

2C:30-4

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2C:30-4

(Public officials--  
overspending--criminal  
offenses)

LAWS OF: 1989

CHAPTER: 131

Bill No: S691

Sponsor(s): Laskin

Date Introduced: Pre-filed

Committee: Assembly: Judiciary

Senate: Judiciary

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

Date of Passage: Assembly: June 15, 1989

Senate: May 1, 1989

Date of Approval: August 2, 1989

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 clippings--attached:

Legislation outlawing budget-busting signed 8-3-89 Asbury Park Press  
Eddie more-type overspending now a crime 8-3-89 Trenton Times

[FIRST REPRINT]

SENATE, No. 691

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator LASKIN

1 AN ACT concerning disbursing moneys or incurring obligations  
in excess of appropriations or an amount limited by law and  
3 supplementing chapter 30 of Title 2C of the New Jersey  
Statutes.

5

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

1. A person or member of a board or body charged with or  
9 having the control of a State office, division, department or  
institution or a member of a county or municipal governing body  
11 or a member of a board of education, commits a crime of the  
fourth degree if he purposely <sup>1</sup>and knowingly<sup>1</sup>:

13 a. Disburses, orders or votes for the disbursement of public  
moneys, in excess of the appropriation for that office, division,  
15 department, institution, board or body; or

b. Incurs obligations in excess of the appropriation and limit  
17 of expenditure provided by law for that office, division,  
department, institution, board or body.

19 Nothing contained in this section shall be construed to prevent  
a board of education from keeping open the public schools.

21 2. This act shall take effect immediately.

23

CRIMINAL JUSTICE

25

Criminal Sentences and Bail

27 Classifies as a crime of the fourth degree the disbursing of  
moneys or the incurring of obligations by public officials in  
29 excess of appropriations or an amount limited by law.

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 January 28, 1988.

SENATE, No. 691  
STATE OF NEW JERSEY

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Introduced Pending Technical Review by Legislative Counsel  
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23

STATEMENT

25

This bill provides that the purposeful disbursement of moneys  
27 or the incurring of obligations by public officials (heads of  
executive departments, members of county or municipal  
29 governing bodies, school board members) in excess of  
appropriations or an amount limited by law would constitute a  
31 crime of the fourth degree. A fourth degree crime is punishable  
by up to 18 months imprisonment, a fine up to \$7,500 or both.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 691

STATE OF NEW JERSEY

DATED: MAY 8, 1989

The Assembly Judiciary Committee reports favorably Senate Bill No. 691 (1R).

This bill provides that the purposeful disbursement of moneys or the incurring of obligations by public officials (heads of executive departments, members of county or municipal governing bodies; school board members) in excess of appropriations or an amount limited by law would constitute a crime of the fourth degree which is punishable by up to 18 months' imprisonment, a fine of up to \$7,500 or both.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 691**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JANUARY 28, 1988

The Senate Judiciary Committee reports favorably and with committee amendments Senate No. 691.

This bill would provide that the disbursement of moneys or the incurring of obligations by public officials (heads of executive departments, members of county or municipal governing bodies; school board members) in excess of appropriations or an amount limited by law would constitute a crime of the fourth degree (up to 18 months' imprisonment, a fine of up to \$7,500 or both).

The committee amended the bill to clarify that only purposeful and knowing actions by public officials are intended to be criminalized by the bill.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.