

**ASSEMBLY, No. 925**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblywoman DIANNE C. GOVE**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman BRIAN E. RUMPF**

**District 9 (Atlantic, Burlington and Ocean)**

**SYNOPSIS**

Revises current law permitting paid leave of absence for municipal police officers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT requiring a resolution to authorize paid leave of absence  
2 for municipal police officers under certain circumstances and  
3 amending P.L.1973, c.270 and N.J.S.40A:5-5.  
4

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

8 1. Section 1 of P.L.1973, c.270 (C.40A:14-149.1) is amended  
9 to read as follows:

10 1. a. Notwithstanding any other law to the contrary, whenever  
11 any municipal police officer is charged under the law of this State,  
12 another state, or the United States, with an offense, **【said】** the  
13 police officer may be suspended from performing his duties, with  
14 pay, pursuant to subsection b. of this section, until the case against  
15 **【said】** the officer is disposed of at trial, until the complaint is  
16 dismissed, or until the prosecution is terminated **【**; provided,  
17 however, that**】.**

18 b. A municipal governing body shall determine whether to  
19 grant paid leave to a municipal police officer suspended from  
20 performing his duties, and shall grant that approval by resolution.  
21 If the municipal governing body does not approve paid leave for a  
22 municipal police officer suspended from performing his duties, that  
23 officer shall be suspended from performing his duties without pay.

24 A municipal governing body may approve an extension of paid  
25 leave for a municipal police officer suspended from performing his  
26 duties; however, that extension of pay shall not be effective unless  
27 approved in writing by the Director of the Division of Local  
28 Government Services in the Department of Community Affairs.

29 A resolution adopted pursuant to this subsection shall be a public  
30 record.

31 c. Notwithstanding the provisions of subsections a. and b. of  
32 this section, if a grand jury returns an indictment against **【said】** the  
33 officer, or **【said】** the officer is charged with an offense which is a  
34 high misdemeanor or which involves moral turpitude or dishonesty,  
35 **【said】** the officer may be suspended from his duties, without pay,  
36 until the case against **【him】** the officer is disposed of at trial, until  
37 the complaint is dismissed or until the prosecution is terminated.

38 (cf: P.L.1973, c.270, s.1)  
39

40 2. N.J.S.40A:5-5 is amended to read as follows:

41 40A:5-5. Each audit shall embrace the books, accounts and  
42 transactions of the local unit and every board, body, officer or  
43 commission supported and maintained wholly or in part by funds  
44 appropriated by the local unit, unless otherwise provided by statute

**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 or regulations of the board. Each audit shall cover a complete fiscal  
2 year and, in addition, shall include a verification of all cash and  
3 bank balances as of the date of the audit thereof and an audit of the  
4 accounts to such date. Each audit also shall list any paid leave of  
5 absence authorized by a municipal governing body pursuant to  
6 subsection b. of section 1 of P.L.1973, c.270 (C.40A:14-149.1).  
7 (cf: N.J.S.40A:5-5)

8  
9 3. This act shall take effect immediately.

10  
11  
12 STATEMENT

13  
14 Under current law, whenever any municipal police officer is  
15 charged under New Jersey law, a law of another state, or a federal  
16 law, with an offense, the police officer may be suspended from  
17 performing his or her duties, with pay, until the case against the  
18 police officer is disposed of at trial, until the complaint is  
19 dismissed, or until the prosecution is terminated. (If a grand jury  
20 returns an indictment against the officer, or the officer is charged  
21 with an offense which is a high misdemeanor or which involves  
22 moral turpitude or dishonesty, the officer may be suspended from  
23 his or her duties, without pay, until the case against the officer is  
24 disposed of at trial, until the complaint is dismissed or until the  
25 prosecution is terminated.)

26 This bill would require a municipal governing body to adopt a  
27 resolution to authorize a police officer suspended from his or her  
28 duties to receive his or her salary during that suspension from duty.  
29 The bill specifically provides that a municipal governing body shall  
30 determine whether to grant paid leave to a municipal police officer  
31 suspended from performing his duties, and shall grant that approval  
32 by resolution. If the municipal governing body does not approve  
33 paid leave for a municipal police officer suspended from  
34 performing his duties, that officer shall be suspended from  
35 performing his duties without pay. The bill also provides that the  
36 governing body, by resolution, may authorize an extension of that  
37 paid leave for the suspended police officer, only upon the written  
38 approval of the Director of the Division of Local Government  
39 Services in the Department of Community Affairs.

40 The provisions of this bill are intended to provide full disclosure  
41 of a municipal governing body's decision to provide paid leave to a  
42 municipal police officer suspended from the performance of his  
43 duties, and of any decision of that municipal governing body to  
44 extend that paid leave past the initial, governing body-approved,  
45 time period if that extension is approved in writing by the Director  
46 of the Division of Local Government Services in the Department of  
47 Community Affairs.