

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 4040

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2023

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 4040.

This bill, as amended, changes the jurisdiction of regional municipal courts established under the pilot program set forth in P.L.2021, c.191 (C.2B:12-34 et seq.), and provides for private contractors to collect delinquent court-ordered financial assessments of such courts. Under the pilot program, a county in cooperation with five or more municipalities, and working with the Administrative Office of the Courts, can create a regional municipal court operated by the county to consolidate the individual courts of participating municipalities.

Regarding such court's jurisdiction, currently, in addition to having jurisdiction over cases originating from the participating municipalities, the pilot program also requires a regional municipal court to handle cases filed by the State Police or any Statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency, on a countywide basis, even if those matters did not originate from a participating municipality. The bill would change this jurisdiction so that the court would no longer be required to hear State Police or any other non-municipal entity cases, and clarify that it would only hear cases falling within the territorial jurisdiction of the municipal courts of the municipalities participating in the pilot program. However, counties could still, by ordinance, confer upon the regional municipal court jurisdiction over complaints issued by county law enforcement agencies or code enforcement entities.

Any existing regional municipal court would retain jurisdiction over currently pending cases that would no longer fall under the court's jurisdiction based on the above describe changes, and the new cases that no longer fall within the jurisdiction would be filed in the municipal court of the municipality from which the complaint originates.

The bill also provides that the governing body of a county in which a regional municipal court is operating may enter into a contract with a private agency or firm, made in accordance with the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.),

for the purpose of collecting delinquent fees, fines, costs, surcharges, and other penalties or assessments imposed by such court.

The bill would take effect on the first day of the seventh month next following enactment, but the Administrative Director of the Courts could take any anticipatory action in advance of that date as deemed necessary for the timely implementation of the bill.

The committee amendments to the bill:

omit section 1 of the bill, thus removing the requirement that a pilot program regional municipal court be formally named a “Regional Municipal Court of the County of (insert name of county)”;

clarify that the updated jurisdiction of such courts would be over all municipal court matters falling within the jurisdiction of the “municipal courts of the municipalities” participating in the pilot program;

provide that the governing body of a county in which a regional municipal court is operating may enter into a contract with a private agency or firm for the purpose of collecting delinquent court-ordered financial assessments imposed by the regional municipal court; and

revise the bill’s title and synopsis to reflect the changes made by the amendments.