

ASSEMBLY, No. 2699

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Co-Sponsored by:

Assemblyman Armato

SYNOPSIS

Authorizes Class Three special law enforcement officers to provide security at public and private colleges.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT authorizing Class Three special law enforcement officers
2 to provide security at public and private colleges and amending
3 P.L.1985, c.439.

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

7
8 1. Section 4 of P.L.1985, c.439 (C.40A:14-146.11) is amended
9 to read as follows:

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

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

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

40 (3) Class Three. Officers of this class shall be authorized to
41 exercise full powers and duties similar to those of a permanent,
42 regularly appointed full-time police officer while providing security
43 at a public or nonpublic school **[or a]**, county college, or four-year
44 public or independent institution of higher education on the school
45 **[or]**, county college, or four-year institution of higher education

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 premises during hours when the **【public or nonpublic】** school **【or】**,
2 county college, or four-year institution of higher education is
3 normally in session or when it is occupied by **【public or nonpublic】**
4 school **【or】**, county college, or four-year institution of higher
5 education students or their teachers or professors. While on duty in
6 the jurisdiction of employment, an officer may respond to offenses
7 or emergencies off school **【or】**, county college, or four-year
8 institution of higher education grounds if they occur in the officer's
9 presence while traveling to a school facility **【or】**, county college, or
10 four-year institution of higher education, but an officer shall not
11 otherwise be dispatched or dedicated to any assignment off school
12 **【or】**, county college, or four-year institution of higher education
13 property.

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

21 b. The commission may, in its discretion, except from the
22 requirements of this section any person who demonstrates to the
23 commission's satisfaction that the person has successfully
24 completed a police training course conducted by any federal, state,
25 or other public or private agency, the requirements of which are
26 substantially equivalent to the requirements of **【this act】** P.L.1985,
27 c.439 (C.40A:14-146.8 et al.).

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

33 d. **【All special law enforcement officers appointed and in**
34 **service on the effective date of this act may continue in service if**
35 **within 24 months of the effective date of this act they will have**
36 **completed all training and certification requirements of this act】**
37 (Deleted by amendment, P.L. , c.) (pending before the
38 Legislature as this bill)
39 (cf: P.L.2016, c.68, s.2)

40

41 2. This act shall take effect on the first day of the seventh
42 month next following enactment, but the Police Training
43 Commission and the Secretary of Higher Education may take any
44 anticipatory action prior to the effective date needed for the timely
45 implementation of this act.

STATEMENT

This bill authorizes Class Three special law enforcement officers to provide security at four-year public and private colleges in this State.

P.L.2016, c.68 established an additional category of “Class Three” special law enforcement officers under the Special Law Enforcement Officers’ Act. The law currently authorizes these part-time officers to provide security in this State’s public and nonpublic schools and county colleges. A person is eligible to be appointed as a Class Three special law enforcement officer if he or she is a retired police officer, less than 65 years old, and has served as duly qualified, fully-trained, full-time municipal or county police officer or was regularly employed as a full-time member of the State Police. The person also has to be physically capable of performing the job and have the appropriate law enforcement and safe schools resource officer training.

The bill expands the scope of those locations where Class Three special law enforcement officers are authorized to provide security to also include four-year public and independent institutions of higher education.