

**ASSEMBLY, No. 1500**

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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 KEVIN J. ROONEY**

**District 40 (Bergen, Essex, Morris and Passaic)**

**SYNOPSIS**

Amends definition of “harassment, intimidation, or bullying” in “Anti-Bullying Bill of Rights Act.”

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** concerning harassment, intimidation, and bullying in  
2       public schools and amending P.L.2002, c.83.

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

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7       1. Section 2 of P.L.2002, c.83 (C.18A:37-14) is amended to  
8       read as follows:

9       2. As used in this act:

10       "Electronic communication" means a communication transmitted  
11       by means of an electronic device, including, but not limited to, a  
12       telephone, cellular phone, computer, or pager;

13       "Harassment, intimidation or bullying" means any gesture, any  
14       written, verbal or physical act, or any electronic communication,  
15       whether it be a single incident or a series of incidents, that is  
16       reasonably perceived as being motivated either by any actual or  
17       perceived characteristic, **[such as]** including, but not limited to,  
18       race, color, religion, ancestry, national origin, gender, sexual  
19       orientation, gender identity and expression, or a mental, physical or  
20       sensory disability, or by any other distinguishing characteristic, that  
21       takes place on school property, at any school-sponsored function,  
22       on a school bus, or off school grounds as provided for in section 16  
23       of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or  
24       interferes with the orderly operation of the school or the rights of  
25       other students and that:

26       a. a reasonable person should know, under the circumstances,  
27       will have the effect of physically or emotionally harming a student  
28       or damaging the student's property, or placing a student in  
29       reasonable fear of physical or emotional harm to his person or  
30       damage to his property;

31       b. has the effect of insulting or demeaning any student or group  
32       of students; or

33       c. creates a hostile educational environment for the student by  
34       interfering with a student's education or by severely or pervasively  
35       causing physical or emotional harm to the student.

36       (cf: P.L.2010, c.122, s.11)

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38       2. This act shall take effect immediately.

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#### STATEMENT

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43       This bill amends the definition of "harassment, intimidation, or  
44       bullying" in the "Anti-Bullying Bill of Rights Act," P.L.2002, c.83  
45       (C.18A:37-13 et seq.). The current definition provides in part that

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 “harassment, intimidation, or bullying” must be reasonably  
2 perceived as being motivated by an actual or perceived  
3 characteristic and the definition sets forth examples of such  
4 characteristics - race, color, religion, ancestry, national origin,  
5 gender, sexual orientation, gender identity and expression, or a  
6 mental, physical or sensory disability. This bill helps to clarify that  
7 a motivating characteristic under the “Anti-Bullying Bill of Rights  
8 Act,” is not limited to only those characteristics specifically listed  
9 in the definition.