

ASSEMBLY, No. 2488

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

By Assemblyman BARNES and Assemblywoman BUONO

1 AN ACT concerning assistant prosecutors, amending P.L.1970, c.6 and
2 repealing section 2 of P.L.1976, c.15.

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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 3 of P.L.1970, c.6 (C.2A:158-15.1) is amended to read
8 as follows:

9 3. In any county in which the county prosecutor is required or
10 elects to devote his entire time to the duties of his office, assistant
11 prosecutors shall devote their entire time to the duties of such office
12 and shall not engage in the practice of law [or] .Assistant prosecutors
13 shall not engage in other gainful employment [; but] except as follows:

14 a. such assistant prosecutors may be employed with compensation
15 by any institution of higher education in this State for teaching
16 performed on an adjunct or part-time basis as part of a program of law
17 enforcement education, when such teaching has been deemed by the
18 county prosecutor of said county as not inconsistent with the duties of
19 the office of assistant prosecutor; and

20 b. such assistant prosecutors may, upon approval of the county
21 prosecutor, be employed with compensation by any other employer if
22 the county prosecutor determines that such employment is not
23 inconsistent with the duties of the office of assistant prosecutor.

24 (cf: P.L.1986, c.130, s.1)

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26 2. Section 2 of P.L.1976, c.15 (C.2A:158-15.1a) is hereby
27 repealed.

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29 3. This act shall take effect immediately.

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.

STATEMENT

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Under current law, assistant prosecutors who work full-time for the county prosecutor's office are prohibited from the private practice of law and, with the exception of college-level teaching on law enforcement topics, are also barred from all other gainful employment.

This bill would grant the county prosecutor the discretion to determine whether an assistant prosecutor under his supervision may be compensated for other part-time jobs as well.

Under the bill, assistant prosecutors could be employed with compensation at other jobs if the county prosecutor approves such employment, and if the prosecutor determines that such employment is not inconsistent with the duties of the office. The bill would not affect the ban against the private practice of law by assistant prosecutors.

Allows assistant county prosecutors, upon approval of the county prosecutor, to be compensated for other part-time employment.