

ASSEMBLY, No. 1873

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Assemblymen AUGUSTINE and BAGGER

1 AN ACT concerning certain law enforcement officers and amending  
2 N.J.S.40A:14-135.

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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. N.J.S.40A:14-135 is amended to read as follows:

8 40A:14-135 The governing body of any municipality may, by  
9 ordinance, provide that whenever any member of the police  
10 department or force shall be required to appear before any grand jury  
11 or at any municipal, County, Superior or Supreme Court proceeding,  
12 **[except in]** be it a criminal action or a civil action related to the  
13 performance of his official duties, the time during which he is so  
14 engaged shall be considered a time of assignment to, and performance  
15 of duty. When such appearance occurs during the member's assigned  
16 duty hours, he shall suffer no loss in compensation. When such  
17 appearance occurs outside his assigned duty hours, he shall receive  
18 either compensatory time off from his regular duty hours or additional  
19 compensation.

20 (cf: P.L.1973, c.157, s.2)

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22 2. This act shall take effect immediately.

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25 STATEMENT

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27 This bill amends N.J.S.40A:14-135 to permit the governing body of  
28 a municipality to adopt an ordinance providing that its law  
29 enforcement officers be paid for the time they are required to spend in  
30 court on a civil matter. The amendatory language specifies, however,  
31 that an officer is only eligible for such pay if the civil action relates to  
32 the performance of his official duties. An officer required to appear  
33 in a civil court proceeding on a personal matter would not be eligible

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 for such pay.

2 Under current law, a governing body is authorized to adopt an  
3 ordinance which provides that the municipality's law enforcement  
4 officers be paid for the time they are required to spend in court on  
5 criminal matters.

6 This statutory section provides that a law enforcement officer is  
7 only eligible for this pay if the court appearance occurs during the  
8 officer's regular duty hours. If the officer's appearance takes place  
9 during off duty hours, the officer is eligible for either compensatory  
10 time off or compensatory pay.

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15 Permits municipalities to pay police officers for time spent in civil  
16 court in certain cases.