

# SENATE, No. 2518

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED OCTOBER 23, 2014

**Sponsored by:**

**Senator DONALD NORCROSS**  
**District 5 (Camden and Gloucester)**  
**Senator JAMES BEACH**  
**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

**Senator Gill**

**SYNOPSIS**

Requires certain law enforcement officers to wear cameras.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/28/2014)**

S2518 NORCROSS, BEACH

2

1 AN ACT concerning certain law enforcement officers,  
2 supplementing chapter 14 of Title 40A of the New Jersey  
3 Statutes, and amending various parts of the statutory law.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) In addition to the requirements of section 1 of  
9 P.L.2014, c.54 (C.40A:14-118.1), every State, county, and  
10 municipal law enforcement officer who is primarily assigned to  
11 patrol duties shall be equipped with a body camera.

12 As used in this act, "body camera" means a device that is worn  
13 by a law enforcement officer that electronically records audio and  
14 video of activities that take place during a motor vehicle stop or  
15 other law enforcement action.

16  
17 2. R.S.39:4-50 is amended to read as follows:

18 39:4-50. (a) Except as provided in subsection (g) of this section,  
19 a person who operates a motor vehicle while under the influence of  
20 intoxicating liquor, narcotic, hallucinogenic or habit-producing  
21 drug, or operates a motor vehicle with a blood alcohol concentration  
22 of 0.08% or more by weight of alcohol in the defendant's blood or  
23 permits another person who is under the influence of intoxicating  
24 liquor, narcotic, hallucinogenic or habit-producing drug to operate a  
25 motor vehicle owned by him or in his custody or control or permits  
26 another to operate a motor vehicle with a blood alcohol  
27 concentration of 0.08% or more by weight of alcohol in the  
28 defendant's blood shall be subject:

29 (1) For the first offense:

30 (i) if the person's blood alcohol concentration is 0.08% or  
31 higher but less than 0.10%, or the person operates a motor vehicle  
32 while under the influence of intoxicating liquor, or the person  
33 permits another person who is under the influence of intoxicating  
34 liquor to operate a motor vehicle owned by him or in his custody or  
35 control or permits another person with a blood alcohol  
36 concentration of 0.08% or higher but less than 0.10% to operate a  
37 motor vehicle, to a fine of not less than \$250 nor more than \$400  
38 and a period of detainment of not less than 12 hours nor more than  
39 48 hours spent during two consecutive days of not less than six  
40 hours each day and served as prescribed by the program  
41 requirements of the Intoxicated Driver Resource Centers established  
42 under subsection (f) of this section and, in the discretion of the  
43 court, a term of imprisonment of not more than 30 days and shall  
44 forthwith forfeit his right to operate a motor vehicle over the  
45 highways of this State for a period of three months;

**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.**

**S2518 NORCROSS, BEACH**

1 (ii) if the person's blood alcohol concentration is 0.10% or  
2 higher, or the person operates a motor vehicle while under the  
3 influence of narcotic, hallucinogenic or habit-producing drug, or the  
4 person permits another person who is under the influence of  
5 narcotic, hallucinogenic or habit-producing drug to operate a motor  
6 vehicle owned by him or in his custody or control, or permits  
7 another person with a blood alcohol concentration of 0.10% or more  
8 to operate a motor vehicle, to a fine of not less than \$300 nor more  
9 than \$500 and a period of detainment of not less than 12 hours nor  
10 more than 48 hours spent during two consecutive days of not less  
11 than six hours each day and served as prescribed by the program  
12 requirements of the Intoxicated Driver Resource Centers established  
13 under subsection (f) of this section and, in the discretion of the  
14 court, a term of imprisonment of not more than 30 days and shall  
15 forthwith forfeit his right to operate a motor vehicle over the  
16 highways of this State for a period of not less than seven months  
17 nor more than one year;

18 (iii) For a first offense, a person also shall be subject to the  
19 provisions of P.L.1999, c.417 (C.39:4-50.16 et al.).

20 (2) For a second violation, a person shall be subject to a fine of  
21 not less than \$500 nor more than \$1,000, and shall be ordered by  
22 the court to perform community service for a period of 30 days,  
23 which shall be of such form and on such terms as the court shall  
24 deem appropriate under the circumstances, and shall be sentenced to  
25 imprisonment for a term of not less than 48 consecutive hours,  
26 which shall not be suspended or served on probation, nor more than  
27 90 days, and shall forfeit his right to operate a motor vehicle over  
28 the highways of this State for a period of two years upon  
29 conviction, and, after the expiration of said period, he may make  
30 application to the Chief Administrator of the New Jersey Motor  
31 Vehicle Commission for a license to operate a motor vehicle, which  
32 application may be granted at the discretion of the chief  
33 administrator, consistent with subsection (b) of this section. For a  
34 second violation, a person also shall be required to install an  
35 ignition interlock device under the provisions of P.L.1999, c.417  
36 (C.39:4-50.16 et al.).

37 (3) For a third or subsequent violation, a person shall be subject  
38 to a fine of \$1,000, and shall be sentenced to imprisonment for a  
39 term of not less than 180 days in a county jail or workhouse, except  
40 that the court may lower such term for each day, not exceeding 90  
41 days, served participating in a drug or alcohol inpatient  
42 rehabilitation program approved by the Intoxicated Driver Resource  
43 Center and shall thereafter forfeit his right to operate a motor  
44 vehicle over the highways of this State for 10 years. For a third or  
45 subsequent violation, a person also shall be required to install an  
46 ignition interlock device under the provisions of P.L.1999, c.417  
47 (C.39:4-50.16 et al.).

**S2518 NORCROSS, BEACH**

1 As used in this section, the phrase "narcotic, hallucinogenic or  
2 habit-producing drug" includes an inhalant or other substance  
3 containing a chemical capable of releasing any toxic vapors or  
4 fumes for the purpose of inducing a condition of intoxication, such  
5 as any glue, cement or any other substance containing one or more  
6 of the following chemical compounds: acetone and acetate, amyl  
7 nitrite or amyl nitrate or their isomers, benzene, butyl alcohol, butyl  
8 nitrite, butyl nitrate or their isomers, ethyl acetate, ethyl alcohol,  
9 ethyl nitrite or ethyl nitrate, ethylene dichloride, isobutyl alcohol or  
10 isopropyl alcohol, methyl alcohol, methyl ethyl ketone, nitrous  
11 oxide, n-propyl alcohol, pentachlorophenol, petroleum ether, propyl  
12 nitrite or propyl nitrate or their isomers, toluene, toluol or xylene or  
13 any other chemical substance capable of causing a condition of  
14 intoxication, inebriation, excitement, stupefaction or the dulling of  
15 the brain or nervous system as a result of the inhalation of the  
16 fumes or vapors of such chemical substance.

17 Whenever an operator of a motor vehicle has been involved in an  
18 accident resulting in death, bodily injury or property damage, a  
19 police officer shall consider that fact along with all other facts and  
20 circumstances in determining whether there are reasonable grounds  
21 to believe that person was operating a motor vehicle in violation of  
22 this section.

23 A conviction of a violation of a law of a substantially similar  
24 nature in another jurisdiction, regardless of whether that jurisdiction  
25 is a signatory to the Interstate Driver License Compact pursuant to  
26 P.L.1966, c.73 (C.39:5D-1 et seq.), shall constitute a prior  
27 conviction under this subsection unless the defendant can  
28 demonstrate by clear and convincing evidence that the conviction in  
29 the other jurisdiction was based exclusively upon a violation of a  
30 proscribed blood alcohol concentration of less than 0.08%.

31 If the driving privilege of any person is under revocation or  
32 suspension for a violation of any provision of this Title or Title 2C  
33 of the New Jersey Statutes at the time of any conviction for a  
34 violation of this section, the revocation or suspension period  
35 imposed shall commence as of the date of termination of the  
36 existing revocation or suspension period. In the case of any person  
37 who at the time of the imposition of sentence is less than 17 years  
38 of age, the forfeiture, suspension or revocation of the driving  
39 privilege imposed by the court under this section shall commence  
40 immediately, run through the offender's seventeenth birthday and  
41 continue from that date for the period set by the court pursuant to  
42 paragraphs (1) through (3) of this subsection. A court that imposes  
43 a term of imprisonment for a first or second offense under this  
44 section may sentence the person so convicted to the county jail, to  
45 the workhouse of the county wherein the offense was committed, to  
46 an inpatient rehabilitation program or to an Intoxicated Driver  
47 Resource Center or other facility approved by the chief of the  
48 Intoxicated Driving Program Unit in the Department of Health. For

S2518 NORCROSS, BEACH

1 a third or subsequent offense a person shall not serve a term of  
2 imprisonment at an Intoxicated Driver Resource Center as provided  
3 in subsection (f).

4 A person who has been convicted of a previous violation of this  
5 section need not be charged as a second or subsequent offender in  
6 the complaint made against him in order to render him liable to the  
7 punishment imposed by this section on a second or subsequent  
8 offender, but if the second offense occurs more than 10 years after  
9 the first offense, the court shall treat the second conviction as a first  
10 offense for sentencing purposes and if a third offense occurs more  
11 than 10 years after the second offense, the court shall treat the third  
12 conviction as a second offense for sentencing purposes.

13 (b) A person convicted under this section must satisfy the  
14 screening, evaluation, referral, program and fee requirements of the  
15 Division of Mental Health and Addiction Services' Intoxicated  
16 Driving Program Unit, and of the Intoxicated Driver Resource  
17 Centers and a program of alcohol and drug education and highway  
18 safety, as prescribed by the chief administrator. The sentencing  
19 court shall inform the person convicted that failure to satisfy such  
20 requirements shall result in a mandatory two-day term of  
21 imprisonment in a county jail and a driver license revocation or  
22 suspension and continuation of revocation or suspension until such  
23 requirements are satisfied, unless stayed by court order in  
24 accordance with the Rules Governing the Courts of the State of  
25 New Jersey, or R.S.39:5-22. Upon sentencing, the court shall  
26 forward to the Division of Mental Health and Addiction Services'  
27 Intoxicated Driving Program Unit a copy of a person's conviction  
28 record. A fee of \$100 shall be payable to the Alcohol Education,  
29 Rehabilitation and Enforcement Fund established pursuant to  
30 section 3 of P.L.1983, c.531 (C.26:2B-32) to support the  
31 Intoxicated Driving Program Unit.

32 (c) Upon conviction of a violation of this section, the court shall  
33 collect forthwith the New Jersey driver's license or licenses of the  
34 person so convicted and forward such license or licenses to the  
35 chief administrator. The court shall inform the person convicted  
36 that if he is convicted of personally operating a motor vehicle  
37 during the period of license suspension imposed pursuant to  
38 subsection (a) of this section, he shall, upon conviction, be subject  
39 to the penalties established in R.S.39:3-40. The person convicted  
40 shall be informed orally and in writing. A person shall be required  
41 to acknowledge receipt of that written notice in writing. Failure to  
42 receive a written notice or failure to acknowledge in writing the  
43 receipt of a written notice shall not be a defense to a subsequent  
44 charge of a violation of R.S.39:3-40. In the event that a person  
45 convicted under this section is the holder of any out-of-State  
46 driver's license, the court shall not collect the license but shall  
47 notify forthwith the chief administrator, who shall, in turn, notify  
48 appropriate officials in the licensing jurisdiction. The court shall,

**S2518 NORCROSS, BEACH**

1 however, revoke the nonresident's driving privilege to operate a  
2 motor vehicle in this State, in accordance with this section. Upon  
3 conviction of a violation of this section, the court shall notify the  
4 person convicted, orally and in writing, of the penalties for a  
5 second, third or subsequent violation of this section. A person shall  
6 be required to acknowledge receipt of that written notice in writing.  
7 Failure to receive a written notice or failure to acknowledge in  
8 writing the receipt of a written notice shall not be a defense to a  
9 subsequent charge of a violation of this section.

10 (d) The chief administrator shall promulgate rules and  
11 regulations pursuant to the "Administrative Procedure Act,"  
12 P.L.1968, c.410 (C.52:14B-1 et seq.) in order to establish a program  
13 of alcohol education and highway safety, as prescribed by this act.

14 (e) Any person accused of a violation of this section who is  
15 liable to punishment imposed by this section as a second or  
16 subsequent offender shall be entitled to the same rights of discovery  
17 as allowed defendants pursuant to the Rules Governing the Courts  
18 of the State of New Jersey.

19 (f) The counties, in cooperation with the Division of Mental  
20 Health and Addiction Services and the commission, but subject to  
21 the approval of the Division of Mental Health and Addiction  
22 Services, shall designate and establish on a county or regional basis  
23 Intoxicated Driver Resource Centers. These centers shall have the  
24 capability of serving as community treatment referral centers and as  
25 court monitors of a person's compliance with the ordered treatment,  
26 service alternative or community service. All centers established  
27 pursuant to this subsection shall be administered by a counselor  
28 certified by the Alcohol and Drug Counselor Certification Board of  
29 New Jersey or other professional with a minimum of five years'  
30 experience in the treatment of alcoholism. All centers shall be  
31 required to develop individualized treatment plans for all persons  
32 attending the centers; provided that the duration of any ordered  
33 treatment or referral shall not exceed one year. It shall be the  
34 center's responsibility to establish networks with the community  
35 alcohol and drug education, treatment and rehabilitation resources  
36 and to receive monthly reports from the referral agencies regarding  
37 a person's participation and compliance with the program. Nothing  
38 in this subsection shall bar these centers from developing their own  
39 education and treatment programs; provided that they are approved  
40 by the Division of Mental Health and Addiction Services.

41 Upon a person's failure to report to the initial screening or any  
42 subsequent ordered referral, the Intoxicated Driver Resource Center  
43 shall promptly notify the sentencing court of the person's failure to  
44 comply.

45 Required detention periods at the Intoxicated Driver Resource  
46 Centers shall be determined according to the individual treatment  
47 classification assigned by the Intoxicated Driving Program Unit.  
48 Upon attendance at an Intoxicated Driver Resource Center, a person

**S2518 NORCROSS, BEACH**

1 shall be required to pay a per diem fee of \$75 for the first offender  
2 program or a per diem fee of \$100 for the second offender program,  
3 as appropriate. Any increases in the per diem fees after the first full  
4 year shall be determined pursuant to rules and regulations adopted  
5 by the Commissioner of Health in consultation with the Governor's  
6 Council on Alcoholism and Drug Abuse pursuant to the  
7 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
8 seq.).

9 The centers shall conduct a program of alcohol and drug  
10 education and highway safety, as prescribed by the chief  
11 administrator.

12 The Commissioner of Health shall adopt rules and regulations  
13 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
14 (C.52:14B-1 et seq.), in order to effectuate the purposes of this  
15 subsection.

16 (g) When a violation of this section occurs while:

17 (1) on any school property used for school purposes which is  
18 owned by or leased to any elementary or secondary school or school  
19 board, or within 1,000 feet of such school property;

20 (2) driving through a school crossing as defined in R.S.39:1-1 if  
21 the municipality, by ordinance or resolution, has designated the  
22 school crossing as such; or

23 (3) driving through a school crossing as defined in R.S.39:1-1  
24 knowing that juveniles are present if the municipality has not  
25 designated the school crossing as such by ordinance or resolution,  
26 the convicted person shall: for a first offense, be fined not less than  
27 \$500 or more than \$800, be imprisoned for not more than 60 days  
28 and have his license to operate a motor vehicle suspended for a  
29 period of not less than one year or more than two years; for a  
30 second offense, be fined not less than \$1,000 or more than \$2,000,  
31 perform community service for a period of 60 days, be imprisoned  
32 for not less than 96 consecutive hours, which shall not be suspended  
33 or served on probation, nor more than 180 days, except that the  
34 court may lower such term for each day, not exceeding 90 days,  
35 served performing community service in such form and on such  
36 terms as the court shall deem appropriate under the circumstances  
37 and have his license to operate a motor vehicle suspended for a  
38 period of four years; and, for a third offense, be fined \$2,000,  
39 imprisoned for 180 days in a county jail or workhouse, except that  
40 the court may lower such term for each day, not exceeding 90 days,  
41 served participating in a drug or alcohol inpatient rehabilitation  
42 program approved by the Intoxicated Driver Resource Center, and  
43 have his license to operate a motor vehicle suspended for a period  
44 of 20 years; the period of license suspension shall commence upon  
45 the completion of any prison sentence imposed upon that person.

46 A map or true copy of a map depicting the location and  
47 boundaries of the area on or within 1,000 feet of any property used  
48 for school purposes which is owned by or leased to any elementary

1 or secondary school or school board produced pursuant to section 1  
2 of P.L.1987, c.101 (C.2C:35-7) may be used in a prosecution under  
3 paragraph (1) of this subsection.

4 It shall not be relevant to the imposition of sentence pursuant to  
5 paragraph (1) or (2) of this subsection that the defendant was  
6 unaware that the prohibited conduct took place while on or within  
7 1,000 feet of any school property or while driving through a school  
8 crossing. Nor shall it be relevant to the imposition of sentence that  
9 no juveniles were present on the school property or crossing zone at  
10 the time of the offense or that the school was not in session.

11 (h) A court also may order a person convicted pursuant to  
12 subsection (a) of this section, to participate in a supervised  
13 visitation program as either a condition of probation or a form of  
14 community service, giving preference to those who were under the  
15 age of 21 at the time of the offense. Prior to ordering a person to  
16 participate in such a program, the court may consult with any  
17 person who may provide useful information on the defendant's  
18 physical, emotional and mental suitability for the visit to ensure that  
19 it will not cause any injury to the defendant. The court also may  
20 order that the defendant participate in a counseling session under  
21 the supervision of the Intoxicated Driving Program Unit prior to  
22 participating in the supervised visitation program. The supervised  
23 visitation program shall be at one or more of the following facilities  
24 which have agreed to participate in the program under the  
25 supervision of the facility's personnel and the probation department:

26 (1) a trauma center, critical care center or acute care hospital  
27 having basic emergency services, which receives victims of motor  
28 vehicle accidents for the purpose of observing appropriate victims  
29 of drunk drivers and victims who are, themselves, drunk drivers;

30 (2) a facility which cares for advanced alcoholics or drug  
31 abusers, to observe persons in the advanced stages of alcoholism or  
32 drug abuse; or

33 (3) if approved by a county medical examiner, the office of the  
34 county medical examiner or a public morgue to observe appropriate  
35 victims of vehicle accidents involving drunk drivers.

36 As used in this section, "appropriate victim" means a victim  
37 whose condition is determined by the facility's supervisory  
38 personnel and the probation officer to be appropriate for  
39 demonstrating the results of accidents involving drunk drivers  
40 without being unnecessarily gruesome or traumatic to the  
41 defendant.

42 If at any time before or during a visitation the facility's  
43 supervisory personnel and the probation officer determine that the  
44 visitation may be or is traumatic or otherwise inappropriate for that  
45 defendant, the visitation shall be terminated without prejudice to the  
46 defendant. The program may include a personal conference after  
47 the visitation, which may include the sentencing judge or the judge  
48 who coordinates the program for the court, the defendant,



1 defendant's counsel, and, if available, the defendant's parents to  
2 discuss the visitation and its effect on the defendant's future  
3 conduct. If a personal conference is not practicable because of the  
4 defendant's absence from the jurisdiction, conflicting time  
5 schedules, or any other reason, the court shall require the defendant  
6 to submit a written report concerning the visitation experience and  
7 its impact on the defendant. The county, a court, any facility visited  
8 pursuant to the program, any agents, employees, or independent  
9 contractors of the court, county, or facility visited pursuant to the  
10 program, and any person supervising a defendant during the  
11 visitation, are not liable for any civil damages resulting from injury  
12 to the defendant, or for civil damages associated with the visitation  
13 which are caused by the defendant, except for willful or grossly  
14 negligent acts intended to, or reasonably expected to result in, that  
15 injury or damage.

16 The Supreme Court may adopt court rules or directives to  
17 effectuate the purposes of this subsection.

18 (i) In addition to any other fine, fee, or other charge imposed  
19 pursuant to law, the court shall assess a person convicted of a  
20 violation of the provisions of this section a surcharge of \$125, of  
21 which amount \$50 shall be payable to the municipality in which the  
22 conviction was obtained, \$50 shall be payable to the Treasurer of  
23 the State of New Jersey for deposit into the General Fund, and \$25  
24 which shall be payable as follows: in a matter where the summons  
25 was issued by a municipality's law enforcement agency, to that  
26 municipality to be used for the cost of equipping police vehicles  
27 with mobile video recording systems pursuant to the provisions of  
28 section 1 of P.L.2014, c.54 (C.40A:14-118.1) and equipping law  
29 enforcement officers with body cameras pursuant to the provisions  
30 of P.L. , c. (C. ) (pending before the Legislature as this  
31 bill); in a matter where the summons was issued by a county's law  
32 enforcement agency, to that county to be used for the cost of  
33 equipping law enforcement officers with body cameras pursuant to  
34 the provisions of P.L. , c. (C. ) (pending before the  
35 Legislature as this bill); and in a matter where the summons was  
36 issued by a State law enforcement agency, to the General Fund to  
37 be used for the cost of equipping law enforcement officers with  
38 body cameras pursuant to the provisions of P.L. , c. (C. )  
39 (pending before the Legislature as this bill).

40 (cf: P.L.2014, c.54, s.2)

41

42 3. N.J.S.2C:64-6 is amended to read as follows:

43 2C:64-6. Disposal of Forfeited Property. a. Property which has  
44 been forfeited shall be destroyed if it can serve no lawful purpose or  
45 it presents a danger to the public health, safety or welfare. All other  
46 forfeited property or any proceeds resulting from the forfeiture and  
47 all money seized pursuant to this chapter shall become the property  
48 of the entity funding the prosecuting agency involved and shall be

S2518 NORCROSS, BEACH

10

1 disposed of, distributed, appropriated and used in accordance with  
2 the provisions of this chapter.

3 The prosecutor or the Attorney General, whichever is  
4 prosecuting the case, shall divide the forfeited property, any  
5 proceeds resulting from the forfeiture or any money seized pursuant  
6 to this chapter with any other entity where the other entity's law  
7 enforcement agency participated in the surveillance, investigation,  
8 arrest or prosecution resulting in the forfeiture, in proportion to the  
9 other entity's contribution to the surveillance, investigation, arrest  
10 or prosecution resulting in the forfeiture, as determined in the  
11 discretion of the prosecutor or the Attorney General, whichever is  
12 prosecuting the case. Notwithstanding any other provision of law,  
13 such forfeited property and proceeds shall be used solely for law  
14 enforcement purposes, and shall be designated for the exclusive use  
15 of the law enforcement agency which contributed to the  
16 surveillance, investigation, arrest or prosecution resulting in the  
17 forfeiture.

18 The Attorney General is authorized to promulgate rules and  
19 regulations to implement and enforce the provisions of this act.

20 b. For a period of two years from the date of enactment of  
21 P.L.1993, c.227 (C.26:4-100.13 et al.), 10% of the proceeds  
22 obtained by the Attorney General under the provisions of subsection  
23 a. of this section shall be deposited into the Hepatitis Inoculation  
24 Fund established pursuant to section 2 of P.L.1993, c.227 (C.26:4-  
25 100.13).

26 c. Beginning two years from the date of enactment of  
27 P.L.1993, c.227 (C.26:4-100.13 et al.) and in subsequent years, 5%  
28 of the proceeds obtained by the Attorney General under the  
29 provisions of subsection a. of this section shall be deposited into the  
30 Hepatitis Inoculation Fund established pursuant to section 2 of  
31 P.L.1993, c.227 (C.26:4-100.13).

32 d. A portion of the proceeds, as determined by the Attorney  
33 General, obtained under the provisions of subsection a. of this  
34 section, shall be used for the cost of equipping law enforcement  
35 officers with body cameras pursuant to the provisions of P.L. \_\_\_\_\_,  
36 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill).  
37 (cf: P.L.1993, c.227, s.1)

38  
39 4. Section 7 of P.L.2013, c.214 (C.30:4-123.97) is amended to  
40 read as follows:

41 7. a. In addition to any fine, fee, assessment or penalty  
42 authorized under the provisions of Title 2C of the New Jersey  
43 Statutes, a person convicted of or adjudicated delinquent for a sex  
44 offense, as defined in section 2 of P.L.1994, c.133 (C.2C:7-2), shall  
45 be assessed a penalty of **【\$30】** \$60 per month.

46 b. **【All】** One-half of the penalties provided for in this section,  
47 collected as provided for the collection of fines and restitutions in  
48 section 3 of P.L.1979, c.396 (C.2C:46-4), shall be forwarded to the

1 Department of the Treasury to be deposited in the "Sex Offender  
2 Supervision Fund" established pursuant to section 8 of P.L.2013,  
3 c.214 (C.30:4-123.98) and one-half of the penalties provided for in  
4 this section shall be used for the cost of equipping law enforcement  
5 officers with body cameras pursuant to the provisions of P.L. ,  
6 c. (C. ) (pending before the Legislature as this bill).  
7 A person shall not be assessed the penalty established in  
8 subsection a. of this section if the person's income does not exceed  
9 149 percent of the federal poverty level.  
10 (cf: P.L.2013, c.214, s.7)

11  
12 5. (New section) The Attorney General shall promulgate  
13 guidelines or directives, as appropriate, to implement and enforce  
14 the provisions of P.L. , c. (C. ) (pending before the  
15 Legislature as this bill). The guidelines or directives shall include a  
16 procedure for an independent review of the video footage to  
17 determine which portions are appropriate for public release, upon a  
18 valid request.

19  
20 6. This act shall take effect two years after the effective date of  
21 P.L.2014, c.54 (C.40A:14-118.1 et al.) or two years after the  
22 enactment of P.L. , c. (C. ) (pending before the Legislature  
23 as this bill), whichever is later, but the Attorney General may take  
24 such administrative action in advance as shall be necessary for the  
25 implementation of this act.

26  
27  
28 STATEMENT

29  
30 This bill requires certain law enforcement officers to wear  
31 cameras. Specifically, under the provisions of this bill, every State,  
32 county, and municipal law enforcement officer who is primarily  
33 assigned to patrol duties is required to wear a body camera.

34 The bill defines a "body camera" as a device worn by an officer  
35 that electronically records audio and video of activities that take  
36 place during a motor vehicle stop or other law enforcement action.

37 Under the bill, the cameras are to be funded by: 1) a surcharge  
38 that is imposed under current law on persons convicted of driving  
39 while intoxicated; 2) forfeiture funds received by the Attorney  
40 General as instrumentalities of crime; and 3) an additional  
41 surcharge to be imposed on persons convicted of a sex offense  
42 under Megan's Law.

43 Finally, the bill requires the Attorney General to adopt guidelines  
44 or directives, as appropriate, which are to include a procedure for an  
45 independent review of the video footage to determine which  
46 portions are appropriate for public release, upon a valid request.