

[First Reprint]
ASSEMBLY, No. 2856

STATE OF NEW JERSEY

INTRODUCED MAY 1, 1997

By Assemblymen LANCE and BAGGER

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

2

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

5

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; ¹[or]¹ (4) the commission of an act which
23 constitutes a violation of P.L.1981, c.318 (C.26:3D-1 et seq.),
24 P.L.1981, c.319 (C.26:3D-7 et seq.), P.L.1981, c.320 (C.26:3D-15 et
25 seq.), P.L.1985, c.185 (C.26:3E-7 et seq.), P.L.1985, c.186
26 (C.26:3D-32 et seq.), N.J.S.2C:33-13, P.L.1985, c.318 (C.26:3D-38
27 et seq.), P.L.1985, c.381 (C.26:3D-46 et seq.), or of any amendment
28 or supplement thereof, by a juvenile of any age; [or](5) an act which
29 constitutes a violation of chapter 7 of Title 12 of the Revised Statutes
30 relating to the regulation and registration of power vessels, by a
31 juvenile of any age or section 2 of P.L.1987, c.453 (C.12:7-61); or (6)

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted December 15, 1997.

1 an act which constitutes a violation of ¹a municipal ordinance enacted
2 pursuant to¹ section 2 of P.L.1992, c.132 (C.40:48-2.52) pertaining
3 to curfew ordinances shall not constitute delinquency as defined in this
4 act. The municipal court having jurisdiction over a case involving a
5 violation by a juvenile of a section of Title 26 listed in this subsection,
6 Title 40 listed in this subsection or N.J.S.2C:33-13, shall forward a
7 copy of the record of conviction in that case to the Family Part intake
8 service of the county where the municipal court is located.

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

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

16

17 2. This act shall take effect immediately.

18

19

20

21

22 Provides for municipal court jurisdiction over certain juvenile offenses.