

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3766

STATE OF NEW JERSEY

DATED: FEBRUARY 21, 2019

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Assembly Committee Substitute for Assembly Bill No. 3766 (1R).

Under current law, a person who holds or has held any public office, position, or employment is required to forfeit all of the person's pension or retirement benefit upon conviction of certain enumerated crimes involving or touching such office, position or employment. This bill would additionally require such forfeiture if the person is convicted of sexual contact, lewdness, or sexual assault when the offense is related directly to the person's performance in, or circumstances flowing from, the specific public office or employment held by the person.

The bill would also require such forfeiture if the person is convicted of the crime of corruption of public resources in the first degree. The crime is of the first degree when a person knowingly uses or makes disposition of a public resource valued at \$500,000 or more for an unauthorized purpose, when that public resource is subject to an obligation to be used for a specified governmental function or public service.

"Public resource" is defined in current law as any funds or property provided by the government, including (1) money paid by the government; (2) transfer by the government of an asset of value for less than fair market price; (3) fees, loans, or other obligations normally required for a contract, that are paid, reduced, or waived by the government; (4) money loaned by the government to be repaid on a contingent basis; (5) money loaned by an entity based upon a guarantee provided by the government; (6) grants awarded by the government; and (7) credits applied by the government against repayment obligations.

Assembly Committee Substitute for Assembly Bill No. 3766 (1R) is identical to Senate Bill No. 2595 (1R) of 2018-2019.