

ASSEMBLY, No. 5297

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 27, 2021

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Caputo

SYNOPSIS

Requires new employers to reimburse certain former employers for law enforcement training costs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2021)

1 AN ACT concerning certain costs incurred in the training and hiring
2 of certain law enforcement employees and amending various
3 parts of the statutory law.

4

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

7

8 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to
9 read as follows:

10 1. a. Whenever a person who resigned as a member of a county
11 or municipal law enforcement agency is appointed to another
12 county or municipal law enforcement agency, the police department
13 of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-
14 4.2 et seq.), a State law enforcement agency or the New Jersey
15 Transit Police Department pursuant to section 2 of P.L.1989, c.291
16 (C.27:25-15.1) within 120 days of resignation, and that person held
17 a probationary appointment at the time of resignation or held a
18 permanent appointment for **[30 days]** three years or less prior to
19 resignation, the county or municipal law enforcement agency,
20 educational institution or State law enforcement agency appointing
21 the person, or the New Jersey Transit Corporation, is liable to the
22 former county or municipal employer, as appropriate, for the total
23 certified costs incurred by the former employer in the examination,
24 hiring, and training of the person.

25 b. **[**Whenever a person who resigned as a member of a county
26 or municipal law enforcement agency is appointed to another
27 county or municipal law enforcement agency, the police department
28 of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-
29 4.2 et seq.), State law enforcement agency or the New Jersey
30 Transit Police Department pursuant to section 2 of P.L.1989, c.291
31 (C.27:25-15.1) within 120 days of resignation, and that person, at
32 the time of resignation held a permanent appointment for more than
33 30 days but less than two years, the county or municipal law
34 enforcement agency, educational institution, or State law
35 enforcement agency appointing the person, or the New Jersey
36 Transit Corporation, is liable to the former county or municipal
37 employer, as appropriate, for one-half of the total certified costs
38 incurred by the former employer in the examination, hiring and
39 training of that person.**]** (Deleted by amendment, P.L. c.)
40 (pending before the Legislature as this bill)

41 c. Upon the appointment of a former member of a county or
42 municipal law enforcement agency, the appointing county or
43 municipal law enforcement agency, educational institution, State
44 law enforcement agency or the New Jersey Transit Corporation
45 shall notify the former employer immediately upon the appointment

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 of a former employee and shall reimburse the former employer
2 within 120 days of the receipt of the certified costs.

3 d. For the purposes of this act:

4 "County or municipal law enforcement agency" means and
5 includes, but is not limited to, a county or municipal police
6 department or force, a county corrections department and a county
7 sheriff's office;

8 "Examination costs" means and includes, but is not limited to,
9 the costs of all qualifying examinations and the public
10 advertisements for these examinations;

11 "State law enforcement agency" means and includes, but is not
12 limited to, the police department of a State agency **【and】**, the State
13 Department of Corrections, **【but does not include】** and the State
14 Police; and

15 "Training costs" means the police training course fees and the
16 base salary received while attending the police training course, as
17 required by P.L.1961, c.56 (C.52:17B-66 et seq.).

18 (cf: P.L.2000, c.106, s.1)

19

20 2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to
21 read as follows:

22 2. a. If a person who was appointed as a police officer of an
23 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
24 seq.) resigns and is subsequently appointed as a police officer for
25 another educational institution or for a county or municipal law
26 enforcement agency, a State law enforcement agency or the New
27 Jersey Transit Police Department pursuant to section 2 of P.L.1989,
28 c.291 (C.27:25-15.1) within 120 days of resignation, and if that
29 person held a probationary appointment at the time of resignation or
30 held a permanent appointment for **【30 days】** three years or less
31 prior to resignation, the educational institution, county or municipal
32 law enforcement agency, or State law enforcement agency
33 appointing the person, or the New Jersey Transit Corporation, shall
34 be liable to the former educational institution for the total certified
35 costs incurred by that former educational institution in the
36 examination, hiring, and training of the person.

37 b. **【If** a person who was appointed as a police officer of an
38 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
39 seq.) resigns and is subsequently appointed as a police officer for
40 another educational institution or for a county or municipal law
41 enforcement agency, State law enforcement agency or the New
42 Jersey Transit Police Department pursuant to section 2 of P.L.1989,
43 c.291 (C.27:25-15.1) within 120 days of resignation, and if that
44 person held a permanent appointment for more than 30 days but less
45 than two years at the time of resignation, the educational institution,
46 county or municipal law enforcement agency or State law
47 enforcement agency appointing the person, or the New Jersey
48 Transit Corporation, shall be liable to the former educational

1 institution for one-half of the total certified costs incurred by that
2 former institution in the examination, hiring, and training of the
3 person.】 (Deleted by amendment, P.L. c.) (pending before the
4 Legislature as this bill)

5 c. Upon the appointment of a former police officer of an
6 educational institution, the appointing educational institution,
7 county or municipal law enforcement agency, State law
8 enforcement agency or the New Jersey Transit Corporation shall
9 notify the former educational institution immediately upon the
10 appointment of a police officer formerly with that institution and
11 shall reimburse the institution within 120 days of the receipt of the
12 certified costs.

13 d. As used in this section:

14 "County or municipal law enforcement agency" means and
15 includes, but is not limited to, a county or municipal police
16 department or force, a county corrections department and a county
17 sheriff's office;

18 "Examination costs" means and includes, but is not limited to,
19 the costs of all qualifying examinations and public advertisements
20 for these examinations.

21 "State law enforcement agency" means and includes, but is not
22 limited to, the police department of a State agency **【and】** , the State
23 Department of Corrections, **【but does not include】** and the State
24 Police.

25 "Training costs" means the police training course fees and the
26 base salary received while attending the police training course as
27 required by section 3 of P.L.1970, c.211 (C.18A:6-4.4).
28 (cf: P.L.2000, c.106, s.2)
29

30 3. Section 3 of P.L.2000, c.106 (C.27:25-15.1b) is amended to
31 read as follows:

32 3. a. If a person who was appointed as a police officer of the
33 New Jersey Transit Police Department pursuant to section 2 of
34 P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently
35 appointed to a county or municipal law enforcement agency, a
36 police department of an educational institution pursuant to
37 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement
38 agency within 120 days of resignation, and if that person held a
39 probationary appointment at the time of resignation or held a
40 permanent appointment for **【30 days】** three years or less prior to
41 resignation, the appointing county or municipal law enforcement
42 agency, educational institution or State law enforcement agency
43 shall be liable to the New Jersey Transit Corporation for the total
44 certified costs incurred by the corporation in the examination,
45 hiring, and training of the person.

46 b. **【If** a person who was appointed as a police officer of the
47 New Jersey Transit Police Department pursuant to section 2 of
48 P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently

1 appointed to a county or municipal law enforcement agency, the
2 police department of an educational institution pursuant to
3 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement
4 agency within 120 days of resignation, and if that person held a
5 permanent appointment for more than 30 days but less than two
6 years at the time of resignation, the appointing county or municipal
7 law enforcement agency, educational institution or State law
8 enforcement agency shall be liable to the New Jersey Transit
9 Corporation for one-half of the total certified costs incurred by the
10 corporation in the examination, hiring, and training of the person. **】**

11 (Deleted by amendment, P.L. _____ c. _____) (pending before the
12 Legislature as this bill)

13 c. The appointing county or municipal law enforcement
14 agency, educational institution or State law enforcement agency
15 shall notify the New Jersey Transit Corporation immediately upon
16 the appointment of a police officer formerly employed by the
17 corporation and shall reimburse the corporation within 120 days of
18 the receipt of the certified costs.

19 d. As used in this section:

20 "County or municipal law enforcement agency" means and
21 includes, but is not limited to, a county or municipal police
22 department or force, a county corrections department and a county
23 sheriff's office.

24 "Examination costs" means and includes, but is not limited to,
25 the costs of all qualifying examinations and public advertisements
26 for these examinations.

27 "State law enforcement agency" means and includes, but is not
28 limited to, the police department of a State agency **【and】** , the State
29 Department of Corrections, **【but does not include】** and the State
30 Police.

31 "Training costs" means the police training course fees and the
32 base salary received while attending the police training course as
33 required by section 2 of P.L.1989, c.291 (C.27:25-15.1).

34 (cf: P.L.2000, c.106, s.3)

35

36 4. Section 4 of P.L.2000, c.106 (C.52:17B-77.6) is amended to
37 read as follows:

38 4. a. If a person who was appointed to a State law enforcement
39 agency resigns and is subsequently appointed to a county or
40 municipal law enforcement agency, a police department of an
41 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
42 seq.), another State law enforcement agency or the New Jersey
43 Transit Police Department pursuant to section 2 of P.L.1989, c.291
44 (C.27:25-15.1) within 120 days of resignation, and if that person
45 held a probationary appointment at the time of resignation or held a
46 permanent appointment for **【30 days】** three years or less prior to
47 resignation, the appointing county or municipal law enforcement
48 agency, educational institution, State law enforcement agency or the

1 New Jersey Transit Corporation shall be liable to the State law
2 enforcement agency for the total certified costs incurred by the
3 corporation in the examination, hiring, and training of the person.

4 b. **【**If a person who was appointed to a State law enforcement
5 agency resigns and is subsequently appointed to a county or
6 municipal law enforcement agency, a police department of an
7 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
8 seq.), another State law enforcement agency or the New Jersey
9 Transit Police Department pursuant to section 2 of P.L.1989, c.291
10 (C.27:25-15.1) within 120 days of resignation, and if that person
11 held a permanent appointment for more than 30 days but less than
12 two years at the time of resignation, the appointing county or
13 municipal law enforcement agency, educational institution or State
14 law enforcement agency, or the New Jersey Transit Corporation,
15 shall be liable to the State law enforcement agency for one-half of
16 the total certified costs incurred by the agency in the examination,
17 hiring, and training of the person.**】** (Deleted by amendment, P.L.
18 c.) (pending before the Legislature as this bill)

19 c. The appointing county or municipal law enforcement
20 agency, educational institution, State law enforcement agency or the
21 New Jersey Transit Corporation shall notify the former employer
22 immediately upon the appointment of an employee formerly
23 employed by the State law enforcement agency and shall reimburse
24 the agency within 120 days of the receipt of the certified costs.

25 d. As used in this section:

26 "County or municipal law enforcement agency" means and
27 includes, but is not limited to, a county or municipal police
28 department or force, a county corrections department and a county
29 sheriff's office.

30 "Examination costs" means and includes, but is not limited to,
31 the costs of all qualifying examinations and public advertisements
32 for these examinations.

33 "State law enforcement agency" means and includes, but is not
34 limited to, the police department of a State agency **【and】** , the State
35 Department of Corrections, **【but does not include】** and the State
36 Police.

37 "Training costs" means the police training course fees and the
38 base salary received while attending the police training course as
39 required by section 2 of P.L.1989, c.291 (C.27:25-15.1).
40 (cf: P.L.2000, c.106, s.4)

41
42 5. This act shall take effect immediately.
43
44

45 STATEMENT

46
47 This bill expands upon a reciprocity arrangement among county
48 and municipal law enforcement agencies, institutions of higher

1 education, which include county colleges, State law enforcement
2 agencies, and the New Jersey Transit Corporation for the
3 reimbursement of the hiring and training costs incurred when one
4 entity hires a law enforcement officer who resigned from one of the
5 other entities within the first three years of a permanent
6 appointment, and the officer is hired within 120 days of the date of
7 resignation.

8 Under current law, in those cases where the officer has held a
9 probationary appointment at the time of resignation or held a
10 permanent appointment for 30 days or less, the new employer must
11 reimburse the officer's former employer for all the costs associated
12 with the officer's hiring and training. In those cases where the
13 officer has held a permanent appointment for more than 30 days,
14 but less than two years, the new employer must reimburse the
15 officer's former employer for one-half of the costs associated with
16 the officer's hiring and training.

17 The purpose of this bill is to extend the reciprocity arrangement
18 to require a hiring entity to reimburse the officer's former employer
19 for 100 percent of the cost of the officer's hiring and training if the
20 officer resigns within three years of being hired to a permanent
21 position.