

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 4040

STATE OF NEW JERSEY

DATED: DECEMBER 18, 2023

The Assembly Appropriations Committee reports favorably Senate Bill No. 4040 (1R).

This bill 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.

As reported by the committee, Senate Bill No. 4040 (1R) is identical to Assembly Bill No. 5881, which was also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the governing county of the regional municipal court may see an increase in revenues resulting from potential increases in the collection of fines and fees. Per the bill, the governing county of a regional municipal court may enter into a contract with a private firm for the collection of delinquent fines, fees, costs, surcharges, and other penalties on behalf of the regional municipal court. The OLS finds this additional option may result in revenue collections that were otherwise unattainable by the regional municipal court through other means.

The OLS determines that this bill will likely not result in any additional expenditures for the Judiciary.