

FISCAL NOTE TO
ASSEMBLY, No. 170
STATE OF NEW JERSEY

DATED: MAY 31, 1996

Assembly Bill No. 170 of 1996 creates "gun-free school zones". Under the bill, the lawful possession of a firearm within or upon any part of the buildings or grounds of any school, college, university or other educational institution used for school purposes, without the written authorization of the governing officer of the institution, would be made a crime of the third degree. The bill also creates a crime of the second degree for the unlawful possession of any firearm within 1,000 feet of the school property. Under the bill it would not be a defense to a prosecution for a violation of this bill if the offender were unaware that he is on or within 1,000 feet of school property.

The Administrative Office of the Courts (AOC) states that there are about 1,240 convictions per year for the unlawful possession of a firearm, currently, a fourth degree crime. However, no data have been collected concerning the location of these offenses, and therefore it cannot estimate the number occurring within 1,000 feet of a school.

The Department of Corrections states that the implementation of this bill would increase departmental bed space needs. However, the extent of that increase is unknown and cannot be ascertained because of the lack of data concerning offenses committed in schools or in the proposed "gun-free school zones".

The Office of Legislative Services (OLS) concurs and adds that any individual convicted of a second degree offense would be sentenced to five to ten years in prison. An individual convicted of a third degree offense would receive a sentence of three to five years and an individual convicted of fourth degree crime would receive up to eighteen months. In each case, the inmate usually serves about one-third of the sentence. The OLS also notes that DOC data indicate that the cost of constructing one additional prison bed space is about \$80,000. The ongoing operations expenses of housing a State sentenced prison inmate is \$25,000 per year for the duration of that offender's incarceration.

This fiscal note has been prepared pursuant to P.L.1980, c.67.