

[Second Reprint]
ASSEMBLY, No. 306

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen BODINE, Dalton and Assemblywoman Myers

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:

7

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 ²and²

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

29 (3) was, for reasons of economy, terminated as a law enforcement
30 officer within ²[36] 60² months prior to the appointment.

31 b. A county or municipality may employ such a person

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:

¹ Assembly ALG committee amendments adopted March 25, 1996.

² Assembly floor amendments adopted May 6, 1996.

1 notwithstanding that:

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

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

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

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

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

22 (cf: P.L.1996, c.13, s.1)

23

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

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

35

36 ¹[2.] 3.¹ This act shall take effect immediately.

37

38

39

40

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