

SENATE, No. 131

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Requires each municipality to establish a Reverse 9-1-1 system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning Reverse 9-1-1 systems, supplementing Title 52
2 of the Revised Statutes, and amending R.S.39:5-41.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. (New section) As used in this act:

8 a. "Reverse 9-1-1 system" means a capability that permits a
9 municipality, law enforcement agency, or other governmental entity
10 to forward a pre-recorded message to residents and businesses
11 within a designated geographical area.

12 b. Within 18 months of the effective date of this act, each
13 municipality shall establish a Reverse 9-1-1 system. In a manner
14 prescribed by regulation of the Director of the Office of Emergency
15 Telecommunications, a municipality may apply for a grant to
16 establish and maintain the Reverse 9-1-1 system from the fund
17 created pursuant to the provisions of section 2 of this act.

18 c. Pursuant to the Administrative Procedure Act, P.L.1968,
19 c.410 (C.52:14B-1 et seq.), the Director of the Office of Emergency
20 Telecommunications, in consultation with the 9-1-1 Commission
21 established pursuant to the provisions of section 3 of P.L.1989, c.3
22 (C.52:17C-3), shall promulgate regulations to effectuate the
23 provisions of this act.

24
25 2. (New section) a. There is created in the Office of
26 Emergency Telecommunications in the Office of Information
27 Technology a separate special account to be known as the "Reverse
28 9-1-1 Systems Fund." All moneys paid to the Office of Information
29 Technology pursuant to subsection j. of R.S.39:5-41 shall be
30 deposited in the fund.

31 b. Moneys in the Reverse 9-1-1 Systems Fund shall be used to
32 provide grants to municipalities exclusively for the expenses of
33 establishing and maintaining Reverse 9-1-1 systems.

34
35 3. R.S.39:5-41 is amended to read as follows:

36 39:5-41. a. All fines, penalties and forfeitures imposed and
37 collected under authority of law for any violations of R.S.39:4-63
38 and R.S.39:4-64 shall be forwarded by the judge to whom the same
39 have been paid to the proper financial officer of a county, if the
40 violation occurred within the jurisdiction of that county's central
41 municipal court, established pursuant to N.J.S.2B:12-1 et seq. or the
42 municipality wherein the violation occurred, to be used by the
43 county or municipality to help finance litter control activities in
44 addition to or supplementing existing litter pickup and removal
45 activities in the municipality.

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 b. Except as otherwise provided by subsection a. of this
2 section, all fines, penalties and forfeitures imposed and collected
3 under authority of law for any violations of the provisions of this
4 Title, other than those violations in which the complaining witness
5 is the chief administrator, a member of his staff, a member of the
6 State Police, a member of a county police department and force, a
7 county park police system, or a sheriff's office in a county that has
8 established a central municipal court, an inspector of the Board of
9 Public Utilities, or a law enforcement officer of any other State
10 agency, shall be forwarded by the judge to whom the same have
11 been paid as follows: one-half of the total amount collected to the
12 financial officer, as designated by the local governing body, of the
13 respective municipalities wherein the violations occurred, to be
14 used by the municipality for general municipal use and to defray the
15 cost of operating the municipal court; and one-half of the total
16 amount collected to the proper financial officer of the county
17 wherein they were collected, to be used by the county as a fund for
18 the construction, reconstruction, maintenance and repair of roads
19 and bridges, snow removal, the acquisition and purchase of rights-
20 of-way, and the purchase, replacement and repair of equipment for
21 use on said roads and bridges therein. Up to 25% of the money
22 received by a municipality pursuant to this subsection, but not more
23 than the actual amount budgeted for the municipal court, whichever
24 is less, may be used to upgrade case processing.

25 All fines, penalties and forfeitures imposed and collected under
26 authority of law for any violations of the provisions of this Title, in
27 which the complaining witness is a member of a county police
28 department and force, a county park police system, or a county
29 sheriff's office in a county that has established a central municipal
30 court, shall be forwarded by the judge to whom the same have been
31 paid to the financial officer, designated by the governing body of
32 the county, for all violations occurring within the jurisdiction of that
33 court, to be used for general county use and to defray the cost of
34 operating the central municipal court.

35 Whenever any county has deposited moneys collected pursuant
36 to this section in a special trust fund in lieu of expending the same
37 for the purposes authorized by this section, it may withdraw from
38 said special trust fund in any year an amount which is not in excess
39 of the amount expended by the county over the immediately
40 preceding three-year period from general county revenues for said
41 purposes. Such moneys withdrawn from the trust fund shall be
42 accounted for and used as are other general county revenues.

43 c. (Deleted by amendment, P.L.1993, c.293.)

44 d. Notwithstanding the provisions of subsections a. and b. of
45 this section, \$1 shall be added to the amount of each fine and
46 penalty imposed and collected through a court under authority of
47 any law for any violation of the provisions of Title 39 of the
48 Revised Statutes or any other motor vehicle or traffic violation in

1 this State and shall be forwarded by the person to whom the same
2 are paid to the State Treasurer. In addition, upon the forfeiture of
3 bail, \$1 of that forfeiture shall be forwarded to the State Treasurer.
4 The State Treasurer shall annually deposit those moneys so
5 forwarded in the "Body Armor Replacement" fund established
6 pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4). Beginning
7 in the fiscal year next following the effective date of this act, the
8 State Treasurer annually shall allocate from those moneys so
9 forwarded an amount not to exceed \$400,000 to the Department of
10 the Treasury to be expended exclusively for the purposes of funding
11 the operation of the "Law Enforcement Officer Crisis Intervention
12 Services" telephone hotline established and maintained under the
13 provisions of sections 115 and 116 of P.L.2008, c.29 (C.26:2NN-1
14 and C.26:2NN-2).

15 e. Notwithstanding the provisions of subsections a. and b. of
16 this section, \$1 shall be added to the amount of each fine and
17 penalty imposed and collected through a court under authority of
18 any law for any violation of the provisions of Title 39 of the
19 Revised Statutes or any other motor vehicle or traffic violation in
20 this State and shall be forwarded by the person to whom the same
21 are paid to the State Treasurer. The State Treasurer shall annually
22 deposit those moneys so forwarded in the "New Jersey Spinal Cord
23 Research Fund" established pursuant to section 9 of P.L.1999, c.201
24 (C.52:9E-9). In order to comply with the provisions of Article VIII,
25 Section II, paragraph 5 of the State Constitution, a municipal or
26 county agency which forwards moneys to the State Treasurer
27 pursuant to this subsection may retain an amount equal to 2% of the
28 moneys which it collects pursuant to this subsection as
29 compensation for its administrative costs associated with
30 implementing the provisions of this subsection.

31 f. Notwithstanding the provisions of subsections a. and b. of
32 this section, \$1 shall be added to the amount of each fine and
33 penalty imposed and collected through a court under authority of
34 any law for any violation of the provisions of Title 39 of the
35 Revised Statutes or any other motor vehicle or traffic violation in
36 this State and shall be forwarded by the person to whom the same
37 are paid to the State Treasurer. The State Treasurer shall annually
38 deposit those moneys so forwarded in the "Autism Medical
39 Research and Treatment Fund" established pursuant to section 1 of
40 P.L.2003, c.144 (C.30:6D-62.2).

41 g. Notwithstanding the provisions of subsections a. and b. of
42 this section, \$2 shall be added to the amount of each fine and
43 penalty imposed and collected by a court under authority of any law
44 for any violation of the provisions of Title 39 of the Revised
45 Statutes or any other motor vehicle or traffic violation in this State
46 and shall be forwarded by the person to whom the same are paid to
47 the State Treasurer. The State Treasurer shall annually deposit
48 those moneys so forwarded in the "New Jersey Forensic DNA

1 Laboratory Fund" established pursuant to P.L.2003, c.183. Prior to
2 depositing the moneys into the fund, the State Treasurer shall
3 forward to the Administrative Office of the Courts an amount not to
4 exceed \$475,000 from moneys initially collected pursuant to this
5 subsection to be used exclusively to establish a collection
6 mechanism and to provide funding to update the Automated Traffic
7 System Fund created pursuant to N.J.S.2B:12-30 to implement the
8 provisions of this subsection.

9 h. Notwithstanding the provisions of subsections a. and b. of
10 this section, \$1 shall be added to the amount of each fine and
11 penalty imposed and collected under authority of any law for any
12 violation of the provisions of Title 39 of the Revised Statutes or any
13 other motor vehicle or traffic violation in this State and shall be
14 forwarded by the person to whom the same are paid to the State
15 Treasurer. The State Treasurer shall annually deposit those moneys
16 so forwarded in the "New Jersey Brain Injury Research Fund"
17 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).
18 The Administrative Office of the Courts may retain an amount
19 equal to \$475,000 from the moneys which it initially collects
20 pursuant to this subsection, prior to depositing any moneys in the
21 "New Jersey Brain Injury Research Fund," in order to meet the
22 expenses associated with utilizing the Automated Traffic System
23 Fund created pursuant to N.J.S.2B:12-30 to implement the
24 provisions of this subsection and serve other statutory purposes.

25 i. Notwithstanding the provisions of subsections a. and b. of
26 this section, all fines and penalties imposed and collected under
27 authority of law for any violation related to the unlawful operation
28 or the sale of a vehicle under section 1 of P.L.1955, c.53 (C.39:3-
29 17.1) shall be forwarded by the judge to whom the same have been
30 paid to the State Treasurer, if the complaining witness is the chief
31 administrator, a member of his staff, a member of the State Police,
32 an inspector of the Board of Public Utilities, or a law enforcement
33 officer or other official of any other State agency; or, if the
34 complaining witness is not one of the foregoing, one-half to the
35 chief financial officer of the county and one-half to the chief
36 financial officer of the municipality wherein the violation occurred.

37 j. Notwithstanding the provisions of subsection a. and b. of
38 this section, \$2 shall be added to the amount of each fine and
39 penalty imposed and collected by a court under authority of any law
40 for any violation of the provisions of Title 39 of the Revised
41 Statutes or any other motor vehicle or traffic violation in this State
42 and shall be forwarded by the person to whom the same are paid to
43 the State Treasurer. The State Treasurer shall annually deposit
44 those monies so forwarded in the "Reverse 9-1-1 Systems Fund"
45 established pursuant to section 2 of P.L. , c. (C.) (pending
46 before the Legislature as this bill).

47 (cf: P.L.2015, c.103, s.2)

1 4. This act shall take effect immediately; provided, however,
2 the Director of the Office of Emergency Telecommunications may
3 take such anticipatory action as may be needed prior to the effective
4 date to implement its provisions.

5
6
7 STATEMENT
8

9 This bill requires each municipality to establish a Reverse 9-1-1
10 system within 18 months of the bill's effective date. These systems
11 permit municipalities and law enforcement agencies to forward a
12 pre-recorded message to residents and businesses within a
13 designated geographical area. Reverse 9-1-1 systems are commonly
14 used to notify residents of an emergency in their area, such as a fire,
15 flood or prison escape.

16 Funding for the Reverse 9-1-1 systems would be provided
17 through a \$2 surcharge to traffic offenses to be deposited in the
18 "Reverse 9-1-1 Systems Fund." The fund is created in the Office of
19 Emergency Telecommunications in the Office of Information and
20 Technology. Monies in the fund are to be used exclusively for
21 grants to municipalities for the expenses of establishing and
22 maintaining Reverse 9-1-1 systems.