

SENATE, No. 127

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Revises distribution of monies from Alcohol Education, Rehabilitation and Enforcement Fund to municipalities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the distribution of monies from the Alcohol
2 Education, Rehabilitation and Enforcement Fund and amending
3 P.L.1983, c.531.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. Section 6 of P.L.1983, c.531 (C.26:2B-35) is amended to
9 read as follows:

10 6. a. Moneys dedicated for enforcement from the Alcohol
11 Education, Rehabilitation and Enforcement Fund shall be
12 distributed as follows:

13 (1) One-third shall be distributed to the "Municipal Court
14 Administration Reimbursement Fund" pursuant to subsection b. of
15 this section.

16 (2) Two-thirds shall be distributed in the "Drunk Driving
17 Enforcement Fund" established pursuant to section 1 of P.L.1984,
18 c.4 (C.39:4-50.8).

19 b. (1) **【**Each municipality in this State shall present to the
20 Administrative Office of the Courts, before December 31, 1983, the
21 number of drunk driving arrests in the municipality during calendar
22 year 1980. This number shall be the base year number of arrests.
23 In any municipality in which the number of drunk driving arrests
24 for calendar year 1980 exceeds the average of the number of drunk
25 driving arrests for calendar years 1979 and 1981, that municipality
26 may substitute the lower average figure as the base figure for the
27 calculation in this subsection. The municipality shall certify this
28 substitution in writing to the Administrative Office of the Courts
29 within 90 days of the effective date of this 1986 amendatory act.
30 Once a substituted base year figure is used, it may not thereafter be
31 changed.**】** Beginning January 15, **【1984】** 2017, and each year
32 thereafter **【the】**, each municipality in the State shall report to the
33 Administrative Office of the Courts the number of drunk driving
34 arrests made in its municipality during the preceding calendar year.

35 (2) The Administrative Office of the Courts shall certify the
36 **【**amounts submitted by each municipality and shall calculate for
37 each municipality any increase in the number of arrests between the
38 base year and the**】** number of arrests reported for the preceding
39 calendar year by each municipality. **【**The Administrative Office of
40 the Courts shall then calculate the sum of all increases for all
41 municipalities reporting.**】**

42 (3) Beginning for calendar year **【1983】** 2016, the **【**following
43 fraction**】** amount of funding to be allocated to each reporting
44 municipality from the Alcohol Education, Rehabilitation and

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 Enforcement Fund shall be calculated **【for each municipality】** as
2 follows:

3 (a) The **【increase in drunk driving arrests in the municipality**
4 **between the base year and】** total amount of funding received by the
5 municipality from the Alcohol Education, Rehabilitation and
6 Enforcement Fund in the preceding year **【over the total of increases**
7 **in drunk driving arrests between the base year and the preceding**
8 **year in all reporting municipalities in the State.**

9 This fraction**】** shall be multiplied by **【the total amount of the**
10 **money available in the "Municipal Court Administration**
11 **Reimbursement Fund" in the preceding calendar year】** 50%, and
12 the resulting figure shall then be divided by the total number of
13 drunk driving arrests in the municipality for the same calendar year
14 to determine the unit dollar value for each arrest.

15 (b) The total amount of funding received by the municipality
16 from the Alcohol Education, Rehabilitation and Enforcement Fund
17 in the preceding year shall be multiplied by 50%, and the resulting
18 figure shall then be divided by the average number of yearly drunk
19 driving arrests in the municipality for the preceding five calendar
20 years to determine a five-year unit dollar value for each arrest.

21 (c) The figure calculated pursuant to subparagraph (a) of this
22 paragraph shall be added to the figure calculated pursuant to
23 subparagraph (b) of this paragraph, and the resulting figure shall
24 determine the total unit dollar value for each arrest.

25 (d) The amount to be allocated to each reporting municipality
26 shall be the proportion of its total unit dollar value to the total
27 amount of funds available for allocation from the "Municipal Court
28 Administration Reimbursement Fund."

29 (4) This amount shall be allocated to the municipality for the
30 purpose of maintaining its municipal court, which may include
31 payments to municipal court judges, municipal prosecutors and
32 other municipal court personnel for work performed in addition to
33 regular employment hours.

34 (cf: P.L.1990, c.41, s.7)

35

36 2. This act shall take effect immediately.

37

38

39

STATEMENT

40

41 This bill revises the distribution of monies from the Alcohol
42 Education, Rehabilitation and Enforcement Fund (AEREF) to
43 municipalities for the purpose of maintaining their municipal
44 courts.

45 The bill provides specifically as follows:

- 46 • Beginning January 15, 2017, and each year thereafter, each
47 municipality in the State is to report to the Administrative Office

- 1 of the Courts (AOC) the number of drunk driving arrests made in
2 its municipality during the preceding calendar year.
- 3 • The AOC is to certify the number of arrests reported for the
4 preceding calendar year by each municipality.
- 5 • Beginning for calendar year 2016, the amount of funding to be
6 allocated to each reporting municipality from the AEREF is to be
7 calculated as follows:
- 8 -- The total amount of funding received by the municipality from
9 the AEREF in the preceding year is to be multiplied by 50%, and
10 the resulting figure will then be divided by the total number of
11 drunk driving arrests in the municipality for the same calendar year
12 to determine the unit dollar value for each arrest.
- 13 -- The total amount of funding received by the municipality from
14 the AEREF in the preceding year is to be multiplied by 50%, and
15 the resulting figure will then be divided by the average number of
16 yearly drunk driving arrests in the municipality for the preceding
17 five calendar years to determine a five-year unit dollar value for
18 each arrest.
- 19 -- The two figures calculated above are to be added together, and
20 the resulting figure will determine the total unit dollar value for
21 each arrest.
- 22 -- The amount to be allocated to each reporting municipality will
23 be the proportion of its total unit dollar value to the total amount of
24 funds available for allocation from the "Municipal Court
25 Administration Reimbursement Fund."