

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1253

with committee amendments

# STATE OF NEW JERSEY

DATED: APRIL 4, 2016

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 1253.

As amended, this bill upgrades the criminal penalties for sex offenders who fail to comply with the Internet access restrictions set out in current law. In addition, the bill expands the current Internet access restrictions to require the offender to disclose any *passwords, email addresses, usernames or identifiers* used to access any data, image or programs.

As originally introduced, this bill prohibited certain sex offenders from using social networking websites and required them to provide certain identifying information. A violator would have been guilty of a crime of the third degree.

The committee amended N.J.S.A.2C:43-6.6 which requires the court to order Internet access restrictions for sex offenders who used a computer in the commission of a crime to require the sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data. The amendments upgrade a violation of the statute from the current crime of the fourth degree to a crime of the third degree. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of \$15,000, or both.

The committee also amended N.J.S.A.2C:45-1 concerning suspended sentences or probation, to authorize the court to order sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data.

Finally, the committee amended N.J.S.A.30:4-123.59 to authorize the Parole Board to require the sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS

1. Replace title and synopsis in accordance with the provisions of the bill.

2. Omit sections 1 and 2 in their entirety and insert new sections 1 through 3.
3. Section 1 amends N.J.S.A.2C:43-6.6 to authorize the court to order sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data. And makes a crime of the third degree to fail to comply with the statute.
4. Section 2 amends N.J.S.A.2C:45-1 to require sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data.
5. Section 3 amends N.J.S.A.30:4-123.59 to require sex offenders to disclose *passwords, email addresses, usernames or identifiers* used to access any data.