

SENATE, No. 1549

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires local government notification of sex offender registration and prohibits sex offenders from living near schools, child care centers or playgrounds.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning sex offenders and supplementing
2 P.L.1994, c.133 (C.2C:7-1 et seq.).

3

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

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7 1. The Legislature finds and declares that public safety will be
8 enhanced by preventing sex offenders, who have committed crimes
9 against minors, from residing within 500 feet of certain areas where
10 children congregate. It is not the intent of the Legislature to further
11 penalize certain sex offenders.

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13 2. When a person who is listed on the Internet registry
14 maintained by the Superintendent of the State Police pursuant to
15 section 2 of P.L.2001, c.167 (C.2C:7-13) registers with the chief
16 law enforcement officer of a municipality, the chief law
17 enforcement officer shall forward the name and address of the
18 person registering to the members of the governing body of the
19 municipality. If a person is listed on the Internet registry
20 maintained by the Superintendent of the State Police pursuant to
21 section 2 of P.L.2001, c.167 (C.2C:7-13) and required to register
22 with the Superintendent of State Police pursuant to section 2 of
23 P.L.1994, c.133 (C.2C:7-2) because the person is moving to a
24 municipality that does not have a police force, then the
25 Superintendent of State Police shall forward the name and address
26 of the person registering to the members of the governing body of
27 the municipality where the person registering intends to reside.

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29 3. It shall be unlawful for a person subject to the registration
30 requirements set forth in P.L.1994, c.133 (C.2C:7-1 et seq.) who
31 has committed a sex offense as defined in section 2 of
32 P.L.1994, c.133 (C.2C:7-2) and whose victim was under the age of
33 18 to reside within 500 feet of the real property comprising an
34 elementary or secondary school, child care center as defined in
35 section 3 of P.L.1983, c.492 (C.30:5B-3), or playground as defined
36 in section 1 of P.L.1999, c.50 (C.52:27D-123.9) unless:

37 a. The person is required to serve a sentence at a jail, prison,
38 juvenile facility, or other correctional institution or facility which is
39 located within 500 feet of the real property comprising an
40 elementary or secondary school, child care center, or playground;

41 b. The person is receiving treatment at a mental health facility
42 located within 500 feet of the real property comprising an
43 elementary or secondary school, child care center, or playground;

44 c. The person established the residence prior to the effective
45 date of this act;

46 d. An elementary or secondary school, child care center, or
47 playground is built or established within 500 feet of the person's
48 existing residence;

1 e. The parole board, after considering an individual's housing
2 options, determines that a needs based exception is required; or

3 f. A court that discharges the person from a psychiatric facility
4 with conditions pursuant to section 15 of P.L.1987, c.116 (C.30:4-
5 27.15) determines that an exemption is appropriate.

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7 4. This act shall take effect on the first day of the sixth month
8 following enactment.

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STATEMENT

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13 This bill expands Megan's Law to require that members of
14 municipal governing bodies be notified when a sex offender moves
15 into a municipality and restricts sex offenders from residing in areas
16 frequented by children.

17 Under the provisions of the bill, when a sex offender listed on
18 the Internet registry maintained by the Superintendent of the State
19 Police registers with the chief law enforcement officer of a
20 municipality, the officer is to forward the name and address of the
21 sex offender to the members of the governing body of the
22 municipality. If the sex offender is required to register with the
23 Superintendent of State Police because he is moving to a
24 municipality that does not have a police force, then the
25 Superintendent of State Police is to forward the sex offender's name
26 and address to the members of the governing body of the
27 municipality in which the sex offender intends to reside.

28 Under the provisions of the bill, it is unlawful for a person who
29 is subject to the Megan's Law registration requirements for a sex
30 offense against an individual under the age of 18 to reside within
31 500 feet of an elementary or secondary school, playground or child
32 care center. The residential ban would not cover a sex offender
33 who: resides at a prison or mental health facility; resides at a
34 residence established before the bill's enactment; has a school,
35 playground or child care center established or built within 500 feet
36 of his or her existing residence; was granted a needs based
37 exception by the parole board; or was discharged from a psychiatric
38 facility by a court and was granted an exemption by a court.