

[Fourth Reprint]

SENATE, No. 2519

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 4, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senators Weinberg, Diegnan, Turner, Assemblymen Johnson, Zwicker, Assemblywoman Chaparro, Assemblyman Spearman, Assemblywomen Carter, Jasey, Assemblyman Giblin, Assemblywoman McKnight, Assemblyman Verrelli, Assemblywomen Timberlake, Lopez, Speight and Assemblyman Wimberly

SYNOPSIS

Requires public health emergency credits to be awarded to certain inmates and parolees during public health emergency; prohibits contact with victim upon release of inmate awarded credits.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on September 21, 2020, with amendments.

(Sponsorship Updated As Of: 9/24/2020)

1 AN ACT concerning public health emergency credits, amending
2 N.J.S.2C:47-3, and ³amending and³ supplementing Title 30 of the
3 Revised Statutes and P.L.1993, c.133 (C.2A:4A-44).

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

7
8 1. (New section) a. In addition to credits awarded pursuant to
9 R.S.30:4-92; section 3 of P.L.2009, c.330 (C.30:4-92a); and
10 R.S.30:4-140, whenever a public health emergency, pursuant to the
11 "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et
12 seq.), has been declared by the Governor and is in effect, the
13 commissioner also shall award inmates public health emergency
14 credits in accordance with this section if the public health
15 emergency:

16 (1) arises as a result of a communicable or infectious disease;
17 and

18 (2) results in ²**[the modification of]** substantial modifications to
19 department-wide² correctional facility operations.

20 b. Except as provided in subsection ¹**[c.] d.**¹ of this section,
21 public health emergency credits shall be awarded to any inmate in
22 the custody of the ¹**[Department]** Commissioner¹ of Corrections
23 who ¹:

24 (1)¹ is serving a sentence or receiving jail credits applicable to
25 the sentence ¹; and

26 (2) is scheduled to be released from the custody of the
27 Commissioner of Corrections within ²**[twelve months]** 365 days² .

28 c.¹ The ¹public health emergency¹ credits ¹awarded pursuant to
29 this section¹ shall provide further remission from both the
30 maximum and minimum term of the inmate's sentence ², including
31 the statutory mandatory minimum term,² at the rate of ¹**[six]**
32 ²**[four**¹ months] 122 days² for each month, or portion thereof,
33 served during the declared emergency. An inmate shall not be
34 awarded public health emergency credits in excess of ¹**[12]**
35 ²**[eight**¹ months] 244 days² of remission for any declared
36 emergency.

37 ¹**[c.] d.**¹ Public health emergency credits shall not be awarded
38 to an inmate ²serving a sentence in a State correctional facility for
39 ⁴:

40 (1) murder pursuant to N.J.S.2C:11-3;

41 (2) aggravated sexual assault pursuant to subsection a. of
42 N.J.S.2C:14-2; or

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted July 22, 2020.

²Senate floor amendments adopted July 30, 2020.

³Senate SLP committee amendments adopted August 25, 2020.

⁴Assembly ABU committee amendments adopted September 21, 2020.

1 (3)⁴ any offense enumerated in N.J.S.2C:47-1 and² whose
2 conduct was characterized by a pattern of repetitive, compulsive
3 behavior² [pursuant to N.J.S.2C:47-3]² .

4 ¹[d.] e.¹ Nothing in this section shall be deemed to limit ¹[or
5 affect]¹ an inmate's eligibility for parole consideration as provided
6 for in section 10 of P.L.1948, c.84 (C.30:4-123.1 et seq.).

7 ¹f. An inmate who was in the custody of the Commissioner of
8 Corrections during the Public Health Emergency and State of
9 Emergency declared by the Governor in Executive Order 103 of
10 2020 concerning the coronavirus disease 2019 pandemic shall
11 receive public health emergency credits in accordance with this
12 section.

13 g. ³[Except as provided in subsection h. of this section, an]
14 An³ inmate scheduled to be released from the custody of the
15 Commissioner of Corrections following an award of public health
16 emergency credits pursuant to this section shall be released on the
17 scheduled release date based on the award of public health
18 emergency credits.

19 h. An inmate who is ³[scheduled to be released on or within
20 five days following the effective date of P.L. , c. (C.)
21 (pending before the Legislature as this bill) shall be released either
22 on the date of the entry of an order entered pursuant to section ²[6]
23 ⁵ of P.L. , c. (C.) (pending before the Legislature as this
24 bill), or the date ²[the prosecutor notifies]² the court ²determines²
25 that no order shall be entered ²[pursuant to subsection b. of section
26 5 of P.L. , c. (C.) (pending before the Legislature as this
27 bill)] because there is no identifiable victim of the crime for which
28 the inmate is serving a sentence² , whichever occurs sooner;
29 however, under no circumstances shall the inmate be released later
30 than five days following the effective date] released from custody
31 following an award of public health emergency credits pursuant to
32 this section shall be prohibited from making contact with any victim
33 of the crime for which the inmate was serving a sentence, as set
34 forth in section ⁵ of P.L. , c. (C.) (pending before the
35 Legislature as this bill) ³, which prohibition shall remain in force
36 until the time that the inmate was scheduled to be released from
37 custody prior to the award of public health emergency credits³ .

38 i. ³[The] Prior to releasing an inmate from the custody of the
39 commissioner following an award of public health emergency
40 credits pursuant to section 1 of P.L. , c. (C.) (pending
41 before the Legislature as this bill), the³ commissioner shall
42 ³[provide a copy of any order entered] :

43 (1) notify the inmate in writing of the prohibition against
44 making contact with any victim of the crime for which the inmate
45 was convicted³ pursuant to section ²[6] ⁵ of P.L. , c. (C.)

1 (pending before the Legislature as this bill) ³to the inmate prior to
 2 the inmate's release from the custody of the commissioner];

3 (2) notify the inmate in writing that a violation of the
 4 prohibition against contact with a victim is a crime of the fourth
 5 degree;

6 (3) require the inmate to acknowledge in writing the receipt of
 7 the written notifications related to the contact prohibition provided
 8 pursuant to this subsection.

9 j. In addition to the requirements set forth in subsection i. of
 10 this section and any other relevant provision under current law
 11 related to the provision of information and services to inmates, prior
 12 to releasing an inmate from the custody of the commissioner
 13 following an award of public health emergency credits pursuant to
 14 section 1 of P.L. , c. (C.) (pending before the Legislature
 15 as this bill), the commissioner shall compile and disseminate to
 16 inmates information concerning organizations and programs,
 17 whether faith-based or secular programs, which provide assistance
 18 and services to inmates reentering society after a period of
 19 incarceration.

20 k. Within 30 days prior to an inmate's release from the custody
 21 of the commissioner following an award of public health emergency
 22 credits pursuant to section 1 of P.L. , c. (C.) (pending before
 23 the Legislature as this bill), the commissioner shall provide any
 24 available information related to the inmate's:

- 25 (1) eligibility for Medicaid;
- 26 (2) housing information;
- 27 (3) identification information; and
- 28 (4) eligibility for any other benefits and services.

29 l. Subject to the availability of the testing resources of the
 30 Department of Corrections, an inmate shall be tested for COVID-19
 31 prior to the inmate's release from the custody of the commissioner
 32 following an award of public health emergency credits pursuant to
 33 section 1 of P.L. , c. (C.) (pending before the Legislature
 34 as this bill) if the inmate is released during the Public Health
 35 Emergency and State of Emergency declared by the Governor in
 36 Executive Order 103 of 2020 concerning the coronavirus disease
 37 2019 pandemic³ .¹

38
 39 ²[3.] ² (New section) a. Except as provided in subsection b.
 40 of this section, ¹[the procedures and standards for the award of
 41 credits set forth in R.S.30:4-92; section 3 of P.L.2009, c.330
 42 (C.30:4-92a);] the award of public health emergency credits
 43 pursuant to¹ section 1 of P.L. , c. (C.) (pending before the
 44 Legislature as this bill) ¹]; and R.S.30:4-140¹ shall apply to any
 45 juvenile serving a sentence in a State correctional facility operated
 46 by the Juvenile Justice Commission ¹who ²due to the expiration of

1 the juvenile's term of commitment² is scheduled to be released from
2 custody within ²【twelve months¹】 365 days² .

3 b. Public health emergency credits shall not be awarded to any
4 juvenile ²serv²ing a sentence in a State correctional facility operated
5 by the Juvenile Justice Commission for ⁴:

6 (1) murder pursuant to N.J.S.2C:11-3;

7 (2) aggravated sexual assault pursuant to subsection a. of
8 N.J.S.2C:14-2; or

9 (3)⁴ any offense enumerated in N.J.S.2C:47-1 and² who is
10 deemed a repetitive, compulsive sex offender.

11 ¹c. A juvenile who was serving a sentence in a State
12 correctional facility operated by the Juvenile Justice Commission
13 during the Public Health Emergency and State of Emergency
14 declared by the Governor in Executive Order 103 of 2020
15 concerning the coronavirus disease 2019 pandemic shall receive
16 public health emergency credits in accordance with section 1 of
17 P.L. , c. (C.) (pending before the Legislature as this bill).

18 d. ³【Except as provided in subsection e. of this section, a】 A³
19 juvenile scheduled to be released from the custody of the Juvenile
20 Justice Commission following an award of public health emergency
21 credits ³【pursuant to】³ pursuant to section 1 of P.L. ,
22 c. (C.) (pending before the Legislature as this bill) shall be
23 released on the scheduled release date based on the award of public
24 health emergency credits.

25 e. ²(1) Notwithstanding the provisions of subsection d. of this
26 section ³【and subject to the provisions of paragraph (2) of this
27 subsection】³ , a juvenile scheduled to be released from the custody
28 of the Juvenile Justice Commission following an award of public
29 health emergency credits pursuant to section 1 of P.L. ,
30 c. (C.) (pending before the Legislature as this bill) whose
31 scheduled release date is less than 45 days after the effective date of
32 P.L. , c. (C.) (pending before the Legislature as this bill)
33 shall be released within 45 days after the effective date, in order to
34 allow the Juvenile Justice Commission to devise and implement a
35 release plan for the juvenile and arrange for services to be provided
36 to the juvenile upon release.

37 (2)² A juvenile who is ³【scheduled to be released ²【on or within
38 five days following the effective date of P.L. , c. (C.)
39 (pending before the Legislature as this bill)】 in accordance with
40 paragraph (1) of this subsection² shall be released either on the date
41 of the entry of an order entered pursuant to section ²【9】 8² of
42 P.L. , c. (C.) (pending before the Legislature as this bill),
43 or the date ²【the prosecutor notifies】² the court ²determines² that
44 no order shall be entered ²【pursuant to subsection b. of section 8 of
45 P.L. , c. (C.) (pending before the Legislature as this bill)】

1 because there is no identifiable victim of the crime for which the
 2 juvenile is serving a sentence², whichever occurs sooner; however,
 3 under no circumstances shall the juvenile be released later than
 4 ²[five] fifty² days following the effective date] released from
 5 custody following an award of public health emergency credits
 6 pursuant to this section shall be prohibited from making contact
 7 with a victim as set forth in section 5³ of P.L. , c. (C.)
 8 (pending before the Legislature as this bill) ³, which prohibition
 9 shall remain in force until the time that the juvenile was scheduled
 10 to be released prior to the award of public health emergency
 11 credits³.

12 f. ³[The] Prior to releasing a juvenile from the custody of the
 13 Juvenile Justice Commission following an award of public health
 14 emergency credits pursuant to section 1 of P.L. , c. (C.)
 15 (pending before the Legislature as this bill), the³ Executive Director
 16 of the Juvenile Justice Commission shall ³[provide a copy of any
 17 order entered] :

18 (1) notify the juvenile in writing of the prohibition against
 19 making contact with any victim of the crime for which the juvenile
 20 was serving a sentence³ pursuant to section ²[9] ³[8²] 5³ of
 21 P.L. , c. (C.) (pending before the Legislature as this bill)
 22 ³[to the juvenile prior to the juvenile's release from the custody of
 23 the Juvenile Justice Commission] ;

24 (2) notify the juvenile that a violation of the prohibition against
 25 contact with the victim is a crime of the fourth degree; and

26 (3) require the juvenile to acknowledge in writing the receipt of
 27 the notifications provided pursuant to this subsection³ .¹

28
 29 ²[14.] 3.² (New section) a. The Commissioner of Corrections
 30 shall immediately identify any inmate who is scheduled to be released
 31 from custody within ²[12 months] 365 days² as a result of the award
 32 of public health emergency credits pursuant to section 1 of P.L. , c.
 33 (C.) (pending before the Legislature as this bill).

34 b. ²[The] Notwithstanding any provision of law to the contrary,
 35 the² Commissioner of Corrections shall provide notice to the
 36 ³[appropriate court and to the]³ prosecutor of the county in which the
 37 inmate was convicted or the Attorney General if the matter was
 38 prosecuted by the Attorney General. The notice shall include:

39 (1) the name of any inmate who is scheduled to be released from
 40 the custody of the Commissioner of Corrections within ²[12 months]
 41 365 days² as a result of the award of public health emergency credits;

42 (2) the date on which the inmate is scheduled to be released from
 43 custody based on the award of public health emergency credits; and

44 (3) the date on which the inmate was scheduled to be released
 45 from custody prior to the award of public health emergency credits.

1 c. The Commissioner of Corrections shall make available to the
2 public on the Internet website of the Department of Corrections, in
3 both English and Spanish, information concerning:

4 (1) the procedures for filing an application for a ³[final]³
5 restraining order pursuant to the "Prevention of Domestic Violence
6 Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

7 (2) resources for victims of domestic violence; and

8 (3) procedures ³established by the court³ for filing a petition to
9 dissolve ³[an order entered pursuant to] the prohibition established
10 pursuant³ section ²[6] ⁵ of P.L. , c. (C.) (pending before the
11 Legislature as this bill) ³prohibiting an inmate from making contact
12 with any victim of the crime for which the inmate is serving a
13 sentence³ ;¹

14
15 ²[^{15.}] ^{4.}² (New section) a. Upon receipt of notice from the
16 Commissioner of Corrections that an inmate is scheduled to be
17 released from custody within ²[12 months] 365 days² based on the
18 award of public health emergency credits pursuant to section 1 of
19 P.L. , c. (C.) (pending before the Legislature as this bill), the
20 prosecutor or Attorney General ²[shall, not less than five days] may,²
21 prior to the inmate's scheduled release date:

22 (1) use any reasonable means available to notify any identifiable
23 victim of the crime for which the inmate is incarcerated of the inmate's
24 scheduled release date;

25 (2) notify the identifiable victim that ³[an order will be entered
26 prohibiting]³ the law prohibits the inmate from having any contact
27 with the victim ²[unless the victim requests that an order not be
28 entered]² ³unless a petition is filed with the court to dissolve the
29 prohibition³ ;

30 (3) notify the victim of the ³[date that the order ²[, if entered,]²
31 will expire] duration of the prohibition against contact³ ;

32 (4) notify the victim of the penalties imposed for the inmate's
33 violation of the ³[order] prohibition against contact³ ;

34 (5) provide information to the victim concerning the procedures
35 for filing a petition ³with the court³ to dissolve ³[an order prohibiting]
36 the prohibition against³ the inmate ³[from]³ having ³[any]³ contact
37 with the victim; and

38 (6) provide information to the victim concerning the procedures
39 for filing an application for a ³[final]³ restraining order pursuant to
40 the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261
41 (C.2C:25-17 et seq.), and resources for victims of domestic violence.

42 b. ³[The prosecutor or Attorney General, as appropriate, shall
43 immediately notify the court ²[and the Department of Corrections
44 whether:

45 (1)] of the identity of any identifiable victim who shall be the
46 subject of² an order prohibiting the inmate from having any contact

1 with the victim ²shall be entered, based on the prosecutor's contact
2 with the victim or the prosecutor's inability to contact the victim; or

3 (2) an order prohibiting the inmate from having any contact with
4 the victim shall not be entered based on a request by the victim² .

5 c.]³ The Attorney General shall make available to the public on
6 the Internet website of the Department of Law and Public Safety, in
7 both English and Spanish, information concerning:

8 (1) the procedures for filing an application for a ³[final]³
9 restraining order pursuant to the "Prevention of Domestic Violence
10 Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

11 (2) resources for victims of domestic violence; and

12 (3) procedures for filing ³with the court³ a petition to dissolve
13 ³[an order entered pursuant to] the prohibition established pursuant
14 to³ section ²[6] ⁵ of P.L. , c. (C.) (pending before the
15 Legislature as this bill) ³prohibiting an inmate or juvenile, as the case
16 may be, from making contact with the victim³ .¹

17
18 ²[16.] ³[5.2 (New section) a. ²[Upon] Notwithstanding the
19 provisions of any law to the contrary, upon² receipt of notice from
20 the Department of Corrections pursuant to section ²[4] ³ of
21 P.L. c. (C.) (pending before the Legislature as this bill),
22 and notice from the prosecutor pursuant to section ²[5] ⁴ of
23 P.L. c. (C.) (pending before the Legislature as this bill), the
24 court shall enter an order in accordance with this section.

25 b. The court shall enter an order prohibiting the inmate from
26 having any contact with ²[an] any² identifiable victim ²[if:

27 (1) the prosecutor notifies the court that an identifiable victim
28 does not oppose the entry of an order; or

29 (2) the prosecutor was unable to contact the identifiable
30 victim]² .

31 c. Any order entered pursuant to subsection b. of this section
32 shall ²:

33 (1)² expire on the date, as provided by the Commissioner of
34 Corrections pursuant to section ²[4] ³ of P.L. c. (C.)
35 (pending before the Legislature as this bill), that the inmate was
36 scheduled to be released prior to the award of public health
37 emergency credits ²; and

38 (2) include information concerning the procedures for filing a
39 petition to dissolve the order² .

40 d. The court shall provide a copy of any order entered pursuant
41 to subsection b. of this section to the commissioner immediately
42 upon entry of the order but no later than the date on which the
43 inmate is scheduled to be released pursuant to section 1 of
44 P.L. c. (C.) (pending before the Legislature as this bill).

1 e. An inmate shall be guilty of a crime of the fourth degree if
2 the inmate purposely or knowingly violates an order entered
3 pursuant to subsection b. of this section.¹³

4
5 ³5. (New section) a. An inmate who is released from the
6 custody of the Commissioner of Corrections or a juvenile who is
7 released from the custody of the Juvenile Justice Commission
8 following an award of public health emergency credits pursuant to
9 section 1 of P.L. , c. (C.) (pending before the Legislature
10 as this bill), from the date of release until the date the inmate or
11 juvenile, as the case may be, was scheduled to be released prior to
12 the award of public health emergency credits, shall be prohibited
13 from purposely or knowingly making contact with any victim of the
14 crime for which the inmate or juvenile was serving a sentence.

15 For purposes of this subsection, making contact with a victim
16 shall include contact made personally by the inmate or juvenile, as
17 the case may be, or through an agent, and shall include but not be
18 limited to: personal, written, electronic, or telephone contact or
19 communication; or entering the residence, property, school, or place
20 of employment of the victim.

21 b. A violation of subsection a. of this section shall be a crime
22 of the fourth degree.

23 c. (1) A petition may be filed with the court to dissolve the
24 prohibition established pursuant to the provisions this section
25 prohibiting an inmate or juvenile, as the case may be, from making
26 contact with the victim in accordance with procedures established
27 by the court.

28 (2) The Director of the Administrative Director of the Courts
29 shall provide the Department of Corrections, Juvenile Justice
30 Commission, and Attorney General with information concerning the
31 procedures established by the court for filing a petition to dissolve
32 the prohibition established pursuant to this section prohibiting an
33 inmate or juvenile, as the case may be, from making contact with
34 any victim of the crime for which the inmate or juvenile was
35 serving a sentence.³

36
37 ²~~17.~~^{6.2} (New section) a. The Executive Director of the
38 Juvenile Justice Commission shall immediately identify any juvenile
39 who is scheduled to be released from the custody of the Juvenile
40 Justice Commission within ²[twelve months] 365 days² as a result of
41 the award of public health emergency credits pursuant to section 1 of
42 P.L. , c. (C.) (pending before the Legislature as this bill).

43 b. ²[The] Notwithstanding any provisions of law to the contrary,
44 the² Executive Director of the Juvenile Justice Commission shall
45 provide notice to the ³[appropriate court and to the]³ prosecutor of the
46 county in which the juvenile was adjudicated delinquent or the

1 Attorney General if the matter was prosecuted by the Attorney
 2 General. The notice shall include:

3 (1) the name of any juvenile who ², due to the expiration of the
 4 juvenile's term of commitment,² is scheduled to be released from the
 5 custody of the Juvenile Justice Commission within ²[twelve months]
 6 365 days² as a result of the award of public health emergency credits;

7 (2) the date on which the juvenile is scheduled to be released from
 8 custody based on the award of public health emergency credits; and

9 (3) the date on which the juvenile was scheduled to be released
 10 from custody prior to the award of public health emergency credits.

11 c. The Executive Director of the Juvenile Justice Commission
 12 shall make available to the public on the Internet website of the
 13 Juvenile Justice Commission, in both English and Spanish,
 14 information concerning:

15 (1) the procedures for filing an application for a ³[final]³
 16 restraining order pursuant to the "Prevention of Domestic Violence
 17 Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

18 (2) resources for victims of domestic violence; and

19 (3) procedures for filing ³with the court³ a petition to dissolve
 20 ³[an order entered pursuant to] the prohibition established pursuant
 21 to³ section ²[9] ³[8²] ⁵ of P.L. , c. (C.) (pending before the
 22 Legislature as this bill) ³prohibiting a juvenile from making contact
 23 with any victim of the crime for which the juvenile was serving a
 24 sentence³ .¹

25
 26 ²[18.] 7.² (New section) ³[a.]³ ²[Upon] Notwithstanding the
 27 provisions of any law to the contrary, upon² receipt of notice from the
 28 Executive Director of the Juvenile Justice Commission that a juvenile
 29 is scheduled to be released from the custody of the Juvenile Justice
 30 Commission within ²[12 months] 365 days² based on the award of
 31 public health emergency credits pursuant to section 1 of P.L. , c.
 32 (C.) (pending before the Legislature as this bill), the prosecutor or
 33 Attorney General, ²[not less than five days]² prior to the juvenile's
 34 scheduled release date ²[shall] , may² :

35 ³[(1)] a.³ use any reasonable means available to notify any
 36 identifiable victim of the crime for which the juvenile is serving a
 37 sentence in a State correctional facility operated by the Juvenile Justice
 38 Commission of the juvenile's scheduled release date;

39 ³[(2)] b.³ notify the identifiable victim that ³[an order will be
 40 entered prohibiting] the law prohibits³ the juvenile from having any
 41 contact with the victim ²[unless the victim requests that an order not
 42 be entered]² ³unless a petition is filed with the court to dissolve the
 43 prohibition in accordance with the procedures established by the
 44 court³ ;

1 ³[(3)] c.³ notify the victim of the ³[date that the order ²[, if
 2 entered,]² will expire] duration of the prohibition against the juvenile
 3 having contact with the victim³ ;

4 ³[(4)] d.³ notify the victim of the penalties imposed for the
 5 juvenile's violation of the ³[order] prohibition against contact³ ;

6 ³[(5)] e.³ provide information to the victim concerning how ³[the
 7 victim may file]³ a petition ³may be filed with the court³ to dissolve
 8 ³[an order prohibiting] the prohibition against³ the juvenile ³[from]³
 9 having ³[any]³ contact with the victim; and

10 ³[(6)] f.³ provide information to the victim concerning the
 11 procedures for filing an application for a ³[final]³ restraining order
 12 pursuant to the "Prevention of Domestic Violence Act of 1991,"
 13 P.L.1991, c.261 (C.2C:25-17 et seq.), and resources for victims of
 14 domestic violence.

15 ³[b. The prosecutor or Attorney General, as appropriate, shall
 16 immediately notify the court and the Juvenile Justice Commission
 17 ²[whether:

18 (1) of the identity of any identifiable victim who shall be the
 19 subject of² an order prohibiting the juvenile from having any contact
 20 with the victim ²[shall be entered, based on the prosecutor's contact
 21 with the victim or the prosecutor's inability to contact the victim; or

22 (2) an order prohibiting the juvenile from having any contact with
 23 the victim shall not be entered based on a request by the victim]² .¹³
 24

25 ²[¹9.] ³[8.² (New section) a. Upon receipt of notice from the
 26 Department of Corrections pursuant to section ²[7] ⁶² of
 27 P.L. c. (C.) (pending before the Legislature as this bill), and
 28 notice from the prosecutor pursuant to section ²[8] ⁷² of
 29 P.L. c. (C.) (pending before the Legislature as this bill), the
 30 court shall enter an order in accordance with this section.

31 b. The court shall enter an order prohibiting the juvenile from
 32 having any contact with ²[an] any² identifiable victim ²[if:

33 (1) the prosecutor notifies the court that an identifiable victim
 34 does not oppose the entry of an order; or

35 (2) the prosecutor was unable to contact the identifiable
 36 victim]² .

37 c. Any order entered pursuant to subsection b. of this section
 38 shall ²:

39 (1)² expire on the date, as provided by the Executive Director of
 40 the Juvenile Justice Commission pursuant to section ²[7] ⁶² of
 41 P.L. c. (C.) (pending before the Legislature as this bill), that
 42 the juvenile was scheduled to be released prior to the award of
 43 public health emergency credits ²; and

44 (2) include information concerning the procedures for filing a
 45 petition to dissolve the order² .

1 d. The court shall provide a copy of any order entered pursuant
2 to subsection b. of this section to the Executive Director of the
3 Juvenile Justice Commission immediately upon entry of the order
4 but no later than the date on which the juvenile is scheduled to be
5 released pursuant to section ²[3] ² of P.L. c. (C.) (pending
6 before the Legislature as this bill).

7 e. A juvenile shall be guilty of a crime of the fourth degree if
8 the juvenile purposely or knowingly violates an order entered
9 pursuant to subsection b. of this section. ¹]³

10
11 ³8. (New section) a. Whenever a public health emergency,
12 pursuant to the "Emergency Health Powers Act," P.L.2005, c.222
13 (C.26:13-1 et seq.), has been declared by the Governor and is in
14 effect, the term of supervision of a parolee shall be reduced by the
15 award of public health emergency credits pursuant to this section if
16 the public health emergency arises as a result of a communicable or
17 infectious disease.

18 b. Except as provided in subsection d. of this section, public
19 health emergency credits shall be awarded to any person who is
20 -serving a sentence of parole supervision if the full maximum term
21 for which the parolee was sentenced, or the term authorized by the
22 parolee's disposition, expires within 365 days.

23 c. The public health emergency credits awarded pursuant to
24 this section shall reduce the term of supervision of a parolee at the
25 rate of 122 days for each month, or portion thereof, served during
26 the declared emergency. A parolee shall not be awarded public
27 health emergency credits in excess of 244 days of remission for any
28 declared emergency.

29 d. Public health emergency credits shall not be awarded to a
30 parolee who has been sentenced to a special sentence of community
31 supervision for life or parole supervision for life.

32 e. A parolee for whom a warrant has been issued by the State
33 Parole Board and parole revocation proceedings have been initiated
34 shall be ineligible to receive public health emergency credits.

35 f. Nothing in this section shall be deemed to limit a parolee's
36 eligibility to receive parole compliance credits pursuant to section 5
37 of P.L.2019, c.364 (C.30:4-123.55e).

38
39 ³9. Section 5 of P.L.2019, c.364 (C.30:4-123.55e) is amended to
40 read as follows:

41 5. Notwithstanding the provisions of subsection a. of section 7
42 of P.L.1979, c.441 (C.30:4-123.51), any person granted parole,
43 except a person serving a parole term set forth in subsection c. of
44 section 2 of P.L.1997, c.117 (C.2C:43-7.2) or section 2 of P.L.1994,
45 c.130 (C.2C:43-6.4), shall have the parole term reduced by parole
46 compliance credits at a rate of one day for every six days of parole
47 supervision the person has completed.

1 Credits awarded pursuant to this section shall cease to accrue
2 upon the issuance of a warrant by the State Parole Board and
3 initiation of parole revocation proceedings. Any credits earned
4 pursuant to this section shall be forfeited upon the revocation of
5 parole.

6 Any compliance credits awarded pursuant to this section based
7 on actions for which parole revocation proceedings were initiated,
8 but did not result in a revocation of parole and return to custody,
9 shall be forfeited upon a determination by the board panel or board
10 that the actions for which compliance credits were awarded violated
11 a condition of parole.

12 Nothing in this section shall be deemed to limit a parolee's
13 eligibility to receive public health emergency credits pursuant to
14 section 8 of P.L. , c. (C.) (pending before the Legislature
15 as this bill).³

16 (cf. P.L.2019, c.364, s.5)

17

18 ¹[4.] ²[10.¹] ³[9.²] 10.³ This act shall take effect
19 ¹[immediately] on the ²[sixth] sixteenth² day ²next² following the
20 date of enactment; however, the Commissioner of Corrections,
21 Attorney General, Executive Director of the Juvenile Justice
22 Commission, ³Chairman of the State Parole Board,³ and Director of
23 the Administrative Office of the Courts shall take any anticipatory
24 action necessary in advance thereof to effectuate the purposes of
25 this ²[bill¹] act².