

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 607
STATE OF NEW JERSEY
217th LEGISLATURE

DATED: OCTOBER 11, 2016

SUMMARY

- Synopsis:** Requires life imprisonment without parole for persons convicted of the murder of a minor under the age of 18 in the course of the commission of a sex crime.
- Type of Impact:** General Fund expenditure.
- Agencies Affected:** Department of Corrections.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	Indeterminate Increase – See comments below		

- The Office of Legislative Services (OLS) concludes that information with which to determine the number of individuals who would be convicted of the crime established under the bill is unavailable from either the Administrative Office of the Courts (AOC) or the Executive Branch and thus the fiscal impact of the bill is indeterminate. The OLS notes that the average annual per capita cost to house an inmate in a State prison facility in FY 2015 totaled \$40,000. The FY 2015 cost per inmate per day for food, wage and clothing was \$7.94, totaling \$2,898 annually.
- Information provided by the AOC indicates that for the twelve months ending June 30, 2016, four individuals were convicted for crimes which under this bill would result in life imprisonment without eligibility for parole. However, the age of these individuals is unknown.

BILL DESCRIPTION

Senate Bill No. 607 of 2016 provides that a person convicted of the murder of a victim under the age of 18 must be sentenced to life imprisonment without eligibility for parole if the murder was committed in the course of the commission of a sex crime.

P.L.1997, c.60, known as “Joan’s Law,” amended various sections of law including N.J.S.2C:11-3, the murder statute, to provide that a person convicted of the murder of a child under the age of 14 must be sentenced to life imprisonment without eligibility for parole if the murder was committed in the course of the commission of a sex crime. This bill would revise

the age limitation for “Joan’s Law,” encompassing situations where the victim was less than 18 years old.

Murder is a crime of the first degree and is generally punishable by a term of imprisonment of 30 years, during which the defendant is not eligible for parole, or by a specific term between 30 years and life imprisonment of which the defendant must serve 30 years before being eligible for parole. However, there are exceptions to this statutory scheme for certain murders. Defendants convicted of these particular murders must be sentenced to a term of life imprisonment without eligibility for parole.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

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Section: Judiciary

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Legislative Budget and Finance Officer

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