

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 1465

with Assembly Floor Amendments
(Proposed by Assemblymen GUSCIORA and O'SCANLON)

ADOPTED: MAY 24, 2012

These floor amendments provide that \$50 of each penalty imposed pursuant to the bill would be forwarded by the municipality to the State to be deposited in the "Drug Education Program Fund" which would be established by the bill. The remainder of the penalty monies collected would be retained by the municipality for the general uses of the municipality. The "Drug Education Program Fund" would be a dedicated, nonlapsing, revolving fund in the Department of the Treasury. Monies deposited in the fund would be appropriated to the Department of Human Services, Division of Mental Health and Addiction Services for drug education programs.

The floor amendments also authorize the court to order professional diagnostic assessments of adults who have committed a third or subsequent offense to determine whether they would benefit from drug treatment. The person would pay for the assessment. If the assessment shows that the person would benefit from drug treatment the person would be referred for such treatment, and would be responsible for paying any treatment costs. The amendments would not change the disposition of offenders under the age of 18. Under the bill, these offenders would be referred to the Superior Court, Chancery Division, Family Part for an appropriate disposition.

The amendments also specify that, other than the civil penalties imposed by the bill, the court would not impose additional fines, penalties, or fees, except court costs.