

ASSEMBLY, No. 563

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman TURNER

1 AN ACT concerning the Adult Diagnostic and Treatment Center and
2 amending P.L.1994, c.129.

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

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7 1. Section 1 of P.L.1994, c.129 (C.2C:47-8) is amended to read as
8 follows:

9 1. a. Notwithstanding the provisions of section 7 of P.L.1979,
10 c.441 (C.30:4-123.51), R.S.30:4-140, R.S.30:4-92 or any other law,
11 a term of imprisonment imposed on a person confined to the Adult
12 Diagnostic and Treatment Center pursuant to the provisions of chapter
13 47 of this Title shall not be reduced by progressive time credits or
14 credits for diligent application to work and other institutional
15 assignments for any year or fractional part of a year if the person failed
16 to fully cooperate with all treatment offered to him during that time
17 period.

18 b. The provisions of subsection a. of this section shall apply to all
19 persons:

20 (1) confined in the Adult Diagnostic and Treatment Center for a
21 program of specialized treatment under the provisions of chapter 47
22 of Title 2C of the New Jersey Statutes on the effective date of P.L. ,

23 c. (C.)(now pending before the Legislature as this bill); and

24 (2) sentenced and committed to confinement in the Adult
25 Diagnostic and Treatment Center for a program of specialized
26 treatment under the provisions of chapter 47 of Title 2C of the New
27 Jersey Statutes on and after the effective date of P.L. , c. (C.
28)(now pending before the Legislature as this bill).

29 (cf: P.L.1994, c.129, s.1)

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31 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.

1 STATEMENT

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3 The purpose of this bill is to clarify the applicability of P.L.1994,
4 c.129 (C.2C:47-8) which provides that the inmates of the Adult
5 Diagnostic and Treatment Center (ADTC) are to be eligible for "good
6 behavior" credits only if they participated in the center's treatment
7 programs.

8 The Department of Corrections is interpreting the statute to apply
9 only to inmates committed to the ADTC after the law's effective date
10 (October 31, 1994). It was the Legislature's intent that the law apply
11 to all present and future inmates of the ADTC. The provisions of this
12 bill clarify that intent.

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17 Clarifies that statute making "good behavior" credits at ADTC
18 contingent upon participation in treatment program applies to all
19 inmates.