

SENATE, No. 1118

STATE OF NEW JERSEY

INTRODUCED MAY 9, 1996

By Senators **INVERSO** and **CAFIERO**

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.

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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 for the
15 purchase of body vests for the law enforcement officers of those
16 agencies.

17 The grant program shall be designed to effectuate a five-year vest
18 replacement cycle, to the extent practicable, for local law enforcement
19 officers. The Attorney General shall provide for the distribution of the
20 initial grants in a manner which is conducive to establishing a balance
21 among the number of local law enforcement officers who are eligible
22 for vest replacement grants in each year of the five-year cycle.

23 The Attorney General shall promulgate rules and regulations to
24 implement this grant program. Those rules and regulations shall
25 include, but not be limited to: application procedures for local law
26 enforcement agencies seeking vest replacement grants; criteria, such
27 as crime rates and the age and condition of the body vests currently
28 utilized by a local law enforcement agency's officers, to prioritize the
29 awarding of grants; and guidelines identifying those body vests, by
30 manufacturer or brand name, that may be purchased with grant
31 moneys.

32 As used in this section, "body vest" means bullet resistant body
33 armor that is intended to provide ballistic and trauma protection.

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.

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

2 39:5-41. a. All fines, penalties and forfeitures imposed and
3 collected under authority of law for any violations of R.S.39:4-63 and
4 R.S.39:4-64 shall be forwarded by the judge to whom the same have
5 been paid to the proper financial officer of the municipality wherein
6 the violation occurred, to be used by the municipality to help finance
7 litter control activities in addition to or supplementing existing litter
8 pickup and removal activities in the municipality.

9 b. Except as otherwise provided by subsection a. of this section, all
10 fines, penalties and forfeitures imposed and collected under authority
11 of law for any violations of the provisions of this Title, other than
12 those violations in which the complainant is the director, a member of
13 his staff, a member of the State Police, an inspector of the Board of
14 Public Utilities, or a law enforcement officer of any other State
15 agency, shall be forwarded by the judge to whom the same have been
16 paid as follows: one-half of the total amount collected to the financial
17 officer, as designated by the local governing body, of the respective
18 municipalities wherein the violations occurred, to be used by the
19 municipality for general municipal use and to defray the cost of
20 operating the municipal court; and one-half of the total amount
21 collected to the proper financial officer of the county wherein they
22 were collected, to be used by the county as a fund for the
23 construction, reconstruction, maintenance and repair of roads and
24 bridges, snow removal, the acquisition and purchase of rights-of-way,
25 and the purchase, replacement and repair of equipment for use on said
26 roads and bridges therein. Up to 25% of the money received by a
27 municipality pursuant to this subsection, but not more than the actual
28 amount budgeted for the municipal court, whichever is less, may be
29 used to upgrade case processing.

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

38 c. (Deleted by amendment, P.L.1993, c.293.)

39 d. Notwithstanding the provisions of subsection a. and b. of this
40 section, \$1 shall be added to the amount of each fine, penalty and
41 forfeiture imposed and collected under authority of any law for any
42 violation of the provisions of Title 39 of the Revised Statutes or any
43 other motor vehicle or traffic violation in this State and shall be
44 forwarded by the judge to whom the same are paid to the State
45 Treasurer for deposit in the "Body Armor Replacement" fund
46 established pursuant to section 1 of P.L. , c. (C.)(now

1 pending before the Legislature as this bill).

2 (cf: P.L.1993, c.293, s.5.)

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

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STATEMENT

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10 This bill establishes a body vest replacement program for local law
11 enforcement officers.

12 Under the provisions of the bill, the Attorney General is to
13 administer a grant program to provide replacement body vests for
14 local law enforcement officers. The program is to operate on a five-
15 year cycle, with approximately 20 percent of the State's nearly 25,000
16 local law enforcement officers scheduled to receive replacement vests
17 each year. The five-year cycle is important because, on average, the
18 effective life span of a body vest is five to seven years.

19 The Attorney General is to promulgate appropriate rules and
20 regulations. In developing those rules and regulations, the Attorney
21 General is directed to adopt grant application procedures for local law
22 enforcement agencies that wish to participate in the program and
23 identify criteria (such as crime rates and the age and condition of the
24 vest currently used by the applicant agency's officers) to be used to
25 prioritize grant requests. To ensure that local law enforcement
26 officers are obtaining the highest quality protective gear, the Attorney
27 General's guidelines would identify the specific brands of vests that
28 may be purchased with grant moneys.

29 Funding for the program is to come from a \$1 fee added to all
30 motor vehicle fines. These moneys are to be forwarded by the court
31 collecting the motor vehicle fine to the State Treasurer and deposited
32 in a special fund, the "Body Armor Replacement" fund. The moneys
33 deposited in this fund are to be used exclusively for the purpose of
34 providing grants to enable local law enforcement agencies to secure
35 new body vests for their officers every five years.

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40 Establishes "Body Armor Replacement" fund; provides grants to
41 replace protective body vests for local law enforcement officers every
42 five years.