

[Second Reprint]

ASSEMBLY, No. 744

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Houghtaling, Assemblywomen Quijano, Pinkin, Assemblyman Webber, Assemblywoman McKnight, Assemblyman Tully, Assemblywoman Swain, Assemblyman McKeon, Senators Singleton, O'Scanlon, Greenstein and Ruiz

SYNOPSIS

Requires law enforcement agencies to provide internal affairs and personnel files of law enforcement officers to other agencies under certain circumstances.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 25, 2020, with amendments.

(Sponsorship Updated As Of: 6/29/2020)

1 AN ACT concerning law enforcement agencies and supplementing
2 Title 52 of the Revised Statutes.

3

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

6

7 1. a. ¹As used in this act, “law enforcement agency” means a
8 State, interstate, municipal, or county law enforcement agency; a
9 law enforcement agency of an educational institution that appoints
10 law enforcement officers pursuant to P.L.1970, c.211 (C.18A:6-4.2
11 et seq.); or any other department, division, bureau, commission,
12 board, or other authority of this State or political subdivision
13 thereof which employs law enforcement officers.

14 b.¹ Prior to appointing an applicant who was previously
15 employed by another law enforcement agency in this State, every
16 ¹**【State, county, and municipal】**¹ law enforcement agency shall
17 request the files, including but not limited to internal affairs and
18 personnel files, of the applicant from each law enforcement agency
19 that employed the applicant. ¹Any confidential internal affairs files
20 received by the law enforcement agency that requested them shall
21 remain confidential and shall not be disclosed to any other party.¹

22 ¹**【b.】 c.**¹ Every **【State, county, and municipal】** law enforcement
23 agency that receives a request pursuant to subsection ¹**【a.】 b.**¹ of
24 this section shall provide the applicant’s files to the **【State, county,**
25 **or municipal】** law enforcement agency that requested them.

26 ¹**【c.】 d.** Any provision of a contract entered into following the
27 effective date of this act that would prohibit a law enforcement
28 agency from providing files, including but not limited to internal
29 affairs and personnel files, to another law enforcement agency
30 pursuant to this section shall be deemed against public policy and
31 unenforceable.

32 e.¹ The Attorney General shall issue ²or amend² guidelines or
33 directives necessary to effectuate the provisions of this act.

34

35 2. This act shall take effect ²**【on the first day of the fourth**
36 **month after enactment, but the Attorney General may take any**
37 **administrative action in advance of the effective date as may be**
38 **necessary】 immediately**².

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:

¹Assembly floor amendments adopted February 24, 2020.

²Senate SBA committee amendments adopted June 25, 2020.