

[Passed Both Houses]

ASSEMBLY, No. 1779

STATE OF NEW JERSEY

INTRODUCED MARCH 25, 1996

**By Assemblyman AZZOLINA, Assemblywomen CRECCO,
Heck, Assemblyman Steele, Senators Matheussen and Scott**

1 **AN ACT** concerning the Adult Diagnostic and Treatment Center and
2 supplementing chapter 47 of Title 2C of the New Jersey Statutes.

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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. a. As used in this act, "sexually oriented material" means any
8 description, narrative account, display, or depiction of sexual activity
9 or associated anatomical area contained in, or consisting of, a picture
10 or other representation, publication, sound recording, live
11 performance, or film.

12 b. An inmate sentenced to a period of confinement in the Adult
13 Diagnostic Treatment Center shall not receive, possess, distribute or
14 exhibit within the center sexually oriented material, as defined in
15 subsection a. of this section. Upon the discovery of any such material
16 within the center, the commissioner shall provide for its removal and
17 destruction, subject to a departmental appeal procedure for the
18 withholding or removal of such material from the inmate's possession.

19 c. The commissioner shall request an inmate sentenced to
20 confinement in the center to acknowledge in writing the requirements
21 of this act prior to the enforcement of its provisions. Any inmate
22 who violates the provisions of subsection b. of this section shall be
23 subject to on-the-spot sanctions pursuant to rules and regulations
24 adopted by the commissioner.

25 d. A person who sells or offers for sale the material prohibited in
26 subsection b. either for purposes of possession or viewing or who
27 receives, possesses, distributes or exhibits any text, photograph, film,
28 video or any other reproduction or reconstruction which depicts a
29 person under 18 years of age engaging in a prohibited sexual act or in
30 the simulation of such an act as defined in section 2 of P.L.1992, c.7
31 (C.2A:30B-2), within the center shall be considered to have committed
32 an inmate prohibited act and be subject to sanctions pursuant to rules
33 and regulations adopted by the commissioner.

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3 Prohibits receipt, distribution, and exhibition of sexually oriented and
4 obscene material at the Adult Diagnostic and Treatment Center.