

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2163

STATE OF NEW JERSEY

DATED: OCTOBER 5, 2026

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2163 (1R).

As reported, this bill creates a disorderly persons offense for persons who conceal, or attempt to conceal, their identity while committing another crime or offense. A disorderly persons offense is punishable by up to six months imprisonment, a fine of up to \$1,000, or both.

Under the bill, it is a disorderly persons offense for a person to conceal, or attempt to conceal, the person's identity by wearing a mask or disguise with the purpose of instilling fear, hindering prosecution, or avoiding apprehension while committing another crime or offense.

The bill provides that a person who wears a mask or disguise for medical, religious, or expressive purposes is not to be deemed to have acted with the purpose to instill fear, hinder prosecution, or avoid apprehension.

The bill also provides that a person would not be charged with a disorderly persons offense unless they are charged with an underlying crime or offense under Title 2C of the New Jersey Statutes, or any other law of this State, and wearing a mask or disguise at the time the person committed the underlying crime or offense.

Finally, the bill also prohibits the merger of this offense with any other criminal offense for the purpose of reducing a defendant's sentence.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill's establishment of a new disorderly persons offense would result in annual indeterminate increases in local government expenditures and revenues. The OLS lacks sufficient information to quantify the scale of the increases as it is not possible to know how many individuals will be prosecuted under the provisions of this bill.

Disorderly persons offenses are adjudicated in municipal courts and defendants are sentenced to county jails. Annual municipal revenue would increase by an indeterminate amount due to an increase in court fees and penalties from additional disorderly persons cases.