

P.L. 1997, CHAPTER 177, *approved July 31, 1997*
Assembly, No. 1856 (*Third Reprint*)

1 AN ACT establishing a grant program to provide body vests for certain
2 law enforcement officers, supplementing chapter 17B of Title 52 of
3 the Revised Statutes and amending R.S.39:5-41.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. (New section) There is created in the Department of Law and
9 Public Safety a nonlapsing revolving fund to be known as the "Body
10 Armor Replacement" fund. This fund shall be the repository for
11 moneys provided pursuant to subsection d. of R.S.39:5-41 and shall
12 be administered by the Attorney General. Moneys deposited in the
13 fund, and any interest earned thereon, shall be used exclusively for the
14 purpose of making grants to local law enforcement agencies ², the
15 Division of State Police and the Department of Corrections² for the
16 purchase of body vests for the law enforcement officers ²and
17 corrections officers² of those agencies. ³Of the moneys deposited
18 into the fund, an amount not to exceed \$75,000 shall be allocated
19 annually to the Department of Law and Public Safety exclusively for
20 the administration of the grant program.³

21 The grant program shall be designed to effectuate a five-year vest
22 replacement cycle, to the extent practicable, for local law enforcement
23 officers ², the officers and troopers of the State Police and State
24 corrections officers². The Attorney General shall provide for the
25 distribution of the initial grants in a manner which is conducive to
26 establishing a balance among the number of local law enforcement
27 officers who are eligible for vest replacement grants in each year of the

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 ALP committee amendments adopted December 16, 1996.

² Assembly floor amendments adopted March 13, 1997.

³ Senate SBA committee amendments adopted June 12, 1997.

1 five year cycle. ²In the same manner and to the greatest extent
2 practicable, the Attorney General shall establish a grant distribution
3 schedule for the officers and troopers of the State Police that provides
4 for a balance among the number of officers and troopers receiving vest
5 replacements in each year of the five year cycle. In establishing a
6 distribution schedule for State corrections officers, the Attorney
7 General shall give first priority to those State corrections officers
8 assigned inmate supervision and control responsibilities in the State's
9 maximum security correctional facilities and second priority to those
10 officers assigned inmate supervision and control responsibilities in the
11 State's medium security correctional facilities. The distribution
12 schedule for State corrections officers shall be based on a five year
13 cycle, but need not provide for a balance among the number of officers
14 receiving vests in each year of the five year cycle.²

15 The Attorney General shall promulgate rules and regulations to
16 implement this grant program. Those rules and regulations shall
17 include, but not be limited to³[,] ³ application procedures for local
18 law enforcement agencies seeking vest replacement grants; criteria ,
19 such as crime rates and the age and condition of the body vests
20 currently utilized by a local law enforcement agency's officers, to
21 prioritize the awarding of grants; and guidelines identifying those body
22 vests, by manufacturer or brand name, which may be purchased with
23 grant moneys. ³ [²The schedules governing the distribution of vests
24 to the officers and troopers of the State Police and State corrections
25 officers shall be developed in consultation with the Superintendent of
26 State Police and the Commissioner of Corrections.²]³

27 As used in this section, "body vest" means bullet resistant body
28 armor which is intended to provide ballistic and trauma protection.

29
30 2. R.S.39:5-41 is amended to read as follows:

31 39:5-41. a. All fines, penalties and forfeitures imposed and
32 collected under authority of law for any violations of R.S.39:4-63 and
33 R.S.39:4-64 shall be forwarded by the judge to whom the same have
34 been paid to the proper financial officer of a county, if the violation
35 occurred within the jurisdiction of that county's central municipal
36 court, established pursuant to N.J.S.2B:12-1 et seq. or the
37 municipality wherein the violation occurred, to be used by the county
38 or municipality to help finance litter control activities in addition to or
39 supplementing existing litter pickup and removal activities in the
40 municipality.

41 b. Except as otherwise provided by subsection a. of this section, all
42 fines, penalties and forfeitures imposed and collected under authority
43 of law for any violations of the provisions of this Title, other than
44 those violations in which the complaining witness is the director, a
45 member of his staff, a member of the State Police, a member of a
46 county police department and force or a county park police system in

1 a county that has established a central municipal court, an inspector of
 2 the Board of Public Utilities, or a law enforcement officer of any other
 3 State agency, shall be forwarded by the judge to whom the same have
 4 been paid as follows: one-half of the total amount collected to the
 5 financial officer, as designated by the local governing body, of the
 6 respective municipalities wherein the violations occurred, to be used
 7 by the municipality for general municipal use and to defray the cost of
 8 operating the municipal court; and one-half of the total amount
 9 collected to the proper financial officer of the county wherein they
 10 were collected, to be used by the county as a fund for the
 11 construction, reconstruction, maintenance and repair of roads and
 12 bridges, snow removal, the acquisition and purchase of rights-of-way,
 13 and the purchase, replacement and repair of equipment for use on said
 14 roads and bridges therein. Up to 25% of the money received by a
 15 municipality pursuant to this subsection, but not more than the actual
 16 amount budgeted for the municipal court, whichever is less, may be
 17 used to upgrade case processing.

18 All fines, penalties and forfeitures imposed and collected under
 19 authority of law for any violations of the provisions of this Title, in
 20 which the complaining witness is a member of a county police
 21 department and force or a county park police system in a county that
 22 has established a central municipal court, shall be forwarded by the
 23 judge to whom the same have been paid to the financial officer,
 24 designated by the governing body of the county, for all violations
 25 occurring within the jurisdiction of that court, to be used for general
 26 county use and to defray the cost of operating the central municipal
 27 court.

28 Whenever any county has deposited moneys collected pursuant to
 29 this section in a special trust fund in lieu of expending the same for the
 30 purposes authorized by this section, it may withdraw from said special
 31 trust fund in any year an amount which is not in excess of the amount
 32 expended by the county over the immediately preceding three-year
 33 period from general county revenues for said purposes. Such moneys
 34 withdrawn from the trust fund shall be accounted for and used as are
 35 other general county revenues.

36 c. (Deleted by amendment, PL.1993, c.293.)

37 d. Notwithstanding the provisions of subsection a. and b. of this
 38 section, \$1.00 shall be added to the amount of each fine ³[.] and³
 39 penalty ³[and forfeiture]³ imposed and collected ³[¹by a judge¹]³
 40 under authority of any law for any violation of the provisions of Title
 41 39 of the Revised Statutes or any other motor vehicle or traffic
 42 violation in this State and shall be forwarded by the ³[judge] person³
 43 to whom the same are paid to the State Treasurer ¹[for deposit].
 44 ²[From those moneys, the] ³In addition, upon the forfeiture of bail,
 45 \$1.00 of that forfeiture shall be forwarded to the State Treasurer.³
 46 The State Treasurer shall annually deposit those moneys so forwarded

1 in the "Body Armor Replacement" fund established pursuant to section
 2 1 of P.L. , c. (C.) (now pending before the Legislature as this
 3 bill). Beginning in ³the³ fiscal year next following the effective date
 4 of this act, the² State Treasurer annually shall allocate ¹[the first]
 5 from those moneys so forwarded an amount not to exceed² \$250,000
 6 ²[so received]² to the Department of Personnel to be expended
 7 exclusively for the purposes of funding the operation of the "Law
 8 Enforcement Officer Crisis Intervention Services" telephone hotline
 9 established and maintained under the provisions of P.L. , c.
 10 (C.)(now pending before the Legislature as Assembly, No. 806 of
 11 1996). ²[The remainder of the moneys so forwarded shall be
 12 deposited by the State Treasurer¹ in the "Body Armor Replacement"
 13 fund established pursuant to section 1 of PL. , c. (C.)(now
 14 pending before the Legislature as this bill).]²
 15 (cf: P.L.1996, c.95, s.16)

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17 3. This act shall take effect on the first day of the second month
 18 following enactment.

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23 Establishes "Body Armor Replacement" fund; provides grants to
 24 replace protective body vests for local law enforcement officers, State
 25 Police and State corrections officers every five years.