# ASSEMBLY, No. 106

# STATE OF NEW JERSEY

## 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**
**Assemblyman CHRISTOPHER P. DEPHILLIPS**
**District 40 (Bergen, Essex, Morris and Passaic)**

**SYNOPSIS**

Requires personnel at gated communities and multi-unit complexes to allow service of process.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.

**AN ACT** concerning service of process and supplementing Title 2B of the New Jersey Statutes.

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

1. a. Any sheriff, constable, State investigator, Special Civil Part court officer, court attendant, or other person authorized to serve a summons, complaint or other judicial or administrative document pursuant to statute or Rules of Court shall be permitted to enter a gated residential community or a multi-unit building or complex where a security guard or other personnel is required to approve or facilitate the entry of visitors and guests beyond the entrance or lobby area of the building to serve such document on a person residing in that community or building.

b. A person guarding or otherwise approving or facilitating the entry of visitors and guests at the entrance of a gated residential community or at the entrance or lobby area of a multi-unit building or complex shall permit any sheriff, constable, State investigator, Special Civil Part court officer, court attendant, or other authorized person to enter the premises to serve a summons, complaint or other judicial or administrative document as authorized under subsection a. of this section if the sheriff, constable, State investigator, Special Civil Part court officer, or other authorized person presents to the guard or other person approving or facilitating the entry of visitors and guests:

(1) photo identification; and

(2) the summons, complaint or other judicial or administrative document.

c. A guard or other person approving or facilitating the entry of visitors and guests who does not comply with subsection b. of this section is guilty of a petty disorderly persons offense.

2. This act shall take effect immediately.

STATEMENT

This bill would allow certain individuals to serve process in gated residential communities and multi-unit buildings and complexes.

The bill would authorize any sheriff, constable, State investigator, Special Civil Part court officer, court attendant, and other authorized persons to serve process on individuals residing in gated residential communities or multi-unit buildings or complexes where a security guard or other personnel must approve or facilitate the entry of visitors and guests beyond the entrance or lobby area of the building. Any individual who does not allow an authorized person to serve process on these premises commits a petty disorderly persons offense. A petty

disorderly persons offense is punishable by a term of imprisonment of up to 30 days, up to $500 fine or both.

The purpose of this bill is to assist these authorized persons in their lawful attempt to successfully serve process on persons residing in these communities.