

ASSEMBLY, No. 2949

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1997

By Assemblywoman POU

1 AN ACT concerning senior citizens and persons with disabilities and
2 supplementing chapter 43 of Title 2C of the New Jersey Statutes.

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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. This act shall be known and may be cited as the "Senior Citizen
8 and Person with a Disability Protection Act."

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10 2. As used in this act:

11 "Person with a disability" means a recipient of disability insurance
12 benefits under Title II of the federal Social Security Act
13 (42 U.S.C. §401 et seq.).

14 "Senior citizen" means a person 62 years of age or over.

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16 3. a. Notwithstanding the provisions of N.J.S.2C:43-3 or
17 N.J.S.2C:43-6 or any other law to the contrary, a person who is
18 convicted of a crime of violence against a senior citizen or a person
19 with a disability, including but not limited to: N.J.S.2C:11-3;
20 N.J.S.2C:11-4; subsection b. of N.J.S.2C:12-1; N.J.S.2C:13-1;
21 subsection a. of N.J.S.2C:14-2; or N.J.S.2C:15-1 shall be sentenced
22 to a term of imprisonment. The term of imprisonment shall include the
23 imposition of a minimum term which shall be fixed at 80% of the
24 sentence imposed or one year, whichever is greater, during which the
25 defendant shall be ineligible for parole.

26 b. The court shall not consider or accept a negotiated plea or post-
27 conviction agreement to resolve the charges against a person who
28 violates the provisions of this act.

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30 4. This act shall take effect immediately.

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STATEMENT

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35 This bill establishes the "Senior Citizen and Person with a Disability
36 Protection Act." Under the provisions of the bill, any person who is
37 convicted of a crime of violence against a senior citizen or a person

1 with a disability, including but not limited to murder, manslaughter,
2 aggravated sexual assault, aggravated assault, kidnapping, and robbery
3 must serve a mandatory term of imprisonment. The term of
4 imprisonment would be fixed at 80% of the sentence imposed or one
5 year, whichever is greater, during which time that person would be
6 ineligible for parole. The bill would also ban all plea bargaining.

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11 Establishes the "Senior Citizen and Person with a Disability Protection
12 Act;" imposes mandatory terms of imprisonment.