

[First Reprint]  
ASSEMBLY, No. 306

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen BODINE and Dalton

1 AN ACT concerning the employment of certain special law  
2 enforcement officers by a county or municipality and amending  
3 P.L.1991, c.299.

4

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

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8 1. Section 1 of P.L.1991, c.299 (C.40A:14-180) is amended to  
9 read as follows:

10 1. a. The provisions of any other law to the contrary  
11 notwithstanding, the appointing authority of a county or municipality  
12 which, pursuant to N.J.S.40A:14-106, in the case of a county, or  
13 N.J.S.40A:14-118, in the case of a municipality, has established and  
14 maintains a police force may appoint as a member or officer of the  
15 county or municipal police department any person who is certified as  
16 a class two special law enforcement officer and whose training as a  
17 class two special law enforcement officer qualifies as training required  
18 for a permanent appointment as a police officer under section 3 of  
19 P.L.1961, c.56 (C.52:17B-68), or who:

20 (1) was serving as a law enforcement officer in good standing in  
21 any State, county or municipal law enforcement department or agency;

22 (2) satisfactorily completed a working test period in a State law  
23 enforcement title or in a law enforcement title in a county or  
24 municipality which has adopted Title 11A, Civil Service, of the New  
25 Jersey Statutes or satisfactorily completed a comparable, documented  
26 probationary period in a law enforcement title in a county or  
27 municipality which has not adopted Title 11A, Civil Service; and

28 (3) was, for reasons of economy, terminated as a law enforcement  
29 officer within 36 months prior to the appointment.

30 b. A county or municipality may employ such a person  
31 notwithstanding that:

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and 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> Assembly ALG committee amendments adopted March 25, 1996.**

1 (1) Title 11A, Civil Service, of the New Jersey Statutes is  
2 operative in that county or municipality;

3 (2) the county or municipality has available to it an eligible or  
4 regular reemployment list of persons eligible for such appointments;  
5 and

6 (3) the appointed person is not on any eligible list. A county or  
7 municipality which has adopted Title 11A, Civil Service, may not  
8 employ such a person if a special reemployment list is in existence for  
9 the law enforcement title to be filled.

10 c. If a county determines to appoint a person pursuant to the  
11 provisions of this act, it shall give first priority in making such  
12 appointments to residents of the county. A municipality making such  
13 an appointment shall give first priority to residents of the municipality  
14 and second priority to residents of the county not residing in the  
15 municipality.

16 d. The seniority, seniority-related privileges and rank a law  
17 enforcement officer possessed with the employer who terminated the  
18 officer's employment for reasons of economy shall not be transferable  
19 to a new position when the officer is appointed to a law enforcement  
20 position pursuant to the provisions of this section.

21 (cf: P.L.1993, c.187, s.1)

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23 <sup>1</sup>2. (New section) a. A municipality with a population of 5,000  
24 persons or less, according to the latest federal decennial census, which  
25 has adopted Title 11A, Civil Service, may appoint or continue to  
26 employ as a police officer, a person qualified pursuant to subsection  
27 a. of section 1 of P.L.1991, c.299 (C.40A:14-180), notwithstanding  
28 that the person is not or was not on a special reemployment list for the  
29 law enforcement title to be filled in accordance with paragraph (3) of  
30 subsection b. of section 1 of P.L.1991, c.299 (C.40A:14-180).

31 b. The power of a municipality to appoint under subsection a. of  
32 this section shall expire on the last day of the sixth month next  
33 following the effective date of this act.<sup>1</sup>

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35 <sup>1</sup>[2.] 3.<sup>1</sup> This act shall take effect immediately.

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40 Permits counties and municipalities to hire certain special police  
41 officers.