

[Second Reprint]
SENATE, No. 1118

STATE OF NEW JERSEY

INTRODUCED MAY 9, 1996

By Senators **INVERSO, CAFIERO,**
Sinagra, Bubba, Matheussen, Kosco, Kyrillos and Gormley

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 ¹, the
15 ²[Department of Corrections and the]² Division of State Police^{1 2}and
16 the Department of Corrections² for the purchase of body vests for the
17 ¹[law enforcement]^{1 2}law enforcement² officers ¹and ²[members]^{1 2}
18 corrections officers² of those agencies. ²Of the moneys deposited into
19 the fund, an amount not to exceed \$75,000 shall be allocated annually
20 to the Department of Law and Public Safety exclusively for the
21 administration of the grant program.²

22 The grant program shall be designed to effectuate a five-year vest
23 replacement cycle, to the extent practicable, for local law enforcement
24 officers ²[¹, corrections officers and sworn and enlisted members of the
25 State Police¹], the officers and troopers of the State Police and State
26 corrections officers². The Attorney General shall provide for the
27 distribution of the initial grants in a manner which is conducive to
28 establishing a balance among the number of local law enforcement
29 officers ²[¹, corrections officers and sworn and enlisted members of the
30 State Police¹]² who are eligible for vest replacement grants in each

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 Senate SLP committee amendments adopted March 3, 1997.

² Senate SBA committee amendments adopted June 12, 1997.

1 year of the five-year cycle. ²In the same manner and to the greatest
2 extent practicable, the Attorney General shall establish a grant
3 distribution schedule for the officers and troopers of the State Police
4 that provides for a balance among the number of officers and troopers
5 receiving vest replacements in each year of the five year cycle. In
6 establishing a distribution schedule for State corrections officers, the
7 Attorney General shall give first priority to those State corrections
8 officers assigned inmate supervision and control responsibilities in the
9 State's maximum security correctional facilities and second priority to
10 those officers assigned inmate supervision and control responsibilities
11 in the 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 to: application procedures for ¹[local law
18 enforcement]¹ ²local law enforcement² agencies seeking vest
19 replacement grants; criteria, such as crime rates and the age and
20 condition of the body vests currently utilized by ¹[a local law
21 enforcement]¹ ²[the¹] a local law enforcement² agency's officers ²¹or
22 members¹],² to prioritize the awarding of grants; and guidelines
23 identifying those body vests, by manufacturer or brand name, ²[that]
24 which² may be purchased with grant moneys.

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

27

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

29 39:5-41. a. All fines, penalties and forfeitures imposed and
30 collected under authority of law for any violations of R.S.39:4-63 and
31 R.S.39:4-64 shall be forwarded by the judge to whom the same have
32 been paid to the proper financial officer of ¹a county, if the violation
33 occurred within the jurisdiction of that county's central municipal
34 court, established pursuant to N.J.S.2B:12-1 et seq. or¹ the
35 municipality wherein the violation occurred, to be used by the ¹county
36 or¹ municipality to help finance litter control activities in addition to
37 or supplementing existing litter pickup and removal activities in the
38 municipality.

39 b. Except as otherwise provided by subsection a. of this section, all
40 fines, penalties and forfeitures imposed and collected under authority
41 of law for any violations of the provisions of this Title, other than
42 those violations in which the ¹[complainant] complaining witness¹ is
43 the director, a member of his staff, a member of the State Police, ¹a
44 member of a county police department and force or a county park
45 police system in a county that has established a central municipal
46 court,¹ an inspector of the Board of Public Utilities, or a law

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

16 ¹All fines, penalties and forfeitures imposed and collected under
 17 authority of law for any violations of the provisions of this Title, in
 18 which the complaining witness is a member of a county police
 19 department and force or a county park police system in a county that
 20 has established a central municipal court, shall be forwarded by the
 21 judge to whom the same have been paid to the financial officer,
 22 designated by the governing body of the county, for all violations
 23 occurring within the jurisdiction of that court, to be used for general
 24 county use and to defray the cost of operating the central municipal
 25 court.¹

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

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

35 d. Notwithstanding the provisions of subsection a. and b. of this
 36 section, ²[\$1] 1.00² shall be added to the amount of each fine ²[.] and²
 37 penalty ²[and forfeiture]² imposed and collected ²[¹by a judge¹]² under
 38 authority of any law for any violation of the provisions of Title 39 of
 39 the Revised Statutes or any other motor vehicle or traffic violation in
 40 this State and shall be forwarded by the ²[judge] person² to whom the
 41 same are paid to the State Treasurer ²[for] . In addition, upon the
 42 forfeiture of bail, \$1.00 of that forfeiture shall be forwarded to the
 43 State Treasurer. The State Treasurer shall annually² deposit ²those
 44 moneys so forwarded² in the "Body Armor Replacement" fund
 45 established pursuant to section 1 of P.L. , c. (C.)(now
 46 pending before the Legislature as this bill). ²Beginning in the fiscal

1 year next following the effective date of this act, the State Treasurer
2 annually shall allocate from those moneys so forwarded an amount not
3 to exceed \$250,000 to the Department of Personnel to be expended
4 exclusively for the purposes of funding the operation of the "Law
5 Enforcement Officer Crisis Intervention Services" telephone hotline
6 established and maintained under the provisions of P.L. , c. (C.)
7 (now pending before the Legislature as Assembly, No. 806 of 1996).²
8 (cf: P.L.1996, c.95, s.16)

9

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

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