

[First Reprint]

ASSEMBLY SUBSTITUTE FOR  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 321**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

ADOPTED FEBRUARY 14, 2012

**Sponsored by:**

Assemblyman **RONALD S. DANCER**  
District 12 (Burlington, Middlesex, Monmouth and Ocean)  
Assemblyman **TROY SINGLETON**  
District 7 (Burlington)  
Assemblyman **DANIEL R. BENSON**  
District 14 (Mercer and Middlesex)  
Assemblyman **THOMAS P. GIBLIN**  
District 34 (Essex and Passaic)  
Assemblywoman **GABRIELA M. MOSQUERA**  
District 4 (Camden and Gloucester)

**Co-Sponsored by:**

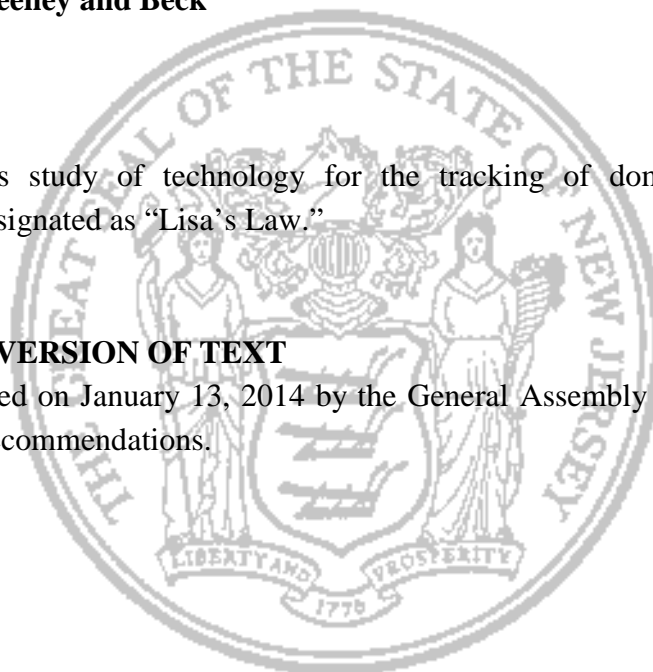
Assemblymen **Caputo, McGuckin, Wolfe**, Assemblywoman **Oliver**,  
Senators **Sweeney and Beck**

**SYNOPSIS**

Establishes study of technology for the tracking of domestic violence offenders; designated as "Lisa's Law."

**CURRENT VERSION OF TEXT**

As amended on January 13, 2014 by the General Assembly pursuant to the Governor's recommendations.



(Sponsorship Updated As Of: 12/20/2013)

1 AN ACT establishing a <sup>1</sup>**【pilot program】** study of technology<sup>1</sup> for  
2 the tracking of<sup>1</sup> domestic violence offenders, designated “Lisa’s  
3 Law <sup>1</sup>**【,】** <sup>1</sup>” <sup>1</sup>**【amending P.L.1971, c.198, supplementing Title**  
4 **2C of the New Jersey Statutes, and making an appropriation.】**<sup>1</sup>  
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:  
8

9 <sup>1</sup>**【1. (New section) The Attorney General and the State Parole**  
10 **Board shall establish a four-year pilot program in Ocean County for**  
11 **electronic monitoring of defendants and notification of domestic**  
12 **violence victims as ordered by the court.】**<sup>1</sup>  
13

14 <sup>1</sup>**【2. (New section). a. Pursuant to the pilot program established**  
15 **by P.L. , c. (C. ) (pending before the Legislature as this**  
16 **bill), electronic monitoring may be ordered only with the victim’s**  
17 **informed consent as defined in section 5 of P.L. , c. (C. )**  
18 **(pending before the Legislature as this bill). The pilot program**  
19 **shall apply to defendants charged with or convicted of contempt of**  
20 **a domestic violence order entered pursuant to the provisions of**  
21 **P.L.1981, c.426 (C.2C:25-1 et seq.) or P.L.1991, c.261 (C.2C:25-17**  
22 **et seq.).**

23 b. In making the determination whether to place the defendant  
24 on electronic monitoring, the court may hold a hearing to consider  
25 the likelihood that the defendant's participation in electronic  
26 monitoring will deter the defendant from injuring the victim. The  
27 court shall consider the following factors:

28 (1) the gravity and seriousness of harm that the defendant  
29 inflicted on the victim in the commission of the act of domestic  
30 violence;

31 (2) the defendant’s previous history of domestic violence, if  
32 any;

33 (3) the defendant’s history of other criminal acts, if any;

34 (4) whether the defendant has access to a weapon;

35 (5) whether the defendant has threatened suicide or homicide;

36 (6) whether the defendant has a history of mental illness or has  
37 been civilly committed; and

38 (7) whether the defendant has a history of alcohol abuse or  
39 substance abuse.

40 c. A defendant ordered by the court to be placed on electronic  
41 monitoring may be ordered to pay the costs and expenses related to

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup>**Assembly amendments adopted in accordance with Governor's recommendations January 13, 2014.**

1 electronic monitoring and victim notification or a portion of the  
2 costs and expenses, based on the defendant's ability to pay.

3 d. In addition to the provisions of subsection c. of this section,  
4 a defendant ordered by the court to be placed on electronic  
5 monitoring shall be assessed a monitoring fee of \$250. The court  
6 may waive the fee in cases of extreme financial hardship. The fee  
7 shall be collected as provided by the Rules of Court and forwarded  
8 to the "Domestic Violence Victim Notification Fund" established  
9 pursuant to section 7 of P.L. , c. (C. ) (pending before the  
10 Legislature as this bill).

11 e. The Attorney General, in consultation with the  
12 Administrative Office of the Courts, shall develop procedures to  
13 determine, investigate, and report on a 24-hour-per-day basis a  
14 defendant's noncompliance with the terms and conditions of the  
15 electronic monitoring program. All reports of noncompliance shall  
16 be investigated by a law enforcement officer within a reasonable  
17 period of time.

18 f. The Attorney General, the Administrative Office of the  
19 Courts, the Superintendent of State Police, the State Parole Board,  
20 and county and municipal law enforcement agencies shall share  
21 information obtained pursuant to this act.】<sup>1</sup>

22

23 <sup>1</sup>【3.(New section) Pursuant to the pilot program established by  
24 P.L. , c. (C. ) (pending before the Legislature as this bill):

25 a. When a defendant is convicted of contempt of a domestic  
26 violence order entered pursuant to P.L.1981, c.426 (C.2C:25-1 et  
27 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) the court may, in  
28 addition to or in lieu of any other disposition:

29 (1) sentence the defendant to electronic monitoring with victim  
30 notification; or

31 (2) sentence the defendant to probation or a suspension of  
32 sentence and, as a condition of such probation or suspension, order  
33 electronic monitoring with victim notification; and

34 b. When a defendant charged with contempt of a domestic  
35 violence order entered pursuant to P.L.1981, c.426 (C.2C:25-1 et  
36 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) is released from  
37 custody before trial on bail or personal recognizance pursuant to  
38 section 10 of P.L.1991, c.261 (C.2C:25-26), the court may as a  
39 condition of release order electronic monitoring of the defendant  
40 with victim notification.】<sup>1</sup>

41

42 <sup>1</sup>【4. (New section) Any person who tampers with, removes, or  
43 vandalizes an electronic monitoring device worn or utilized by a  
44 defendant pursuant to P.L. , c. (C. ) (pending before the  
45 Legislature as this bill) is guilty of a crime of the third degree.】<sup>1</sup>

1 <sup>1</sup>5. (New section) As used in this act, "informed consent" means  
2 that the victim is given the following information before consenting  
3 to participate in the electronic monitoring program established  
4 by P.L. , c. (C. ) (pending before the Legislature as this  
5 bill):

6 a. The victim's right to refuse to participate in electronic  
7 monitoring and the process for requesting the court to terminate the  
8 victim's participation after it has been ordered;

9 b. The manner in which the electronic monitoring technology  
10 functions and the risks and limitations of that technology, and the  
11 extent to which the system will track and record the victim's  
12 location and movements;

13 c. The boundaries imposed on the defendant during the electronic  
14 monitoring;

15 d. The sanctions that the court may impose on the defendant for  
16 violating an order issued by the court;

17 e. The procedure that the victim is to follow if the defendant  
18 violates an order or if electronic monitoring equipment fails;

19 f. Identification of support services available to assist the victim  
20 in developing a safety plan to use if the defendant violates an order  
21 or if electronic monitoring equipment fails;

22 g. Identification of community services available to assist the  
23 victim in obtaining shelter, counseling, education, child care, legal  
24 representation, and other help in addressing the consequences and  
25 effects of domestic violence; and

26 h. The non-confidential nature of the victim's communications  
27 with the court concerning electronic monitoring and the restrictions  
28 to be imposed upon the defendant's movements.】<sup>1</sup>

29  
30 <sup>1</sup>6. (New section) a. From the implementation of the pilot  
31 program established by P.L. , c. (C. ) (pending before the  
32 Legislature as this bill) through the fifth year thereafter, and, in  
33 addition to the provisions of section 1 of P.L.2001, c.195 (C.2C:25-  
34 29.1) any person found by the court in a final hearing pursuant to  
35 section 13 of P.L.1991, c.261 (C.2C:25-29) to have committed an  
36 act of domestic violence shall be ordered by the court to pay a civil  
37 penalty of \$200. In imposing this civil penalty, the court shall take  
38 into consideration the nature and degree of injury suffered by the  
39 victim. The court may waive the penalty in cases of extreme  
40 financial hardship.

41 b. In addition to any other disposition, the court shall impose a  
42 civil penalty of \$250 on any person:

43 (1) convicted of a crime or offense involving domestic violence,  
44 as defined in subsection a. of section 3 of P.L.1991, c.261  
45 (C.2C:25-19); or

1 (2) convicted of contempt of a domestic violence order entered  
2 pursuant to P.L.1981, c.426 (C.2C:25-1 et seq.) or P.L.1991, c.261  
3 (C.2C:25-17 et seq.),

4 unless the person was previously assessed the monitoring fee  
5 imposed pursuant to subsection d. of section 2 of  
6 P.L. , c. (C. ) (pending before the Legislature as this bill),  
7 in which case the court shall not impose the civil penalty pursuant  
8 to this subsection.

9 c. The civil penalties imposed pursuant to this section shall  
10 expire at the end of the fifth year following implementation of the  
11 pilot program established pursuant to P.L. , c. (C. ) (pending  
12 before the Legislature as this bill).<sup>1</sup>

13  
14 <sup>1</sup>7.(New section) a. There is hereby established the “Domestic  
15 Violence Victim Notification Fund,” a dedicated, non-lapsing fund  
16 within the General Fund and administered by the Attorney General.  
17 The fund shall be the depository of the following moneys:

18 (1) the costs and expenses imposed on the defendant for  
19 electronic monitoring and victim notification pursuant to subsection  
20 c. of section 2 of P.L. , c. (C. ) (pending before the  
21 Legislature as this bill);

22 (2) the \$250 monitoring fee assessed pursuant to subsection d. of  
23 section 2 of P.L. , c. (C. ) (pending before the Legislature as  
24 this bill);

25 (3) the \$200 civil penalty set forth in subsection a. of section 6 of  
26 P.L. , c. (C. ) (pending before the Legislature as this bill);

27 (4) the \$250 civil penalty set forth in subsection b. of section 6 of  
28 P.L. , c. (C. ) (pending before the Legislature as this bill);  
29 and

30 (5) any other monies that may be available to the fund through  
31 appropriation by the Legislature or any public or private source.

32 b. All moneys deposited in the “Domestic Violence Victim  
33 Notification Fund” shall be used to defray the costs of electronic  
34 monitoring with victim notification pursuant to P.L. , c. (C. )  
35 (pending before the Legislature as this bill).<sup>1</sup>

36  
37 <sup>1</sup>8.(New section) Notwithstanding any other provision of law to  
38 the contrary, no supplier of a product, system, or service used for  
39 electronic monitoring with victim notification in the pilot program  
40 established by P.L. , c. (C. ) (pending before the Legislature  
41 as this bill) shall be liable, directly or indirectly, for damages  
42 arising from any injury or death associated with the use of the  
43 product, system or service unless, and only to the extent that, such  
44 action is based on a claim that the injury or death was proximately  
45 caused by a manufacturing defect in the product or system.<sup>1</sup>

1       <sup>1</sup>9. Section 5 of P.L.1971, c.198 (C.40A:11-5) is amended to  
2 read as follows:

3       5. Any contract the amount of which exceeds the bid threshold,  
4 may be negotiated and awarded by the governing body without  
5 public advertising for bids and bidding therefor and shall be  
6 awarded by resolution of the governing body if:

7       (1) The subject matter thereof consists of:

8       (a) (i) Professional services. The governing body shall in each  
9 instance state supporting reasons for its action in the resolution  
10 awarding each contract and shall forthwith cause to be printed once,  
11 in the official newspaper, a brief notice stating the nature, duration,  
12 service and amount of the contract, and that the resolution and  
13 contract are on file and available for public inspection in the office  
14 of the clerk of the county or municipality, or, in the case of a  
15 contracting unit created by more than one county or municipality, of  
16 the counties or municipalities creating such contracting unit; or (ii)  
17 Extraordinary unspecifiable services. The application of this  
18 exception shall be construed narrowly in favor of open competitive  
19 bidding, whenever possible, and the Division of Local Government  
20 Services is authorized to adopt and promulgate rules and regulations  
21 after consultation with the Commissioner of Education limiting the  
22 use of this exception in accordance with the intention herein  
23 expressed. The governing body shall in each instance state  
24 supporting reasons for its action in the resolution awarding each  
25 contract and shall forthwith cause to be printed, in the manner set  
26 forth in subsection (1) (a) (i) of this section, a brief notice of the  
27 award of such contract;

28       (b) The doing of any work by employees of the contracting unit;

29       (c) The printing of legal briefs, records and appendices to be  
30 used in any legal proceeding in which the contracting unit may be a  
31 party;

32       (d) The furnishing of a tax map or maps for the contracting unit;

33       (e) The purchase of perishable foods as a subsistence supply;

34       (f) The supplying of any product or the rendering of any service  
35 by a public utility, which is subject to the jurisdiction of the Board  
36 of Public Utilities or the Federal Energy Regulatory Commission or  
37 its successor, in accordance with tariffs and schedules of charges  
38 made, charged or exacted, filed with the board or commission;

39       (g) The acquisition, subject to prior approval of the Attorney  
40 General, of special equipment for confidential investigation;

41       (h) The printing of bonds and documents necessary to the  
42 issuance and sale thereof by a contracting unit;

43       (i) Equipment repair service if in the nature of an extraordinary  
44 unspecifiable service and necessary parts furnished in connection  
45 with such service, which exception shall be in accordance with the  
46 requirements for extraordinary unspecifiable services;

- 1 (j) The publishing of legal notices in newspapers as required by  
2 law;
- 3 (k) The acquisition of artifacts or other items of unique intrinsic,  
4 artistic or historical character;
- 5 (l) Those goods and services necessary or required to prepare  
6 and conduct an election;
- 7 (m) Insurance, including the purchase of insurance coverage and  
8 consultant services, which exception shall be in accordance with the  
9 requirements for extraordinary unspecifiable services;
- 10 (n) The doing of any work by handicapped persons employed by  
11 a sheltered workshop;
- 12 (o) The provision of any goods or services including those of a  
13 commercial nature, attendant upon the operation of a restaurant by  
14 any nonprofit, duly incorporated, historical society at or on any  
15 historical preservation site;
- 16 (p) (Deleted by amendment, P.L.1999, c.440.)
- 17 (q) Library and educational goods and services;
- 18 (r) (Deleted by amendment, P.L.2005, c.212).
- 19 (s) The marketing of recyclable materials recovered through a  
20 recycling program, or the marketing of any product intentionally  
21 produced or derived from solid waste received at a resource  
22 recovery facility or recovered through a resource recovery program,  
23 including, but not limited to, refuse-derived fuel, compost materials,  
24 methane gas, and other similar products;
- 25 (t) (Deleted by amendment, P.L.1999, c.440.)
- 26 (u) Contracting unit towing and storage contracts, provided that  
27 all such contracts shall be pursuant to reasonable non-exclusionary  
28 and non-discriminatory terms and conditions, which may include  
29 the provision of such services on a rotating basis, at the rates and  
30 charges set by the municipality pursuant to section 1 of P.L.1979,  
31 c.101 (C.40:48-2.49). All contracting unit towing and storage  
32 contracts for services to be provided at rates and charges other than  
33 those established pursuant to the terms of this paragraph shall only  
34 be awarded to the lowest responsible bidder in accordance with the  
35 provisions of the "Local Public Contracts Law" and without regard  
36 for the value of the contract therefor;
- 37 (v) The purchase of steam or electricity from, or the rendering  
38 of services directly related to the purchase of such steam or  
39 electricity from a qualifying small power production facility or a  
40 qualifying cogeneration facility as defined pursuant to 16  
41 U.S.C.s.796;
- 42 (w) The purchase of electricity or administrative or dispatching  
43 services directly related to the transmission of such purchased  
44 electricity by a contracting unit engaged in the generation of  
45 electricity;

- 1 (x) The printing of municipal ordinances or other services  
2 necessarily incurred in connection with the revision and  
3 codification of municipal ordinances;
- 4 (y) An agreement for the purchase of an equitable interest in a  
5 water supply facility or for the provision of water supply services  
6 entered into pursuant to section 2 of P.L.1993, c.381 (C.58:28-2), or  
7 an agreement entered into pursuant to P.L.1989, c.109  
8 (N.J.S.40A:31-1 et al.), so long as such agreement is entered into no  
9 later than six months after the effective date of P.L.1993, c.381;
- 10 (z) A contract for the provision of water supply services entered  
11 into pursuant to P.L.1995, c.101 (C.58:26-19 et al.);
- 12 (aa) The cooperative marketing of recyclable materials recovered  
13 through a recycling program;
- 14 (bb) A contract for the provision of wastewater treatment  
15 services entered into pursuant to P.L.1995, c.216 (C.58:27-19 et  
16 al.);
- 17 (cc) Expenses for travel and conferences;
- 18 (dd) The provision or performance of goods or services for the  
19 support or maintenance of proprietary computer hardware and  
20 software, except that this provision shall not be utilized to acquire  
21 or upgrade non-proprietary hardware or to acquire or update non-  
22 proprietary software;
- 23 (ee) The management or operation of an airport owned by the  
24 contracting unit pursuant to R.S.40:8-1 et seq.;
- 25 (ff) Purchases of goods and services at rates set by the Universal  
26 Service Fund administered by the Federal Communications  
27 Commission;
- 28 (gg) A contract for the provision of water supply services or  
29 wastewater treatment services entered into pursuant to section 2 of  
30 P.L.2002, c.47 (C.40A:11-5.1), or the designing, financing,  
31 construction, operation, or maintenance, or any combination  
32 thereof, of a water supply facility as defined in subsection (16) of  
33 section 15 of P.L.1971, c.198 (C.40A:11-15) or a wastewater  
34 treatment system as defined in subsection (19) of section 15 of  
35 P.L.1971, c.198 (C.40A:11-15), or any component part or parts  
36 thereof, including a water filtration system as defined in subsection  
37 (16) of section 15 of P.L.1971, c.198 (C.40A:11-15);
- 38 (hh) The purchase of electricity generated from a power  
39 production facility that is fueled by methane gas extracted from a  
40 landfill in the county of the contracting unit**[.]**;
- 41 (ii) For the duration of the four-year pilot program established by  
42 P.L. , c. (C. ) (pending before the Legislature as this bill),  
43 services and equipment necessary for the implementation of the  
44 program.
- 45 (2) It is to be made or entered into with the United States of  
46 America, the State of New Jersey, county or municipality or any



1 board, body, officer, agency or authority thereof or any other state  
2 or subdivision thereof.

3 (3) Bids have been advertised pursuant to section 4 of P.L.1971,  
4 c.198 (C.40A:11-4) on two occasions and (a) no bids have been  
5 received on both occasions in response to the advertisement, or (b)  
6 the governing body has rejected such bids on two occasions because  
7 it has determined that they are not reasonable as to price, on the  
8 basis of cost estimates prepared for or by the contracting agent prior  
9 to the advertising therefor, or have not been independently arrived  
10 at in open competition, or (c) on one occasion no bids were received  
11 pursuant to (a) and on one occasion all bids were rejected pursuant  
12 to (b), in whatever sequence; any such contract may then be  
13 negotiated and may be awarded upon adoption of a resolution by a  
14 two-thirds affirmative vote of the authorized membership of the  
15 governing body authorizing such contract; provided, however, that:

16 (i) A reasonable effort is first made by the contracting agent to  
17 determine that the same or equivalent goods or services, at a cost  
18 which is lower than the negotiated price, are not available from an  
19 agency or authority of the United States, the State of New Jersey or  
20 of the county in which the contracting unit is located, or any  
21 municipality in close proximity to the contracting unit;

22 (ii) The terms, conditions, restrictions and specifications set forth  
23 in the negotiated contract are not substantially different from those  
24 which were the subject of competitive bidding pursuant to section 4  
25 of P.L.1971, c.198 (C.40A:11-4); and

26 (iii) Any minor amendment or modification of any of the terms,  
27 conditions, restrictions and specifications, which were the subject of  
28 competitive bidding pursuant to section 4 of P.L.1971, c.198  
29 (C.40A:11-4), shall be stated in the resolution awarding such  
30 contract; provided further, however, that if on the second occasion  
31 the bids received are rejected as unreasonable as to price, the  
32 contracting agent shall notify each responsible bidder submitting  
33 bids on the second occasion of its intention to negotiate, and afford  
34 each bidder a reasonable opportunity to negotiate, but the governing  
35 body shall not award such contract unless the negotiated price is  
36 lower than the lowest rejected bid price submitted on the second  
37 occasion by a responsible bidder, is the lowest negotiated price  
38 offered by any responsible vendor, and is a reasonable price for  
39 such goods or services.

40 Whenever a contracting unit shall determine that a bid was not  
41 arrived at independently in open competition pursuant to subsection  
42 (3) of this section it shall thereupon notify the county prosecutor of  
43 the county in which the contracting unit is located and the Attorney  
44 General of the facts upon which its determination is based, and  
45 when appropriate, it may institute appropriate proceedings in any  
46 State or federal court of competent jurisdiction for a violation of

1 any State or federal antitrust law or laws relating to the unlawful  
2 restraint of trade.

3 (4) The contracting unit has solicited and received at least three  
4 quotations on materials, supplies or equipment for which a State  
5 contract has been issued pursuant to section 12 of P.L.1971, c.198  
6 (C.40A:11-12), and the lowest responsible quotation is at least 10%  
7 less than the price the contracting unit would be charged for the  
8 identical materials, supplies or equipment, in the same quantities,  
9 under the State contract. Any such contract entered into pursuant to  
10 this subsection may be awarded only upon adoption of a resolution  
11 by the affirmative vote of two-thirds of the full membership of the  
12 governing body of the contracting unit at a meeting thereof  
13 authorizing such a contract. A copy of the purchase order relating  
14 to any such contract, the requisition for purchase order, if  
15 applicable, and documentation identifying the price of the materials,  
16 supplies or equipment under the State contract and the State  
17 contract number shall be filed with the director within five working  
18 days of the award of any such contract by the contracting unit. The  
19 director shall notify the contracting unit of receipt of the material  
20 and shall make the material available to the State Treasurer. The  
21 contracting unit shall make available to the director upon request  
22 any other documents relating to the solicitation and award of the  
23 contract, including, but not limited to, quotations, requests for  
24 quotations, and resolutions. The director periodically shall review  
25 material submitted by contracting units to determine the impact of  
26 such contracts on local contracting and shall consult with the State  
27 Treasurer on the impact of such contracts on the State procurement  
28 process. The director may, after consultation with the State  
29 Treasurer, adopt rules in accordance with the "Administrative  
30 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to limit the  
31 use of this subsection, after considering the impact of contracts  
32 awarded under this subsection on State and local contracting, or  
33 after considering the extent to which the award of contracts  
34 pursuant to this subsection is consistent with and in furtherance of  
35 the purposes of the public contracting laws.

36 (5) Notwithstanding any provision of law, rule or regulation to  
37 the contrary, the subject matter consists of the combined collection  
38 and marketing, or the cooperative combined collection and  
39 marketing of recycled material recovered through a recycling  
40 program, or any product intentionally produced or derived from  
41 solid waste received at a resource recovery facility or recovered  
42 through a resource recovery program including, but not limited to,  
43 refuse-derived fuel, compost materials, methane gas, and other  
44 similar products, provided that in lieu of engaging in such public  
45 advertising for bids and the bidding therefor, the contracting unit  
46 shall, prior to commencing the procurement process, submit for  
47 approval to the Director of the Division of Local Government

1 Services, a written detailed description of the process to be  
2 followed in securing said services. Within 30 days after receipt of  
3 the written description the director shall, if the director finds that  
4 the process provides for fair competition and integrity in the  
5 negotiation process, approve, in writing, the description submitted  
6 by the contracting unit. If the director finds that the process does  
7 not provide for fair competition and integrity in the negotiation  
8 process, the director shall advise the contracting unit of the  
9 deficiencies that must be remedied. If the director fails to respond  
10 in writing to the contracting unit within 30 days, the procurement  
11 process as described shall be deemed approved. As used in this  
12 section, "collection" means the physical removal of recyclable  
13 materials from curbside or any other location selected by the  
14 contracting unit.

15 (6) Notwithstanding any provision of law, rule or regulation to  
16 the contrary, the contract is for the provision of electricity by a  
17 contracting unit engaged in the distribution of electricity for retail  
18 sale, or for the provision of administrative or dispatching services  
19 related to the transmission of such electricity, provided that in lieu  
20 of engaging in public advertising for bids and the bidding therefor,  
21 the contracting unit shall, prior to commencing the procurement  
22 process, submit for approval to the Director of the Division of Local  
23 Government Services, a written detailed description of the process  
24 to be followed in securing such services. Such process shall be  
25 designed in a way that is appropriate to and commensurate with  
26 industry practices, and the integrity of the government contracting  
27 process. Within 30 days after receipt of the written description, the  
28 director shall, if the director finds that the process provides for fair  
29 competition and integrity in the negotiation process, approve, in  
30 writing, the description submitted by the contracting unit. If the  
31 director finds that the process does not provide for fair competition  
32 and integrity in the negotiation process, the director shall advise the  
33 contracting unit of the deficiencies that must be remedied. If the  
34 director fails to respond in writing to the contracting unit within 30  
35 days, the procurement process, as submitted to the director pursuant  
36 to this section, shall be deemed approved.

37 (cf: P.L.2005. c.296, s.1)]<sup>1</sup>

38

39 <sup>1</sup>[10. (New section) There is appropriated from the General  
40 Fund \$1 million to the "Domestic Violence Victim Notification  
41 Fund" created by section 7 of P.L. , c. (C. ) (pending before  
42 the Legislature as this bill) to effectuate the provisions of this act.  
43 Following the expiration of the four-year pilot program established  
44 by P.L. , c. (C. ) (pending before the Legislature as this  
45 bill), any unexpended funds shall be returned to the General  
46 Fund.]<sup>1</sup>

1       <sup>1</sup>11. (New section) 1.<sup>1</sup> On the <sup>1</sup>first day of the sixth month  
2 120th day<sup>1</sup> following the effective date of P.L. , c. <sup>1</sup>(C. )<sup>1</sup>  
3 (pending before the Legislature as this bill), the Attorney General  
4 shall report to the Governor <sup>1</sup>and the Legislature<sup>1</sup> as to the  
5 availability of appropriate technology to <sup>1</sup>facilitate the provisions  
6 of this act. If the Attorney General determines that appropriate  
7 technology is not available, the Attorney General, every six months  
8 thereafter, shall report to the Governor and the Legislature as to  
9 the monitor the location of dangerous domestic violence offenders  
10 and their victims so that the victims may be warned when their  
11 attacker is in the vicinity. The Attorney General shall immediately  
12 establish a study group to identify and investigate issues related to  
13 the<sup>1</sup> availability of <sup>1</sup>appropriate<sup>1</sup> the<sup>1</sup> technology <sup>1</sup>until such time  
14 as the Attorney General shall deem that appropriate technology is  
15 available and so report to the Governor and the Legislature. When  
16 appropriate technology is available the Attorney General shall  
17 implement the pilot program established by this act that will  
18 inform the final report<sup>1</sup>.

19  
20       <sup>1</sup>12. (New section) Not later than one year following the  
21 implementation of the pilot program, and annually thereafter for a  
22 total of four years, the Attorney General shall submit to the  
23 Governor and to the Legislature pursuant to section 2 of P.L.1991,  
24 c.164 (C.52:14-19.1), a report containing an evaluation of the pilot  
25 program. The report shall recommend whether the pilot program  
26 should be continued as a Statewide program.<sup>1</sup>

27  
28       <sup>1</sup>13. (New section) The Attorney General, in conjunction with  
29 the Administrative Office of the Courts, Division of Probation  
30 Services, and the State Parole Board, and in consultation with the  
31 Ocean County Prosecutor and Ocean County Sheriff and any other  
32 entities that the Attorney General deems necessary, shall  
33 promulgate rules and regulations to effectuate the provisions of this  
34 act.<sup>1</sup>

35  
36       <sup>1</sup>14. 2.<sup>1</sup> This act shall take effect immediately and shall expire  
37 upon submission of the <sup>1</sup>fourth annual<sup>1</sup> report to the Governor  
38 <sup>1</sup>and Legislature pursuant to section 12 of this act<sup>1</sup>.