

**ASSEMBLY, No. 446**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman GREGORY P. MCGUCKIN**

**District 10 (Ocean)**

**Assemblyman JOHN CATALANO**

**District 10 (Ocean)**

**SYNOPSIS**

Establishes New Jersey Internet Criminal Information Registry.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/3/2020)**

1 **AN ACT** establishing the New Jersey Internet Criminal Information  
2 Registry, supplementing Title 52 of the Revised Statutes and  
3 amending N.J.S.2C:64-6.

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

7  
8 1. (New section) a. The Attorney General shall establish and  
9 maintain the New Jersey Internet Criminal Information Registry.  
10 The purpose of the registry is to make available to the citizens of  
11 this State, through the creation of an online database, information  
12 relating to certain persons who are either incarcerated, on parole, or  
13 participating in a residential community release program in this  
14 State.

15 b. Information relating only to persons convicted of the  
16 following crimes shall be included on the registry: murder pursuant  
17 to N.J.S.2C:11-3; aggravated manslaughter or manslaughter  
18 pursuant to N.J.S.2C:11-4; vehicular homicide pursuant to  
19 N.J.S.2C:11-5; disarming a law enforcement officer pursuant to  
20 subsection b. of section 1 of P.L.1996, c.14 (C.2C:12-11);  
21 kidnapping pursuant to N.J.S.2C:13-1, except for a conviction  
22 pursuant paragraph (2) of subsection c., or a conviction involving a  
23 minor and the person is not the parent of the victim; robbery  
24 pursuant to N.J.S.2C:15-1; carjacking pursuant to section 1 of  
25 P.L.1993, c.221 (C.2C:15-2); aggravated arson pursuant to  
26 paragraph (1) of subsection a. of N.J.S.2C:17-1; burglary pursuant  
27 to N.J.S.2C:18-2; extortion pursuant to subsection a. of  
28 N.J.S.2C:20-5; booby traps in manufacturing or distribution  
29 facilities pursuant to subsection b. of section 1 of P.L.1997, c.185  
30 (C.2C:35-4.1); strict liability for drug induced deaths pursuant to  
31 N.J.S.2C:35-9; terrorism pursuant to section 2 of P.L.2002, c.26  
32 (C.2C:38-2); producing or possessing chemical weapons, biological  
33 agents or nuclear or radiological devices pursuant to section 3 of  
34 P.L.2002, c.26 (C.2C:38-3); racketeering pursuant to N.J.S.2C:41-2,  
35 when it is a crime of the first degree; firearms trafficking pursuant  
36 to subsection i. of N.J.S.2C:39-9; or any crime of the first or second  
37 degree involving serious bodily injury.

38 c. The registry shall be subdivided into three categories and  
39 each category shall include the following information:

40 (1) for a person incarcerated for one of the crimes set forth in  
41 subsection b. of this section: the inmate's name; sentence; place of  
42 incarceration; parole eligibility or release date, as appropriate; and  
43 criminal history;

44 (2) for a person convicted of one of the crimes set forth in  
45 subsection b. of this section who is released on parole: the parolee's  
46 name; sentence; address; parole discharge date; and criminal  
47 history; and

**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.**

1 (3) for a person convicted of one of the crimes set forth in  
2 subsection b. of this section who is participating in a residential  
3 community release program: the inmate's name; sentence; address  
4 where the inmate is residing while participating in the program;  
5 release date; and criminal history.

6 d. The registry also may include the following information  
7 relating to persons convicted in another jurisdiction of a crime that  
8 is substantially similar to those set forth in subsection b., but who,  
9 pursuant to the Interstate Corrections Compact, P.L.1973, c.15  
10 (C.30:7C-1 et seq.), are released on parole in this State: the  
11 parolee's name; sentence; jurisdiction imposing that sentence;  
12 address; parole discharge date; and criminal history.

13 e. Upon release or discharge from parole, as the case may be, a  
14 person's name and all related information shall immediately be  
15 removed from the registry and no longer be available to the public.

16 f. The Attorney General may adopt guidelines to effectuate the  
17 purposes of this act.

18 g. No action shall be brought against a real estate broker,  
19 broker-salesperson, salesperson, seller, or lessor for failure to  
20 investigate or disclose any information from the registry that is  
21 compiled or made available to the citizens of this State pursuant to  
22 this section.

23  
24 2. N.J.S.2C:64-6 is amended to read as follows:

25 2C:64-6. Disposal of Forfeited Property. a. Property which  
26 has been forfeited shall be destroyed if it can serve no lawful  
27 purpose or it presents a danger to the public health, safety, or  
28 welfare. All other forfeited property or any proceeds resulting from  
29 the forfeiture and all money seized pursuant to this chapter shall  
30 become the property of the entity funding the prosecuting agency  
31 involved and shall be disposed of, distributed, appropriated, and  
32 used in accordance with the provisions of this chapter.

33 The prosecutor or the Attorney General, whichever is  
34 prosecuting the case, shall divide the forfeited property, any  
35 proceeds resulting from the forfeiture or any money seized pursuant  
36 to this chapter with any other entity where the other entity's law  
37 enforcement agency participated in the surveillance, investigation,  
38 arrest, or prosecution resulting in the forfeiture, in proportion to the  
39 other entity's contribution to the surveillance, investigation, arrest,  
40 or prosecution resulting in the forfeiture, as determined in the  
41 discretion of the prosecutor or the Attorney General, whichever is  
42 prosecuting the case. Notwithstanding any other provision of law,  
43 such forfeited property and proceeds shall be used solely for law  
44 enforcement purposes, and shall be designated for the exclusive use  
45 of the law enforcement agency which contributed to the  
46 surveillance, investigation, arrest or prosecution resulting in the  
47 forfeiture.

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

3 b. For a period of two years from the date of enactment of  
4 P.L.1993, c.227 (C.26:4-100.13 et al.), **【10%】** 10 percent of the  
5 proceeds obtained by the Attorney General under the provisions of  
6 subsection a. of this section shall be deposited into the Hepatitis  
7 Inoculation Fund established pursuant to section 2 of P.L.1993,  
8 c.227 (C.26:4-100.13).

9 c. Beginning two years from the date of enactment of  
10 P.L.1993, c.227 (C.26:4-100.13 et al.) and in subsequent years,  
11 **【5%】** five percent of the proceeds obtained by the Attorney General  
12 under the provisions of subsection a. of this section shall be  
13 deposited into the Hepatitis Inoculation Fund established pursuant  
14 to section 2 of P.L.1993, c.227 (C.26:4-100.13).

15 d. From the proceeds obtained under the provisions of  
16 subsection a. of this section, the Attorney General shall allocate the  
17 monies necessary to fund the actual costs of establishing and  
18 maintaining the New Jersey Internet Criminal Information Registry  
19 authorized under section 1 of P.L. , c. (C. )(pending before  
20 the Legislature as this bill).  
21 (cf: P.L.1993, c.227, s.1)

22  
23 3. This act shall take effect on the first day of the sixth month  
24 following enactment.

#### 25 26 27 STATEMENT

28  
29 This bill directs the Attorney General to establish and maintain  
30 the New Jersey Internet Criminal Information Registry. The names  
31 and information relating to persons who have been convicted of  
32 certain violent crimes would be placed on the registry and would be  
33 available to the public on the Internet.

34 A conviction of any one of the following crimes would result in a  
35 person's placement on the registry: murder; aggravated  
36 manslaughter or manslaughter; vehicular homicide; disarming a law  
37 enforcement officer; kidnapping, except for convictions for which a  
38 person is required to register pursuant to Megan's law; robbery;  
39 carjacking; aggravated arson; burglary; extortion; booby traps in  
40 manufacturing or distribution facilities; strict liability for drug  
41 induced deaths; terrorism; producing or possessing chemical  
42 weapons, biological agents or nuclear or radiological devices;  
43 racketeering when it is a crime of the first degree; firearms  
44 trafficking; or any crime of the first or second degree involving  
45 serious bodily injury.

46 The registry is to be subdivided into four categories: inmates;  
47 parolees; inmates participating in residential community release

1 programs; and persons convicted of a substantially similar violent  
2 crime in a different jurisdiction, but paroled in New Jersey under  
3 the Interstate Corrections Compact.

4 Registry information is to include the person's name, sentence,  
5 address or place of incarceration, release or parole discharge date,  
6 and criminal history.

7 The bill specifies that upon release or discharge from parole, the  
8 person's name and all related information is to be immediately  
9 removed from the registry and no longer be available to the public.  
10 The bill also specifies that no action is to be brought against a real  
11 estate broker, broker-salesperson, salesperson, seller, or lessor for  
12 failure to investigate or disclose any information from the registry  
13 that is compiled or made available pursuant to the bill.

14 Finally, the bill directs the Attorney General to use forfeiture  
15 funds to cover the costs of establishing and maintaining the registry.