

§§1,3-5 -  
C.30:4-123.100 to  
30:4-123.103  
§§2,6-7 -  
C.2A:4A-44.2 to  
2A:4A-44.4  
§8 –  
C.30:4-123.55f  
§10 - Note

P.L. 2020, CHAPTER 111, *approved October 19, 2020*  
Senate, No. 2519 (*Fourth Reprint*)

1 AN ACT concerning public health emergency credits, amending  
2 N.J.S.2C:47-3, and <sup>3</sup>amending and<sup>3</sup> supplementing Title 30 of the  
3 Revised Statutes and P.L.1993, c.133 (C.2A:4A-44).  
4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7  
8 1. (New section) a. In addition to credits awarded pursuant to  
9 R.S.30:4-92; section 3 of P.L.2009, c.330 (C.30:4-92a); and  
10 R.S.30:4-140, whenever a public health emergency, pursuant to the  
11 "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et  
12 seq.), has been declared by the Governor and is in effect, the  
13 commissioner also shall award inmates public health emergency  
14 credits in accordance with this section if the public health  
15 emergency:  
16 (1) arises as a result of a communicable or infectious disease;  
17 and  
18 (2) results in <sup>2</sup>**[the modification of]** substantial modifications to  
19 department-wide<sup>2</sup> correctional facility operations.  
20 b. Except as provided in subsection <sup>1</sup>**[c.] d.**<sup>1</sup> of this section,  
21 public health emergency credits shall be awarded to any inmate in  
22 the custody of the <sup>1</sup>**[Department]** Commissioner<sup>1</sup> of Corrections  
23 who <sup>1</sup>;  
24 (1)<sup>1</sup> is serving a sentence or receiving jail credits applicable to  
25 the sentence <sup>1</sup>; and  
26 (2) is scheduled to be released from the custody of the  
27 Commissioner of Corrections within <sup>2</sup>**[twelve months]** 365 days<sup>2</sup> .  
28 c.<sup>1</sup> The <sup>1</sup>public health emergency<sup>1</sup> credits <sup>1</sup>awarded pursuant to  
29 this section<sup>1</sup> shall provide further remission from both the  
30 maximum and minimum term of the inmate's sentence <sup>2</sup>, including  
31 the statutory mandatory minimum term,<sup>2</sup> at the rate of <sup>1</sup>**[six]**

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCM committee amendments adopted July 22, 2020.

<sup>2</sup>Senate floor amendments adopted July 30, 2020.

<sup>3</sup>Senate SLP committee amendments adopted August 25, 2020.

<sup>4</sup>Assembly ABU committee amendments adopted September 21, 2020.

1 <sup>2</sup>~~four~~<sup>1</sup> months] 122 days<sup>2</sup> for each month, or portion thereof,  
2 served during the declared emergency. An inmate shall not be  
3 awarded public health emergency credits in excess of <sup>1</sup>~~12~~  
4 <sup>2</sup>~~eight~~<sup>1</sup> months] 244 days<sup>2</sup> of remission for any declared  
5 emergency.

6 <sup>1</sup>~~c.~~ d.<sup>1</sup> Public health emergency credits shall not be awarded  
7 to an inmate <sup>2</sup>serving a sentence in a State correctional facility for  
8 <sup>4</sup>.

9 (1) murder pursuant to N.J.S.2C:11-3;

10 (2) aggravated sexual assault pursuant to subsection a. of  
11 N.J.S.2C:14-2; or

12 (3)<sup>4</sup> any offense enumerated in N.J.S.2C:47-1 and<sup>2</sup> whose  
13 conduct was characterized by a pattern of repetitive, compulsive  
14 behavior <sup>2</sup>pursuant to N.J.S.2C:47-3<sup>2</sup> .

15 <sup>1</sup>~~d.~~ e.<sup>1</sup> Nothing in this section shall be deemed to limit <sup>1</sup>~~or~~  
16 ~~affect~~<sup>1</sup> an inmate's eligibility for parole consideration as provided  
17 for in section 10 of P.L.1948, c.84 (C.30:4-123.1 et seq.).

18 <sup>1</sup>f. An inmate who was in the custody of the Commissioner of  
19 Corrections during the Public Health Emergency and State of  
20 Emergency declared by the Governor in Executive Order 103 of  
21 2020 concerning the coronavirus disease 2019 pandemic shall  
22 receive public health emergency credits in accordance with this  
23 section.

24 g. <sup>3</sup>~~Except as provided in subsection h. of this section, an~~  
25 An<sup>3</sup> inmate scheduled to be released from the custody of the  
26 Commissioner of Corrections following an award of public health  
27 emergency credits pursuant to this section shall be released on the  
28 scheduled release date based on the award of public health  
29 emergency credits.

30 h. An inmate who is <sup>3</sup>~~scheduled to be released on or within~~  
31 five days following the effective date of P.L. , c. (C. )  
32 (pending before the Legislature as this bill) shall be released either  
33 on the date of the entry of an order entered pursuant to section <sup>2</sup>~~6~~  
34 <sup>5</sup> of P.L. , c. (C. ) (pending before the Legislature as this  
35 bill), or the date <sup>2</sup>~~the prosecutor notifies~~<sup>2</sup> the court <sup>2</sup>~~determines~~<sup>2</sup>  
36 that no order shall be entered <sup>2</sup>~~pursuant to subsection b. of section~~  
37 5 of P.L. , c. (C. ) (pending before the Legislature as this  
38 bill)] because there is no identifiable victim of the crime for which  
39 the inmate is serving a sentence<sup>2</sup> , whichever occurs sooner;  
40 however, under no circumstances shall the inmate be released later  
41 than five days following the effective date] released from custody  
42 following an award of public health emergency credits pursuant to  
43 this section shall be prohibited from making contact with any victim  
44 of the crime for which the inmate was serving a sentence, as set  
45 forth in section <sup>5</sup> of P.L. , c. (C. ) (pending before the  
46 Legislature as this bill) <sup>3</sup>, which prohibition shall remain in force

1 until the time that the inmate was scheduled to be released from  
2 custody prior to the award of public health emergency credits<sup>3</sup>.

3 i. <sup>3</sup>**【The】** Prior to releasing an inmate from the custody of the  
4 commissioner following an award of public health emergency  
5 credits pursuant to section 1 of P.L. , c. (C. ) (pending  
6 before the Legislature as this bill), the<sup>3</sup> commissioner shall  
7 <sup>3</sup>**【provide a copy of any order entered】:**

8 (1) notify the inmate in writing of the prohibition against  
9 making contact with any victim of the crime for which the inmate  
10 was convicted<sup>3</sup> pursuant to section <sup>2</sup>**【6】** <sup>5</sup> of P.L. , c. (C. )  
11 (pending before the Legislature as this bill) <sup>3</sup>**【to the inmate prior to**  
12 the inmate's release from the custody of the commissioner】:

13 (2) notify the inmate in writing that a violation of the  
14 prohibition against contact with a victim is a crime of the fourth  
15 degree;

16 (3) require the inmate to acknowledge in writing the receipt of  
17 the written notifications related to the contact prohibition provided  
18 pursuant to this subsection.

19 j. In addition to the requirements set forth in subsection i. of  
20 this section and any other relevant provision under current law  
21 related to the provision of information and services to inmates, prior  
22 to releasing an inmate from the custody of the commissioner  
23 following an award of public health emergency credits pursuant to  
24 section 1 of P.L. , c. (C. ) (pending before the Legislature  
25 as this bill), the commissioner shall compile and disseminate to  
26 inmates information concerning organizations and programs,  
27 whether faith-based or secular programs, which provide assistance  
28 and services to inmates reentering society after a period of  
29 incarceration.

30 k. Within 30 days prior to an inmate's release from the custody  
31 of the commissioner following an award of public health emergency  
32 credits pursuant to section 1 of P.L. , c. (C. ) (pending before  
33 the Legislature as this bill), the commissioner shall provide any  
34 available information related to the inmate's:

35 (1) eligibility for Medicaid;

36 (2) housing information;

37 (3) identification information; and

38 (4) eligibility for any other benefits and services.

39 l. Subject to the availability of the testing resources of the  
40 Department of Corrections, an inmate shall be tested for COVID-19  
41 prior to the inmate's release from the custody of the commissioner  
42 following an award of public health emergency credits pursuant to  
43 section 1 of P.L. , c. (C. ) (pending before the Legislature  
44 as this bill) if the inmate is released during the Public Health  
45 Emergency and State of Emergency declared by the Governor in  
46 Executive Order 103 of 2020 concerning the coronavirus disease  
47 2019 pandemic<sup>3</sup>.<sup>1</sup>

1       <sup>2</sup>[3.] 2.<sup>2</sup> (New section) a. Except as provided in subsection b.  
 2 of this section, <sup>1</sup>[the procedures and standards for the award of  
 3 credits set forth in R.S.30:4-92; section 3 of P.L.2009, c.330  
 4 (C.30:4-92a);] the award of public health emergency credits  
 5 pursuant to<sup>1</sup> section 1 of P.L. , c. (C. ) (pending before the  
 6 Legislature as this bill) <sup>1</sup>]; and R.S.30:4-140]<sup>1</sup> shall apply to any  
 7 juvenile serving a sentence in a State correctional facility operated  
 8 by the Juvenile Justice Commission <sup>1</sup>who <sup>2</sup>due to the expiration of  
 9 the juvenile's term of commitment<sup>2</sup> is scheduled to be released from  
 10 custody within <sup>2</sup>[twelve months<sup>1</sup>] 365 days<sup>2</sup> .

11       b. Public health emergency credits shall not be awarded to any  
 12 juvenile <sup>2</sup>serving a sentence in a State correctional facility operated  
 13 by the Juvenile Justice Commission for <sup>4</sup>:

14       (1) murder pursuant to N.J.S.2C:11-3;

15       (2) aggravated sexual assault pursuant to subsection a. of  
 16 N.J.S.2C:14-2; or

17       (3)<sup>4</sup> any offense enumerated in N.J.S.2C:47-1 and<sup>2</sup> who is  
 18 deemed a repetitive, compulsive sex offender.

19       <sup>1</sup>c. A juvenile who was serving a sentence in a State  
 20 correctional facility operated by the Juvenile Justice Commission  
 21 during the Public Health Emergency and State of Emergency  
 22 declared by the Governor in Executive Order 103 of 2020  
 23 concerning the coronavirus disease 2019 pandemic shall receive  
 24 public health emergency credits in accordance with section 1 of  
 25 P.L. , c. (C. ) (pending before the Legislature as this bill).

26       d. <sup>3</sup>[Except as provided in subsection e. of this section, a] <sup>3</sup>A<sup>3</sup>  
 27 juvenile scheduled to be released from the custody of the Juvenile  
 28 Justice Commission following an award of public health emergency  
 29 credits <sup>3</sup>[pursuant to]<sup>3</sup> pursuant to section 1 of P.L. ,  
 30 c. (C. ) (pending before the Legislature as this bill) shall be  
 31 released on the scheduled release date based on the award of public  
 32 health emergency credits.

33       e. <sup>2</sup>(1) Notwithstanding the provisions of subsection d. of this  
 34 section <sup>3</sup>[and subject to the provisions of paragraph (2) of this  
 35 subsection]<sup>3</sup> , a juvenile scheduled to be released from the custody  
 36 of the Juvenile Justice Commission following an award of public  
 37 health emergency credits pursuant to section 1 of P.L. ,  
 38 c. (C. ) (pending before the Legislature as this bill) whose  
 39 scheduled release date is less than 45 days after the effective date of  
 40 P.L. , c. (C. ) (pending before the Legislature as this bill)  
 41 shall be released within 45 days after the effective date, in order to  
 42 allow the Juvenile Justice Commission to devise and implement a  
 43 release plan for the juvenile and arrange for services to be provided  
 44 to the juvenile upon release.

1       (2)<sup>2</sup> A juvenile who is <sup>3</sup>scheduled to be released <sup>2</sup>on or within  
2 five days following the effective date of P.L. , c. (C. )  
3 (pending before the Legislature as this bill)] in accordance with  
4 paragraph (1) of this subsection<sup>2</sup> shall be released either on the date  
5 of the entry of an order entered pursuant to section <sup>2</sup>[9] <sup>8</sup>2 of  
6 P.L. , c. (C. ) (pending before the Legislature as this bill),  
7 or the date <sup>2</sup>[the prosecutor notifies]<sup>2</sup> the court <sup>2</sup>determines<sup>2</sup> that  
8 no order shall be entered <sup>2</sup>[pursuant to subsection b. of section 8 of  
9 P.L. , c. (C. ) (pending before the Legislature as this bill)]  
10 because there is no identifiable victim of the crime for which the  
11 juvenile is serving a sentence<sup>2</sup>, whichever occurs sooner; however,  
12 under no circumstances shall the juvenile be released later than  
13 <sup>2</sup>[five] <sup>2</sup>fifty days following the effective date] released from  
14 custody following an award of public health emergency credits  
15 pursuant to this section shall be prohibited from making contact  
16 with a victim as set forth in section <sup>3</sup>5 of P.L. , c. (C. )  
17 (pending before the Legislature as this bill) <sup>3</sup>, which prohibition  
18 shall remain in force until the time that the juvenile was scheduled  
19 to be released prior to the award of public health emergency  
20 credits<sup>3</sup>.

21       f. <sup>3</sup>[The] Prior to releasing a juvenile from the custody of the  
22 Juvenile Justice Commission following an award of public health  
23 emergency credits pursuant to section 1 of P.L. , c. (C. )  
24 (pending before the Legislature as this bill), the<sup>3</sup> Executive Director  
25 of the Juvenile Justice Commission shall <sup>3</sup>[provide a copy of any  
26 order entered] :

27       (1) notify the juvenile in writing of the prohibition against  
28 making contact with any victim of the crime for which the juvenile  
29 was serving a sentence<sup>3</sup> pursuant to section <sup>2</sup>[9] <sup>3</sup>[8<sup>2</sup>] <sup>5</sup>3 of  
30 P.L. , c. (C. ) (pending before the Legislature as this bill)  
31 <sup>3</sup>[to the juvenile prior to the juvenile's release from the custody of  
32 the Juvenile Justice Commission] ;

33       (2) notify the juvenile that a violation of the prohibition against  
34 contact with the victim is a crime of the fourth degree; and

35       (3) require the juvenile to acknowledge in writing the receipt of  
36 the notifications provided pursuant to this subsection<sup>3</sup> .<sup>1</sup>

38       <sup>2</sup>[14.] <sup>3</sup>2 (New section) a. The Commissioner of Corrections  
39 shall immediately identify any inmate who is scheduled to be released  
40 from custody within <sup>2</sup>[12 months] <sup>2</sup>365 days as a result of the award  
41 of public health emergency credits pursuant to section 1 of P.L. , c.  
42 (C. ) (pending before the Legislature as this bill).

43       b. <sup>2</sup>[The] Notwithstanding any provision of law to the contrary,  
44 the<sup>2</sup> Commissioner of Corrections shall provide notice to the  
45 <sup>3</sup>[appropriate court and to the]<sup>3</sup> prosecutor of the county in which the

1 inmate was convicted or the Attorney General if the matter was  
 2 prosecuted by the Attorney General. The notice shall include:

3 (1) the name of any inmate who is scheduled to be released from  
 4 the custody of the Commissioner of Corrections within <sup>2</sup>**[12 months]**  
 5 365 days<sup>2</sup> as a result of the award of public health emergency credits;

6 (2) the date on which the inmate is scheduled to be released from  
 7 custody based on the award of public health emergency credits; and

8 (3) the date on which the inmate was scheduled to be released  
 9 from custody prior to the award of public health emergency credits.

10 c. The Commissioner of Corrections shall make available to the  
 11 public on the Internet website of the Department of Corrections, in  
 12 both English and Spanish, information concerning:

13 (1) the procedures for filing an application for a <sup>3</sup>**[final]**<sup>3</sup>  
 14 restraining order pursuant to the "Prevention of Domestic Violence  
 15 Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

16 (2) resources for victims of domestic violence; and

17 (3) procedures <sup>3</sup>established by the court<sup>3</sup> for filing a petition to  
 18 dissolve <sup>3</sup>**[an order entered pursuant to]** the prohibition established  
 19 pursuant<sup>3</sup> section <sup>2</sup>**[6]** <sup>5</sup><sup>2</sup> of P.L. , c. (C. ) (pending before the  
 20 Legislature as this bill) <sup>3</sup>prohibiting an inmate from making contact  
 21 with any victim of the crime for which the inmate is serving a  
 22 sentence<sup>3</sup> .<sup>1</sup>

23  
 24 <sup>2</sup>**[15.]** <sup>4</sup><sup>2</sup> (New section) a. Upon receipt of notice from the  
 25 Commissioner of Corrections that an inmate is scheduled to be  
 26 released from custody within <sup>2</sup>**[12 months]** 365 days<sup>2</sup> based on the  
 27 award of public health emergency credits pursuant to section 1 of  
 28 P.L. , c. (C. ) (pending before the Legislature as this bill), the  
 29 prosecutor or Attorney General <sup>2</sup>**[shall, not less than five days]** may,<sup>2</sup>  
 30 prior to the inmate's scheduled release date:

31 (1) use any reasonable means available to notify any identifiable  
 32 victim of the crime for which the inmate is incarcerated of the inmate's  
 33 scheduled release date;

34 (2) notify the identifiable victim that <sup>3</sup>**[an order will be entered**  
 35 prohibiting]<sup>3</sup> the law prohibits the inmate from having any contact  
 36 with the victim <sup>2</sup>**[unless the victim requests that an order not be**  
 37 entered]<sup>2</sup> <sup>3</sup>unless a petition is filed with the court to dissolve the  
 38 prohibition<sup>3</sup> ;

39 (3) notify the victim of the <sup>3</sup>**[date that the order <sup>2</sup>**[, if entered,]**<sup>2</sup>**  
 40 will expire]<sup>3</sup> duration of the prohibition against contact<sup>3</sup> ;

41 (4) notify the victim of the penalties imposed for the inmate's  
 42 violation of the <sup>3</sup>**[order]** prohibition against contact<sup>3</sup> ;

43 (5) provide information to the victim concerning the procedures  
 44 for filing a petition <sup>3</sup>with the court<sup>3</sup> to dissolve <sup>3</sup>**[an order prohibiting]**  
 45 the prohibition against<sup>3</sup> the inmate <sup>3</sup>**[from]**<sup>3</sup> having <sup>3</sup>**[any]**<sup>3</sup> contact  
 46 with the victim; and

(6) provide information to the victim concerning the procedures for filing an application for a <sup>3</sup>~~final~~<sup>3</sup> restraining order pursuant to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.), and resources for victims of domestic violence.

b. <sup>3</sup>~~The~~ prosecutor or Attorney General, as appropriate, shall immediately notify the court <sup>2</sup>~~and the Department of Corrections~~ whether:

(1) ~~of the identity of any identifiable victim who shall be the subject of~~<sup>2</sup> an order prohibiting the inmate from having any contact with the victim <sup>2</sup>~~shall be entered, based on the prosecutor's contact with the victim or the prosecutor's inability to contact the victim; or~~

(2) an order prohibiting the inmate from having any contact with the victim shall not be entered based on a request by the victim<sup>2</sup>.

c.<sup>3</sup> The Attorney General shall make available to the public on the Internet website of the Department of Law and Public Safety, in both English and Spanish, information concerning:

(1) the procedures for filing an application for a <sup>3</sup>~~final~~<sup>3</sup> restraining order pursuant to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

(2) resources for victims of domestic violence; and

(3) procedures for filing <sup>3</sup>with the court<sup>3</sup> a petition to dissolve <sup>3</sup>~~an order entered pursuant to~~ the prohibition established pursuant to<sup>3</sup> section <sup>2</sup>~~6~~<sup>5</sup> of P.L. , c. (C. ) (pending before the Legislature as this bill) <sup>3</sup>prohibiting an inmate or juvenile, as the case may be, from making contact with the victim<sup>3</sup>.<sup>1</sup>

<sup>2</sup>~~16.~~ <sup>3</sup>~~5.~~<sup>2</sup> (New section) a. <sup>2</sup>~~Upon~~ Notwithstanding the provisions of any law to the contrary, upon<sup>2</sup> receipt of notice from the Department of Corrections pursuant to section <sup>2</sup>~~4~~<sup>3</sup> of P.L. c. (C. ) (pending before the Legislature as this bill), and notice from the prosecutor pursuant to section <sup>2</sup>~~5~~<sup>4</sup> of P.L. c. (C. ) (pending before the Legislature as this bill), the court shall enter an order in accordance with this section.

b. The court shall enter an order prohibiting the inmate from having any contact with <sup>2</sup>~~an~~ any<sup>2</sup> identifiable victim <sup>2</sup>~~if~~:

(1) the prosecutor notifies the court that an identifiable victim does not oppose the entry of an order; or

(2) the prosecutor was unable to contact the identifiable victim<sup>2</sup>.

c. Any order entered pursuant to subsection b. of this section shall <sup>2</sup>:

(1)<sup>2</sup> expire on the date, as provided by the Commissioner of Corrections pursuant to section <sup>2</sup>~~4~~<sup>3</sup> of P.L. c. (C. ) (pending before the Legislature as this bill), that the inmate was scheduled to be released prior to the award of public health emergency credits <sup>2</sup>; and

1       (2) include information concerning the procedures for filing a  
2 petition to dissolve the order<sup>2</sup> .

3       d. The court shall provide a copy of any order entered pursuant  
4 to subsection b. of this section to the commissioner immediately  
5 upon entry of the order but no later than the date on which the  
6 inmate is scheduled to be released pursuant to section 1 of  
7 P.L. c. (C. ) (pending before the Legislature as this bill).

8       e. An inmate shall be guilty of a crime of the fourth degree if  
9 the inmate purposely or knowingly violates an order entered  
10 pursuant to subsection b. of this section.<sup>1</sup>]<sup>3</sup>

11  
12       <sup>3</sup>5. (New section) a. An inmate who is released from the  
13 custody of the Commissioner of Corrections or a juvenile who is  
14 released from the custody of the Juvenile Justice Commission  
15 following an award of public health emergency credits pursuant to  
16 section 1 of P.L. , c. (C. ) (pending before the Legislature  
17 as this bill), from the date of release until the date the inmate or  
18 juvenile, as the case may be, was scheduled to be released prior to  
19 the award of public health emergency credits, shall be prohibited  
20 from purposely or knowingly making contact with any victim of the  
21 crime for which the inmate or juvenile was serving a sentence.

22       For purposes of this subsection, making contact with a victim  
23 shall include contact made personally by the inmate or juvenile, as  
24 the case may be, or through an agent, and shall include but not be  
25 limited to: personal, written, electronic, or telephone contact or  
26 communication; or entering the residence, property, school, or place  
27 of employment of the victim.

28       b. A violation of subsection a. of this section shall be a crime  
29 of the fourth degree.

30       c. (1) A petition may be filed with the court to dissolve the  
31 prohibition established pursuant to the provisions this section  
32 prohibiting an inmate or juvenile, as the case may be, from making  
33 contact with the victim in accordance with procedures established  
34 by the court.

35       (2) The Director of the Administrative Director of the Courts  
36 shall provide the Department of Corrections, Juvenile Justice  
37 Commission, and Attorney General with information concerning the  
38 procedures established by the court for filing a petition to dissolve  
39 the prohibition established pursuant to this section prohibiting an  
40 inmate or juvenile, as the case may be, from making contact with  
41 any victim of the crime for which the inmate or juvenile was  
42 serving a sentence.<sup>3</sup>

43  
44       <sup>2</sup>[<sup>1</sup>7.] 6.<sup>2</sup> (New section) a. The Executive Director of the  
45 Juvenile Justice Commission shall immediately identify any juvenile  
46 who is scheduled to be released from the custody of the Juvenile  
47 Justice Commission within <sup>2</sup>[twelve months] 365 days<sup>2</sup> as a result of



1 the award of public health emergency credits pursuant to section 1 of  
2 P.L. , c. (C. ) (pending before the Legislature as this bill).

3 b. <sup>2</sup>**[The]** Notwithstanding any provisions of law to the contrary,  
4 the<sup>2</sup> Executive Director of the Juvenile Justice Commission shall  
5 provide notice to the <sup>3</sup>**[appropriate court and to the]**<sup>3</sup> prosecutor of the  
6 county in which the juvenile was adjudicated delinquent or the  
7 Attorney General if the matter was prosecuted by the Attorney  
8 General. The notice shall include:

9 (1) the name of any juvenile who <sup>2</sup>, due to the expiration of the  
10 juvenile's term of commitment,<sup>2</sup> is scheduled to be released from the  
11 custody of the Juvenile Justice Commission within <sup>2</sup>**[twelve months]**  
12 365 days<sup>2</sup> as a result of the award of public health emergency credits;

13 (2) the date on which the juvenile is scheduled to be released from  
14 custody based on the award of public health emergency credits; and

15 (3) the date on which the juvenile was scheduled to be released  
16 from custody prior to the award of public health emergency credits.

17 c. The Executive Director of the Juvenile Justice Commission  
18 shall make available to the public on the Internet website of the  
19 Juvenile Justice Commission, in both English and Spanish,  
20 information concerning:

21 (1) the procedures for filing an application for a <sup>3</sup>**[final]**<sup>3</sup>  
22 restraining order pursuant to the "Prevention of Domestic Violence  
23 Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

24 (2) resources for victims of domestic violence; and

25 (3) procedures for filing <sup>3</sup>with the court<sup>3</sup> a petition to dissolve  
26 <sup>3</sup>**[an order entered pursuant to]** the prohibition established pursuant  
27 to<sup>3</sup> section <sup>2</sup>**[9]** <sup>3</sup>**[8<sup>2</sup>]** 5<sup>3</sup> of P.L. , c. (C. ) (pending before the  
28 Legislature as this bill) <sup>3</sup>prohibiting a juvenile from making contact  
29 with any victim of the crime for which the juvenile was serving a  
30 sentence<sup>3</sup> .<sup>1</sup>

31  
32 <sup>2</sup>**[18.] 7.**<sup>2</sup> (New section) <sup>3</sup>**[a.]**<sup>3</sup> <sup>2</sup>**[Upon]** Notwithstanding the  
33 provisions of any law to the contrary, upon<sup>2</sup> receipt of notice from the  
34 Executive Director of the Juvenile Justice Commission that a juvenile  
35 is scheduled to be released from the custody of the Juvenile Justice  
36 Commission within <sup>2</sup>**[12 months]** 365 days<sup>2</sup> based on the award of  
37 public health emergency credits pursuant to section 1 of P.L. , c.  
38 (C. ) (pending before the Legislature as this bill), the prosecutor or  
39 Attorney General, <sup>2</sup>**[not less than five days]**<sup>2</sup> prior to the juvenile's  
40 scheduled release date <sup>2</sup>**[shall]** , may<sup>2</sup> :

41 <sup>3</sup>**[(1)] a.**<sup>3</sup> use any reasonable means available to notify any  
42 identifiable victim of the crime for which the juvenile is serving a  
43 sentence in a State correctional facility operated by the Juvenile Justice  
44 Commission of the juvenile's scheduled release date;

45 <sup>3</sup>**[(2)] b.**<sup>3</sup> notify the identifiable victim that <sup>3</sup>**[an order will be]**  
46 entered prohibiting<sup>3</sup> the law prohibits<sup>3</sup> the juvenile from having any

1 contact with the victim <sup>2</sup>[unless the victim requests that an order not  
 2 be entered]<sup>2</sup> <sup>3</sup>unless a petition is filed with the court to dissolve the  
 3 prohibition in accordance with the procedures established by the  
 4 court<sup>3</sup> ;

5 <sup>3</sup>[(3)] c.<sup>3</sup> notify the victim of the <sup>3</sup>[date that the order <sup>2</sup>[, if  
 6 entered.]<sup>2</sup> will expire] duration of the prohibition against the juvenile  
 7 having contact with the victim<sup>3</sup> ;

8 <sup>3</sup>[(4)] d.<sup>3</sup> notify the victim of the penalties imposed for the  
 9 juvenile's violation of the <sup>3</sup>[order] prohibition against contact<sup>3</sup> ;

10 <sup>3</sup>[(5)] e.<sup>3</sup> provide information to the victim concerning how <sup>3</sup>[the  
 11 victim may file]<sup>3</sup> a petition <sup>3</sup>may be filed with the court<sup>3</sup> to dissolve  
 12 <sup>3</sup>[an order prohibiting] the prohibition against<sup>3</sup> the juvenile <sup>3</sup>[from]<sup>3</sup>  
 13 having <sup>3</sup>[any]<sup>3</sup> contact with the victim; and

14 <sup>3</sup>[(6)] f.<sup>3</sup> provide information to the victim concerning the  
 15 procedures for filing an application for a <sup>3</sup>[final]<sup>3</sup> restraining order  
 16 pursuant to the "Prevention of Domestic Violence Act of 1991,"  
 17 P.L.1991, c.261 (C.2C:25-17 et seq.), and resources for victims of  
 18 domestic violence.

19 <sup>3</sup>[b. The prosecutor or Attorney General, as appropriate, shall  
 20 immediately notify the court and the Juvenile Justice Commission  
 21 <sup>2</sup>whether:

22 <sup>2</sup>(1) of the identity of any identifiable victim who shall be the  
 23 subject of<sup>2</sup> an order prohibiting the juvenile from having any contact  
 24 with the victim <sup>2</sup>[shall be entered, based on the prosecutor's contact  
 25 with the victim or the prosecutor's inability to contact the victim; or

26 <sup>2</sup>(2) an order prohibiting the juvenile from having any contact with  
 27 the victim shall not be entered based on a request by the victim]<sup>2</sup> .<sup>1</sup><sup>3</sup>

28  
 29 <sup>2</sup>[19.] <sup>3</sup>[8.]<sup>2</sup> (New section) a. Upon receipt of notice from the  
 30 Department of Corrections pursuant to section <sup>2</sup>[7] <sup>6</sup><sup>2</sup> of  
 31 P.L. c. (C. ) (pending before the Legislature as this bill), and  
 32 notice from the prosecutor pursuant to section <sup>2</sup>[8] <sup>7</sup><sup>2</sup> of  
 33 P.L. c. (C. ) (pending before the Legislature as this bill), the  
 34 court shall enter an order in accordance with this section.

35 b. The court shall enter an order prohibiting the juvenile from  
 36 having any contact with <sup>2</sup>[an] <sup>2</sup>any<sup>2</sup> identifiable victim <sup>2</sup>[if:

37 <sup>2</sup>(1) the prosecutor notifies the court that an identifiable victim  
 38 does not oppose the entry of an order; or

39 <sup>2</sup>(2) the prosecutor was unable to contact the identifiable  
 40 victim]<sup>2</sup> .

41 c. Any order entered pursuant to subsection b. of this section  
 42 shall <sup>2</sup>:

43 <sup>2</sup>(1)<sup>2</sup> expire on the date, as provided by the Executive Director of  
 44 the Juvenile Justice Commission pursuant to section <sup>2</sup>[7] <sup>6</sup><sup>2</sup> of  
 45 P.L. c. (C. ) (pending before the Legislature as this bill), that

1 the juvenile was scheduled to be released prior to the award of  
2 public health emergency credits <sup>2</sup>; and

3 (2) include information concerning the procedures for filing a  
4 petition to dissolve the order <sup>2</sup> .

5 d. The court shall provide a copy of any order entered pursuant  
6 to subsection b. of this section to the Executive Director of the  
7 Juvenile Justice Commission immediately upon entry of the order  
8 but no later than the date on which the juvenile is scheduled to be  
9 released pursuant to section <sup>2</sup>~~[3]~~ <sup>2</sup> of P.L. c. (C. ) (pending  
10 before the Legislature as this bill).

11 e. A juvenile shall be guilty of a crime of the fourth degree if  
12 the juvenile purposely or knowingly violates an order entered  
13 pursuant to subsection b. of this section. <sup>1</sup><sup>3</sup>

14  
15 <sup>3</sup>8. (New section) a. Whenever a public health emergency,  
16 pursuant to the "Emergency Health Powers Act," P.L.2005, c.222  
17 (C.26:13-1 et seq.), has been declared by the Governor and is in  
18 effect, the term of supervision of a parolee shall be reduced by the  
19 award of public health emergency credits pursuant to this section if  
20 the public health emergency arises as a result of a communicable or  
21 infectious disease.

22 b. Except as provided in subsection d. of this section, public  
23 health emergency credits shall be awarded to any person who is  
24 serving a sentence of parole supervision if the full maximum term  
25 for which the parolee was sentenced, or the term authorized by the  
26 parolee's disposition, expires within 365 days.

27 c. The public health emergency credits awarded pursuant to  
28 this section shall reduce the term of supervision of a parolee at the  
29 rate of 122 days for each month, or portion thereof, served during  
30 the declared emergency. A parolee shall not be awarded public  
31 health emergency credits in excess of 244 days of remission for any  
32 declared emergency.

33 d. Public health emergency credits shall not be awarded to a  
34 parolee who has been sentenced to a special sentence of community  
35 supervision for life or parole supervision for life.

36 e. A parolee for whom a warrant has been issued by the State  
37 Parole Board and parole revocation proceedings have been initiated  
38 shall be ineligible to receive public health emergency credits.

39 f. Nothing in this section shall be deemed to limit a parolee's  
40 eligibility to receive parole compliance credits pursuant to section 5  
41 of P.L.2019, c.364 (C.30:4-123.55e).

42  
43 <sup>3</sup>9. Section 5 of P.L.2019, c.364 (C.30:4-123.55e) is amended to  
44 read as follows:

45 5. Notwithstanding the provisions of subsection a. of section 7  
46 of P.L.1979, c.441 (C.30:4-123.51), any person granted parole,  
47 except a person serving a parole term set forth in subsection c. of

1 section 2 of P.L.1997, c.117 (C.2C:43-7.2) or section 2 of P.L.1994,  
 2 c.130 (C.2C:43-6.4), shall have the parole term reduced by parole  
 3 compliance credits at a rate of one day for every six days of parole  
 4 supervision the person has completed.

5 Credits awarded pursuant to this section shall cease to accrue  
 6 upon the issuance of a warrant by the State Parole Board and  
 7 initiation of parole revocation proceedings. Any credits earned  
 8 pursuant to this section shall be forfeited upon the revocation of  
 9 parole.

10 Any compliance credits awarded pursuant to this section based  
 11 on actions for which parole revocation proceedings were initiated,  
 12 but did not result in a revocation of parole and return to custody,  
 13 shall be forfeited upon a determination by the board panel or board  
 14 that the actions for which compliance credits were awarded violated  
 15 a condition of parole.

16 Nothing in this section shall be deemed to limit a parolee's  
 17 eligibility to receive public health emergency credits pursuant to  
 18 section 8 of P.L. , c. (C. ) (pending before the Legislature  
 19 as this bill).<sup>3</sup>

20 (cf. P.L.2019, c.364, s.5)

21  
 22 <sup>1</sup>[4.] <sup>2</sup>[10.<sup>1</sup>] <sup>3</sup>[9.<sup>2</sup>] <sup>10</sup>.<sup>3</sup> This act shall take effect  
 23 <sup>1</sup>[immediately] on the <sup>2</sup>[sixth] <sup>16</sup>sixteenth<sup>2</sup> day <sup>2</sup>next<sup>2</sup> following the  
 24 date of enactment; however, the Commissioner of Corrections,  
 25 Attorney General, Executive Director of the Juvenile Justice  
 26 Commission, <sup>3</sup>Chairman of the State Parole Board,<sup>3</sup> and Director of  
 27 the Administrative Office of the Courts shall take any anticipatory  
 28 action necessary in advance thereof to effectuate the purposes of  
 29 this <sup>2</sup>[bill<sup>1</sup>] act<sup>2</sup> .

30  
 31  
 32  
 33  
 34 Requires public health emergency credits to be awarded to  
 35 certain inmates and parolees during public health emergency;  
 36 prohibits contact with victim upon release of inmate awarded  
 37 credits.