

ASSEMBLY, No. 1337

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

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District 14 (Mercer and Middlesex)

SYNOPSIS

Requires local government notification of sex offender registration and prohibits sex offenders from living near schools, child care centers, or playgrounds.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/27/2020)

1 **AN ACT** concerning sex offenders and supplementing P.L.1994,
2 c.133 (C.2C:7-1 et seq.).

3

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

6

7 1. When a person who is listed on the Internet registry
8 maintained by the Superintendent of the State Police pursuant to
9 section 2 of P.L.2001, c.167 (C.2C:7-13) registers with the chief
10 law enforcement officer of a municipality, the chief law
11 enforcement officer shall forward the name and address of the
12 person registering to the governing body of the municipality. If a
13 person is listed on the Internet registry maintained by the
14 Superintendent of the State Police pursuant to section 2 of
15 P.L.2001, c.167 (C.2C:7-13) and required to register with the
16 Superintendent of State Police pursuant to section 2 of P.L.1994,
17 c.133 (C.2C:7-2) because the person is moving to a municipality
18 that does not have a police force, then the Superintendent of State
19 Police shall forward the name and address of the person registering
20 to the governing body of the municipality where the person
21 registering intends to reside.

22

23 2. It shall be a disorderly persons offense for a person subject
24 to the registration requirements set forth in P.L.1994,
25 c.133 (C.2C:7-1 et seq.) whose risk of re-offense has been assessed
26 as moderate or high pursuant to section 3 of P.L.1994,
27 c.128 (C.2C:7-8) to reside within 500 feet of the real property
28 comprising an elementary or secondary school, child care center as
29 defined in section 3 of P.L.1983, c.492 (C.30:5B-3), or playground
30 as defined in section 1 of P.L.1999, c.50 (C.52:27D-123.9) unless:

31 a. The person is required to serve a sentence at a jail, prison,
32 juvenile facility or other correctional institution or facility which is
33 located within 500 feet of the real property comprising an
34 elementary or secondary school, child care center, or playground;

35 b. The person is receiving treatment at a mental health facility
36 located within 500 feet of the real property comprising an
37 elementary or secondary school, child care center, or playground;

38 c. The person established the residence prior to the effective
39 date of this act; or

40 d. An elementary or secondary school, child care center, or
41 playground is built or established within 500 feet of the person's
42 existing residence.

43

44 3. This act shall take effect on the first day of the sixth month
45 following enactment.

STATEMENT

The purpose of this bill is to expand Megan's Law to require municipal governing bodies to be notified when a sex offender moves into a municipality and to restrict sex offenders from residing in areas frequented by children.

The bill requires that when a sex offender listed on the Internet registry maintained by the Superintendent of the State Police registers with the chief law enforcement officer of a municipality, the officer is to forward the name and address of the sex offender to the governing body of the municipality. If the sex offender is required to register with the Superintendent of State Police because he is moving to a municipality that does not have a police force, then the Superintendent of State Police is to forward the sex offender's name and address to the governing body of the municipality in which the sex offender intends to reside.

The bill also makes it a disorderly persons offense for a sex offender whose risk of re-offense has been assessed as moderate or high to reside within 500 feet of an elementary or secondary school, playground, or child care center. The residential ban would not cover a sex offender that resides at a prison or mental health facility within 500 feet of an elementary or secondary school, playground, or child care center; a sex offender that continues to reside at a residence established before the bill's enactment which is within 500 feet of an elementary or secondary school, playground, or child care center; or a sex offender that has a school, playground, or child care center established or built within 500 feet of their existing residence. A disorderly persons offense is punishable by imprisonment for up to six months, a fine not exceeding \$1,000, or both.