

ASSEMBLY, No. 1253

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

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District 36 (Bergen and Passaic)

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District 20 (Union)

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SYNOPSIS

Prohibits certain sex offenders from using social networking websites and requires certain identifying information.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certain sex offenders and supplementing
2 chapter 7 of Title 2C of the New Jersey Statutes.

3

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

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7 1. As used in this act:

8 “Sex offender” means a person who has been convicted,
9 adjudicated delinquent or found not guilty by reason of insanity for
10 the commission of a sex offense, as defined in subsection b. of
11 section 2 of P.L.1994, c.133 (C.2C:7-2) which involves a victim
12 under 18 years of age. This term shall also include a person who
13 has been convicted, adjudicated delinquent or found not guilty by
14 reason of insanity for an offense similar to any offense enumerated
15 in paragraph (2) of subsection b. of section 2 of P.L.1994, c.133
16 (C.2C:7-2) or who has received a sentence on the basis of criteria
17 similar to the criteria set forth in paragraph (1) of subsection b. of
18 section 2 of P.L.1994, c.133 (C.2C:7-2) entered or imposed under
19 the laws of a foreign government or other jurisdiction in the United
20 States which involves a victim under 18 years of age;

21 “Social networking website” means an internet website that
22 allows users to create a profile containing personal information that
23 is accessible by third parties and that allows communication among
24 users;

25 “Third party” means a person other than the user, the operator, or
26 an employee of the operator; and

27 “Use” means to create an online profile, page, or similar account
28 on the social networking website that allows the user to post
29 personal information that may be viewed by third parties, or to
30 contact or attempt to contact other users of the social networking
31 website.

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33 2. a. It shall be unlawful for a sex offender to use a social
34 networking website.

35 b. A person who violates subsection a. of this section is guilty
36 of a crime of the third degree.

37 c. A sex offender shall provide the chief law enforcement
38 officer of the municipality in which the offender resides with any e-
39 mail address, username, or identifier used on the Internet by that
40 person.

41 d. A person who fails to provide the appropriate law
42 enforcement agency with such information or notify the agency of a
43 change in the person’s email address, username, or identifier or who
44 provides false information concerning the person’s email address,
45 username, or identifier is guilty of a crime of the fourth degree.

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47 3. This act shall take effect immediately.

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STATEMENT

This bill prohibits certain sex offenders from using social networking websites and requires them to provide certain identifying information. The bill is intended to protect the youth of this State by prohibiting sex offenders from using social networking websites that allow users to create a profile or post personal information.

Sex offender is defined as a person who has been convicted, adjudicated delinquent, or found not guilty by reason of insanity for committing a broad range of sexual offenses as defined in the sex offender registration (Megan's) law, which involves a victim under 18 years of age. It also includes a person who has been convicted by a foreign government of a similar sexual offense to those defined in the sex offender registration (Megan's) law or sentenced based on similar criteria, which involves a victim under 18 years of age.

The bill defines social networking website as an internet website that allows users to post personal information that is accessible by third parties and that allows communication among users.

Use is defined as creating an online profile, page or similar account that allows the user to post personal information that may be viewed by third parties, or to contact or attempt to contact other users of the social networking website.

A violator would be guilty of a crime of the third degree, which carries a penalty of three to five years imprisonment, a fine of up to \$15,000, or both.

This bill also requires sex offenders to provide the appropriate law enforcement agency with their email address, username, or identifier that is used on the Internet to ensure compliance with this act. A person who fails to provide the information, who provides false information or who fails to provide notice of any change is guilty of a crime of the fourth degree, which carries a penalty of up to 18 months imprisonment, a fine of up to \$10,000, or both.