

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1185

STATE OF NEW JERSEY

DATED: FEBRUARY 20, 2025

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1185.

As reported, this bill provides for enhanced penalties for the crime of engaging in prostitution as a patron, commonly referred to as “johns.” Under current law, a person commits this offense if the actor engages in prostitution as a patron, or one who purchases sexual activity with another person in exchange for something of economic value, or the offer or acceptance of an offer to engage in sexual activity in exchange for something of economic value.

Currently, a violation of this provision is a disorderly persons offense for a first offense, punishable by up to six months imprisonment, a fine of up to \$1,000, or both. For a second or third violation, it is a crime of the fourth degree, punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. For a fourth violation, it is a crime of the third degree, punishable by three to five years imprisonment, a fine of up to \$15,000, or both. In addition to any other disposition for the offense, N.J.S.A.2C:34-1.2 assesses additional penalties upon persons convicted of engaging in prostitution as a patron, which include an assessment of \$500 and participation in a prostitution offender program.

This bill increases prostitution by a patron to a crime of the fourth degree, except that a fourth violation remains a crime of the third degree. In addition, the bill provides that any fine collected will be forwarded to the Department of the Treasury to be deposited in the “Human Trafficking Survivor’s Assistance Fund” (the HTSAF) established by N.J.S.A.52:17B-238. All monies deposited in the HTSAF are required to be used to provide services to victims of human trafficking, to promote awareness of human trafficking, and to develop, operate, maintain, and distribute training courses, educational materials, and training programs.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in indeterminate annual increases in State expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to estimate the number of crimes likely to be committed under the provisions of this bill. The bill upgrades certain prostitution-related crimes from a disorderly persons offense to

a crime of the fourth degree and provides for enhanced penalties for these crimes. The State may receive indeterminate revenues from the enhanced fines.

As for local entities, the OLS notes that annual expenditures and revenues are likely to decrease since first-time offenders will now be adjudicated in State court rather than municipal court and any defendants sentenced to incarceration will be sent to State prison rather than county jail.