

FISCAL NOTE TO
[First Reprint]
ASSEMBLY, No. 861

STATE OF NEW JERSEY

DATED: SEPTEMBER 5, 1996

Assembly Bill No. 861 (1R) of 1996 is the "Senior Citizens Protection Act." Under the bill any person who is convicted of a crime of violence against a senior citizen, including, but not limited to, murder, manslaughter, aggravated sexual assault, aggravated assault, and robbery, in an adult day care facility, on any property on which an adult day care facility is located, in any housing for older persons or in any area designated as a senior citizen zone, or within 1,000 feet of those areas, must serve a mandatory minimum term of imprisonment of three-fourths of the sentence imposed or one year, whichever is greater, during which time that person shall be ineligible for parole. The bill would also ban all plea bargaining in cases where the defendant commits a crime in or near an adult care facility, housing for older persons or a senior citizen zone.

The Department of Corrections states that there are no data available to determine the number of offenses which occur against senior citizens within the vicinity of senior citizen housing facilities. Therefore, while the department would expect to see an increase in commitments as well as length of stay, it cannot estimate the actual bed space needs.

The Administrative Office of the Courts (AOC) states that it does not possess the data to determine the number of offenses which occur against senior citizens within the vicinity of senior citizen housing facilities. However, based on the number of sentences handed down during 1995, for the offenses set forth in this bill, it can be anticipated that about 2,700 individuals could be subjected to the additional sanctions if these offenses occurred within the prohibited area against senior citizens.

The Office of Legislative Services concurs and adds that the cost of incarcerating an offender in one of the State's institutions totals about \$26,000 annually. If it becomes necessary to construct additional bed space to house these offenders, the State would incur one-time capital construction costs of \$80,000 per bed.

This fiscal note has been prepared pursuant to P.L.1980, c.67.