

SENATE, No. 1561

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires DOC to notify inmates of outstanding motor vehicle fines or penalties and permits inmate to enter into payment plan upon release from incarceration.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning reentry of inmates and amending
2 P.L.2009, c.329.

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

6
7 1. Section 5 of P.L.2009, c.329 (C.30:1B-6.4) is amended to
8 read as follows:

9 5. a. At the time of release from a State correctional facility,
10 every inmate shall be notified in writing of:

11 (1) all outstanding fines, assessments, and restitution charges
12 ordered as part of that inmate's sentence**], as well as]** ;

13 (2) all fines or penalties for a violation of the motor vehicle and
14 traffic laws as set forth in Title 39 of the Revised Statutes which
15 were outstanding at the time of incarceration; and

16 (3) any outstanding warrants or detainers, including those issued
17 by a municipal court.

18 b. To assist in an inmate's transition and reentry into the
19 community, **[no]** an inmate shall not be required to pay any portion
20 of any outstanding fine, assessment, or restitution **[ordered as part**
21 **of that inmate's sentence]** set forth in subsection a. of this section
22 during the first 90 days following [his] the inmate's release.
23 During that 90-day period no warrant shall be issued against the
24 inmate for any nonpayment of any such fine, assessment, or
25 restitution. After the 90-day period, an inmate shall be permitted to
26 enter into a reasonable payment plan for all fines or penalties for a
27 violation of the motor vehicle and traffic laws as set forth in Title
28 39 of the Revised Statutes which were outstanding at the time of
29 incarceration.

30 c. Nothing in this section shall be construed to diminish or in
31 any way impair the inmate's responsibility for paying all such
32 outstanding fines, assessments, and restitutions ordered by the
33 court. No additional penalties shall be imposed while the inmate is
34 incarcerated on any fines or penalties for a violation of the motor
35 vehicle and traffic laws as set forth in Title 39 of the Revised
36 Statutes which were outstanding at the time of incarceration.
37 (cf: P.L.2009, c.329, s.5)

38
39 2. This act shall take effect on the first day of the seventh
40 month after enactment, but the Commissioner of Corrections may
41 take any anticipatory administrative action in advance as shall be
42 necessary for the implementation of this act.

43
44 STATEMENT

45
46 This bill requires the Department of Corrections (DOC) to notify
47 inmates of outstanding motor vehicle fines or penalties and permits

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 the inmate to enter into a payment plan for these fines or penalties
2 upon release from incarceration.

3 Under current law, the DOC is required to notify every inmate at
4 the time of his or her release of all outstanding fines, assessments,
5 and restitution charges ordered as part of that inmate's sentence and
6 any outstanding warrants or detainers. In addition, an inmate is
7 provided a 90-day grace period after release during which he or she
8 does not have to pay these fines, assessments, and charges. An
9 arrest warrant is not to be issued for their nonpayment during this
10 period. However, current law specifies that the inmate is
11 responsible for the fines, assessments, and charges.

12 This bill requires the DOC to also notify the inmate, upon
13 release, of all fines or penalties for a violation of the motor vehicle
14 and traffic laws (Title 39 of the Revised Statutes) which were
15 outstanding at the time of incarceration. The bill also clarifies that
16 the list of outstanding warrants and detainers that the inmate is to
17 receive includes those issued by a municipal court. The 90-day
18 grace period provided under current law would also apply to fines
19 or penalties for a violation of the motor vehicle and traffic laws.
20 Under the bill, after the 90-day period, an inmate is to be permitted
21 to enter into a reasonable payment plan for all fines or penalties for
22 a violation of the motor vehicle or traffic laws which were
23 outstanding at the time of incarceration.

24 Finally, an inmate would still be responsible for paying any
25 outstanding fines or penalties for a violation of the motor vehicle
26 and traffic laws; however, under the bill, no additional penalties are
27 to be imposed while the inmate is incarcerated on any fines or
28 penalties for a violation of the motor vehicle and traffic laws which
29 were outstanding at the time of incarceration.