

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5322

with Assembly Floor Amendments
(Proposed by Assemblywoman MOSQUERA)

ADOPTED: JUNE 21, 2021

These floor amendments provide that if the court finds, pursuant to subsection c. of the bill, that the person was a victim of human trafficking, the court would enter an order vacating the conviction, finding of guilt, or adjudication of delinquency, and directing that all court records be revised accordingly. The requirement that the court order indicate that the disposition to be vacated due the determination that a factual or legal proposition has been established to negate the disposition is eliminated.

In addition, the floor amendments provide that notwithstanding any law to the contrary, once an order to vacate and expunge has been entered on a conviction, finding of guilt, or adjudication of delinquency for an offense in which the petitioner participated as a result of having been a victim of human trafficking pursuant to section 1 of P.L.2005, c.77 (C.2C:13-8) or as defined in paragraph (14) of 22 U.S.C. s.7102, the conviction, finding of guilt, or adjudication of delinquency would not be considered for any purpose except upon order of the court.