

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1482

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 2020

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1482, with committee amendments.

As amended and reported by the committee, Senate Bill No. 1482 requires law enforcement agencies to request the personnel and internal affairs files of applicants from each law enforcement agency for which the applicant previously served as a law enforcement officer. The law enforcement agency receiving the request is required to submit the files to the requesting agency.

The amended bill defines a law enforcement agency as a State, interstate, municipal, or county law enforcement agency; a law enforcement agency of an educational institution that appoints law enforcement officers; or any other department, division, bureau, commission, board, or other authority of this State or political subdivision of any of these entities.

The amended bill also provides that confidential internal affairs files received by the requesting law enforcement agency are to remain confidential and not be disclosed to any other party. The amended bill further clarifies that contracts entered into after the bill is enacted that would prohibit a law enforcement agency from providing an officer's files to another law enforcement agency are deemed against public policy and unenforceable.

Finally, the amended bill requires the Attorney General to issue or amend guidelines or directives governing the implementation of the bill's provisions.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 744 (1R), also amended and reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

1) expand the law enforcement agencies to which the provisions of the bill apply from State, county, and municipal agencies to also include, interstate law enforcement agencies; a law enforcement agency of an educational institution; or any other department, division, bureau, commission, board, or other authority of this State or political subdivision thereof which employs law enforcement officers;

2) provide that confidential internal affairs files received by the requesting law enforcement agency are to remain confidential and not be disclosed to any other party;

3) clarify that contracts entered into after the bill's enactment that would prohibit a law enforcement agency from providing an officer's files to another law enforcement agency are deemed against public policy and unenforceable;

4) give the Attorney General the option to amend existing guidelines in addition to promulgating new ones; and

5) change the effective date from the first day of the fourth month after enactment to immediately.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.