ASSEMBLY, No. 4699

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)
Assemblyman ANTHONY S. VERRELLI
District 15 (Hunterdon and Mercer)

SYNOPSIS

Authorizes VCCO to make payments to dependents of deceased victims in cases of strict liability for drug-induced deaths.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 9/21/2020)

AN ACT concerning victims of crime and amending P.L.1971, c.317.

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

1. Section 11 of P.L.1971, c.317 (C.52:4B-11) is amended to read as follows:

11. The Victims of Crime Compensation Office may order the payment of compensation in accordance with the provisions of P.L.1971, c.317 (C.52:4B-1 et seq.) for personal injury or death which resulted from:

a. an attempt to prevent the commission of crime or to arrest a suspected criminal or in aiding or attempting to aid a police officer to do so; or

b. the commission or attempt to commit any of the following offenses:

(1) aggravated assault;

(2) (Deleted by amendment, P.L.1995, c.135).

(3) threats to do bodily harm;

(4) lewd, indecent, or obscene acts;

(5) indecent acts with children;

(6) kidnapping;

(7) murder;

(8) manslaughter;

(9) aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact;

(10) any other crime involving violence including domestic violence as defined by section 3 of P.L.1981, c.426 (C.2C:25-3) or section 3 of P.L.1991, c.261 (C.2C:25-19);

(11) burglary;

(12) tampering with a cosmetic, drug or food product;

(13) a violation of human trafficking, section 1 of P.L.2005, c.77 (C.2C:13-8); or

c. the commission of a violation of R.S.39:4-50, section 5 of P.L.1990, c.103 (C.39:3-10.13), section 19 of P.L.1954, c.236 (C.12:7-34.19), or section 3 of P.L.1952, c.157 (C.12:7-46); or

d. theft of an automobile pursuant to N.J.S.2C:20-2, eluding a law enforcement officer pursuant to subsection b. of N.J.S.2C:29-2 or unlawful taking of a motor vehicle pursuant to subsection b., c., or d. of N.J.S.2C:20-10 where injuries to the victim occur in the course of operating an automobile in furtherance of the offense; or

e. the commission of a violation of N.J.S.2C:16-1, bias intimidation; or

f. simple assault pursuant to N.J.S.2C:12-1 or disorderly

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 <u>thus</u> is new matter.

conduct pursuant to N.J.S.2C:33-2; or

g. a motor vehicle accident resulting in injury or death where the driver of the vehicle left the scene of the accident in violation of R.S.39:4-129; or

h. strict liability for drug-induced deaths pursuant to section 1 of P.L.1987, c.106 (C.2C:35-9), in cases in which a defendant has been charged.

(cf: P.L.2019, c.380, s.7)

2. This act shall take effect immediately.

STATEMENT

This bill amends current law to add the crime of strict liability for drug-induced deaths to the list of crimes for which the Victims of Crime Compensation Office (VCCO) may order the payment of compensation for personal injury or death.

Under the provisions of the bill, the VCCO would be authorized to order the payment of compensation for the benefit of the dependents of the deceased victim. The crime of strict liability for drug-induced deaths provides that any person who manufactures, distributes, or dispenses certain controlled dangerous substances is strictly liable for a death which results from the injection, inhalation or ingestion of that substance, and is guilty of a crime of the first degree. Under the bill's provisions, the payment only would be permitted to be ordered in cases in which a defendant has been charged.