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SENATE, No. 1641

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2000

Sponsored by:

Senator JOHN J. MATHEUSSEN

District 4 (Camden and Gloucester)

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

Co-Sponsored by:

**Senators Allen, Cafiero, Inverso, Palaia, Zane, Assemblymen Bateman,
Zisa and Assemblywoman Heck**

SYNOPSIS

Directs that certain juvenile justice records be available to law enforcement agencies and prosecutors on a 24-hour basis.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT concerning the availability of certain juvenile records to law
2 enforcement agencies and amending P.L.1982, c.79.

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

6
7 1. Section 1 of P.L.1982, c.79 (C.2A:4A-60) is amended to read
8 as follows:

9 1. Disclosure of juvenile information; penalties for disclosure.

10 a. Social, medical, psychological, legal and other records of the
11 court and probation division, and records of law enforcement agencies,
12 pertaining to juveniles charged as a delinquent or found to be part of
13 a juvenile-family crisis, shall be strictly safeguarded from public
14 inspection. Such records shall be made available only to:

15 (1) Any court or probation division;

16 (2) The Attorney General or county prosecutor;

17 (3) The parents or guardian and to the attorney of the juvenile;

18 (4) The Department of Human Services, if providing care or
19 custody of the juvenile;

20 (5) Any institution or facility to which the juvenile is currently
21 committed or in which the juvenile is placed;

22 (6) Any person or agency interested in a case or in the work of the
23 agency keeping the records, by order of the court for good cause
24 shown, except that information concerning adjudications of
25 delinquency, records of custodial confinement, payments owed on
26 assessments imposed pursuant to section 2 of P.L.1979, c.396
27 (C.2C:43-3.1) or restitution ordered following conviction of a crime
28 or adjudication of delinquency, and the juvenile's financial resources,
29 shall be made available upon request to the Victims of Crime
30 Compensation Board established pursuant to section 3 of P.L.1971,
31 c.317 (C.52:4B-3), which shall keep such information and records
32 confidential; and

33 (7) The Juvenile Justice Commission established pursuant to
34 section 2 of P.L.1995, c.284 (C.52:17B-170).

35 b. Records of law enforcement agencies may be disclosed for law
36 enforcement purposes to any law enforcement agency of this State,
37 another state or the United States, and the identity of a juvenile under
38 warrant for arrest for commission of an act that would constitute a
39 crime if committed by an adult may be disclosed to the public when
40 necessary to execution of the warrant.

41 c. At the time of charge, adjudication or disposition, information
42 as to the identity of a juvenile charged with an offense, the offense
43 charged, the adjudication and disposition shall, upon request, be

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 disclosed to:

2 (1) The victim or a member of the victim's immediate family;

3 (2) Any law enforcement agency which investigated the offense,
4 the person or agency which filed the complaint, and any law
5 enforcement agency in the municipality where the juvenile resides; and

6 (3) On a confidential basis, the principal of the school where the
7 juvenile is enrolled for use by the principal and such members of the
8 staff and faculty of the school as the principal deems appropriate for
9 maintaining order, safety or discipline in the school or to planning
10 programs relevant to the juvenile's educational and social
11 development, provided that no record of such information shall be
12 maintained except as authorized by regulation of the Department of
13 Education; or

14 (4) A party in a subsequent legal proceeding involving the juvenile,
15 upon approval by the court.

16 d. A law enforcement or prosecuting agency shall, at the time of a
17 charge, adjudication or disposition, advise the principal of the school
18 where the juvenile is enrolled of the identity of the juvenile charged,
19 the offense charged, the adjudication and the disposition if:

20 (1) The offense occurred on school property or a school bus,
21 occurred at a school-sponsored function or was committed against an
22 employee or official of the school; or

23 (2) The juvenile was taken into custody as a result of information
24 or evidence provided by school officials; or

25 (3) The offense, if committed by an adult, would constitute a
26 crime, and the offense:

27 (a) resulted in death or serious bodily injury or involved an attempt
28 or conspiracy to cause death or serious bodily injury; or

29 (b) involved the unlawful use or possession of a firearm or other
30 weapon; or

31 (c) involved the unlawful manufacture, distribution or possession
32 with intent to distribute a controlled dangerous substance or controlled
33 substance analog; or

34 (d) was committed by a juvenile who acted with a purpose to
35 intimidate an individual or group of individuals because of race, color,
36 religion, sexual orientation or ethnicity; or

37 (e) would be a crime of the first or second degree.

38 Information provided to the principal pursuant to this subsection
39 shall be treated as confidential but may be made available to such
40 members of the staff and faculty of the school as the principal deems
41 appropriate for maintaining order, safety or discipline in the school or
42 for planning programs relevant to a juvenile's educational and social
43 development, and no record of such information shall be maintained
44 except as authorized by regulation of the Department of Education.

45 e. Nothing in this section prohibits a law enforcement or
46 prosecuting agency from providing the principal of a school with

1 information identifying one or more juveniles who are under
2 investigation or have been taken into custody for commission of any
3 act that would constitute an offense if committed by an adult when the
4 law enforcement or prosecuting agency determines that the
5 information may be useful to the principal in maintaining order, safety
6 or discipline in the school or in planning programs relevant to the
7 juvenile's educational and social development. Information provided
8 to the principal pursuant to this subsection shall be treated as
9 confidential but may be made available to such members of the staff
10 and faculty of the school as the principal deems appropriate for
11 maintaining order, safety or discipline in the school or for planning
12 programs relevant to the juvenile's educational and social
13 development. No information provided pursuant to this section shall
14 be maintained.

15 f. Information as to the identity of a juvenile adjudicated
16 delinquent, the offense, the adjudication and the disposition shall be
17 disclosed to the public where the offense for which the juvenile has
18 been adjudicated delinquent if committed by an adult, would constitute
19 a crime of the first, second or third degree, or aggravated assault,
20 destruction or damage to property to an extent of more than \$500.00,
21 unless upon application at the time of disposition the juvenile
22 demonstrates a substantial likelihood that specific and extraordinary
23 harm would result from such disclosure in the specific case. Where
24 the court finds that disclosure would be harmful to the juvenile, the
25 reasons therefor shall be stated on the record.

26 g. (1) Nothing in this section shall prohibit the establishment and
27 maintaining of a central registry of the records of law enforcement
28 agencies relating to juveniles for the purpose of exchange between
29 State [or] and local law enforcement agencies and prosecutors of this
30 State, another state, or the United States. These records of law
31 enforcement agencies shall be available on a 24-hour basis.

32 (2) Certain information and records relating to juveniles in the
33 central registry maintained by the courts shall be available to State and
34 local law enforcement agencies and prosecutors on a 24-hour basis.

35 h. Whoever, except as provided by law, knowingly discloses,
36 publishes, receives, or makes use of or knowingly permits the
37 unauthorized use of information concerning a particular juvenile
38 derived from records listed in subsection a. or acquired in the course
39 of court proceedings, probation, or police duties, shall, upon
40 conviction thereof, be guilty of a disorderly persons offense.

41 i. The court may, upon application by the juvenile or his parent or
42 guardian, the prosecutor or any other interested party, including the
43 victim or complainant or members of the news media, permit public
44 attendance during any court proceeding at a delinquency case, where
45 it determines that a substantial likelihood that specific harm to the
46 juvenile would not result, and the court shall permit a victim, or a

1 family member of a victim to make a statement prior to ordering a
2 disposition in any delinquency proceeding involving an offense that
3 would constitute a crime if committed by an adult. The court shall
4 have the authority to limit and control the attendance in any manner
5 and to the extent it deems appropriate.

6 j. The Department of Education, in consultation with the Attorney
7 General, shall adopt, pursuant to the "Administrative Procedure Act,"
8 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
9 concerning the creation, maintenance and disclosure of pupil records
10 including information acquired pursuant to this section.
11 (cf: P.L.1995, c.280, s.15)

12
13 2. (New section) The Supreme Court of New Jersey may adopt
14 Rules of Court governing the disclosure to State and local law
15 enforcement agencies and prosecutors of information and records
16 relating to juveniles in the central registry maintained by the courts
17 pursuant to paragraph (2) of subsection g. of section 1 of P.L.1982,
18 c.79 (C.2A:4A-60).

19
20 3. This act shall take effect on the first day of the second month
21 following enactment.

22
23

24 STATEMENT

25

26 Under the current provisions of subsection g. of N.J.S.A.2A:4A-
27 60, law enforcement records relating to juveniles are made available
28 for the purpose of exchange between local or State law enforcement
29 agencies of this State, other states and the federal government. This
30 bill provides that these records be made available to law enforcement
31 agencies and prosecutors on a 24-hour basis.

32 The bill further provides that certain information and records
33 relating to juveniles in a central registry currently maintained by the
34 courts be available to State and local law enforcement agencies and
35 prosecutors on a 24-hour basis. This information is maintained by the
36 courts in the Family Automated Case Tracking System (FACTS).
37 Types of information which would be made available under this bill
38 includes juvenile arrest information, juvenile disposition information,
39 juvenile pretrial detention information and information concerning the
40 probation status of a juvenile.

41 The bill further provides that the Supreme Court may adopt court
42 rules governing the disclosure to State and local law enforcement
43 agencies and prosecutors of information and records found in FACTS
44 given the confidential nature of juvenile records and the need to
45 preserve that confidentiality with respect to many of the other records
46 in FACTS that may not be specifically related to law enforcement.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1641

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 2000

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1641.

Under subsection g. of section 1 of P.L.1982, c.79 (C.2A:4A-60), law enforcement records relating to juveniles are made available for the purpose of exchange between local or State law enforcement agencies of this State, other states and the federal government. This bill provides that these records be made available to law enforcement agencies and prosecutors on a 24-hour basis.

The bill also provides that certain information and records relating to juveniles in a central registry currently maintained by the courts be available to State and local law enforcement agencies and prosecutors on a 24-hour basis. This information is maintained by the courts in the Family Automated Case Tracking System (FACTS). Types of information which would be made available under this bill include juvenile arrest information, juvenile disposition information, juvenile pretrial detention information and information concerning the probation status of a juvenile.

Because of the confidential nature of juvenile records and the need to preserve that confidentiality with respect to records in FACTS that may not be specifically related to law enforcement, the bill provides that the Supreme Court may adopt court rules governing the disclosure to State and local law enforcement agencies and prosecutors of information and records found in FACTS.

ASSEMBLY, No. 870

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblyman CHARLES "KEN" ZISA

District 37 (Bergen)

SYNOPSIS

Directs that certain juvenile justice records be available to law enforcement agencies and prosecutors on a 24-hour basis.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A870 BATEMAN, ZISA

2

1 AN ACT concerning the availability of certain juvenile records to law
2 enforcement agencies and amending P.L.1982, c.79.

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

6
7 1. Section 1 of P.L.1982, c.79 (C.2A:4A-60) is amended to read
8 as follows:

9 1. Disclosure of juvenile information; penalties for disclosure.

10 a. Social, medical, psychological, legal and other records of the
11 court and probation division, and records of law enforcement agencies,
12 pertaining to juveniles charged as a delinquent or found to be part of
13 a juvenile-family crisis, shall be strictly safeguarded from public
14 inspection. Such records shall be made available only to:

15 (1) Any court or probation division;

16 (2) The Attorney General or county prosecutor;

17 (3) The parents or guardian and to the attorney of the juvenile;

18 (4) The Department of Human Services, if providing care or
19 custody of the juvenile;

20 (5) Any institution or facility to which the juvenile is currently
21 committed or in which the juvenile is placed;

22 (6) Any person or agency interested in a case or in the work of the
23 agency keeping the records, by order of the court for good cause
24 shown, except that information concerning adjudications of
25 delinquency, records of custodial confinement, payments owed on
26 assessments imposed pursuant to section 2 of P.L.1979, c.396
27 (C.2C:43-3.1) or restitution ordered following conviction of a crime
28 or adjudication of delinquency, and the juvenile's financial resources,
29 shall be made available upon request to the Victims of Crime
30 Compensation Board established pursuant to section 3 of P.L.1971,
31 c.317 (C.52:4B-3), which shall keep such information and records
32 confidential; and

33 (7) The Juvenile Justice Commission established pursuant to
34 section 2 of P.L.1995, c.284 (C.52:17B-170).

35 b. Records of law enforcement agencies may be disclosed for law
36 enforcement purposes to any law enforcement agency of this State,
37 another state or the United States, and the identity of a juvenile under
38 warrant for arrest for commission of an act that would constitute a
39 crime if committed by an adult may be disclosed to the public when
40 necessary to execution of the warrant.

41 c. At the time of charge, adjudication or disposition, information
42 as to the identity of a juvenile charged with an offense, the offense
43 charged, the adjudication and disposition shall, upon request, be

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 disclosed to:

2 (1) The victim or a member of the victim's immediate family;

3 (2) Any law enforcement agency which investigated the offense,
4 the person or agency which filed the complaint, and any law
5 enforcement agency in the municipality where the juvenile resides; and

6 (3) On a confidential basis, the principal of the school where the
7 juvenile is enrolled for use by the principal and such members of the
8 staff and faculty of the school as the principal deems appropriate for
9 maintaining order, safety or discipline in the school or to planning
10 programs relevant to the juvenile's educational and social
11 development, provided that no record of such information shall be
12 maintained except as authorized by regulation of the Department of
13 Education; or

14 (4) A party in a subsequent legal proceeding involving the juvenile,
15 upon approval by the court.

16 d. A law enforcement or prosecuting agency shall, at the time of a
17 charge, adjudication or disposition, advise the principal of the school
18 where the juvenile is enrolled of the identity of the juvenile charged,
19 the offense charged, the adjudication and the disposition if:

20 (1) The offense occurred on school property or a school bus,
21 occurred at a school-sponsored function or was committed against an
22 employee or official of the school; or

23 (2) The juvenile was taken into custody as a result of information
24 or evidence provided by school officials; or

25 (3) The offense, if committed by an adult, would constitute a
26 crime, and the offense:

27 (a) resulted in death or serious bodily injury or involved an attempt
28 or conspiracy to cause death or serious bodily injury; or

29 (b) involved the unlawful use or possession of a firearm or other
30 weapon; or

31 (c) involved the unlawful manufacture, distribution or possession
32 with intent to distribute a controlled dangerous substance or controlled
33 substance analog; or

34 (d) was committed by a juvenile who acted with a purpose to
35 intimidate an individual or group of individuals because of race, color,
36 religion, sexual orientation or ethnicity; or

37 (e) would be a crime of the first or second degree.

38 Information provided to the principal pursuant to this subsection
39 shall be treated as confidential but may be made available to such
40 members of the staff and faculty of the school as the principal deems
41 appropriate for maintaining order, safety or discipline in the school or
42 for planning programs relevant to a juvenile's educational and social
43 development, and no record of such information shall be maintained
44 except as authorized by regulation of the Department of Education.

45 e. Nothing in this section prohibits a law enforcement or
46 prosecuting agency from providing the principal of a school with

1 information identifying one or more juveniles who are under
2 investigation or have been taken into custody for commission of any
3 act that would constitute an offense if committed by an adult when the
4 law enforcement or prosecuting agency determines that the
5 information may be useful to the principal in maintaining order, safety
6 or discipline in the school or in planning programs relevant to the
7 juvenile's educational and social development. Information provided
8 to the principal pursuant to this subsection shall be treated as
9 confidential but may be made available to such members of the staff
10 and faculty of the school as the principal deems appropriate for
11 maintaining order, safety or discipline in the school or for planning
12 programs relevant to the juvenile's educational and social
13 development. No information provided pursuant to this section shall
14 be maintained.

15 f. Information as to the identity of a juvenile adjudicated
16 delinquent, the offense, the adjudication and the disposition shall be
17 disclosed to the public where the offense for which the juvenile has
18 been adjudicated delinquent if committed by an adult, would constitute
19 a crime of the first, second or third degree, or aggravated assault,
20 destruction or damage to property to an extent of more than \$500.00,
21 unless upon application at the time of disposition the juvenile
22 demonstrates a substantial likelihood that specific and extraordinary
23 harm would result from such disclosure in the specific case. Where
24 the court finds that disclosure would be harmful to the juvenile, the
25 reasons therefor shall be stated on the record.

26 g. Nothing in this section shall prohibit the establishment and
27 maintaining of a central registry of the records of law enforcement
28 agencies relating to juveniles for the purpose of exchange between
29 State or local law enforcement agencies of this State, another state, or
30 the United States. The information and records in the central registry
31 established pursuant to this subsection shall be available to State and
32 local law enforcement agencies and prosecutors on a 24-hour basis.

33 h. Whoever, except as provided by law, knowingly discloses,
34 publishes, receives, or makes use of or knowingly permits the
35 unauthorized use of information concerning a particular juvenile
36 derived from records listed in subsection a. or acquired in the course
37 of court proceedings, probation, or police duties, shall, upon
38 conviction thereof, be guilty of a disorderly persons offense.

39 i. The court may, upon application by the juvenile or his parent or
40 guardian, the prosecutor or any other interested party, including the
41 victim or complainant or members of the news media, permit public
42 attendance during any court proceeding at a delinquency case, where
43 it determines that a substantial likelihood that specific harm to the
44 juvenile would not result, and the court shall permit a victim, or a
45 family member of a victim to make a statement prior to ordering a
46 disposition in any delinquency proceeding involving an offense that

1 would constitute a crime if committed by an adult. The court shall
2 have the authority to limit and control the attendance in any manner
3 and to the extent it deems appropriate.

4 j. The Department of Education, in consultation with the Attorney
5 General, shall adopt, pursuant to the "Administrative Procedure Act,"
6 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
7 concerning the creation, maintenance and disclosure of pupil records
8 including information acquired pursuant to this section.
9 (cf: P.L.1995, c.280, s.15)

10

11 2. This act shall take effect on the first day of the second month
12 following enactment.

13

14

15

STATEMENT

16

17 This bill provides that the juvenile justice records maintained in a
18 central registry established pursuant to subsection g. of section 1 of
19 P.L.1982, c.79 (C.2A:4A-60) are to be available to State and local law
20 enforcement agencies and prosecutors on a 24-hour basis.

21 Currently, if law enforcement officers arrest a juvenile after normal
22 business hours or on a holiday, they may be unable to secure a juvenile
23 justice background check on the individual. Without access to that
24 juvenile's records, it is impossible for the prosecutor to know whether
25 the juvenile has a history of violent behavior and should be detained.
26 This bill would give law enforcement agencies and prosecutors access
27 to such juvenile justice information at all times.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 870

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 23, 2000

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 870.

Under the current provisions of subsection g. of N.J.S.A.2A:4A-60, law enforcement records relating to juveniles are made available for the purpose of exchange between local or State law enforcement agencies of this State, other states and the federal government. The committee concluded that this subsection refers to that information available in the Criminal Justice Information System (CJIS) and in the Offender Based Correctional Information System (OBCIS). CJIS is maintained by the State Police and tracks only those juveniles who have been fingerprinted. OBCIS is maintained by the Department of Corrections and tracks only those juveniles who have been committed to a custodial sentence. The bill as amended provides in paragraph (1) of subsection g. that these juvenile law enforcement records located in (OBCIS) and (CJIS) be made available on a 24-hour basis. The committee is of the understanding that CJIS is currently available on a 24-hour basis.

The committee noted that neither of these systems provides information on juvenile arrests or juvenile dispositions. The committee amended the bill to add a paragraph (2) in subsection g. to provide that certain information and records relating to juveniles in another central registry currently maintained by the courts be available to State and local law enforcement agencies and prosecutors on a 24-hour basis. This information is maintained by the courts in the Family Automated Case Tracking System (FACTS). The information which is intended to be made available as a result of the committee amendments includes juvenile arrest information, juvenile disposition information, juvenile pretrial detention information and information concerning the probation status of a juvenile.

In addition, the committee amended the bill by adding a new section 2 which provides that the Supreme Court may adopt court rules governing the disclosure to State and local law enforcement agencies and prosecutors of information and records found in FACTS given the confidential nature of juvenile records and the need to

preserve that confidentiality with respect to many of the other records in FACTS that may not be specifically related to law enforcement.

This bill was prefiled for introduction in the 2000 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

[First Reprint]

ASSEMBLY, No. 870

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblyman CHARLES "KEN" ZISA

District 37 (Bergen)

Co-Sponsored by:

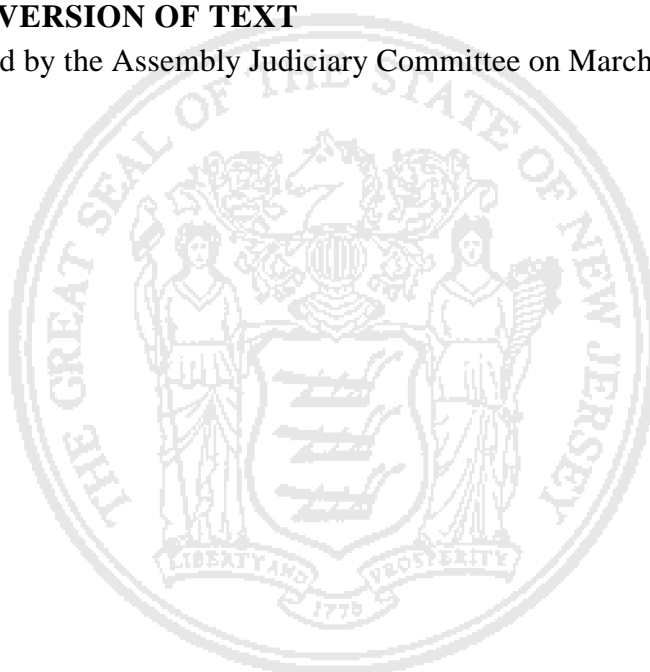
Assemblywoman Heck

SYNOPSIS

Directs that certain juvenile justice records be available to law enforcement agencies and prosecutors on a 24-hour basis.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on March 23, 2000, with amendments.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT concerning the availability of certain juvenile records to law
2 enforcement agencies and amending P.L.1982, c.79.

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

6
7 1. Section 1 of P.L.1982, c.79 (C.2A:4A-60) is amended to read
8 as follows:

9 1. Disclosure of juvenile information; penalties for disclosure.

10 a. Social, medical, psychological, legal and other records of the
11 court and probation division, and records of law enforcement agencies,
12 pertaining to juveniles charged as a delinquent or found to be part of
13 a juvenile-family crisis, shall be strictly safeguarded from public
14 inspection. Such records shall be made available only to:

15 (1) Any court or probation division;

16 (2) The Attorney General or county prosecutor;

17 (3) The parents or guardian and to the attorney of the juvenile;

18 (4) The Department of Human Services, if providing care or
19 custody of the juvenile;

20 (5) Any institution or facility to which the juvenile is currently
21 committed or in which the juvenile is placed;

22 (6) Any person or agency interested in a case or in the work of the
23 agency keeping the records, by order of the court for good cause
24 shown, except that information concerning adjudications of
25 delinquency, records of custodial confinement, payments owed on
26 assessments imposed pursuant to section 2 of P.L.1979, c.396
27 (C.2C:43-3.1) or restitution ordered following conviction of a crime
28 or adjudication of delinquency, and the juvenile's financial resources,
29 shall be made available upon request to the Victims of Crime
30 Compensation Board established pursuant to section 3 of P.L.1971,
31 c.317 (C.52:4B-3), which shall keep such information and records
32 confidential; and

33 (7) The Juvenile Justice Commission established pursuant to
34 section 2 of P.L.1995, c.284 (C.52:17B-170).

35 b. Records of law enforcement agencies may be disclosed for law
36 enforcement purposes to any law enforcement agency of this State,
37 another state or the United States, and the identity of a juvenile under
38 warrant for arrest for commission of an act that would constitute a
39 crime if committed by an adult may be disclosed to the public when
40 necessary to execution of the warrant.

41 c. At the time of charge, adjudication or disposition, information
42 as to the identity of a juvenile charged with an offense, the offense

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted March 23, 2000.

1 charged, the adjudication and disposition shall, upon request, be
2 disclosed to:

- 3 (1) The victim or a member of the victim's immediate family;
4 (2) Any law enforcement agency which investigated the offense,
5 the person or agency which filed the complaint, and any law
6 enforcement agency in the municipality where the juvenile resides; and
7 (3) On a confidential basis, the principal of the school where the
8 juvenile is enrolled for use by the principal and such members of the
9 staff and faculty of the school as the principal deems appropriate for
10 maintaining order, safety or discipline in the school or to planning
11 programs relevant to the juvenile's educational and social
12 development, provided that no record of such information shall be
13 maintained except as authorized by regulation of the Department of
14 Education; or
15 (4) A party in a subsequent legal proceeding involving the juvenile,
16 upon approval by the court.

17 d. A law enforcement or prosecuting agency shall, at the time of a
18 charge, adjudication or disposition, advise the principal of the school
19 where the juvenile is enrolled of the identity of the juvenile charged,
20 the offense charged, the adjudication and the disposition if:

- 21 (1) The offense occurred on school property or a school bus,
22 occurred at a school-sponsored function or was committed against an
23 employee or official of the school; or
24 (2) The juvenile was taken into custody as a result of information
25 or evidence provided by school officials; or
26 (3) The offense, if committed by an adult, would constitute a
27 crime, and the offense:
28 (a) resulted in death or serious bodily injury or involved an attempt
29 or conspiracy to cause death or serious bodily injury; or
30 (b) involved the unlawful use or possession of a firearm or other
31 weapon; or
32 (c) involved the unlawful manufacture, distribution or possession
33 with intent to distribute a controlled dangerous substance or controlled
34 substance analog; or
35 (d) was committed by a juvenile who acted with a purpose to
36 intimidate an individual or group of individuals because of race, color,
37 religion, sexual orientation or ethnicity; or
38 (e) would be a crime of the first or second degree.

39 Information provided to the principal pursuant to this subsection
40 shall be treated as confidential but may be made available to such
41 members of the staff and faculty of the school as the principal deems
42 appropriate for maintaining order, safety or discipline in the school or
43 for planning programs relevant to a juvenile's educational and social
44 development, and no record of such information shall be maintained
45 except as authorized by regulation of the Department of Education.

46 e. Nothing in this section prohibits a law enforcement or

1 prosecuting agency from providing the principal of a school with
2 information identifying one or more juveniles who are under
3 investigation or have been taken into custody for commission of any
4 act that would constitute an offense if committed by an adult when the
5 law enforcement or prosecuting agency determines that the
6 information may be useful to the principal in maintaining order, safety
7 or discipline in the school or in planning programs relevant to the
8 juvenile's educational and social development. Information provided
9 to the principal pursuant to this subsection shall be treated as
10 confidential but may be made available to such members of the staff
11 and faculty of the school as the principal deems appropriate for
12 maintaining order, safety or discipline in the school or for planning
13 programs relevant to the juvenile's educational and social
14 development. No information provided pursuant to this section shall
15 be maintained.

16 f. Information as to the identity of a juvenile adjudicated
17 delinquent, the offense, the adjudication and the disposition shall be
18 disclosed to the public where the offense for which the juvenile has
19 been adjudicated delinquent if committed by an adult, would constitute
20 a crime of the first, second or third degree, or aggravated assault,
21 destruction or damage to property to an extent of more than \$500.00,
22 unless upon application at the time of disposition the juvenile
23 demonstrates a substantial likelihood that specific and extraordinary
24 harm would result from such disclosure in the specific case. Where
25 the court finds that disclosure would be harmful to the juvenile, the
26 reasons therefor shall be stated on the record.

27 g. ¹(1)¹ Nothing in this section shall prohibit the establishment and
28 maintaining of a central registry of the records of law enforcement
29 agencies relating to juveniles for the purpose of exchange between
30 State ¹[or] ¹and¹ local law enforcement agencies ¹and prosecutors¹ of
31 this State, another state, or the United States. ¹[The information and
32 records in the central registry established pursuant to this subsection
33 shall be available to State and local law enforcement agencies and
34 prosecutors on a 24-hour basis.] These records of law enforcement
35 agencies shall be available on a 24-hour basis.

36 (2) Certain information and records relating to juveniles in the
37 central registry maintained by the courts shall be available to State and
38 local law enforcement agencies and prosecutors on a 24-hour basis.¹

39 h. Whoever, except as provided by law, knowingly discloses,
40 publishes, receives, or makes use of or knowingly permits the
41 unauthorized use of information concerning a particular juvenile
42 derived from records listed in subsection a. or acquired in the course
43 of court proceedings, probation, or police duties, shall, upon
44 conviction thereof, be guilty of a disorderly persons offense.

45 i. The court may, upon application by the juvenile or his parent or
46 guardian, the prosecutor or any other interested party, including the

1 victim or complainant or members of the news media, permit public
2 attendance during any court proceeding at a delinquency case, where
3 it determines that a substantial likelihood that specific harm to the
4 juvenile would not result, and the court shall permit a victim, or a
5 family member of a victim to make a statement prior to ordering a
6 disposition in any delinquency proceeding involving an offense that
7 would constitute a crime if committed by an adult. The court shall
8 have the authority to limit and control the attendance in any manner
9 and to the extent it deems appropriate.

10 j. The Department of Education, in consultation with the Attorney
11 General, shall adopt, pursuant to the "Administrative Procedure Act,"
12 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
13 concerning the creation, maintenance and disclosure of pupil records
14 including information acquired pursuant to this section.
15 (cf: P.L.1995, c.280, s.15)

16

17 ¹2. (New section) The Supreme Court of New Jersey may adopt
18 Rules of Court governing the disclosure to State and local law
19 enforcement agencies and prosecutors of information and records
20 relating to juveniles in the central registry maintained by the courts
21 pursuant to paragraph (2) of subsection g. of section 1 of P.L.1982,
22 c.79 (C.2A:4A-60).¹

23

24 ¹[2.] 3.¹ This act shall take effect on the first day of the second
25 month following enactment.

P.L. 2001, CHAPTER 191, *approved July 31, 2001*
Senate, No. 1641

1 **AN ACT** concerning the availability of certain juvenile records to law
2 enforcement agencies and amending P.L.1982, c.79.

3

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

6

7 1. Section 1 of P.L.1982, c.79 (C.2A:4A-60) is amended to read
8 as follows:

9 1. Disclosure of juvenile information; penalties for disclosure.

10 a. Social, medical, psychological, legal and other records of the
11 court and probation division, and records of law enforcement agencies,
12 pertaining to juveniles charged as a delinquent or found to be part of
13 a juvenile-family crisis, shall be strictly safeguarded from public
14 inspection. Such records shall be made available only to:

15 (1) Any court or probation division;

16 (2) The Attorney General or county prosecutor;

17 (3) The parents or guardian and to the attorney of the juvenile;

18 (4) The Department of Human Services, if providing care or
19 custody of the juvenile;

20 (5) Any institution or facility to which the juvenile is currently
21 committed or in which the juvenile is placed;

22 (6) Any person or agency interested in a case or in the work of the
23 agency keeping the records, by order of the court for good cause
24 shown, except that information concerning adjudications of
25 delinquency, records of custodial confinement, payments owed on
26 assessments imposed pursuant to section 2 of P.L.1979, c.396
27 (C.2C:43-3.1) or restitution ordered following conviction of a crime
28 or adjudication of delinquency, and the juvenile's financial resources,
29 shall be made available upon request to the Victims of Crime
30 Compensation Board established pursuant to section 3 of P.L.1971,
31 c.317 (C.52:4B-3), which shall keep such information and records
32 confidential; and

33 (7) The Juvenile Justice Commission established pursuant to
34 section 2 of P.L.1995, c.284 (C.52:17B-170).

35 b. Records of law enforcement agencies may be disclosed for law
36 enforcement purposes to any law enforcement agency of this State,
37 another state or the United States, and the identity of a juvenile under
38 warrant for arrest for commission of an act that would constitute a
39 crime if committed by an adult may be disclosed to the public when

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 necessary to execution of the warrant.

2 c. At the time of charge, adjudication or disposition, information
3 as to the identity of a juvenile charged with an offense, the offense
4 charged, the adjudication and disposition shall, upon request, be
5 disclosed to:

6 (1) The victim or a member of the victim's immediate family;

7 (2) Any law enforcement agency which investigated the offense,
8 the person or agency which filed the complaint, and any law
9 enforcement agency in the municipality where the juvenile resides; and

10 (3) On a confidential basis, the principal of the school where the
11 juvenile is enrolled for use by the principal and such members of the
12 staff and faculty of the school as the principal deems appropriate for
13 maintaining order, safety or discipline in the school or to planning
14 programs relevant to the juvenile's educational and social
15 development, provided that no record of such information shall be
16 maintained except as authorized by regulation of the Department of
17 Education; or

18 (4) A party in a subsequent legal proceeding involving the juvenile,
19 upon approval by the court.

20 d. A law enforcement or prosecuting agency shall, at the time of a
21 charge, adjudication or disposition, advise the principal of the school
22 where the juvenile is enrolled of the identity of the juvenile charged,
23 the offense charged, the adjudication and the disposition if:

24 (1) The offense occurred on school property or a school bus,
25 occurred at a school-sponsored function or was committed against an
26 employee or official of the school; or

27 (2) The juvenile was taken into custody as a result of information
28 or evidence provided by school officials; or

29 (3) The offense, if committed by an adult, would constitute a
30 crime, and the offense:

31 (a) resulted in death or serious bodily injury or involved an attempt
32 or conspiracy to cause death or serious bodily injury; or

33 (b) involved the unlawful use or possession of a firearm or other
34 weapon; or

35 (c) involved the unlawful manufacture, distribution or possession
36 with intent to distribute a controlled dangerous substance or controlled
37 substance analog; or

38 (d) was committed by a juvenile who acted with a purpose to
39 intimidate an individual or group of individuals because of race, color,
40 religion, sexual orientation or ethnicity; or

41 (e) would be a crime of the first or second degree.

42 Information provided to the principal pursuant to this subsection
43 shall be treated as confidential but may be made available to such
44 members of the staff and faculty of the school as the principal deems
45 appropriate for maintaining order, safety or discipline in the school or
46 for planning programs relevant to a juvenile's educational and social

1 development, and no record of such information shall be maintained
2 except as authorized by regulation of the Department of Education.

3 e. Nothing in this section prohibits a law enforcement or
4 prosecuting agency from providing the principal of a school with
5 information identifying one or more juveniles who are under
6 investigation or have been taken into custody for commission of any
7 act that would constitute an offense if committed by an adult when the
8 law enforcement or prosecuting agency determines that the
9 information may be useful to the principal in maintaining order, safety
10 or discipline in the school or in planning programs relevant to the
11 juvenile's educational and social development. Information provided
12 to the principal pursuant to this subsection shall be treated as
13 confidential but may be made available to such members of the staff
14 and faculty of the school as the principal deems appropriate for
15 maintaining order, safety or discipline in the school or for planning
16 programs relevant to the juvenile's educational and social
17 development. No information provided pursuant to this section shall
18 be maintained.

19 f. Information as to the identity of a juvenile adjudicated
20 delinquent, the offense, the adjudication and the disposition shall be
21 disclosed to the public where the offense for which the juvenile has
22 been adjudicated delinquent if committed by an adult, would constitute
23 a crime of the first, second or third degree, or aggravated assault,
24 destruction or damage to property to an extent of more than \$500.00,
25 unless upon application at the time of disposition the juvenile
26 demonstrates a substantial likelihood that specific and extraordinary
27 harm would result from such disclosure in the specific case. Where
28 the court finds that disclosure would be harmful to the juvenile, the
29 reasons therefor shall be stated on the record.

30 g. (1) Nothing in this section shall prohibit the establishment and
31 maintaining of a central registry of the records of law enforcement
32 agencies relating to juveniles for the purpose of exchange between
33 State [or] and local law enforcement agencies and prosecutors of this
34 State, another state, or the United States. These records of law
35 enforcement agencies shall be available on a 24-hour basis.

36 (2) Certain information and records relating to juveniles in the
37 central registry maintained by the courts shall be available to State and
38 local law enforcement agencies and prosecutors on a 24-hour basis.

39 h. Whoever, except as provided by law, knowingly discloses,
40 publishes, receives, or makes use of or knowingly permits the
41 unauthorized use of information concerning a particular juvenile
42 derived from records listed in subsection a. or acquired in the course
43 of court proceedings, probation, or police duties, shall, upon
44 conviction thereof, be guilty of a disorderly persons offense.

45 i. The court may, upon application by the juvenile or his parent or
46 guardian, the prosecutor or any other interested party, including the

1 victim or complainant or members of the news media, permit public
2 attendance during any court proceeding at a delinquency case, where
3 it determines that a substantial likelihood that specific harm to the
4 juvenile would not result, and the court shall permit a victim, or a
5 family member of a victim to make a statement prior to ordering a
6 disposition in any delinquency proceeding involving an offense that
7 would constitute a crime if committed by an adult. The court shall
8 have the authority to limit and control the attendance in any manner
9 and to the extent it deems appropriate.

10 j. The Department of Education, in consultation with the Attorney
11 General, shall adopt, pursuant to the "Administrative Procedure Act,"
12 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
13 concerning the creation, maintenance and disclosure of pupil records
14 including information acquired pursuant to this section.

15 (cf: P.L.1995, c.280, s.15)

16
17 2. (New section) The Supreme Court of New Jersey may adopt
18 Rules of Court governing the disclosure to State and local law
19 enforcement agencies and prosecutors of information and records
20 relating to juveniles in the central registry maintained by the courts
21 pursuant to paragraph (2) of subsection g. of section 1 of P.L.1982,
22 c.79 (C.2A:4A-60).

23
24 3. This act shall take effect on the first day of the second month
25 following enactment.

26 27 28 STATEMENT

29
30 Under the current provisions of subsection g. of N.J.S.A.2A:4A-
31 60, law enforcement records relating to juveniles are made available
32 for the purpose of exchange between local or State law enforcement
33 agencies of this State, other states and the federal government. This
34 bill provides that these records be made available to law enforcement
35 agencies and prosecutors on a 24-hour basis.

36 The bill further provides that certain information and records
37 relating to juveniles in a central registry currently maintained by the
38 courts be available to State and local law enforcement agencies and
39 prosecutors on a 24-hour basis. This information is maintained by the
40 courts in the Family Automated Case Tracking System (FACTS).
41 Types of information which would be made available under this bill
42 includes juvenile arrest information, juvenile disposition information,
43 juvenile pretrial detention information and information concerning the
44 probation status of a juvenile.

45 The bill further provides that the Supreme Court may adopt court
46 rules governing the disclosure to State and local law enforcement

1 agencies and prosecutors of information and records found in FACTS
2 given the confidential nature of juvenile records and the need to
3 preserve that confidentiality with respect to many of the other records
4 in FACTS that may not be specifically related to law enforcement.

5

6

7

8

9 Directs that certain juvenile justice records be available to law
10 enforcement agencies and prosecutors on a 24-hour basis.

CHAPTER 191

AN ACT concerning the availability of certain juvenile records to law enforcement agencies and amending P.L.1982, c.79.

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

1. Section 1 of P.L.1982, c.79 (C.2A:4A-60) is amended to read as follows:

C.2A:4A-60 Disclosure of juvenile information; penalties for disclosure.

1. Disclosure of juvenile information; penalties for disclosure.

a. Social, medical, psychological, legal and other records of the court and probation division, and records of law enforcement agencies, pertaining to juveniles charged as a delinquent or found to be part of a juvenile-family crisis, shall be strictly safeguarded from public inspection. Such records shall be made available only to:

(1) Any court or probation division;

(2) The Attorney General or county prosecutor;

(3) The parents or guardian and to the attorney of the juvenile;

(4) The Department of Human Services, if providing care or custody of the juvenile;

(5) Any institution or facility to which the juvenile is currently committed or in which the juvenile is placed;

(6) Any person or agency interested in a case or in the work of the agency keeping the records, by order of the court for good cause shown, except that information concerning adjudications of delinquency, records of custodial confinement, payments owed on assessments imposed pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) or restitution ordered following conviction of a crime or adjudication of delinquency, and the juvenile's financial resources, shall be made available upon request to the Victims of Crime Compensation Board established pursuant to section 3 of P.L.1971, c.317 (C.52:4B-3), which shall keep such information and records confidential; and

(7) The Juvenile Justice Commission established pursuant to section 2 of P.L.1995, c.284 (C.52:17B-170).

b. Records of law enforcement agencies may be disclosed for law enforcement purposes to any law enforcement agency of this State, another state or the United States, and the identity of a juvenile under warrant for arrest for commission of an act that would constitute a crime if committed by an adult may be disclosed to the public when necessary to execution of the warrant.

c. At the time of charge, adjudication or disposition, information as to the identity of a juvenile charged with an offense, the offense charged, the adjudication and disposition shall, upon request, be disclosed to:

(1) The victim or a member of the victim's immediate family;

(2) Any law enforcement agency which investigated the offense, the person or agency which filed the complaint, and any law enforcement agency in the municipality where the juvenile resides; and

(3) On a confidential basis, the principal of the school where the juvenile is enrolled for use by the principal and such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile's educational and social development, provided that no record of such information shall be maintained except as authorized by regulation of the Department of Education; or

(4) A party in a subsequent legal proceeding involving the juvenile, upon approval by the court.

d. A law enforcement or prosecuting agency shall, at the time of a charge, adjudication or disposition, advise the principal of the school where the juvenile is enrolled of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

(1) The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or

(2) The juvenile was taken into custody as a result of information or evidence provided by school officials; or

(3) The offense, if committed by an adult, would constitute a crime, and the offense:

- (a) resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or
- (b) involved the unlawful use or possession of a firearm or other weapon; or
- (c) involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or
- (d) was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, religion, sexual orientation or ethnicity; or
- (e) would be a crime of the first or second degree.

Information provided to the principal pursuant to this subsection shall be treated as confidential but may be made available to such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to a juvenile's educational and social development, and no record of such information shall be maintained except as authorized by regulation of the Department of Education.

e. Nothing in this section prohibits a law enforcement or prosecuting agency from providing the principal of a school with information identifying one or more juveniles who are under investigation or have been taken into custody for commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the principal in maintaining order, safety or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided to the principal pursuant to this subsection shall be treated as confidential but may be made available to such members of the staff and faculty of the school as the principal deems appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided pursuant to this section shall be maintained.

f. Information as to the identity of a juvenile adjudicated delinquent, the offense, the adjudication and the disposition shall be disclosed to the public where the offense for which the juvenile has been adjudicated delinquent if committed by an adult, would constitute a crime of the first, second or third degree, or aggravated assault, destruction or damage to property to an extent of more than \$500.00, unless upon application at the time of disposition the juvenile demonstrates a substantial likelihood that specific and extraordinary harm would result from such disclosure in the specific case. Where the court finds that disclosure would be harmful to the juvenile, the reasons therefor shall be stated on the record.

g. (1) Nothing in this section shall prohibit the establishment and maintaining of a central registry of the records of law enforcement agencies relating to juveniles for the purpose of exchange between State and local law enforcement agencies and prosecutors of this State, another state, or the United States. These records of law enforcement agencies shall be available on a 24-hour basis.

(2) Certain information and records relating to juveniles in the central registry maintained by the courts shall be available to State and local law enforcement agencies and prosecutors on a 24-hour basis.

h. Whoever, except as provided by law, knowingly discloses, publishes, receives, or makes use of or knowingly permits the unauthorized use of information concerning a particular juvenile derived from records listed in subsection a. or acquired in the course of court proceedings, probation, or police duties, shall, upon conviction thereof, be guilty of a disorderly persons offense.

i. The court may, upon application by the juvenile or his parent or guardian, the prosecutor or any other interested party, including the victim or complainant or members of the news media, permit public attendance during any court proceeding at a delinquency case, where it determines that a substantial likelihood that specific harm to the juvenile would not result, and the court shall permit a victim, or a family member of a victim to make a statement prior to ordering a disposition in any delinquency proceeding involving an offense that would constitute a crime if committed by an adult. The court shall have the authority to limit and control the attendance in any manner and to the extent it deems appropriate.

j. The Department of Education, in consultation with the Attorney General, shall adopt,

pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations concerning the creation, maintenance and disclosure of pupil records including information acquired pursuant to this section.

C.2A:4A-60.1 Juvenile information, records; rules governing disclosure adoption.

2. The Supreme Court of New Jersey may adopt Rules of Court governing the disclosure to State and local law enforcement agencies and prosecutors of information and records relating to juveniles in the central registry maintained by the courts pursuant to paragraph (2) of subsection g. of section 1 of P.L.1982, c.79 (C.2A:4A-60).

3. This act shall take effect on the first day of the second month following enactment.

Approved July 31, 2001.

Office of the Governor

PO BOX 004
TRENTON, NJ 08625

NEWS RELEASE

CONTACT: Rae Hutton
or Kristin Zebrowski
609-777-2600

RELEASE: August 2, 2001

Acting Governor Donald T. DiFrancesco has signed the following legislation:

S-1239, sponsored by Senators Joseph Palaia (R-Monmouth) and Jack Sinagra (R-Middlesex) and Assembly members Marion Crecco (R-Essex/Passaic) and Guy Talarico (R-Bergen), requires parental consent prior to tattooing or body piercing of minors. This bill makes it a disorderly offense for a person to knowingly tattoo or body pierce a minor under the age of 18 without prior consent of the parent or guardian.

S-232, sponsored by Senator Wayne Bryant (D-Camden/Gloucester) and Assemblymen Neil Cohen (D-Union), requires a child support order relating to health care coverage be enforced through National Medical Support Notice and indicate the party responsible for maintaining the coverage.

S-812, sponsored by Senators Joseph Kyrillos (R-Middlesex/Monmouth) and Bernard Kenny (D-Hudson) and Assemblyman Joseph Azzolina (R-Middlesex/Monmouth), provides that a municipal authority may allow certain employees to waive the SHBP coverage to which the employee is entitled by virtue of employment with the municipal authority.

S-1641, sponsored by Senators John Matheussen (R-Camden/Gloucester) and Norman Robertson (R-Essex/Passaic) and Assemblymen Kip Bateman (R-Morris/Somerset) and Charles Zisa (D-Bergen), directs certain juvenile justice records be available to law enforcement agencies and prosecutors on a 24-hour basis. Types of information which would be made available under this bill includes juvenile arrest information, juvenile disposition information, juvenile pretrial detention information and information concerning the probation status of a juvenile.

A-1980, sponsored by Senate Majority Leader John Bennett (R-Monmouth) and Assemblyman Neil Cohen (D-Union), permits a corporation to change from an operating corporation to a holding corporation without shareholder approval and without the need to transfer assets and liabilities.

A-3219, sponsored by Senators Gerald Cardinale (R-Bergen) and Garry Furnari (D-Bergen/Essex/Passaic) and Assemblymen Kip Bateman (R-Morris/Somerset) and Richard Merkt (R-Morris), limits the cost of a "Y2K" examination of a domestic fraternal benefit society to no more than one percent of the society's 1999 net premiums received. The balance for any such examination would be paid by the Department of Banking and Insurance.

A-314, sponsored by Senators Jack Sinagra (R-Middlesex) and John Adler (D-Camden) and Assembly members Charlotte Vandervalk (R-Bergen) and Neil Cohen (D-Union), establishes a permanent commission to be known as the "New Jersey Health Data Commission. The 33-

member Commission would collect and maintain health data from State government agencies or other entities.

The bill also appropriates \$94,000 and assumes that the cost to the State to operate the Commission will be partially offset by payments for Commission documents and receipt of grants.