

ASSEMBLY, No. 322

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen PASCARELL and ROCCO

1 AN ACT concerning pupil truancy and amending N.J.S.18A:38-31.

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3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

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6 1. N.J.S.18A:38-31 is amended to read as follows:

7 18A:38-31. A parent, guardian or other person having charge and
8 control of a child between the ages of six and 16 years, who [shall fail]
9 fails to comply with any of the provisions of this article relating to his
10 duties, [shall be deemed to be a disorderly person and shall be subject
11 to a fine of not more than \$25.00 for a first offense and not more than
12 \$100.00 for each subsequent offense, in the discretion of the
13 court.]commits a petty disorderly persons offense. The court may
14 infer that a parent, guardian or other person having charge and control
15 of a child is in violation of this section if the child has 10 or more
16 unexcused absences in a school year.

17 In any such proceeding, the summons issuing therein, or in special
18 circumstances a warrant, shall be directed to the alleged disorderly
19 person and the child.

20 (cf: P.L.1980, c.153, s.1)

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22 2. This act shall take effect immediately.

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STATEMENT

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27 This bill provides that a court may infer that a parent, guardian, or
28 other person having charge and control of a child will be subject to the
29 penalty provided for in the bill for failure to assure that child's
30 attendance at school if the child has ten or more unexcused absences.

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.

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3 Increases the penalty for failure by a parent to ensure that a child
4 attends school.