As amended, this bill would eliminate the statute of limitations for criminal offenses arising from violations of environmental crimes and certain environmental laws and crimes causing widespread injury or damage.


Under current law, prosecution for violations of paragraph (2) of subsection a. of N.J.S.2C:17-2 (the hazardous discharge, hazardous waste, and toxic pollutant provisions of the crime of causing or risking widespread injury or damage), the “Solid Waste Management Act,” the “Comprehensive Regulated Medical Waste Management Act,” the “Air Pollution Control Act (1954),” the asbestos law and the “Water Pollution Control Act” must be commenced within ten years after the date of discovery of the offense by a local law enforcement agency, a county prosecutor, or the Department of Environmental Protection either directly by any of those entities or indirectly by notice given to any of those entities. Under current law, prosecutions for violations of N.J.S.2C:17-2, other than the hazardous discharge, hazardous waste, and toxic pollutant provisions contained in paragraph (2) of subsection a. of N.J.S.2C:17-2, must be commenced within five years after the offense.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.
The committee amendments to the bill provide that prosecution for offenses of N.J.S.2C:17-2 (the crime of causing or risking widespread injury or damage) may be commenced at any time.