

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 84 and 2093**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

ADOPTED MARCH 19, 2020

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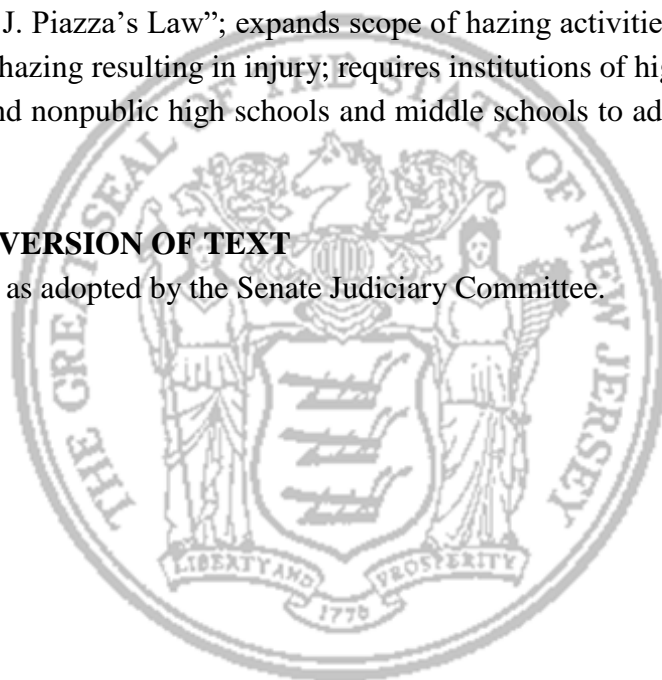
**Senators Corrado, Addiego, O'Scanlon, Testa, and Madden**

**SYNOPSIS**

“Timothy J. Piazza’s Law”; expands scope of hazing activities and increases penalties for hazing resulting in injury; requires institutions of higher education, and public and nonpublic high schools and middle schools to adopt anti-hazing policies.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Judiciary Committee.



1 AN ACT concerning hazing and designated as Timothy J. Piazza's  
2 Law, amending P.L.1980, c.169, and supplementing chapters 3 and  
3 37 of Title 18A of the New Jersey Statutes.

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.1980, c.169 (C.2C:40-3) is amended to read  
9 as follows:

10 1. Hazing. a. A person is guilty of hazing, a disorderly  
11 persons offense, or a crime of the fourth degree if the act of hazing  
12 results in bodily injury, if, in connection with initiation of  
13 applicants to or members of a student or fraternal organization,  
14 whose membership is primarily students or alumni of the  
15 organization or an institution of higher education, [he] the person  
16 knowingly or recklessly [organizes, promotes, facilitates or engages  
17 in any conduct, other than competitive athletic events, which places  
18 or may place another person in danger of bodily injury] causes,  
19 coerces, or forces another person to do any of the following:

- 20 (1) violate federal or state criminal law;  
21 (2) consume any food, liquid, alcoholic liquid, drug or other  
22 substance which subjects the other person to a risk of emotional or  
23 physical harm;  
24 (3) endure brutality of a physical nature, including whipping,  
25 beating, branding, calisthenics, or exposure to the elements;  
26 (4) endure brutality of a mental nature, including activity  
27 adversely affecting the mental health or dignity of the individual,  
28 sleep deprivation, exclusion from social contact, or conduct that  
29 could result in extreme embarrassment;  
30 (5) endure brutality of a sexual nature; or  
31 (6) endure any other activity that creates a reasonable likelihood  
32 of bodily injury to the person.

33 Hazing shall not include any reasonable and customary athletic,  
34 law enforcement, or military training, contests, competitions, or  
35 events.

36 b. A person is guilty of aggravated hazing, a crime of the  
37 **[fourth] third** degree, if **[he] the person** commits an act prohibited  
38 in subsection a. of this section which results in serious bodily injury  
39 to another person.

40 c. A student or fraternal organization, or an institution of  
41 higher education, that knowingly or recklessly promotes or  
42 facilitates a person to commit an act of hazing or aggravated hazing  
43 prohibited in this section is subject to a fine of not more than  
44 \$5,000 for each violation of subsection a. of this section, and a fine

**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 of not more than \$15,000 for each violation of subsection b. of this  
2 section.

3 d. Any property which has been, or is intended to be, utilized in  
4 furtherance of any unlawful hazing activity set forth in this section  
5 by a person, student or fraternal organization, or institution of  
6 higher education, as well as any proceeds derived from the unlawful  
7 activity, shall be subject to forfeiture pursuant to chapter 64 of Title  
8 2C of the New Jersey Statutes.

9 e. (1) A person, student or fraternal organization, or institution  
10 of higher education, and another person acting in concert with the  
11 person, organization, or institution, shall be immune from  
12 prosecution under this section if the person, or employee, officer, or  
13 other agent for the organization or institution:

14 (a) called 9-1-1, or otherwise contacted campus security, police,  
15 or emergency services, and reported that a person was in need of  
16 medical assistance due to an act of hazing as described in this  
17 section;

18 (b) the caller provided the caller's name and, if applicable, the  
19 name of the person acting in concert with the caller to the 9-1-1  
20 operator or other recipient of the emergency contact;

21 (c) the caller was the first to make the 9-1-1 report or other  
22 emergency report; and

23 (d) the caller and, if applicable, the person acting in concert  
24 with the caller remained on the scene with the person in need of  
25 medical assistance until assistance arrived and cooperated with the  
26 emergency services on the scene.

27 (2) The person who received medical assistance as a result of  
28 the call placed pursuant to paragraph (1) of this subsection shall  
29 also be immune from prosecution under this section.

30 (3) In addition to any other applicable immunity or limitation on  
31 civil liability, a law enforcement officer or other official  
32 empowered to act as an officer for the arrest of offenders against the  
33 laws of this State, or a prosecutor, who, acting in good faith,  
34 arrested or charged a person who is thereafter determined to be  
35 entitled to immunity from prosecution under this subsection, shall  
36 not be subject to any civil liability for the wrongful arrest or charge.

37 (cf: P.L.1980, c.169, s.1)

38

39 2. Section 2 of P.L.1980, c.169 (C.2C:40-4) is amended to read  
40 as follows:

41 2. Notwithstanding any other provision of Title 2C of the New  
42 Jersey Statutes to the contrary, consent, or the fact that the act of  
43 hazing as described in section 1 of P.L.1980, c.169 (C.2C:40-3) was  
44 sanctioned or approved by a student or fraternal organization or an  
45 institution of higher education, shall not be available as a defense to  
46 a prosecution under this Act.

47 (cf: P.L.1980, c.169, s.2)

1 3. (New section) As used in sections 4 through 6 of  
2 P.L. , c. (C. ) (pending before the Legislature as this bill):

3 “Organization” means a fraternity, sorority, association,  
4 corporation, order, society, corps, club or service, social or similar  
5 group, whose members are primarily minors, students, or alumni of  
6 the organization or an institution of higher education; or a national  
7 or international organization with which such a group is affiliated.

8 “Student” means an individual who attends or has applied to  
9 attend or has been admitted to an institution of higher education.

10  
11 4. (New section) Each public and independent institution of  
12 higher education shall adopt a written policy against hazing and,  
13 pursuant to that policy, adopt rules prohibiting students or other  
14 persons associated with an organization operating under the  
15 sanction of, or recognized as, an organization by the institution  
16 from engaging in hazing. The institution of higher education shall  
17 post the policy at a publicly accessible location on the institution’s  
18 Internet website and shall provide a copy of the policy, including  
19 the institution’s rules, penalties, and program of enforcement, to  
20 each organization within the institution.

21  
22 5. (New section) a. Each public and independent institution of  
23 higher education shall provide a program for the enforcement of the  
24 policy against hazing required under section 4 of P.L. , c. (C. )  
25 (pending before the Legislature as this bill) and shall adopt  
26 appropriate penalties for violations of the policy to be administered  
27 by the individual or agency at the institution responsible for the  
28 sanctioning or recognition of the organization covered by the policy  
29 or by such other individual or agency deemed appropriate by the  
30 institution.

31 b. The penalties for violations of the policy may include:

32 (1) imposition of fines;

33 (2) the withholding of diplomas or transcripts pending  
34 compliance with the rules or payment of fines;

35 (3) the rescission of permission for the organization to operate  
36 on campus or to otherwise operate under the sanction or recognition  
37 of the institution; and

38 (4) the imposition of probation, suspension, dismissal, or  
39 expulsion.

40 c. A penalty imposed under this section shall be in addition to  
41 a penalty imposed for a violation of any other institutional rule to  
42 which the violator may be subject.

43 d. A policy adopted under section 4 of P.L. , c. (C. )  
44 (pending before the Legislature as this bill) shall apply to each act  
45 conducted on or off campus if the acts are deemed to constitute  
46 hazing.

1           6. (New section) a. Each public and independent institution of  
2 higher education shall maintain a report which shall include  
3 information on all violations of the institution's anti-hazing policy  
4 and federal and State laws related to hazing that are reported to the  
5 institution. Information on a reported violation shall be retained by  
6 the institution for five years.

7           b. The report shall include:

8           (1) the date when the subject was charged with a violation of the  
9 institution's anti-hazing policy or a federal or State law related to  
10 hazing;

11           (2) a general description of the violation, any investigation and  
12 findings by the institution and, if applicable, penalties imposed; and

13           (3) the date on which the matter was resolved.

14           c. An institution shall post the initial report at a publicly  
15 accessible location on the institution's Internet website by January  
16 15, 2021. The initial report shall include information concerning  
17 violations that have been reported to the institution for the five  
18 consecutive years prior to the effective date of P.L. , c. (C. )  
19 (pending before the Legislature as this bill), to the extent the  
20 institution has retained information concerning those violations. An  
21 institution shall post an updated report annually on January 1.

22           d. The report shall not include the personal identifying  
23 information of an individual.  
24

25           7. (New section) a. Each board of education of a school  
26 district with a high school or middle school and the governing board  
27 or chief school administrator of a nonpublic high school or middle  
28 school shall adopt a written policy against hazing.

29           b. The board of education and governing board or chief school  
30 administrator shall ensure that students are informed of the anti-  
31 hazing policy, including the rules, penalties, and program of  
32 enforcement under the policy.

33           c. The board of education and governing board or chief school  
34 administrator shall post the policy on the district's or nonpublic  
35 school's publicly accessible Internet website.  
36

37           8. (New section) a. Each board of education of a school  
38 district with a high school or middle school and the governing board  
39 or chief school administrator of a nonpublic high school or middle  
40 school shall provide a program for the enforcement of the policy  
41 against hazing required under section 7 of P.L. , c. (C. )  
42 (pending before the Legislature as this bill) and shall adopt  
43 appropriate penalties for violations of the policy.

44           b. The penalties for violations of the policy may include:

45           (1) the withholding of diplomas or transcripts pending  
46 compliance with the rules;

47           (2) the rescission of permission for the organization or group,  
48 whose student members are being penalized under the policy

1 against hazing, to operate on campus or school property or to  
2 otherwise operate under the sanction or recognition of the school  
3 district or nonpublic school; and

4 (3) the imposition of probation, suspension, dismissal or  
5 expulsion.

6 c. A penalty imposed under this section shall be in addition to  
7 a penalty imposed for a violation of any other school district or  
8 nonpublic school rule to which the violator may be subject.

9 d. A policy adopted under section 7 of P.L. , c. (C. )  
10 (pending before the Legislature as this bill) shall apply to each act  
11 conducted on or off campus if the acts are deemed to constitute  
12 hazing.

13

14 9. Sections 1 and 2 of this act shall take effect immediately, and  
15 the remaining sections shall take effect on the first day of the seventh  
16 month next following the date of enactment, except the Secretary of  
17 Higher Education, Commissioner of Education, and the Attorney  
18 General may take such anticipatory administrative action in advance as  
19 shall be necessary for the implementation of those sections.