SENATE, No. 670

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Senator SAMUEL D. THOMPSON
District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Authorizes municipalities to accept donations to fund police equipment and salary enhancements.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT authorizing municipalities to accept donations to fund police equipment and salary enhancements, supplementing chapter 5 of Title 40A of the New Jersey Statutes, and amending N.J.S.40A:4-39 and N.J.S.40A:5-29.

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

1. (New section) a. A municipality may accept donations made to it for the purposes of funding public safety equipment acquisitions or salary enhancements for the regular police officers of the municipality in the manner set forth in this section.

b. Donations made to a municipality for the purposes set forth in subsection a. of this section shall be included in the budget of the municipality as dedicated revenues anticipated as revenue and appropriated for those purposes pursuant to N.J.S.40A:4-39.

c. Upon adoption of a resolution of the governing body of the municipality, dedicated revenues appropriated pursuant to this section may be used to acquire public safety equipment or provide salary enhancements for the regular police officers of the municipality. Notice that the governing body of a municipality will be considering a resolution pursuant to this subsection at a meeting shall be provided in accordance with the requirements of the "Senator Byron M. Baer Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

d. The governing body of a municipality shall by resolution establish reasonable procedures and guidelines for the distribution of dedicated revenues to be appropriated as salary enhancements pursuant to this section, which resolution may provide that specific categories of regular police officers are entitled to receive certain amounts of salary enhancements. A salary enhancement provided pursuant to this section shall not be treated as part of a base salary for the purposes of calculating pension, leave, or any other benefits provided by law or contract.

2. N.J.S.40A:4-39 is amended to read as follows:

40A:4-39. a. In the budget of any local unit, dedicated revenues anticipated during the fiscal year from any dog tax, dog license, revenues collected pursuant to N.J.S.18A:39-1.2, solid fuel license, sinking fund for term bonds, bequest, <u>donation received pursuant to section 1 of P.L. , c. (C.) (pending before the Legislature as this bill),</u> escheat, federal grant, motor vehicle fine dedicated to road repairs, relocation costs deposited into a revolving relocation assistance fund established pursuant to section 2 of P.L.1987, c.98 (C.20:4-4.1a), fee revenues collected in connection with recreation programs operated pursuant to section 2 of P.L.1999, c.292 (C.40:48-2.56), receipts from franchise assessments levied pursuant

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.

to section 4 of P.L.1995, c.173 (C.40A:12A-53) to be retained by the municipality, refund payments from a joint insurance fund deposited into a joint insurance revolving fund established pursuant to section 12 of P.L.1996, c.113 (C.40A:10-36.2), fee revenues collected in connection with the "Attorney Identification Card Program" pursuant to section 1 of P.L.2009, c.11 (C.40A:4-22.2), fee revenues imposed on delinquent amounts owed to the county or municipality and collected pursuant to section 37 of P.L.2000, c.126 (C.40:23-6.53) (as amended by section 2 of P.L.2009, c.233) or section 1 of P.L.1983, c.208 (C.40:48-5a) (as amended by section 3 of P.L.2009, c.233), and, subject to the prior written consent of the director, other items of like character when the revenue is not subject to reasonably accurate estimate in advance, may be included in said budget by annexing to said budget a statement in substantially the following form:

"The dedicated revenues anticipated during the year ..... from ..... (here insert one or more of the sources above, as the case may be) are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement."

b. Dedicated revenues included in accordance with this section shall be available for expenditure by the local unit as and when received in cash during the fiscal year. The inclusion of such dedicated revenues shall be subject to the approval of the director, who may require such explanatory statements or data in connection therewith as the director deems advisable for the information and protection of the public.

(cf: P.L.2009, c.233, s.4)

3. N.J.S.40A:5-29 is amended to read as follows:

40A:5-29. Any local unit is authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift, provided, however, that **[**such**]** a bequest, legacy, or gift for the purpose of funding public safety equipment acquisitions or salary enhancements for the regular police officers of the municipality shall be utilized in the manner set forth in section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), and further provided that any bequest, legacy, or gift accepted pursuant to this section shall not be put to any use which is inconsistent with the laws of this State and of the United States.

(cf: N.J.S.40A:5-29)

4. This act shall take effect immediately.

STATEMENT

This bill would permit municipalities to accept private donations to fund public safety equipment acquisitions and salary enhancements for their police forces. The bill would allow private donations to be used to supplement municipal budgets, which have been constrained by the two percent property tax levy cap, to preserve and enhance public safety services and personnel.

Any salary enhancements provided under the bill would be distributed to police officers according to procedures and guidelines established by the municipal governing body.