

P.L. 1997, CHAPTER 182, *approved August 1, 1997*
Assembly, No. 1598 (*Second Reprint*)

1 AN ACT concerning certain acts of inmates and parolees and
2 supplementing chapter 12 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. As used in this act:

8 "Bodily fluid" means saliva, blood, urine, feces, seminal fluid or any
9 other bodily fluid.

10 "Department of Corrections employee" means any corrections
11 officer, parole officer or other employee of the New Jersey
12 Department of Corrections and any person under contract to provide
13 services to the department.

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15 2. A person who throws a bodily fluid at a Department of
16 Corrections employee ²while in the performance of his duties² or
17 otherwise purposely subjects such employee to contact with a bodily
18 fluid commits an aggravated assault. If the victim suffers bodily
19 injury, this shall be a crime of the third degree. Otherwise, this shall
20 be a crime of the fourth degree ²[, in which case the offender shall
21 serve a minimum term of imprisonment of 12 months]². A term of
22 imprisonment imposed for this offense shall run consecutively to any
23 term of imprisonment currently being served and to any other term
24 imposed for another offense committed at the time of the assault.
25 ¹Nothing herein shall be deemed to preclude, if the evidence so
26 warrants, an indictment and conviction for a violation or attempted
27 violation of chapter 11 of Title 2C of the New Jersey Statutes or
28 subsection b. of N.J.S. 2C:12-1 or any other provision of the criminal
29 laws.¹

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 June 10, 1996.

² Senate floor amendments adopted June 19, 1997.

1 3. This act shall take effect immediately.

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5 Makes throwing bodily fluid at corrections officer an aggravated
6 assault.