

ASSEMBLY, No. 2464

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

By Assemblyman GARCIA

1 AN ACT concerning certain requirements for certain law enforcement
2 officers and amending P.L.1991, c.299.

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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.1991, c.299 (C.40A:14-180) is amended to
8 read as follows:

9 1. a. The provisions of any other law to the contrary
10 notwithstanding, the appointing authority of a county or municipality
11 which, pursuant to N.J.S.40A:14-106, in the case of a county, or
12 N.J.S.40A:14-118, in the case of a municipality, has established and
13 maintains a police force may appoint as a member or officer of the
14 county or municipal police department any person who:

15 (1) was serving as a law enforcement officer in good standing in
16 any State, county or municipal law enforcement department or agency;
17 and

18 (2) [satisfactorily completed a working test period in a State law
19 enforcement title or in a law enforcement title in a county or
20 municipality which has adopted Title 11A, Civil Service, of the New
21 Jersey Statutes or satisfactorily completed a comparable, documented
22 probationary period in a law enforcement title in a county or
23 municipality which has not adopted Title 11A, Civil Service; and]
24 (Deleted by amendment, P.L. , c. .)

25 (3) was, for reasons of economy, terminated as a law enforcement
26 officer within 60 months prior to the appointment.

27 b. A county or municipality may employ such a person
28 notwithstanding that:

29 (1) Title 11A, Civil Service, of the New Jersey Statutes is
30 operative in that county or municipality;

31 (2) the county or municipality has available to it an eligible or
32 regular reemployment list of persons eligible for such appointments;
33 and

34 (3) the appointed person is not on any eligible list. A county or

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 municipality which has adopted Title 11A, Civil Service, may not
2 employ such a person if a special reemployment list is in existence for
3 the law enforcement title to be filled.

4 c. If a county determines to appoint a person pursuant to the
5 provisions of this act, it shall give first priority in making such
6 appointments to residents of the county. A municipality making such
7 an appointment shall give first priority to residents of the municipality
8 and second priority to residents of the county not residing in the
9 municipality.

10 d. The seniority, seniority-related privileges and rank a law
11 enforcement officer possessed with the employer who terminated the
12 officer's employment for reasons of economy [~~shall not~~] may, at the
13 discretion of the appointing governing body, be transferable to a new
14 position when the officer is appointed to a law enforcement position
15 pursuant to the provisions of this section.

16 (cf: P.L.1996, c.13, s.1)

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18 2. This act shall take effect immediately.

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21 STATEMENT

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23 This bill removes the requirement under current law that a police
24 officer previously terminated for reasons of economy must
25 satisfactorily complete a working test period in a State law
26 enforcement title or in a law enforcement title in a county or
27 municipality which has adopted Title 11A, Civil Service, of the New
28 Jersey Statutes, or satisfactorily complete a comparable, documented
29 probationary period in a law enforcement title in a county or
30 municipality which has not adopted Title 11A, Civil Service, in order
31 to be appointed to a county or municipal police department. The bill
32 also permits the appointing governing body to transfer the seniority,
33 seniority-related privileges and rank a law enforcement officer
34 possessed with the employer who terminated the officer's employment
35 for reasons of economy to the new law enforcement position.

36 The effect of this bill would be to permit any affected officer to be
37 appointed to a position by a county or municipal police department,
38 whether or not the working test period or probationary period, as
39 appropriate, has been completed, and to permit, at the discretion of the
40 appointing governing body, an affected officer to retain his or her
41 seniority, seniority-related privileges and rank earned at the previous
42 position.

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3 Removes requirement of working test period for employment of law
4 enforcement officers previously terminated for reasons of economy.

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