

***ASSEMBLY, No. 3436**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Prohibits certain sex offenders from holding position or participating in youth ministry.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning sex offenders and amending P.L.2009, c.139.

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

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6 1. Section 1 of P.L.2009, c.139 (C.2C:7-22) is amended to read
7 as follows:

8 1. As used in this act:

9 "Excluded sex offender" means a person who has been
10 convicted, adjudicated delinquent or found not guilty by reason of
11 insanity for the commission of a sex offense, as defined in
12 subsection b. of section 2 of P.L.1994, c.133 (C.2C:7-2), which
13 involves a victim under 18 years of age.

14 "Youth serving organization" means a sports team, league,
15 athletic association, youth ministry, or any other corporation,
16 association, or organization, excluding public and nonpublic
17 schools, which provides recreational, educational, cultural, social,
18 charitable, or other activities or services to persons under 18 years
19 of age.

20 (cf: P.L.2009, c.139, s.1)

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22 2. This act shall take effect immediately.

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25 STATEMENT

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27 This bill prohibits certain sex offenders from holding a position
28 or participating in a youth ministry.

29 Under current law, sex offenders who have been convicted,
30 adjudicated delinquent, or found not guilty by reason of insanity for
31 committing a sex offense under Megan's Law which involves a
32 victim under 18 years of age are prohibited from holding a position
33 or participating, in a paid or unpaid capacity, in a youth serving
34 organization. Current law defines a youth serving organization as a
35 sports team, league, athletic association, or any other corporation,
36 association, or organization, excluding public and nonpublic
37 schools, which provides recreational, educational, cultural, social,
38 charitable, or other activities or services to persons under 18 years
39 of age.

40 Under this bill, these sex offenders also would be prohibited
41 from holding a position or participating in a youth ministry, also
42 commonly referred to as a church youth group.

43 This bill is in response to a recent case, State v. S.B. 230 N.J. 62
44 (2017), in which the New Jersey Supreme Court reversed an
45 appellate decision holding that a youth ministry associated with a

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.

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1 church is not a youth serving organization as defined under current
2 law. It is the sponsor's intent to codify the decision in S.B. to
3 memorialize that it is indeed the intent of the Legislature to prohibit
4 sex offenders from holding a position or participating in a youth
5 ministry.