

ASSEMBLY, No. 1667

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

SYNOPSIS

Authorizes Class Three special law enforcement officers to provide security in places of religious worship; makes certain clarifications concerning their use in nonpublic schools.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning Class Three special law enforcement officers
2 and amending P.L.1985, c.439.

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 4 of P.L.1985, c.439 (C.40A:14-146.11) is amended
8 to read as follows:

9 4. a. A person shall not commence the duties of a special law
10 enforcement officer unless the person has successfully completed a
11 training course approved by the commission and a special law
12 enforcement officer shall not be issued a firearm unless the officer
13 has successfully completed the basic firearms course approved by
14 the commission for permanent, regularly appointed police and
15 annual requalification examinations as required by subsection b. of
16 section 7 of P.L.1985, c.439 (C.40A:14-146.14). There shall be
17 three classifications for special police officers. The commission
18 shall prescribe by rule or regulation the training standards to be
19 established for each classification. Training may be in a
20 commission approved academy or in any other training program
21 which the commission may determine appropriate. The
22 classifications shall be based upon the duties to be performed by the
23 special law enforcement officer as follows:

24 (1) Class One. Officers of this class shall be authorized to
25 perform routine traffic detail, spectator control, and similar duties.
26 If authorized by ordinance or resolution, as appropriate, Class One
27 officers shall have the power to issue summonses for disorderly
28 persons and petty disorderly persons offenses, violations of
29 municipal ordinances, and violations of Title 39 of the Revised
30 Statutes. The use of a firearm by an officer of this class shall be
31 strictly prohibited and a Class One officer shall not be assigned any
32 duties which may require the carrying or use of a firearm.

33 (2) Class Two. Officers of this class shall be authorized to
34 exercise full powers and duties similar to those of a permanent,
35 regularly appointed full-time police officer. The use of a firearm by
36 an officer of this class may be authorized only after the officer has
37 been fully certified as successfully completing training as
38 prescribed by the commission.

39 (3) Class Three. (a) Officers of this class shall be authorized to
40 exercise full powers and duties similar to those of a permanent,
41 regularly appointed full-time police officer while providing security
42 at a public or nonpublic school or a county college on the school or
43 college premises during hours when the public or nonpublic school
44 or county college is normally in session or when it is occupied by
45 public or nonpublic school or county college students or their
46 teachers or professors. While on duty in the jurisdiction of
47 employment, an officer may respond to offenses or emergencies off

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 school or college grounds if they occur in the officer's presence
2 while traveling to a school facility or county college, but an officer
3 shall not otherwise be dispatched or dedicated to any assignment off
4 school or college property.

5 A school district which procures the services of Class Three
6 special law enforcement officers to provide security at public
7 schools in the district also shall procure these services for nonpublic
8 schools in the district. The school district shall be responsible for
9 compensating the local unit for the security services rendered by a
10 Class Three officer in public and nonpublic schools.

11 (b) Officers of this class shall be authorized to exercise full
12 powers and duties similar to those of a permanent, regularly
13 appointed full-time police officer while providing security at a
14 church, mosque, synagogue, temple, or any other building used by a
15 congregation as a place of religious worship.

16 The use of a firearm by an officer of this class shall be
17 authorized pursuant to the provisions of subsection b. of section 7
18 of P.L.1985, c.439 (C.40A:14-146.14). An officer of this class
19 shall not be authorized to carry a firearm while off duty unless the
20 officer complies with the requirements set forth in subsection l. of
21 N.J.S.2C:39-6 authorizing a retired law enforcement officer to carry
22 a handgun.

23 b. The commission may, in its discretion, except from the
24 requirements of this section any person who demonstrates to the
25 commission's satisfaction that the person has successfully
26 completed a police training course conducted by any federal, state
27 or other public or private agency, the requirements of which are
28 substantially equivalent to the requirements of this act.

29 c. The commission shall certify officers who have satisfactorily
30 completed training programs and issue appropriate certificates to
31 those officers. The certificate shall clearly state the category of
32 certification for which the officer has been certified by the
33 commission.

34 d. All special law enforcement officers appointed and in
35 service on the effective date of this act may continue in service if
36 within 24 months of the effective date of this act they will have
37 completed all training and certification requirements of this act.

38 (cf: P.L.2016, c.68, s.2)

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40 2. This act shall take effect immediately.

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43 STATEMENT

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45 This bill expands the scope of where Class Three special law
46 enforcement officers may provide security to include places of
47 religious worship. The bill further requires school districts which
48 hire these officers to provide security in public schools to also hire

1 them for the nonpublic schools in the district. Under the bill, the
2 school district would be responsible for compensating the
3 municipality for the officer's services in both public and nonpublic
4 schools.

5 P.L.2016, c.68 established an additional category of "Class
6 Three" special law enforcement officers under the Special Law
7 Enforcement Officers' Act to provide security in this State's public
8 and nonpublic schools and county colleges. Appointed by the local
9 police department, these officers are authorized to exercise the full
10 powers and duties as those accorded full-time police officers of the
11 department. A person is eligible to be appointed as a Class Three
12 special law enforcement officer if he or she is a retired police
13 officer less than 65 years old and has served as a duly qualified,
14 fully-trained, full-time municipal or county police officer or was
15 regularly employed as a full-time member of the State Police within
16 the previous three years. The person also has to be physically
17 capable of performing the job and have the appropriate law
18 enforcement and safe schools resource officer training. These
19 officers may only be employed to assist municipal police
20 departments and are not to be employed to replace or substitute for
21 full-time police officers. They may only be hired in a part-time
22 capacity.

23 Specifically under the bill, in addition to providing security in
24 public and nonpublic schools and county colleges, Class Three
25 officers could provide security in churches, mosques, synagogues,
26 temples, or any other building used by a congregation as a place of
27 religious worship.

28 The bill does not require school districts to hire Class Three
29 officers, but if they are hired to work in the public schools, these
30 officers also are to be made available in nonpublic schools in the
31 district. School districts, not the public or nonpublic school, would
32 be required to directly pay for these officers under the bill.