

ASSEMBLY, No. 54

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman KAVANAUGH

1 AN ACT authorizing the confinement of inmates in certain institutions
2 and facilities and amending P.L.1969, c.22.

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

6
7 1. Section 2 of P.L.1969, c.22 (C.30:4-91.2) is amended to read as
8 follows:

9 2. The commissioner or his duly authorized agent, may designate
10 as a place of confinement any available, suitable, and appropriate
11 institution or facility whether owned by the State or otherwise, and
12 may at any time transfer a person from one place of confinement to
13 another.

14 The word "facility" shall include private [nonprofit]
15 community-based residential treatment centers, operated on either a
16 nonprofit or for profit basis, which provide for the care, custody,
17 subsistence, education, training and welfare of inmates.

18 The word "institution" shall include residential centers, operated by
19 either private nonprofit entities or by private for profit corporations,
20 which provide for the care, custody, subsistence, education, training
21 and welfare of inmates whose sentences necessitate only minimum
22 security and minimum custodial confinement.

23 Any such private [nonprofit] community-based residential treatment
24 center or residential center must be certified annually by the
25 commissioner as a secure and appropriately supervised place of
26 confinement.

27 (cf: P.L.1976, c.35, s.2)

28
29 2. This act shall take effect immediately.

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.

STATEMENT

1

2

3 This bill would permit the Commissioner of Corrections to place
4 certain inmates in residential centers which are operated by either
5 private nonprofit entities or by private for profit corporations.

6 Under current law, inmates must be placed in either a State-run
7 institution or facility or in a private nonprofit community-based
8 residential treatment center (a half-way house).

9 This bill would expand the options available to the commissioner by
10 permitting him to enter into arrangements with both nonprofit entities
11 and private for profit corporations for the housing and treatment of
12 inmates. The provisions of the bill specifically provide that only those
13 inmates whose sentences necessitate only minimum security and
14 minimum custodial confinement may be placed in institutions and
15 facilities which are not State-run and operated.

16

17

18

19

20 Permits Commissioner of Corrections to enter into arrangements with
21 private nonprofit and for profit entities for housing of certain inmates.