

STATEMENT TO

**ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3149**

with Assembly Floor Amendments
(Proposed by Assemblywoman MURPHY)

ADOPTED: JUNE 21, 2021

The Assembly Committee Substitute for Assembly Bill No. 3149 (1R) requires institutions of higher education and public and nonpublic high schools and middle schools to adopt anti-hazing policies; expands the activities that encompass criminal hazing; and upgrades the penalties for engaging in these activities.

The committee substitute currently amends the State's Criminal Code in regard to hazing activities to provide that hazing is a crime of the fourth degree and aggravated hazing is a crime of the third degree. These amendments would provide that an actor who commits the crime of hazing is guilty of a crime of the third degree if the act results in death or serious bodily injury to another, and is guilty of a crime of the fourth degree if it results in bodily injury to another person. Otherwise, hazing is a disorderly persons offense. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both; a crime of the fourth degree is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both; and a disorderly persons offense is punishable by a term of imprisonment of up to six months, a fine of up to \$1,000, or both.

These Assembly amendments also clarify the acts which constitute hazing by eliminating references to "enduring brutality" and providing that a person is guilty of hazing if the actor subjects another person to abuse, mistreatment, harassment, or degradation.

In addition, the amendments modify the fines imposed on a student or fraternal organization or institution of higher education that violates the provisions of the substitute by providing that an organization or institution that violates the provisions of the substitute will be subject to a fine of between \$1,000 and \$5,000 for an initial violation and a fine of between \$5,000 and \$15,000 for a subsequent violation. Currently, the substitute provides that an organization or institution is subject to a fine of up to \$5,000 for each violation.