

ASSEMBLY, No. 1502

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)
Assemblyman ADAM J. TALIAFERRO
District 3 (Cumberland, Gloucester and Salem)
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District 20 (Union)

SYNOPSIS

Establishes “Court Security Enhancement Fund” and increases court fees, fines and penalties.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing the “Court Security Enhancement Fund,”
2 increasing court fees, and amending and supplementing various
3 parts of the statutory law.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. (New section) The Legislature finds and declares that open
9 access to secure safe courts is necessary for the orderly functioning
10 of our society and promotes public confidence in the stability of
11 government. New Jersey’s municipal courtrooms and county
12 courthouses are some of the most frequently visited public buildings
13 in the State. Recent incidents of violence in federal and state courts
14 across the country have highlighted the need for improved security
15 at court facilities. Breaches of court security and violence towards
16 judges, attorneys, jurors, witnesses, court personnel and other
17 participants in the judicial process have resulted in serious injuries
18 or death in other states.

19 Despite laudable efforts, county and municipal governments do
20 not have sufficient financial resources to provide adequate security
21 for court facilities without imposing additional property tax burdens
22 on their citizens. A continuous source of funding is needed to assist
23 counties and municipalities in providing and maintaining safe and
24 secure court facilities. Therefore, it is entirely appropriate for those
25 citizens who use the courts to share in the cost of developing and
26 maintaining safe and secure court facilities.
27

28 2. (New section) As used in this act:

29 “Court facility” means a municipal courtroom and related court
30 offices that may be part of a municipal government complex; or a
31 courthouse, court annex, or court complex or other office or
32 structure owned or leased by a county necessary for the functioning
33 of the Superior Court, including the Probation Division of the
34 Superior Court. Court facility shall not include “judicial facility
35 costs,” pursuant to Article VI, Section VIII of the Constitution of
36 the State of New Jersey.

37 “Court security standards” means the court security standards
38 promulgated by the Administrative Director of the Courts for the
39 Superior Court and the municipal courts of this State.

40 “Facility” means a physical structure as well as the grounds
41 adjacent to the structure.

42 “Local government” means county and municipal government in
43 this State.

44 “Security equipment” includes electronic or mechanical
45 equipment used to detect or diminish a security threat and may

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.

1 include, but is not limited to: weapons screening technologies,
2 duress and intrusion alarms, ballistic shielding, “line of sight”
3 safeguards, interior and exterior controlled lighting, video
4 monitoring systems, card access systems, and emergency power
5 systems.

6
7 3. (New section) a. There is established in the General Fund a
8 separate, non-lapsing, dedicated account to be known as the “Court
9 Security Enhancement Fund.” Each fiscal year, the State Treasurer
10 shall deposit all revenues derived from the increase in fees,
11 assessments, and penalties authorized pursuant to P.L. ,
12 c. (C.) (pending before the Legislature as this bill) under
13 R.S.39:5-41, subsection b. of section 14 of P.L.1991, c.261
14 (C.2C:25-30), N.J.S.22A:2-1, N.J.S.22A:2-6, N.J.S.22A:2-12,
15 N.J.S.22A:2-13, section 14 of P.L.1991, c.177 (C.22A:2-37.1),
16 section 2 of P.L.1993, c.188 (C.52:27D-43.24a), and sections 12
17 and 13 of P.L. , c. (C.) (pending before the Legislature
18 as this bill) to the “Court Security Enhancement Fund.” Moneys in
19 the fund, including any interest accruing thereon, shall be used for
20 the additional costs incurred in supplementing local government
21 funding to enhance court security. The State Treasurer shall
22 administer the fund and disburse money from the fund to local
23 government for improvements to court security as recommended by
24 the Administrative Director of the Courts.

25 b. Until such time that the Administrative Director of the
26 Courts determines that all local government units have achieved the
27 court security standards, local governing bodies may apply to the
28 Administrative Director of the Courts on an annual basis for grants
29 from the “Court Security Enhancement Fund” to supplement local
30 government funding for the procurement of security equipment and
31 security-related structural modifications necessary to achieve the
32 court security standards. Subject to the availability of money in the
33 fund, the State Treasurer shall disburse money from the fund to
34 supplement local government funding to enhance court security as
35 recommended by the Administrative Director of the Courts. Court
36 security grants awarded pursuant to this section shall be used only
37 for the procurement of security equipment or structural
38 modifications initiated after the effective date of this act. The
39 Administrative Director of the Courts shall issue guidelines
40 prescribing the procedures to be followed when applying for grants
41 as well as the criteria to be used to evaluate grant applications and
42 for administering the fund, generally. When awarding grants to
43 municipalities that apply for court security funding, the
44 Administrative Director of the Courts shall give preference to those
45 municipalities that have entered into agreements to share or merge
46 municipal court services.

47 c. At such time that the Administrative Director of the Courts
48 determines that all local government units have achieved the court

1 security standards, monies in the fund shall be distributed to local
2 government based on a formula developed by the Administrative
3 Director of the Courts. If court security standards are maintained,
4 monies distributed under this section shall be used to offset local
5 funding for the enhancement and maintenance of security at court
6 facilities including, but not limited to: salaries of armed security
7 officers, salaries of technicians to operate court security equipment,
8 training for local officials and personnel on issues of court security;
9 the development and coordination of emergency and disaster
10 response protocols related to the operation of the court, and other
11 security items as approved by the Administrative Director of the
12 Courts. Notwithstanding the distribution of funds by formula as
13 provided in this section, the Administrative Director of the Courts
14 may reserve a sum equal to no more than 25 percent of the monies
15 deposited in the fund annually for the emergent purchase or
16 replacement of court security equipment to local government units
17 that demonstrate a critical need.

18 d. The Administrative Office of the Courts shall monitor the
19 use of the funds distributed in accordance with this act and local
20 government shall cooperate in such monitoring efforts. The
21 Administrative Director of the Courts may seek reimbursement of
22 funds that are not expended for the purposes of court security and
23 may recommend that the State Treasurer deny future funding to a
24 local government unit.

25 e. Subject to the approval of the Administrative Director of the
26 Courts, a sum equal to no more than five percent of the monies
27 deposited in the fund annually may be used to defray the costs of
28 administering the grant program, developing and maintaining a
29 statewide security incident reporting system, providing technical
30 assistance to local officials with regard to court security, providing
31 for security at court facilities not owned or leased by local
32 government, and other statewide court security initiatives.

33

34 4. R.S.39:5-41 is amended to read as follows:

35 39:5-41. a. All fines, penalties and forfeitures imposed and
36 collected under authority of law for any violations of R.S.39:4-63
37 and R.S.39:4-64 shall be forwarded by the judge to whom the same
38 have been paid to the proper financial officer of a county, if the
39 violation occurred within the jurisdiction of that county's central
40 municipal court, established pursuant to N.J.S.2B:12-1 et seq. or the
41 municipality wherein the violation occurred, to be used by the
42 county or municipality to help finance litter control activities in
43 addition to or supplementing existing litter pickup and removal
44 activities in the municipality.

45 b. Except as otherwise provided by subsection a. of this
46 section, all fines, penalties and forfeitures imposed and collected
47 under authority of law for any violations of the provisions of this
48 Title, other than those violations in which the complaining witness

1 is the chief administrator, a member of his staff, a member of the
2 State Police, a member of a county police department and force, a
3 county park police system, or a sheriff's office in a county that has
4 established a central municipal court, an inspector of the Board of
5 Public Utilities, or a law enforcement officer of any other State
6 agency, shall be forwarded by the judge to whom the same have
7 been paid as follows: one-half of the total amount collected to the
8 financial officer, as designated by the local governing body, of the
9 respective municipalities wherein the violations occurred, to be
10 used by the municipality for general municipal use and to defray the
11 cost of operating the municipal court; and one-half of the total
12 amount collected to the proper financial officer of the county
13 wherein they were collected, to be used by the county as a fund for
14 the construction, reconstruction, maintenance and repair of roads
15 and bridges, snow removal, the acquisition and purchase of rights-
16 of-way, and the purchase, replacement and repair of equipment for
17 use on said roads and bridges therein. Up to 25% of the money
18 received by a municipality pursuant to this subsection, but not more
19 than the actual amount budgeted for the municipal court, whichever
20 is less, may be used to upgrade case processing.

21 All fines, penalties and forfeitures imposed and collected under
22 authority of law for any violations of the provisions of this Title, in
23 which the complaining witness is a member of a county police
24 department and force, a county park police system, or a county
25 sheriff's office in a county that has established a central municipal
26 court, shall be forwarded by the judge to whom the same have been
27 paid to the financial officer, designated by the governing body of
28 the county, for all violations occurring within the jurisdiction of that
29 court, to be used for general county use and to defray the cost of
30 operating the central municipal court.

31 Whenever any county has deposited moneys collected pursuant
32 to this section in a special trust fund in lieu of expending the same
33 for the purposes authorized by this section, it may withdraw from
34 said special trust fund in any year an amount which is not in excess
35 of the amount expended by the county over the immediately
36 preceding three-year period from general county revenues for said
37 purposes. Such moneys withdrawn from the trust fund shall be
38 accounted for and used as are other general county revenues.

39 c. (Deleted by amendment, P.L.1993, c.293.)

40 d. Notwithstanding the provisions of subsections a. and b. of
41 this section, \$1 shall be added to the amount of each fine and
42 penalty imposed and collected through a court under authority of
43 any law for any violation of the provisions of Title 39 of the
44 Revised Statutes or any other motor vehicle or traffic violation in
45 this State and shall be forwarded by the person to whom the same
46 are paid to the State Treasurer. In addition, upon the forfeiture of
47 bail, \$1 of that forfeiture shall be forwarded to the State Treasurer.
48 The State Treasurer shall annually deposit those moneys so

1 forwarded in the "Body Armor Replacement" fund established
2 pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4). Beginning
3 in the fiscal year next following the effective date of this act, the
4 State Treasurer annually shall allocate from those moneys so
5 forwarded an amount not to exceed \$400,000 to the Department of
6 the Treasury to be expended exclusively for the purposes of funding
7 the operation of the "Law Enforcement Officer Crisis Intervention
8 Services" telephone hotline established and maintained under the
9 provisions of sections 115 and 116 of P.L.2008, c.29 (C.26:2NN-1
10 and C.26:2NN-2).

11 e. Notwithstanding the provisions of subsections a. and b. of
12 this section, \$1 shall be added to the amount of each fine and
13 penalty imposed and collected through a court under authority of
14 any law for any violation of the provisions of Title 39 of the
15 Revised Statutes or any other motor vehicle or traffic violation in
16 this State and shall be forwarded by the person to whom the same
17 are paid to the State Treasurer. The State Treasurer shall annually
18 deposit those moneys so forwarded in the "New Jersey Spinal Cord
19 Research Fund" established pursuant to section 9 of P.L.1999, c.201
20 (C.52:9E-9). In order to comply with the provisions of Article VIII,
21 Section II, paragraph 5 of the State Constitution, a municipal or
22 county agency which forwards moneys to the State Treasurer
23 pursuant to this subsection may retain an amount equal to 2% of the
24 moneys which it collects pursuant to this subsection as
25 compensation for its administrative costs associated with
26 implementing the provisions of this subsection.

27 f. Notwithstanding the provisions of subsections a. and b. of
28 this section, \$1 shall be added to the amount of each fine and
29 penalty imposed and collected through a court under authority of
30 any law for any violation of the provisions of Title 39 of the
31 Revised Statutes or any other motor vehicle or traffic violation in
32 this State and shall be forwarded by the person to whom the same
33 are paid to the State Treasurer. The State Treasurer shall annually
34 deposit those moneys so forwarded in the "Autism Medical
35 Research and Treatment Fund" established pursuant to section 1 of
36 P.L.2003, c.144 (C.30:6D-62.2).

37 g. Notwithstanding the provisions of subsections a. and b. of
38 this section, \$2 shall be added to the amount of each fine and
39 penalty imposed and collected by a court under authority of any law
40 for any violation of the provisions of Title 39 of the Revised
41 Statutes or any other motor vehicle or traffic violation in this State
42 and shall be forwarded by the person to whom the same are paid to
43 the State Treasurer. The State Treasurer shall annually deposit
44 those moneys so forwarded in the "New Jersey Forensic DNA
45 Laboratory Fund" established pursuant to section 7 of P.L.2003,
46 c.183 (C.53:1-20.28a). Prior to depositing the moneys into the
47 fund, the State Treasurer shall forward to the Administrative Office
48 of the Courts an amount not to exceed \$475,000 from moneys

1 initially collected pursuant to this subsection to be used exclusively
2 to establish a collection mechanism and to provide funding to
3 update the Automated Traffic System Fund created pursuant to
4 N.J.S.2B:12-30 to implement the provisions of this subsection.

5 h. Notwithstanding the provisions of subsections a. and b. of
6 this section, \$1 shall be added to the amount of each fine and
7 penalty imposed and collected under authority of any law for any
8 violation of the provisions of Title 39 of the Revised Statutes or any
9 other motor vehicle or traffic violation in this State and shall be
10 forwarded by the person to whom the same are paid to the State
11 Treasurer. The State Treasurer shall annually deposit those moneys
12 so forwarded in the "New Jersey Brain Injury Research Fund"
13 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).
14 The Administrative Office of the Courts may retain an amount
15 equal to \$475,000 from the moneys which it initially collects
16 pursuant to this subsection, prior to depositing any moneys in the
17 "New Jersey Brain Injury Research Fund," in order to meet the
18 expenses associated with utilizing the Automated Traffic System
19 Fund created pursuant to N.J.S.2B:12-30 to implement the
20 provisions of this subsection and serve other statutory purposes.

21 i. Notwithstanding the provisions of subsections a. and b. of
22 this section, all fines and penalties imposed and collected under
23 authority of law for any violation related to the unlawful operation
24 or the sale of a vehicle under section 1 of P.L.1955, c.53 (C.39:3-
25 17.1) shall be forwarded by the judge to whom the same have been
26 paid to the State Treasurer, if the complaining witness is the chief
27 administrator, a member of his staff, a member of the State Police,
28 an inspector of the Board of Public Utilities, or a law enforcement
29 officer or other official of any other State agency; or, if the
30 complaining witness is not one of the foregoing, one-half to the
31 chief financial officer of the county and one-half to the chief
32 financial officer of the municipality wherein the violation occurred.

33 j. Notwithstanding the provisions of subsections a. and b. of
34 this section, \$3 shall be added to the amount of each fine and
35 penalty imposed and collected by a court under authority of any law
36 for any violation of the provisions of Title 39 of the Revised
37 Statutes or any other motor vehicle or traffic violation and
38 forwarded to the State Treasurer. The State Treasurer shall
39 annually deposit those moneys so forwarded in the "Court Security
40 Enhancement Fund" established pursuant to subsection a. of section
41 3 of P.L. _____, c. (C. _____) (pending before the Legislature as this
42 bill).

43 (cf: P.L.2015, c.103, s.2)

44
45 5. Section 14 of P.L.1991, c.261 (C.2C:25-30) is amended to
46 read as follows:

47 14. a. Except as provided below, a violation by the defendant of
48 an order issued pursuant to this act shall constitute an offense under

1 subsection b. of N.J.S.2C:29-9 and each order shall so state. All
2 contempt proceedings conducted pursuant to N.J.S.2C:29-9
3 involving domestic violence orders, other than those constituting
4 indictable offenses, shall be heard by the Family Part of the
5 Chancery Division of the Superior Court. All contempt proceedings
6 brought pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.) shall be
7 subject to any rules or guidelines established by the Supreme Court
8 to guarantee the prompt disposition of criminal matters.
9 Additionally, and notwithstanding the term of imprisonment
10 provided in N.J.S.2C:43-8, any person convicted of a second or
11 subsequent nonindictable domestic violence contempt offense shall
12 serve a minimum term of not less than 30 days. Orders entered
13 pursuant to paragraphs (3), (4), (5), (8) and (9) of subsection b. of
14 section 13 of this act shall be excluded from enforcement under
15 subsection b. of N.J.S.2C:29-9; however, violations of these orders
16 may be enforced in a civil or criminal action initiated by the
17 plaintiff or by the court, on its own motion, pursuant to applicable
18 court rules.

19 b. A defendant who is found guilty of contempt pursuant to
20 subsection a. of this section shall be assessed a civil penalty of \$25,
21 which shall be forwarded to the State Treasurer for deposit in a
22 separate account, to be known as the "Court Security Enhancement
23 Fund," created pursuant to subsection a. of section 3 of P.L. _____,
24 c. (C. _____) (pending before the Legislature as this bill).
25 (cf: P.L.1994, c.94, s.6)
26

27 6. N.J.S.22A:2-1 is amended to read as follows:

28 22A:2-1. For services hereinafter mentioned, the Clerk of the
29 Supreme Court shall be entitled to demand and receive the
30 following fees:

31 Upon the filing or entering of the notice of appeal, notice of
32 cross-appeal or notice of petition for certification, notice of cross-
33 petition for certification or notice of petition for review, the
34 appellant, cross-appellant, petitioner or cross-petitioner shall pay
35 **[\$200.00] \$205.**

36 Upon the filing of the first paper in any motion, petition or
37 application (including an order if it be the first paper), if not in a
38 pending cause or if made after judgment entered, the moving party
39 shall pay \$30.00 shall cover all fees payable on such motion,
40 petition or application down to and including filing and entering the
41 order therein and taxation of costs.

42 (cf: P.L.2002, c.34, s.25)
43

44 7. N.J.S.22A:2-6 is amended to read as follows:

45 22A:2-6. Upon the filing or entering of the first paper or
46 proceeding in any action or proceeding in the Law Division of the
47 Superior Court, the plaintiff shall pay to the clerk **[\$200.00] \$205**
48 for the first paper filed by him, which shall cover all fees payable

1 therein down to, and including entry of final judgment, taxation of
2 costs, copy of costs and the issuance and recording of final process,
3 except such as may be otherwise provided herein, or provided by
4 law, or the rules of court. Any person filing an answer setting forth
5 a counterclaim or a third party claim in such cause shall pay to the
6 clerk **["\$200.00"]** \$205 for the first paper filed by him. Any person
7 other than the plaintiff filing any other paper in any such cause shall
8 pay to the clerk **["\$135.00"]** \$140 for the first paper filed by him.

9 Any person filing a motion in any action or proceeding shall pay
10 to the clerk \$30.00.

11 (cf: P.L.2002, c.34, s.26)

12
13 8. N.J.S.22A:2-12 is amended to read as follows:

14 22A:2-12. Payment of fees in Chancery Division of Superior
15 Court upon filing of first paper. Upon the filing of the first paper in
16 any action or proceeding in the Chancery Division of the Superior
17 Court, there shall be paid to the clerk of the court, for the use of the
18 State, the following fees, which, except as hereinafter provided,
19 shall constitute the entire fees to be collected by the clerk for the
20 use of the State, down to the final disposition of the cause:

21 Receivership and partition, **["\$200.00"]** \$205.

22 All other actions and proceedings except in probate cases and
23 actions and proceedings for divorce or dissolution of a civil union,
24 **["\$200.00"]** \$205.

25 Actions and proceedings for divorce or dissolution of a civil
26 union, **["\$250.00"]** \$255, \$25.00 of which shall be forwarded by the
27 Clerk of the Superior Court as provided in section 2 of P.L.1993,
28 c.188 (C.52:27D-43.24a).

29 Any person filing a motion in any action or proceeding shall pay
30 to the clerk \$30.00.

31 (cf: P.L.2006, c.103, s.85)

32
33 9. Section 2 of P.L.1993, c.188 (C.52:27D-43.24a) is amended
34 to read as follows:

35 2. Forwarding of filing fee. The Clerk of the Superior Court
36 shall forward \$25.00 of the **["\$250.00"]** \$255 filing fee for a divorce
37 or a dissolution of a civil union provided for in N.J.S.22A:2-12 on a
38 quarterly basis to the Department of Community Affairs.

39 (cf: P.L.2006, c.103, s.86)

40
41 10. N.J.S.22A:2-13 is amended to read as follows:

42 22A:2-13. Each person other than the plaintiff filing an
43 answering pleading or other answering paper in the Chancery
44 Division of the Superior Court shall at the time of filing the first
45 paper, pay to the clerk the sum of **["\$135.00"]** \$140; which shall
46 cover all fees payable therein except such as may be otherwise
47 provided herein or by law or the rules of court.

48 (cf: P.L.2002, c.34, s.30)

1 Each additional defendant \$2.00
2 plus mileage
3 Substituted service of process by the clerk upon
4 the Chief Administrator of the
5 New Jersey Motor Vehicle Commission \$10.00
6 (6) Mileage of court officer in serving or executing any process,
7 writ, order, execution, notice, or warrant, the distance to be
8 computed by counting the number of miles in and out, by the most
9 direct route from the place where process is issued, at the same rate
10 per mile set by the State for other State employees and the total
11 mileage fee rounded upward to the nearest dollar
12 (7) Jury of six persons \$50.00
13 (8) Warrant for possession in tenancy \$15.00
14 (9) Warrant to arrest, commitment
15 or writ of capias ad respondendum, each defendant \$15.00
16 (10) Writ of execution or an order in
17 the nature of execution, writs of replevin and
18 attachment issued subsequent to summons \$5.00
19 (11) For advertising property under execution
20 or any order \$10.00
21 (12) For selling property under
22 execution or any order \$10.00
23 (13) Exemplified copy of judgment
24 (two pages) \$5.00
25 each additional page \$1.00
26 b. (Deleted by amendment, P.L.2002, c.34).
27 c. (Deleted by amendment, P.L.2002, c.34).
28 d. (Deleted by amendment, P.L.2009, c.32).
29 (cf: P.L.2009, c.32, s.1)
30
31 12. (New section) Revenue derived from the increase in fees
32 provided by operation of N.J.S.22A:2-5 and section 2 of P.L.1993,
33 c.74 (C.22A:5-1), shall be deposited in the "Court Security
34 Enhancement Fund" established pursuant to subsection a. of section
35 3 of P.L. , c. (C.) (pending before the Legislature as this
36 bill).
37
38 13. (New section) a. (1) In addition to any other fine, fee or
39 assessment imposed, any person convicted of a crime, disorderly or
40 petty disorderly persons offense, or any juvenile adjudicated
41 delinquent for an offense, which if committed by an adult would
42 constitute a crime, disorderly or petty disorderly persons offense,
43 shall be assessed a penalty of \$25 for each conviction.
44 (2) In addition to any term or condition that may be included in
45 an agreement for supervisory treatment pursuant to N.J.S.2C:43-12
46 et seq., or imposed as a term or condition of conditional discharge
47 pursuant to section 3 of P.L.1987, c.106 (C.2C:36A-1), a participant
48 in either program shall be required to pay an assessment fee of \$25.

1 b. All assessments provided for in this section shall be
2 collected as provided for collection of fines and restitutions in
3 section 3 of P.L.1979, c.396 (C.2C:46-4) and shall be forwarded to
4 the State Treasurer to be deposited into the “Court Security
5 Enhancement Fund” created pursuant to subsection a. of section 3
6 of P.L. _____, c. (C. _____) (pending before the Legislature as this
7 bill).

8
9 14. Section 3 of P.L.1979, c.396 (C.2C:46-4) is amended to read
10 as follows:

11 3. a. All fines, assessments imposed pursuant to section 2 of
12 P.L.1979, c.396 (C.2C:43-3.1), all penalties imposed pursuant to
13 section 1 of P.L.1999, c.295 (C.2C:43-3.5), all penalties imposed
14 pursuant to section 11 of P.L.2001, c.81 (C.2C:43-3.6), all penalties
15 imposed pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10), all
16 penalties imposed pursuant to section 1 of P.L.2009, c.143
17 (C.2C:43-3.8), all penalties imposed pursuant to section 7 of
18 P.L.2013, c.214 (C.30:4-123.97), all penalties imposed pursuant to
19 section 13 of P.L. _____, c. (C. _____) (pending before the Legislature
20 as this bill), and restitution shall be collected as follows:

21 (1) All fines, assessments imposed pursuant to section 2 of
22 P.L.1979, c.396 (C.2C:43-3.1), all penalties imposed pursuant to
23 section 1 of P.L.1999, c.295 (C.2C:43-3.5), all penalties imposed
24 pursuant to section 11 of P.L.2001, c.81 (C.2C:43-3.6), all penalties
25 imposed pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10), all
26 penalties imposed pursuant to section 1 of P.L.2009, c.143
27 (C.2C:43-3.8), all penalties imposed pursuant to section 7 of
28 P.L.2013, c.214 (C.30:4-123.97), all penalties imposed pursuant to
29 section 13 of P.L. _____, c. (C. _____) (pending before the Legislature
30 as this bill), and restitution imposed by the Superior Court or
31 otherwise imposed at the county level, shall be collected by the
32 county probation division except when such fine, assessment or
33 restitution is imposed in conjunction with a custodial sentence to a
34 State correctional facility or in conjunction with a term of
35 incarceration imposed pursuant to section 25 of P.L.1982, c.77
36 (C.2A:4A-44) in which event such fine, assessment or restitution
37 shall be collected by the Department of Corrections or the Juvenile
38 Justice Commission established pursuant to section 2 of P.L.1995,
39 c.284 (C.52:17B-170). An adult prisoner of a State correctional
40 institution or a juvenile serving a term of incarceration imposed
41 pursuant to section 25 of P.L.1982, c.77 (C.2A:4A-44) who has not
42 paid an assessment imposed pursuant to section 2 of P.L.1979,
43 c.396 (C.2C:43-3.1), a penalty imposed pursuant to section 1 of
44 P.L.1999, c.295 (C.2C:43-3.5), a penalty imposed pursuant to
45 section 1 of P.L.2005, c.73 (C.2C:14-10), a penalty imposed
46 pursuant to section 1 of P.L.2009, c.143 (C.2C:43-3.8), a penalty
47 imposed pursuant to section 7 of P.L.2013, c.214 (C.30:4-123.97), a
48 penalty imposed pursuant to section 13 of P.L. _____, c. (C. _____)

1 (pending before the Legislature as this bill), or restitution shall have
2 the assessment, penalty, fine or restitution deducted from any
3 income the inmate receives as a result of labor performed at the
4 institution or on any type of work release program or, pursuant to
5 regulations promulgated by the Commissioner of the Department of
6 Corrections or the Juvenile Justice Commission, from any personal
7 account established in the institution for the benefit of the inmate.

8 (a) A payment of restitution collected by the Department of
9 Corrections pursuant to this paragraph shall be maintained by the
10 department for two years during which the department shall attempt
11 to locate the victim to whom the restitution is owed. If the
12 department has not located the victim and the victim has not come
13 forward to claim the payment within this two-year period, the
14 payment shall be transferred to the Victims of Crime Compensation
15 Office Account to be used in satisfying claims pursuant to the
16 provisions of the "Criminal Injuries Compensation Act of 1971,"
17 P.L.1971, c.317 (C.52:4B-1 et seq.).

18 (b) If the Department of Corrections has transferred a payment
19 of restitution to the Victims of Crime Compensation Office
20 pursuant to subparagraph (a) of this paragraph, the department shall
21 provide the office with the order for restitution and any other
22 information regarding the identity of the victim to whom the
23 payment is owed. The office shall be responsible for maintaining
24 this information and for distributing payments of restitution to
25 victims who can prove they are owed the payments.

26 (2) All fines, assessments imposed pursuant to section 2 of
27 P.L.1979, c.396 (C.2C:43-3.1), any penalty imposed pursuant to
28 section 1 of P.L.1999, c.295 (C.2C:43-3.5) and restitution imposed
29 by a municipal court shall be collected by the municipal court
30 administrator except if such fine, assessments imposed pursuant to
31 section 2 of P.L.1979, c.396 (C.2C:43-3.1), or restitution is ordered
32 as a condition of probation in which event it shall be collected by
33 the county probation division.

34 b. Except as provided in subsection c. with respect to fines
35 imposed on appeals following convictions in municipal courts and
36 except as provided in subsection i. with respect to restitution
37 imposed under the provisions of P.L.1997, c.253 (C.2C:43-3.4 et
38 al.), all fines imposed by the Superior Court or otherwise imposed
39 at the county level, shall be paid over by the officer entitled to
40 collect same to:

41 (1) The county treasurer with respect to fines imposed on
42 defendants who are sentenced to and serve a custodial term,
43 including a term as a condition of probation, in the county jail,
44 workhouse or penitentiary except where such county sentence is
45 served concurrently with a sentence to a State institution; or

46 (2) The State Treasurer with respect to all other fines.

47 c. All fines imposed by municipal courts, except a central
48 municipal court established pursuant to N.J.S.2B:12-1 on

1 defendants convicted of crimes, disorderly persons offenses and
2 petty disorderly persons offenses, and all fines imposed following
3 conviction on appeal therefrom, and all forfeitures of bail shall be
4 paid over by the officer entitled to collect same to the treasury of
5 the municipality wherein the municipal court is located.

6 In the case of an intermunicipal court, fines shall be paid into the
7 municipal treasury of the municipality in which the offense was
8 committed, and costs, fees, and forfeitures of bail shall be
9 apportioned among the several municipalities to which the court's
10 jurisdiction extends according to the ratios of the municipalities'
11 contributions to the total expense of maintaining the court.

12 In the case of a central municipal court, established by a county
13 pursuant to N.J.S.2B:12-1, all costs, fines, fees and forfeitures of
14 bail shall be paid into the county treasury of the county where the
15 central municipal court is located.

16 d. All assessments imposed pursuant to section 2 of P.L.1979,
17 c.396 (C.2C:43-3.1) shall be forwarded and deposited as provided
18 in that section.

19 e. All mandatory Drug Enforcement and Demand Reduction
20 penalties imposed pursuant to N.J.S.2C:35-15 shall be forwarded
21 and deposited as provided for in that section.

22 f. All forensic laboratory fees assessed pursuant to
23 N.J.S.2C:35-20 shall be forwarded and deposited as provided for in
24 that section.

25 g. All restitution ordered to be paid to the Victims of Crime
26 Compensation Office pursuant to N.J.S.2C:44-2 shall be forwarded
27 to the office for deposit in the Victims of Crime Compensation
28 Office Account.

29 h. All assessments imposed pursuant to section 11 of P.L.1993,
30 c.220 (C.2C:43-3.2) shall be forwarded and deposited as provided
31 in that section.

32 i. All restitution imposed on defendants under the provisions
33 of P.L.1997, c.253 (C.2C:43-3.4 et al.) for costs incurred by a law
34 enforcement entity in extraditing the defendant from another
35 jurisdiction shall be paid over by the officer entitled to collect same
36 to the law enforcement entities which participated in the extradition
37 of the defendant.

38 j. All penalties imposed pursuant to section 1 of P.L.1999,
39 c.295 (C.2C:43-3.5) shall be forwarded and deposited as provided
40 in that section.

41 k. All penalties imposed pursuant to section 11 of P.L.2001,
42 c.81 (C.2C:43-3.6) shall be forwarded and deposited as provided in
43 that section.

44 l. All mandatory penalties imposed pursuant to section 1 of
45 P.L.2005, c.73 (C.2C:14-10) shall be forwarded and deposited as
46 provided in that section.

1 m. All mandatory Computer Crime Prevention penalties
2 imposed pursuant to section 1 of P.L.2009, c.143 (C.2C:43-3.8)
3 shall be forwarded and deposited as provided in that section.

4 n. All mandatory Sex Offender Supervision penalties imposed
5 pursuant to section 7 of P.L.2013, c.214 (C.30:4-123.97) shall be
6 forwarded and deposited as provided in that section.
7 (cf: P.L.2015, c.55, s.1).

8 o. All penalties imposed pursuant to section 13 of P.L. _____,
9 c. (C. _____) (pending before the Legislature as this bill) shall be
10 forwarded and deposited in the "Court Security Enhancement
11 Fund," as provided in that section.
12 (cf: P.L.2015, c.55, s.1)
13

14 15. Section 13 of P.L.1991, c.329 (C.2C:46-4.1) is amended to
15 read as follows:

16 13. Moneys that are collected in satisfaction of any assessment
17 imposed pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1), or
18 in satisfaction of restitution or fines imposed in accordance with the
19 provisions of Title 2C of the New Jersey Statutes or with the
20 provisions of section 24 of P.L.1982, c.77 (C.2A:4A-43), shall be
21 applied in the following order:

22 a. first, in satisfaction of all assessments imposed pursuant to
23 section 2 of P.L.1979, c.396 (C.2C:43-3.1);

24 b. second, except as provided in subsection f. of this section, in
25 satisfaction of any restitution ordered;

26 c. third, in satisfaction of all assessments imposed pursuant to
27 section 11 of P.L.1993, c.220 (C.2C:43-3.2);

28 d. fourth, in satisfaction of any forensic laboratory fee assessed
29 pursuant to N.J.S.2C:35-20;

30 e. fifth, in satisfaction of any mandatory Drug Enforcement
31 and Demand Reduction penalty assessed pursuant to N.J.S.2C:35-
32 15;

33 f. sixth, in satisfaction of any anti-drug profiteering penalty
34 imposed pursuant to N.J.S.2C:35A-1 et seq.;

35 g. seventh, in satisfaction of any anti-money laundering
36 profiteering penalty imposed pursuant to section 9 of P.L.1999, c.25
37 (C.2C:21-27.2);

38 h. eighth, in satisfaction of restitution for any extradition costs
39 imposed pursuant to section 4 of P.L.1997, c.253 (C.2C:43-3.4);

40 i. ninth, in satisfaction of any penalty imposed pursuant to
41 section 1 of P.L.1999, c.295 (C.2C:43-3.5);

42 j. tenth, in satisfaction of any penalty imposed pursuant to
43 section 11 of P.L.2001, c.81 (C.2C:43-3.6);

44 k. eleventh, in satisfaction of the mandatory penalty imposed
45 pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10);

46 l. twelfth, in satisfaction of any mandatory Computer Crime
47 Prevention penalty assessed pursuant to section 1 of P.L.2009,
48 c.143 (C.2C:43-3.8);

1 m. thirteenth, in satisfaction of any mandatory Sex Offender
2 Supervision penalty assessed pursuant to section 7 of P.L.2013,
3 c.214 (C.30:4-123.97); **and**

4 n. fourteenth, in satisfaction of the mandatory penalty imposed
5 pursuant to section 13 of P.L. , c. (C.) (pending before the
6 Legislature as this bill); and

7 o. fifteenth, in satisfaction of any fine.
8 (cf: P.L.2013, c.214, s.6)

9
10 16. This act shall take effect on the first day of the fourth month
11 following enactment.

12 13 14 STATEMENT

15
16 This bill establishes the “Court Security Enhancement Fund,”
17 financed by increasing court fees, assessments and penalties, to
18 provide a continuous source of funding to assist counties and
19 municipalities in providing and maintaining safe and secure court
20 facilities to the citizens of this State. Moneys in the fund shall be
21 used for supplementing local government funding to enhance court
22 security. The bill specifically allocates the increase in court fees,
23 predominantly \$5, to the fund.

24 The State Treasurer will administer the fund and disburse money
25 from it to local government as recommended by the Administrative
26 Director of the Courts. Local governing bodies may apply to the
27 Administrative Director of the Courts on an annual basis for grants
28 from the fund to supplement local government funding for the
29 procurement of security equipment and security-related structural
30 modifications necessary to achieve the court security standards.
31 The bill requires the Administrative Director of the Courts to give
32 preference to those municipalities that have entered into agreements
33 to share or merge municipal court services when the administrative
34 director awards grants to municipalities that apply for court security
35 funding.

36 When the Administrative Director of the Courts determines that
37 all local government units have achieved the court security
38 standards, monies in the fund shall be distributed to local
39 government based on a formula developed by the Administrative
40 Director of the Courts. If court security standards are maintained,
41 monies distributed pursuant to this bill shall be used to offset local
42 funding for the enhancement and maintenance of security at court
43 facilities.