

ASSEMBLY, No. 1307

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Revises distribution of Alcohol Education, Rehabilitation and Enforcement Fund.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the Alcohol Education, Rehabilitation and
2 Enforcement Fund and amending P.L.1983, c.531.

3

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

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7 1. Section 6 of P.L.1983, c.531 (C.26:2B-35) is amended to
8 read as follows:

9 6. a. Moneys dedicated for enforcement from the Alcohol
10 Education, Rehabilitation and Enforcement Fund shall be deposited
11 and distributed as follows:

12 (1) One-third shall be **distributed to** deposited in the
13 "Municipal Court Administration Reimbursement Fund" for
14 distribution pursuant to subsection b. of this section.

15 (2) Two-thirds shall be **distributed** deposited in the "Drunk
16 Driving Enforcement Fund" established pursuant to section 1 of
17 P.L.1984, c.4 (C.39:4-50.8).

18 b. **[(1)** Each municipality in this State shall present to the
19 Administrative Office of the Courts, before December 31, 1983, the
20 number of drunk driving arrests in the municipality during calendar
21 year 1980. This number shall be the base year number of arrests. In
22 any municipality in which the number of drunk driving arrests for
23 calendar year 1980 exceeds the average of the number of drunk
24 driving arrests for calendar years 1979 and 1981, that municipality
25 may substitute the lower average figure as the base figure for the
26 calculation in this subsection. The municipality shall certify this
27 substitution in writing to the Administrative Office of the Courts
28 within 90 days of the effective date of this 1986 amendatory act.
29 Once a substituted base year figure is used, it may not thereafter be
30 changed. Beginning January 15, 1984, and each year thereafter the
31 municipality shall report to the Administrative Office of the Courts
32 the number of drunk driving arrests made in its municipality during
33 the preceding calendar year.

34 (2) The Administrative Office of the Courts shall certify the
35 amounts submitted by each municipality and shall calculate for each
36 municipality any increase in the number of arrests between the base
37 year and the number of arrests reported for the preceding calendar
38 year. The Administrative Office of the Courts shall then calculate
39 the sum of all increases for all municipalities reporting.

40 (3) Beginning for calendar year 1983, the following fraction
41 shall be calculated for each municipality:

42 The increase in drunk driving arrests in the municipality between
43 the base year and the preceding year over the total of increases in
44 drunk driving arrests between the base year and the preceding year
45 in all reporting municipalities in the State.

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 This fraction shall be multiplied by the total amount of the
2 money available in the "Municipal Court Administration
3 Reimbursement Fund" in the preceding calendar year. This amount
4 shall be allocated to the municipality for the purpose of maintaining
5 its municipal court, which may include payments to municipal court
6 judges, municipal prosecutors and other municipal court personnel
7 for work performed in addition to regular employment hours】
8 Within 45 days of receiving notification from the Department of the
9 Treasury of the amount deposited in the "Municipal Court
10 Administration Reimbursement Fund" during the preceding
11 calendar year, the Administrative Office of the Courts shall:

12 (1) determine, for the preceding calendar year, the total number
13 of persons charged with a violation of any provision of Title 39
14 involving driving while intoxicated or refusal to submit to a
15 chemical test and the number of these charges for each jurisdiction;

16 (2) determine the base allocation rate by dividing the total
17 amount of money deposited in the "Municipal Court Administration
18 Reimbursement Fund" in the preceding calendar year by the total
19 number of persons charged with a violation of any provision of
20 Title 39 involving driving while intoxicated or refusal to submit to a
21 chemical test during the preceding calendar year;

22 (3) calculate each jurisdiction's allocation from the "Municipal
23 Court Administration Reimbursement Fund" by multiplying the
24 base allocation rate by the number of persons charged with a
25 violation of any provision of Title 39 involving driving while
26 intoxicated or refusal to submit to a chemical test in each
27 jurisdiction during the preceding calendar year; and

28 (4) notify the Department of the Treasury of each jurisdiction's
29 allocation from the "Municipal Court Administration
30 Reimbursement Fund" so that appropriate distributions can be
31 made.

32 c. All distributions from the "Municipal Court Administration
33 Reimbursement Fund" pursuant to this section shall be used for the
34 purpose of maintaining and enhancing a municipal court's ability to
35 adjudicate violations of any provision of Title 39 involving driving
36 while intoxicated or refusal to submit to a chemical test.

37 For the purposes of this section, "jurisdiction" shall mean a
38 municipality or a county of this State which has established a
39 municipal court pursuant to N.J.S.2B:12-1, or the State of New
40 Jersey which operates the Court of Palisades Interstate Park
41 pursuant to R.S.32:14-23.

42 (cf: P.L.1990, c.41, s.7)

43

44 2. This act shall take effect immediately, and shall apply to the
45 distribution of funds deposited in the Municipal Court
46 Administration Reimbursement Fund during calendar year 2013,
47 except that if the date of enactment occurs after the Administrative
48 Office of the Courts has reported the allocation for deposits made

1 during calendar year 2013 to the Department of Treasury, the act
2 shall apply to money deposited in the Municipal Court
3 Administration Reimbursement Fund beginning with deposits made
4 during calendar year 2014.

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STATEMENT

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9 This bill revises the distribution of monies in the Alcohol
10 Education, Rehabilitation and Enforcement Fund, specifically the
11 “Municipal Court Administration Reimbursement Fund.”

12 Currently the distribution of the “Municipal Court
13 Administration Reimbursement Fund” is distributed on a model
14 which uses calculations certified in the early 1980s. This
15 calculation does not take into consideration population shifts of the
16 last 30 years and thus is not considered an adequate or equitable
17 distribution method.

18 This bill updates the calculation to establish a more equitable
19 distribution of the funds.