

ASSEMBLY, No. 3503

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman ERIK PETERSON

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Prohibits sex offenders from distributing candy or other items to children on Halloween.

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 2 of P.L.2009, c.139 (C.2C:7-23) is amended to read
7 as follows:

8 2. a. Except as otherwise provided in subsection e. of this
9 section, it shall be unlawful for an excluded sex offender to hold a
10 position or otherwise participate, in a paid or unpaid capacity, in a
11 youth serving organization.

12 b. A person who violates subsection a. of this section is guilty
13 of a crime of the third degree.

14 c. A person who knowingly hires, engages or appoints an
15 excluded sex offender to serve in a youth serving organization in
16 violation of subsection a. of this section is guilty of a crime of the
17 fourth degree.

18 d. The provisions of this act shall not apply to participation by
19 an excluded sex offender under 18 years of age in a youth serving
20 organization which provides rehabilitative or other services to
21 juvenile sex offenders.

22 e. It shall not be a violation of subsection a. of this section for
23 an excluded sex offender to serve in a youth serving organization if
24 the excluded sex offender is under Parole Board supervision and the
25 Parole Board has given express written permission for the excluded
26 sex offender to hold a position or otherwise participate in that
27 particular youth serving organization.

28 f. Nothing herein shall be construed to authorize an excluded
29 sex offender, as defined in section 1 of P.L.2009, c.139 (C.2C:7-
30 22), to hold a position or otherwise participate, in a paid or unpaid
31 capacity, in a youth serving organization or any other entity from
32 which the excluded sex offender is otherwise statutorily
33 disqualified.

34 g. It shall be a crime of the fourth degree for an excluded sex
35 offender to distribute candy or other items to children under 18
36 years of age on Halloween or at any event celebrating Halloween.
37 (cf: P.L.2009, c.139, s.2)

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39 2. This act shall take effect immediately.

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STATEMENT

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44 This bill prohibits excluded sex offenders from distributing
45 candy or other items to children under 18 years of age on

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.

A3503 PETERSON

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1 Halloween or at any event celebrating. The phrase “excluded sex
2 offender” is defined in section 1 of P.L.2009, c.139 (C.2C:7-22) as
3 a person who has been convicted, adjudicated delinquent or found
4 not guilty by reason of insanity for the commission of a sex offense,
5 which involves a victim under 18 years of age.

6 Under the bill, an excluded sex offender who distributes candy or
7 other items to children on Halloween or at an event celebrating
8 Halloween is guilty of a fourth degree crime, which is punishable
9 by up to 18 months imprisonment, a fine of up to \$10,000, or both.