Sponsored by:
Senator NILSA CRUZ-PEREZ
District 5 (Camden and Gloucester)

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

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

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

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

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

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

2. This act shall take effect immediately.

STATEMENT

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

This bill replaces the term misdemeanor with the current equivalent designation of a crime of the fourth degree. The bill also adds a mandatory minimum fine of $2,500 for a violation of the statute. Any fines collected will be deposited in the “NJ National 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.