

ASSEMBLY, No. 2856

STATE OF NEW JERSEY

INTRODUCED MAY 1, 1997

By Assemblyman LANCE

1 AN ACT concerning juvenile justice and amending P.L.1982, c.77.

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

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6 1. Section 4 of P.L.1982, c.77 (C.2A:4A-23) is amended to read
7 as follows:

8 4. Definition of delinquency. As used in this act, "delinquency"
9 means the commission of an act by a juvenile which if committed by
10 an adult would constitute:

11 a. A crime;

12 b. A disorderly persons offense or petty disorderly persons offense;
13 or

14 c. A violation of any other penal statute, ordinance or regulation.

15 But, the commission of (1) an act which constitutes a violation of
16 chapter 3, 4, 6 or 8 of Title 39 of the Revised Statutes by a juvenile of
17 any age; (2) an act relating to the ownership or operation of a
18 motorized bicycle which constitutes a violation of chapter 3 or 4 of
19 Title 39 of the Revised Statutes by a juvenile of any age; (3) an act
20 which constitutes a violation of article 3 or 6 of chapter 4 of Title 39
21 of the Revised Statutes pertaining to pedestrians and bicycles, by a
22 juvenile of any age; or (4) the commission of an act which constitutes
23 a violation of P.L.1981, c.318 (C.26:3D-1 et seq.), P.L.1981, c.319
24 (C.26:3D-7 et seq.), P.L.1981, c.320 (C.26:3D-15 et seq.), P.L.1985,
25 c.185 (C.26:3E-7 et seq.), P.L.1985, c.186 (C.26:3D-32 et seq.),
26 N.J.S.2C:33-13, P.L.1985, c.318 (C.26:3D-38 et seq.), P.L.1985,
27 c.381 (C.26:3D-46 et seq.), or of any amendment or supplement
28 thereof, by a juvenile of any age; [or](5) an act which constitutes a
29 violation of chapter 7 of Title 12 of the Revised Statutes relating to
30 the regulation and registration of power vessels, by a juvenile of any
31 age or section 2 of P.L.1987, c.453 (C.12:7-61); or (6) an act which
32 constitutes a violation of section 2 of P.L.1992, c.132 (C.40:48-2.52)
33 pertaining to curfew ordinances shall not constitute delinquency as
34 defined in this act. The municipal court having jurisdiction over a case

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 involving a violation by a juvenile of a section of Title 26 listed in this
2 subsection, Title 40 listed in this subsection or N.J.S.2C:33-13, shall
3 forward a copy of the record of conviction in that case to the Family
4 Part intake service of the county where the municipal court is located.

5 If a municipal court orders detention or imposes a term of
6 imprisonment on a juvenile in connection with a violation of Title 39
7 of the Revised Statutes, chapter 7 of Title 12 of the Revised Statutes,
8 Title 40 of the Revised Statutes or N.J.S.2C:33-13, that detention or
9 term of imprisonment shall be served at a suitable juvenile institution
10 and not at a county jail or county workhouse.

11 (cf: P.L.1991, c.96, s.1)

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13 2. This act shall take effect immediately.

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STATEMENT

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18 This bill amends N.J.S.A.2A:4A-23 which defines "delinquency" in
19 order to clarify that a violation of a municipal curfew or ordinance
20 would not constitute delinquency and therefore that municipal courts
21 would have jurisdiction over curfew violations.

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26 Provides for municipal court jurisdiction over certain juvenile offenses.