

ASSEMBLY, No. 2744

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman JON M. BRAMNICK

District 21 (Morris, Somerset and Union)

SYNOPSIS

Creates disorderly persons offense of purporting to be public utility employee to gain access to residence.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning intentional misrepresentation of status as public
2 utility employee and amending P.L.2007, c.232.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.2007, c.232 (C.2C:21-35) is amended to
8 read as follows:

9 2. a. A person who knowingly sells, offers or exposes for sale,
10 or otherwise transfers, or possesses with the intent to sell, offer or
11 expose for sale, or otherwise transfer, a document, printed form or
12 other writing which falsely purports to be a public utility employee
13 identification badge as required under the provisions of P.L.1977,
14 c.35 (C.48:3-42 et seq.) which could be used as a means of
15 verifying a person's identity as a public utility employee is guilty of
16 a crime of the second degree.

17 b. A person who knowingly makes, or possesses devices or
18 materials to make, a document or other writing which falsely
19 purports to be a public utility employee identification badge as
20 required under the provisions of P.L.1977, c.35 (C.48:3-42 et seq.)
21 which could be used as a means of verifying a person's identity as a
22 public utility employee is guilty of a crime of the second degree.

23 c. A person who knowingly exhibits, displays or utters a
24 document or other writing which falsely purports to be a public
25 utility employee identification badge as required under the
26 provisions of P.L.1977, c.35 (C.48:3-42 et seq.) which could be
27 used as a means of verifying a person's identity as a public utility
28 employee is guilty of a crime of the third degree.

29 d. A person who knowingly possesses a document or other
30 writing which falsely purports to be a public utility employee
31 identification badge as required under the provisions of P.L.1977,
32 c.35 (C.48:3-42 et seq.) which could be used as a means of
33 verifying a person's identity as a public utility employee is guilty of
34 a crime of the fourth degree.

35 e. A person who, for the purpose of gaining access to a
36 residence, purports to be a public utility employee and is admitted
37 to a residence based on the claimed status, but (1) does not possess
38 any documents or writing as required under the provisions of
39 P.L.1977, c.35 (C.48:3-42 et seq.), and (2) does not have authority
40 to access property furnished to the residence by any public utility, is
41 guilty of a disorderly persons offense.

42 (cf: P.L.2007, c.232, s.2)

43
44 2. This act shall take effect immediately.

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.

STATEMENT

At present, the sale, manufacture, use, or possession of a false public utility employee identification badge constitutes criminal conduct. In order to increase public confidence in authorized public utility workers, and enhance security, public utility workers are required by law to prominently wear a public utility-issued identification badge at service calls. Since this fact may not be commonly known to public utility customers, an actor who verbally misrepresents his status as a public utility employee, but does not use a badge to gain access to a residence, may still deceive public utility customers and expose them to danger.

This bill provides that a person who, for the purpose of gaining access to a residence, purports to be a public utility employee and is admitted to a residence based on the claimed status, but (1) does not possess any documents or writing as required under the provisions of P.L.1977, c.35 (C.48:3-42 et seq.), and (2) does not have authority to access property furnished to the residence by any public utility, is guilty of a disorderly persons offense.

A recent incident in New Jersey involved an actor, not a public utility employee, who simply declared to a homeowner that he was a public utility worker sent to perform an inspection. Based upon that representation, he was admitted to the residence, became aggressive towards the homeowner and demanded access to every room of the premises.