

SENATE, No. 713

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

Co-Sponsored by:

Senator A.R.Bucco

SYNOPSIS

Provides US Armed Forces and Reserves members with protection against interference with their employment, trade or business.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S713 CRUZ-PEREZ

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1 AN ACT concerning interference with employment held by a
2 military service member and amending N.J.S.38A:14-4.

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

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7 1. N.J.S.38A:14-4 is amended to read as follows:

8 38A:14-4. Any person who, either by himself or with another,
9 willfully deprives a member of the organized militia, or the United
10 States Armed Forces or a Reserve component thereof, of his
11 employment or prevents his being employed by himself or another,
12 or obstructs or annoys such member in his employ in respect to his
13 trade, business or employment because he is a member of the
14 organized militia, or the United States Armed Forces or a Reserve
15 component thereof, or is performing or about to perform some duty
16 in connection therewith or dissuades any person from enlistment
17 therein by threat or injury to him in respect to his business,
18 employment or trade, in case he shall enlist, shall be guilty of a
19 **[misdemeanor]** crime of the fourth degree and subject to the
20 penalties therefor, except that the amount of a fine shall be a
21 mandatory minimum of \$2,500.

22 Any fines collected pursuant to this section shall be deposited in
23 the “NJ National Guard State Family Readiness Council Fund,”
24 established pursuant to section 1 of P.L.2011, c.117 (C.54A:9-
25 25.29).

26 (cf: N.J.S.38A:14-4)

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28 2. This act shall take effect immediately.

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STATEMENT

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33 Under current law, any person who willfully deprives, prevents
34 or obstructs a member of the organized militia in his employment
35 because he is a member of the organized militia, or is performing or
36 about to perform his duty or dissuades a person from enlistment by
37 threatening or harming his employment, is guilty of a misdemeanor.
38 This bill adds members of the United States Armed Forces and the
39 Reserves to those protected by the statute. Under the bill, this act
40 will provide employment protection for military personnel.

41 This bill replaces the term misdemeanor with the current
42 equivalent designation of a crime of the fourth degree. The bill also
43 adds a mandatory minimum fine of \$2,500 for a violation of the
44 statute. Any fines collected will be deposited in the “NJ National
45 Guard State Family Readiness Council Fund.”

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.