

P.L. 1997, CHAPTER 420, *approved January 19, 1998*
Assembly Committee Substitute for
Assembly, No. 1526

1 **AN ACT** concerning the Adult Diagnostic and Treatment Center and
2 amending N.J.S.2C:47-4.

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

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7 1. N.J.S.2C:47-4 is amended to read as follows:

8 2C:47-4. Treatment arrangements

9 a. ~~[The] Except as provided in subsection b. of this section, the~~
10 Commissioner of the Department of Corrections, upon commitment of
11 such person, shall provide for his treatment in the Adult Diagnostic
12 and Treatment Center.

13 b. (1) The commissioner may, in his discretion, order the transfer
14 of a person sentenced under this chapter out of the Adult Diagnostic
15 and Treatment Center. [In the event of such a transfer the conditions
16 of confinement and release of such person transferred shall no longer
17 be governed by this chapter.]

18 (2) The commissioner shall order the transfer of a person
19 sentenced under this chapter out of the Adult Diagnostic and
20 Treatment Center under the following circumstances:

21 (a) The person is serving a life sentence without possibility of
22 parole; or

23 (b) The person is not participating in or cooperating with the
24 treatment provided in the Adult Diagnostic and Treatment Center.

25 (3) A person who is transferred pursuant to either paragraph (1)
26 or subparagraph (a) of paragraph (2) of this subsection shall be subject
27 to conditions of confinement, parole and release applicable to persons
28 sentenced to State prison. A person who is transferred pursuant to
29 subparagraph (b) of paragraph (2) of this subsection shall continue to
30 be eligible for parole in accordance with the provisions of
31 N.J.S.2C:47-5, except that the commissioner shall return the person

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 to the Adult Diagnostic and Treatment Center as soon as practicable
2 if the commissioner determines that the person is likely to participate
3 and fully cooperate in the treatment provided therein.

4 c. If [, in the opinion of the commissioner, upon the written
5 recommendation of] the Special Classification Review Board submits
6 a written recommendation to the commissioner that continued
7 confinement of the person is not necessary, [he shall] the
8 commissioner may move before the sentencing court for modification
9 of the sentence originally imposed.

10 (cf: N.J.S.2C:47-4)

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12 2. This act shall take effect immediately.

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18 Authorizes Commissioner of Corrections to transfer certain ADTC
19 inmates; specifies parole restrictions for inmates transferred for
refusing treatment.