

SENATE, No. 3328

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 11, 2021

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires new employers to reimburse certain former employers for law enforcement training costs.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain costs incurred in the training and hiring
2 of certain law enforcement employees and amending various
3 parts of the statutory law.

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

7
8 1. Section 1 of P.L.1987, c.47 (C.40A:14-178) is amended to
9 read as follows:

10 1. a. Whenever a person who resigned as a member of a county
11 or municipal law enforcement agency is appointed to another
12 county or municipal law enforcement agency, the police department
13 of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-
14 4.2 et seq.), a State law enforcement agency or the New Jersey
15 Transit Police Department pursuant to section 2 of P.L.1989, c.291
16 (C.27:25-15.1) within 120 days of resignation, and that person held
17 a probationary appointment at the time of resignation or held a
18 permanent appointment for **[30 days]** three years or less prior to
19 resignation, the county or municipal law enforcement agency,
20 educational institution or State law enforcement agency appointing
21 the person, or the New Jersey Transit Corporation, is liable to the
22 former county or municipal employer, as appropriate, for the total
23 certified costs incurred by the former employer in the examination,
24 hiring, and training of the person.

25 b. **[**Whenever a person who resigned as a member of a county
26 or municipal law enforcement agency is appointed to another
27 county or municipal law enforcement agency, the police department
28 of an educational institution pursuant to P.L.1970, c.211 (C.18A:6-
29 4.2 et seq.), State law enforcement agency or the New Jersey
30 Transit Police Department pursuant to section 2 of P.L.1989, c.291
31 (C.27:25-15.1) within 120 days of resignation, and that person, at
32 the time of resignation held a permanent appointment for more than
33 30 days but less than two years, the county or municipal law
34 enforcement agency, educational institution, or State law
35 enforcement agency appointing the person, or the New Jersey
36 Transit Corporation, is liable to the former county or municipal
37 employer, as appropriate, for one-half of the total certified costs
38 incurred by the former employer in the examination, hiring and
39 training of that person.**]** (Deleted by amendment, P.L. c.)
40 (pending before the Legislature as this bill)

41 c. Upon the appointment of a former member of a county or
42 municipal law enforcement agency, the appointing county or
43 municipal law enforcement agency, educational institution, State
44 law enforcement agency or the New Jersey Transit Corporation
45 shall notify the former employer immediately upon the appointment

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 of a former employee and shall reimburse the former employer
2 within 120 days of the receipt of the certified costs.

3 d. For the purposes of this act:

4 "County or municipal law enforcement agency" means and
5 includes, but is not limited to, a county or municipal police
6 department or force, a county corrections department and a county
7 sheriff's office;

8 "Examination costs" means and includes, but is not limited to,
9 the costs of all qualifying examinations and the public
10 advertisements for these examinations;

11 "State law enforcement agency" means and includes, but is not
12 limited to, the police department of a State agency **【and】**, the State
13 Department of Corrections, **【but does not include】** and the State
14 Police; and

15 "Training costs" means the police training course fees and the
16 base salary received while attending the police training course, as
17 required by P.L.1961, c.56 (C.52:17B-66 et seq.).

18 (cf: P.L.2000, c.106, s.1)

19

20 2. Section 2 of P.L.1989, c.40 (C.18A:6-4.12) is amended to
21 read as follows:

22 2. a. If a person who was appointed as a police officer of an
23 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
24 seq.) resigns and is subsequently appointed as a police officer for
25 another educational institution or for a county or municipal law
26 enforcement agency, a State law enforcement agency or the New
27 Jersey Transit Police Department pursuant to section 2 of
28 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and
29 if that person held a probationary appointment at the time of
30 resignation or held a permanent appointment for **【30 days】** three
31 years or less prior to resignation, the educational institution, county
32 or municipal law enforcement agency, or State law enforcement
33 agency appointing the person, or the New Jersey Transit
34 Corporation, shall be liable to the former educational institution for
35 the total certified costs incurred by that former educational
36 institution in the examination, hiring, and training of the person.

37 b. **【If** a person who was appointed as a police officer of an
38 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
39 seq.) resigns and is subsequently appointed as a police officer for
40 another educational institution or for a county or municipal law
41 enforcement agency, State law enforcement agency or the New
42 Jersey Transit Police Department pursuant to section 2 of
43 P.L.1989, c.291 (C.27:25-15.1) within 120 days of resignation, and
44 if that person held a permanent appointment for more than 30 days
45 but less than two years at the time of resignation, the educational
46 institution, county or municipal law enforcement agency or State

1 law enforcement agency appointing the person, or the New Jersey
2 Transit Corporation, shall be liable to the former educational
3 institution for one-half of the total certified costs incurred by that
4 former institution in the examination, hiring, and training of the
5 person.】 (Deleted by amendment, P.L. c.) (pending before the
6 Legislature as this bill)

7 c. Upon the appointment of a former police officer of an
8 educational institution, the appointing educational institution,
9 county or municipal law enforcement agency, State law
10 enforcement agency or the New Jersey Transit Corporation shall
11 notify the former educational institution immediately upon the
12 appointment of a police officer formerly with that institution and
13 shall reimburse the institution within 120 days of the receipt of the
14 certified costs.

15 d. As used in this section:

16 "County or municipal law enforcement agency" means and
17 includes, but is not limited to, a county or municipal police
18 department or force, a county corrections department and a county
19 sheriff's office;

20 "Examination costs" means and includes, but is not limited to,
21 the costs of all qualifying examinations and public advertisements
22 for these examinations.

23 "State law enforcement agency" means and includes, but is not
24 limited to, the police department of a State agency **【and】** , the State
25 Department of Corrections, **【but does not include】** and the State
26 Police.

27 "Training costs" means the police training course fees and the
28 base salary received while attending the police training course as
29 required by section 3 of P.L.1970, c.211 (C.18A:6-4.4).

30 (cf: P.L.2000, c.106, s.2)

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32 3. Section 3 of P.L.2000, c.106 (C.27:25-15.1b) is amended to
33 read as follows:

34 3. a. If a person who was appointed as a police officer of the
35 New Jersey Transit Police Department pursuant to section 2 of
36 P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently
37 appointed to a county or municipal law enforcement agency, a
38 police department of an educational institution pursuant to
39 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement
40 agency within 120 days of resignation, and if that person held a
41 probationary appointment at the time of resignation or held a
42 permanent appointment for **【30 days】** three years or less prior to
43 resignation, the appointing county or municipal law enforcement
44 agency, educational institution or State law enforcement agency
45 shall be liable to the New Jersey Transit Corporation for the total
46 certified costs incurred by the corporation in the examination,
47 hiring, and training of the person.

1 b. **【If a person who was appointed as a police officer of the**
2 New Jersey Transit Police Department pursuant to section 2 of
3 P.L.1989, c.291 (C.27:25-15.1) resigns and is subsequently
4 appointed to a county or municipal law enforcement agency, the
5 police department of an educational institution pursuant to
6 P.L.1970, c.211 (C.18A:6-4.2 et seq.) or a State law enforcement
7 agency within 120 days of resignation, and if that person held a
8 permanent appointment for more than 30 days but less than two
9 years at the time of resignation, the appointing county or municipal
10 law enforcement agency, educational institution or State law
11 enforcement agency shall be liable to the New Jersey Transit
12 Corporation for one-half of the total certified costs incurred by the
13 corporation in the examination, hiring, and training of the person.**】**
14 (Deleted by amendment, P.L. c.) (pending before the
15 Legislature as this bill)

16 c. The appointing county or municipal law enforcement
17 agency, educational institution or State law enforcement agency
18 shall notify the New Jersey Transit Corporation immediately upon
19 the appointment of a police officer formerly employed by the
20 corporation and shall reimburse the corporation within 120 days of
21 the receipt of the certified costs.

22 d. As used in this section:

23 "County or municipal law enforcement agency" means and
24 includes, but is not limited to, a county or municipal police
25 department or force, a county corrections department and a county
26 sheriff's office.

27 "Examination costs" means and includes, but is not limited to,
28 the costs of all qualifying examinations and public advertisements
29 for these examinations.

30 "State law enforcement agency" means and includes, but is not
31 limited to, the police department of a State agency **【and】** , the State
32 Department of Corrections, **【but does not include】** and the State
33 Police.

34 "Training costs" means the police training course fees and the
35 base salary received while attending the police training course as
36 required by section 2 of P.L.1989, c.291 (C.27:25-15.1).
37 (cf: P.L.2000, c.106, s.3)
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39 4. Section 4 of P.L.2000, c.106 (C.52:17B-77.6) is amended to
40 read as follows:

41 4. a. If a person who was appointed to a State law enforcement
42 agency resigns and is subsequently appointed to a county or
43 municipal law enforcement agency, a police department of an
44 educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et
45 seq.), another State law enforcement agency or the New Jersey
46 Transit Police Department pursuant to section 2 of P.L.1989, c.291

1 (C.27:25-15.1) within 120 days of resignation, and if that person
2 held a probationary appointment at the time of resignation or held a
3 permanent appointment for **【30 days】** three years or less prior to
4 resignation, the appointing county or municipal law enforcement
5 agency, educational institution, State law enforcement agency or the
6 New Jersey Transit Corporation shall be liable to the State law
7 enforcement agency for the total certified costs incurred by the
8 corporation in the examination, hiring, and training of the person.

9 b. **【If a person who was appointed to a State law enforcement**
10 **agency resigns and is subsequently appointed to a county or**
11 **municipal law enforcement agency, a police department of an**
12 **educational institution pursuant to P.L.1970, c.211 (C.18A:6-4.2 et**
13 **seq.), another State law enforcement agency or the New Jersey**
14 **Transit Police Department pursuant to section 2 of P.L.1989, c.291**
15 **(C.27:25-15.1) within 120 days of resignation, and if that person**
16 **held a permanent appointment for more than 30 days but less than**
17 **two years at the time of resignation, the appointing county or**
18 **municipal law enforcement agency, educational institution or State**
19 **law enforcement agency, or the New Jersey Transit Corporation,**
20 **shall be liable to the State law enforcement agency for one-half of**
21 **the total certified costs incurred by the agency in the examination,**
22 **hiring, and training of the person.】** (Deleted by amendment,
23 P.L. c.) (pending before the Legislature as this bill)

24 c. The appointing county or municipal law enforcement
25 agency, educational institution, State law enforcement agency or the
26 New Jersey Transit Corporation shall notify the former employer
27 immediately upon the appointment of an employee formerly
28 employed by the State law enforcement agency and shall reimburse
29 the agency within 120 days of the receipt of the certified costs.

30 d. As used in this section:

31 "County or municipal law enforcement agency" means and
32 includes, but is not limited to, a county or municipal police
33 department or force, a county corrections department and a county
34 sheriff's office.

35 "Examination costs" means and includes, but is not limited to,
36 the costs of all qualifying examinations and public advertisements
37 for these examinations.

38 "State law enforcement agency" means and includes, but is not
39 limited to, the police department of a State agency **【and】** , the State
40 Department of Corrections, **【but does not include】** and the State
41 Police.

42 "Training costs" means the police training course fees and the
43 base salary received while attending the police training course as
44 required by section 2 of P.L.1989, c.291 (C.27:25-15.1).
45 (cf: P.L.2000, c.106, s.4)

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47 5. This act shall take effect immediately.

STATEMENT

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This bill expands upon a reciprocity arrangement among county and municipal law enforcement agencies, institutions of higher education, which include county colleges, State law enforcement agencies, and the New Jersey Transit Corporation for the reimbursement of the hiring and training costs incurred when one entity hires a law enforcement officer who resigned from one of the other entities within the first three years of a permanent appointment, and the officer is hired within 120 days of the date of resignation.

Under current law, in those cases where the officer has held a probationary appointment at the time of resignation or held a permanent appointment for 30 days or less, the new employer must reimburse the officer's former employer for all the costs associated with the officer's hiring and training. In those cases where the officer has held a permanent appointment for more than 30 days, but less than two years, the new employer must reimburse the officer's former employer for one-half of the costs associated with the officer's hiring and training.

The purpose of this bill is to extend the reciprocity arrangement to require a hiring entity to reimburse the officer's former employer for 100 percent of the cost of the officer's hiring and training if the officer resigns within three years of being hired to a permanent position.