

ASSEMBLY, No. 1939

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblywoman TURNER

1 AN ACT requiring State reimbursement to the counties for the costs of
2 maintenance and operation of county prosecutors' offices and
3 supplementing Title 2A of the New Jersey Statutes.

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

7
8 1.a. Notwithstanding the provisions of any other law to the
9 contrary, all costs incurred and sums disbursed by any county in
10 providing offices and other physical facilities and equipment for the
11 use of the office of the county prosecutor and in maintaining the office
12 and its operations, including the payment of the compensation of the
13 prosecutor, the assistant prosecutors, other staff members and
14 personnel employed in the office of the county prosecutor, shall be
15 reimbursed to the county by the State Treasurer on warrant of the
16 Director of the Division of Budget and Accounting on vouchers
17 certified or approved by the county treasurer and the Director of the
18 Division of Local Government Services.

19 b. Under the provisions of this section, a county shall also be
20 reimbursed for any costs incurred by a county in indemnifying a county
21 prosecutor or an employee of a county prosecutor's office as the result
22 of any claim or civil action brought against a county prosecutor or an
23 employee of a prosecutor's office as the result of any act or omission
24 occurring in the performance of their duties.

25 c. The funds acquired by a county pursuant to this section shall be
26 appropriated by the county in compliance with the "Local Budget
27 Law," P.L.1960, c.169 (N.J.S. 40A:4-1 et seq.). Notwithstanding any
28 provisions of the "Local Budget Law," any county acquiring funds
29 under this section may anticipate the receipt of the amount certified as
30 a direct offset to the amount to be raised by taxation and may file
31 whatever amendments or corrections in its budget as may be required
32 to properly reflect the amount certified.

33
34 2. This act shall take effect January 1, 1997 and shall apply to any
35 costs incurred on or after that date.

1 STATEMENT

2

3 Under New Jersey's Constitution, county prosecutors are
4 constitutional officers appointed by the Governor with the advice and
5 consent of the Senate. County prosecutors are primarily responsible
6 for the enforcement of the State's criminal laws within their respective
7 counties. The counties, while actually exercising little control over the
8 operations of county prosecutors' offices, are presently responsible for
9 funding those offices. In order to place fiscal responsibility for county
10 prosecutors' offices where that responsibility properly belongs and to
11 provide relief to New Jersey's property taxpayers, this bill would
12 require the State to reimburse the counties for any costs incurred by
13 the counties in funding the operations of county prosecutor's offices.

14 The bill would cover costs such as salaries, equipment and office
15 space. The bill also provides that a county would be eligible for
16 reimbursement for any costs incurred in indemnifying a county
17 prosecutor or an employee of a prosecutor's office as the result of a
18 civil claim filed against the prosecutor or an employee in connection
19 with the performance of their duties.

20

21

22

23

24 Requires the State to reimburse counties for costs incurred in
25 connection with the operation of county prosecutors' offices.