

2A:156A-8

Legislative History Checklist
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Synopsis: Adds endangering the welfare of a child to the list of crimes which may form the basis for a court-authorized wiretap.

Bill No.: A40

P.L. 1996, c. 119

Identical to: S1400 (1R)
Substituted for: S1400 (1R)
Combined with:
Last Session Bill No.:

See Above Bill(s) for Additional History

NJSA: 2A:156A-8

Sponsor(s): Gregory-Scocchi/Mikulak+2

Date Introduced: 08/09/94

Committee Reference:

Statement:

Public Hearing:

Assembly:

Judiciary, Law and Public Safety

Yes

No

Senate:

Judiciary

Yes

No

Sponsor Statement: Yes

Fiscal Note: No

Dates of Passage:

Assembly:

08/20/94 (63-2)
05/22/95 (75-3)

Senate:

05/11/95 (39-0)

Amended During Passage: Yes

Governor's Action:

Veto: No

Date of Veto:

Date of Approval: 08/08/95

Message on Signing: No

Additional Information:

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P.L.1995, CHAPTER 119, approved June 8, 1995

1994 Assembly No. 40 (First Reprint)

1 AN ACT concerning endangering the welfare of a child and
2 amending P.L.1968, c.409.

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

6 1. Section 8 of P.L.1968, c.409 (C.2A:156A-8) is amended to
7 read as follows:

8 8. The Attorney General, county prosecutor or a person
9 designated to act for such an official and to perform his duties in
10 and during his actual absence or disability, may authorize, in
11 writing, an ex parte application to a judge designated to receive
12 the same for an order authorizing the interception of a wire, or
13 electronic or oral communication by the investigative or law
14 enforcement officers or agency having responsibility for an
15 investigation when such interception may provide evidence of the
16 commission of the offense of murder, kidnapping, gambling,
17 robbery, bribery, a violation of paragraph (1) or (2) of subsection
18 b. of N.J.S.2C:12-1, a violation of N.J.S.2C:21-19 punishable by
19 imprisonment for more than one year, terroristic threats,
20 violations of N.J.S.2C:35-3, N.J.S.2C:35-4 and N.J.S.2C:35-5,
21 violations of sections 112 through 116, inclusive, of the "Casino
22 Control Act," P.L.1977, c.110 (C.5:12-112 through 5:12-116),
23 arson, burglary, theft and related offenses punishable by
24 imprisonment for more than one year, endangering the welfare of
25 a child pursuant to N.J.S. 2C:24-4, escape, forgery, alteration of
26 motor vehicle identification numbers, unlawful manufacture,
27 purchase, use, or transfer of firearms, unlawful possession or use
28 of destructive devices or explosives, racketeering or a violation
29 of subsection g. of N.J.S.2C:5-2, leader of organized crime,
30 organized criminal activity directed toward the unlawful
31 transportation, storage, disposal, discharge, release, abandonment
32 or disposition of any harmful, hazardous, toxic, destructive, or
33 polluting substance, ¹[violations of subsection b. of
34 N.J.S.2C:24-4]¹ or any conspiracy to commit any of the foregoing
35 offenses or which may provide evidence aiding in the
36 apprehension of the perpetrator or perpetrators of any of the
37 foregoing offenses.

38 (cf: P.L.1993, c.29, s.7)

39 2. This act shall take effect immediately.

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43 Adds endangering the welfare of a child to the list of crimes
44 which may form the basis for a court-authorized wiretap.

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:
Senate SJU committee amendments adopted November 10, 1994.

STATEMENT

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Under current law, the court may authorize a wiretap when doing so may provide evidence of the commission of certain crimes, including murder, kidnapping, gambling, robbery, bribery, aggravated assault and others. This bill would add the crime of endangering the welfare of a child, N.J.S.A. 2C:24-4, to the list.

Adds endangering the welfare of a child to the list of crimes which may form the basis for a court-authorized wiretap.

**ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 40

STATE OF NEW JERSEY

DATED: JUNE 13, 1994

The Assembly Judiciary, Law and Public Safety Committee reports favorably Assembly Bill No. 40.

Under current law, the court may authorize a wiretap when doing so may provide evidence of the commission of certain crimes, including murder, kidnapping, gambling, robbery, bribery, aggravated assault and others. This bill would add the crime of endangering the welfare of a child, N.J.S.A.2C:24-4, to that list by amending N.J.S.A.2A:156A-8.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 40

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 3, 1994

The Senate Judiciary Committee reports favorably and with committee amendments Assembly, No. 40.

Currently, among the crimes for which a wiretap may be authorized are crimes involving trafficking in child pornography as set forth in subsection b. of N.J.S.A.2C:24-4. This bill would clarify that a wiretap may be authorized for any crime involving endangering the welfare of children under N.J.S.A.2C:24-4. The amendments adopted by the committee were of a technical nature and delete an unnecessary cross-reference.