

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1121

STATE OF NEW JERSEY

DATED: JANUARY 6, 2022

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1121 (1R).

The bill would upgrade certain crimes of misrepresenting oneself as a member or veteran of the United States Armed Forces or organized militia.

Under N.J.S.38A:14-5, it is a crime of the third degree, subject to a minimum fine of \$1,000, for any person to knowingly:

(1) with intent to impersonate and to deceive for the purpose of obtaining money, property, or other tangible benefit, misrepresent oneself as a member or veteran of the United States Armed Forces or organized militia by wearing the uniform or any medal or insignia authorized for use by the members or veterans of the United States Armed Forces or the organized militia; or

(2) with intent to deceive for the purpose of obtaining money, property, or other tangible benefit, hold oneself out to be a recipient of any decoration or medal created by Federal and State laws and regulations to honor the members or veterans of the United States Armed Forces or the organized militia.

This bill would upgrade these crimes to a second degree if the actor obtains money, property or other tangible benefit in the amount of \$75,000 or more. If the actor obtains money, property or other tangible benefit less than \$75,000, then the crime would remain as a crime of the third degree, subject to a minimum fine of \$1,000.

A crime of the second degree is punishable by up to five-10 years imprisonment, up to a \$150,000 fine, or both. A crime of the third degree is punishable by up to three-five years imprisonment, up to a \$15,000 fine, or both.

The bill also requires the deposit of penalties into the Military Dependents Scholarship Fund.

As reported, this bill is identical to Senate Bill No. 1871 (1R), which was amended and reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) projects that upgrading the crimes of misrepresenting oneself as a member or veteran of the United States Armed Forces or organized militia from a crime of the

third degree to a crime to a second degree if the actor obtains money, property or other tangible benefit in the amount of \$75,000 or more would result in indeterminate caseload and expenditure increases, as the Department of Corrections (DOC) would have to house and care for more individuals sentenced to prison terms and the State Parole Board would have to supervise the return to society of additional convicts.

All fines collected under the bill would be deposited into the Military Dependents Scholarship Fund in the Higher Education Student Assistance Authority.