

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5507

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5507, with committee amendments.

As amended and reported by the committee, Assembly Bill No. 5507 eliminates certain statutory costs, fees, and penalties imposed on juveniles involved in the juvenile justice system.

The amended bill specifically eliminates the following fees, fines, costs, and other monetary penalties:

(1) the Drug Enforcement and Demand Reduction (DEDR) penalty required pursuant to N.J.S.2C:35-15 when the court dismisses a complaint against a juvenile who has made a satisfactory adjustment during a period of continuance of up to 12 months;

(2) the costs of the juvenile's serological test for acquired immune deficiency syndrome (AIDS), infection with the human immunodeficiency virus (HIV), or other related virus identified as a probable causative agent of AIDS when a law enforcement officer, victim, or other person suffered a prick from a hypodermic needle or had contact with the juvenile which involved or was likely to involve the transmission of bodily fluids;

(3) the costs of an approved remedial education or counseling program to which a juvenile is diverted by the court;

(4) the civil penalty of at least \$2,000 or actual costs, whichever is higher, incurred by law enforcement and emergency services in responding to a false public alarm;

(5) the \$25 forensic laboratory fee imposed on juveniles adjudicated delinquent; and

(6) the \$15 Law Enforcement Officers Training and Equipment Fund fee imposed on juveniles adjudicated delinquent.

On and after the effective date of the bill, any unpaid outstanding balances of statutory or court-ordered fines, fees, costs, or other monetary penalties previously assessed or imposed upon a juvenile or the juvenile's parent or guardian are vacated, as are any unsatisfied civil judgments based on these monetary penalties. Further, all warrants based on the alleged failure of the juvenile or parent or guardian to pay or to appear in court to pay these monetary penalties are to be reviewed and vacated consistent with the amended bill. These provisions are both retroactive and prospective. Further, these

provisions are effective nine months after the bill is enacted to give the Administrative Director of the Courts the necessary time to complete the manual process of identifying, vacating, and discharging the fines, fees, costs, and other monetary penalties.

As amended, the bill also prohibits a warrant from being issued for a juvenile defendant or the parents or guardian of a juvenile defendant for failure to pay certain statutorily imposed assessments, probation fees, other court imposed financial obligations, restitution, or child support.

As amended and reported by the committee, Assembly Bill No. 5507 is identical to Senate Bill No. 3319 (2R), also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) provide that all warrants based on the alleged failure of the juvenile or parent or guardian to pay or appear in court to pay these monetary penalties are to be reviewed and vacated consistent with the provisions of the bill, rather than be deemed null and void; and

(2) prohibit a warrant from being issued for a juvenile defendant or the parents or guardian of a juvenile defendant for failure to pay certain statutorily imposed assessments, probation fees, other court imposed financial obligations, restitution, or child support.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that State, county, and municipal governments will experience a decrease in revenues resulting from the elimination of certain statutory costs, fees, and penalties imposed on juveniles involved in the juvenile justice system. However, the OLS also anticipates a decrease in expenditures resulting from the decreased workload related to the collections of the same statutory costs, fees, and penalties.