

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, Nos. 391 and 768

STATE OF NEW JERSEY

DATED: OCTOBER 28, 1996

The Senate Budget and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill Nos. 391 and 768.

The Senate committee substitute establishes the "Address Confidentiality Program" in the Department of State. The purpose of the program is to assist persons who are victims of domestic violence in establishing and maintaining a confidential address to prevent their assailant from finding them. Under the program, first class mail addressed to a program participant is forwarded to the actual address of the participant by the secretary or a designee. In addition, the substitute bill enables public agencies to respond to requests for public records without disclosing the location of a victim of domestic violence.

Upon the filing of an application and acceptance into the program, the Secretary of State will certify that the applicant is a program participant for a period of up to four years. A participant may reapply for recertification at the end of that time period. Participation in the program permits the applicant to request the use of the designated address as the participant's address by State and local agencies, except where disclosure is mandated by law. The substitute bill permits the secretary to cancel a program participant's certification in certain circumstances. In addition, the current penalty provisions in N.J.S.2C:28-2 will apply if an applicant provides false information on an application.

The program established by the substitute bill is similar to a procedure available in Washington to protect victims of domestic violence. According to the sponsors, a common experience of battered women is that for years after they end an abusive relationship they must avoid their abusers or be in danger. Abusers are so persistent that in some cases it has been dangerous for women to make their addresses public for even the most important reasons. When the danger threatened their right to vote (because registration requires a complete and verified address, and the registration lists are public), New Jersey courts found that the State had to accommodate the

victims.

Senate Bill No. 391 (1R) and Senate Bill No. 768 (1R) were very similar in purpose and content; therefore, the committee merged the bills.

FISCAL IMPACT

The Department of State estimated the cost of implementing a similar bill in the prior Legislative session at \$36,000 in the first year following enactment, \$32,500 in the second year and \$33,500 in the third year.