municipal court pilot program established by the Administrative Office of the Courts pursuant to this bill shall be in no fewer than two counties. Prior to the floor amendment the bill provided for no fewer than three counties. The inclusion of no fewer than five municipalities in each county remains unchanged.

The floor amendments provide criteria for qualifying as a county to be selected under section 1 of the bill. A county shall have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census to qualify for the pilot program. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. The term “qualified” is applied also in section 5 of the bill concerning when hearing cases shall commence. Under these criteria the counties which qualify include: Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris and Sussex.

The floor amendments in section 4 of the bill provide that municipal court judges sitting in the municipal courts selected under section 1 of the bill for the pilot program may be considered for appointment to the regional municipal court.

STATEMENT TO  
[Second Reprint]  
**SENATE, No. 3049**

with Assembly Floor Amendments  
(Proposed by Assemblyman TALIAFERRO)

ADOPTED: JUNE 21, 2021

These floor amendments provide that the regional municipal court pilot program would take place only in municipalities and counties that apply to the Administrative Office of the Courts to participate. The Administrative Director of the Courts in consultation with the assignment judges would select appropriate counties and municipalities from a list of those counties and municipalities that have applied for the program for the implementation of the program.

# LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

**SENATE, No. 3049**

## **STATE OF NEW JERSEY 219th LEGISLATURE**

DATED: JUNE 24, 2021

### **SUMMARY**

- Synopsis:** Establishes regional municipal court pilot program.
- Type of Impact:** Indeterminate expenditure impact on participating municipalities.
- Agencies Affected:** Certain municipalities in Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex.

#### **Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>Local Cost Reduction</b>	Indeterminate

- The Office of Legislative Services (OLS) notes this bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties would dictate long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on the short-term costs for setting up a consolidated municipal court or the savings resulting from reduced number of court facilities in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility.

### **BILL DESCRIPTION**

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. In order to qualify for the pilot program, a county would be required to have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010

decennial census. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

## **FISCAL ANALYSIS**

### ***JUDICIAL BRANCH***

None received.

**OFFICE OF LEGISLATIVE SERVICES**

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. Per the provisions of the bill, the following counties would qualify: Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex.

The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties and municipalities would dictate the long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on how the court would be structured and how much money municipalities would save due to consolidation in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility. A 2010 Municipal Court Consolidation Plan issued by the AOC, underscored expert opinion on consolidation of municipal court operations for the potential to save costs by: 1) reducing the number of court facilities; 2) reducing staff size; 3) sharing court security measures; 4) expanding management's scope of control; and 5) consolidating administrative oversight.

Furthermore, according to a June 15, 2021 press release on Atlantic County's plans for a countywide municipal court system, a consolidated court system could provide some towns as much as 30-40 percent in savings. Per the county's estimate, with 11 out of the 23 towns participating, the maximum savings with the a consolidated court system would be more than 73 percent a year. According to the press release, the annual cumulative savings would be nearly \$1.4 million.

*Section: Judiciary*

*Analyst: Anuja Pande Joshi*  
*Associate Research Analyst*

*Approved: Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).



# LEGISLATIVE FISCAL ESTIMATE

[Third Reprint]

**SENATE, No. 3049**

## **STATE OF NEW JERSEY 219th LEGISLATURE**

DATED: JUNE 28, 2021

### **SUMMARY**

- Synopsis:** Establishes regional municipal court pilot program.
- Type of Impact:** Indeterminate expenditure impact on participating municipalities.
- Agencies Affected:** Certain municipalities in Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex.

#### **Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>Local Cost Reduction</b>	Indeterminate

- The Office of Legislative Services (OLS) notes this bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties would dictate long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on the short-term costs for setting up a consolidated municipal court or the savings resulting from reduced number of court facilities in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility.

### **BILL DESCRIPTION**

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county. The pilot program would take place only in municipalities and counties that apply to the Administrative Office of the Courts (AOC) to participate.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. In

order to qualify for the pilot program, a county would be required to have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

## **FISCAL ANALYSIS**

### ***JUDICIAL BRANCH***

None received. However, in responding to a request for fiscal information, the AOC noted in an informal statement that, “although overall costs (especially to municipalities) will likely go down due to consolidation, by how much will be dependent on the individualized needs of each

consolidated court regarding caseload, courthouse facilities, technology, etc. However, based on the work completed in Atlantic County, it is expected that municipalities will realize at least a 30 percent savings.”

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS notes this bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. Per the provisions of the bill, the following counties would qualify: Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex. The pilot program would take place only in municipalities that apply to the AOC to participate.

The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties and municipalities would dictate the long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on how the court would be structured and how much money municipalities would save due to consolidation in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility. A 2010 Municipal Court Consolidation Plan issued by the AOC, underscored expert opinion on consolidation of municipal court operations for the potential to save costs by: 1) reducing the number of court facilities; 2) reducing staff size; 3) sharing court security measures; 4) expanding management’s scope of control; and 5) consolidating administrative oversight.

Furthermore, according to a June 15, 2021 press release on Atlantic County’s plans for a countywide municipal court system, a consolidated court system could provide some towns as much as 30-40 percent in savings. Per the county’s estimate, with 11 out of the 23 towns participating, the maximum savings with the a consolidated court system would be more than 73 percent a year. According to the press release, the annual cumulative savings would be nearly \$1.4 million.

*Section:           Judiciary*

*Analyst:          Anuja Pande Joshi*  
*Associate Research Analyst*

*Approved:       Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# ASSEMBLY, No. 5176

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 21, 2020

**Sponsored by:**

**Assemblyman ADAM J. TALIAFERRO**

**District 3 (Cumberland, Gloucester and Salem)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**SYNOPSIS**

Establishes regional municipal court pilot program.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/1/2021)

1 AN ACT concerning municipal courts, and supplementing Title 2B  
2 of the New Jersey Statutes.

3

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

6

7 1. The Administrative Office of the Courts shall establish a  
8 regional municipal court pilot program in no fewer than three  
9 counties and no fewer than five municipalities in each county. The  
10 Administrative Director of the Courts in consultation with the  
11 assignment judges shall select appropriate counties and  
12 municipalities for the implementation of the program.

13

14 2. A regional municipal court shall have jurisdiction over all  
15 matters falling within the jurisdiction of the municipal courts in the  
16 pilot program. All complaints issued in the county by the State  
17 Police or any statewide law enforcement agency, or by any county  
18 law enforcement agency, any county code enforcement entity, or by  
19 any other non-municipal law enforcement agency, shall also fall  
20 within the jurisdiction of the regional municipal court, consistent  
21 with the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18.

22

23 3. Notwithstanding any other law to the contrary, fines and  
24 costs collected by the regional municipal court shall be retained by  
25 the regional municipal court on a pro rata basis equal to the costs  
26 associated with management, administration, operation, judge and  
27 staff salaries, and technology for the regional municipal court. The  
28 remainder of the fines and costs collected by the regional municipal  
29 court shall be distributed in accordance with N.J.S.22A:3-4,  
30 R.S.39:5-40, R.S.39:5-41, and subsection c. of section 3 of  
31 P.L.1979, c.396 (C.2C:46-4).

32

33 4. Judicial appointments to the regional municipal court shall  
34 be made in accordance with the provisions of Article VI, Section  
35 VI, paragraph 1 of the State Constitution. The assignment judge of  
36 the vicinage shall have the authority to make a temporary  
37 appointment in the event of a vacancy.

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39 5. The regional municipal court pilot programs shall begin  
40 hearing cases one year following enactment.

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42 6. This act shall take effect 180 days after enactment except the  
43 Administrative Director of the Courts may take any anticipatory  
44 action in advance as the director deems necessary for the  
45 implementation of the pilot program.

STATEMENT

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This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts.

The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county. The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would fall in the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints these municipal judges with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fees, fines, charges, and costs collected by the regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court shall retain these monies on a pro rata basis equal to the costs incurred.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 5176**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 9, 2021

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 5176.

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. As amended by the committee, the pilot program would be established in no fewer than two counties and no fewer than five municipalities in each county. The pilot program would take place only in municipalities and counties that apply to the Administrative Office of the Courts to participate.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. In order to qualify for the pilot program, a county would be required to have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill as amended would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

#### COMMITTEE AMENDMENTS:

1. Provide that the pilot program would take place only in municipalities and counties that apply to the Administrative Office of the Courts to participate, and that the counties and municipalities would be selected to participate by the Administrative Director of the Courts from a list of those counties and municipalities that have applied.

2. Provide for any county that has considered municipal court consolidation on a county-wide basis prior to the bill’s enactment to submit information to the Administrative Director of the Courts and be included in the pilot program;

3. Exclude the use of county population and population density figures set forth in N.J.S.2B:12-1, applicable to establishing a county-wide central municipal court, as criteria for selecting counties for the bill’s county-based regional municipal court pilot program. N.J.S.2B:12-1 provides that any county of the first class



with a population of over 900,000 and a population density of less than 4,000 persons per square mile may establish a central municipal court to adjudicate certain cases;

4. Provide that a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality's equalized value as determined by the appropriate county board of taxation;

5. Change the effective date to 60 days after enactment, and require a regional municipal court in a county included in the program that previously considered county-wide municipal court consolidation to begin hearing cases no later than January 1, 2022, and any other regional courts to begin hearing cases no later than one year following the bill's enactment;

6. Provide that a regional municipal court pilot program shall be in no fewer than two counties. Prior to the committee amendment, the bill provided for no fewer than three counties. The inclusion of no fewer than five municipalities in each county remains unchanged;

7. Provide criteria for qualifying as a county to be selected under the bill. A county shall have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census to qualify for the pilot program. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. The term "qualified" is applied also in section 5 of the bill concerning when hearing cases shall commence. Under these criteria the counties which qualify include: Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris and Sussex; and

8. Provide that municipal court judges sitting in the municipal courts selected for the pilot program may be considered for appointment to the regional municipal court.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 5176

### STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 24, 2021

#### SUMMARY

- Synopsis:** Establishes regional municipal court pilot program.
- Type of Impact:** Indeterminate expenditure impact on participating municipalities.
- Agencies Affected:** Certain municipalities in Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>Local Cost Reduction</b>	Indeterminate

- The Office of Legislative Services (OLS) notes this bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties would dictate long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on the short-term costs for setting up a consolidated municipal court or the savings resulting from reduced number of court facilities in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility.

#### BILL DESCRIPTION

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The pilot program would be established in no fewer than two counties and no fewer than five municipalities in each county. The pilot program would take place only in municipalities and counties that apply to the Administrative Office of the Courts (AOC) to participate.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. In order to qualify for the pilot program, a county would be required to have a population of less than 300,000 and a population density of less than 500 people per square mile according to the 2010 decennial census. If one county in a multi-county vicinage qualifies, all the counties in the vicinage qualify. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill as amended would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

## **FISCAL ANALYSIS**

### ***JUDICIAL BRANCH***

None received.

**OFFICE OF LEGISLATIVE SERVICES**

The OLS notes this bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. Per the provisions of the bill, the following counties would qualify: Atlantic, Cape May, Salem, Cumberland, Gloucester, Hunterdon, Somerset, Warren, Morris, and Sussex. The pilot program would take place only in municipalities that apply to the AOC to participate.

The OLS is unable to quantify the fiscal impact of the bill but notes that establishing a regional municipal court pilot program in certain counties and municipalities would dictate the long-term savings and short-term costs that each participating municipality may experience. There is insufficient information on how the court would be structured and how much money municipalities would save due to consolidation in the long term. In general, it would be more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility. A 2010 Municipal Court Consolidation Plan issued by the AOC, underscored expert opinion on consolidation of municipal court operations for the potential to save costs by: 1) reducing the number of court facilities; 2) reducing staff size; 3) sharing court security measures; 4) expanding management's scope of control; and 5) consolidating administrative oversight.

Furthermore, according to a June 15, 2021 press release on Atlantic County's plans for a countywide municipal court system, a consolidated court system could provide some towns as much as 30-40 percent in savings. Per the county's estimate, with 11 out of the 23 towns participating, the maximum savings with a consolidated court system would be more than 73 percent a year. According to the press release, the annual cumulative savings would be nearly \$1.4 million.

*Section:           Judiciary*

*Analyst:          Anuja Pande Joshi*  
*Associate Research Analyst*

*Approved:        Thomas Koenig*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# Governor Murphy Takes Action on Legislation

08/5/2021

**TRENTON** - Today, Governor Murphy signed the following bills into law.

**S-2798/A-4430 (Vitale, Ruiz/Conaway, Vainieri Huttler, McKnight)** – Revises requirements for long-term care facilities to establish outbreak response plans

**S-3049/A-5176 (Sweeney, Beach/Taliaferro, Mukherji, Space, Armato)** – Establishes regional municipal court pilot program

**A-4909/S-3090 (Dancer, Caputo/Gopal, Sarlo)** – Authorizes fixed odds wagering on horse races through fixed odds wagering system

**ACS for A-5570, 5571, 5579, and 5656/SCS for S-2208, 1460, and 1463 (Karabinchak, Swain, Stanley, Murphy/Diegnan, A.M. Bucco, Oroho, Cruz-Perez)** – Requires certain actions by motor vehicle operators when overtaking or passing pedestrians, bicycles, or scooters