SENATE CONCURRENT RESOLUTION No. 96

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:
Senator RONALD L. RICE
District 28 (Essex)
Senator SANDRA B. CUNNINGHAM
District 31 (Hudson)

SYNOPSIS

Amends State Constitution to prohibit slavery or involuntary servitude.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 3/5/2020)

A CONCURRENT RESOLUTION proposing to amend Article I of the New Jersey Constitution by adding a new paragraph.

BE IT RESOLVED *by the Senate of the State of New Jersey (the General Assembly concurring):*

1. The following proposed amendment to the Constitution of the State of New Jersey is agreed to:

PROPOSED AMENDMENT

1. Amend Article I by adding a new paragraph 24 to read as follows:

24. No person shall be held in slavery or involuntary servitude in this State, including as a penalty or a punishment for a crime.

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:

There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (✔) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (✔) in the square opposite the word "No."

b. In every municipality the following question:

	YES	CONSTITUTIONAL AMENDMENT TO PROHIBIT SLAVERY AND INVOLUNTARY SERVITUDE Do you approve amending the Constitution to prohibit slavery and involuntary servitude? This would include involuntary servitude as a penalty for a crime. Involuntary servitude is when a person is forced to work for another person.
	NO	INTERPRETIVE STATEMENT Currently, the State Constitution does not prohibit slavery or involuntary servitude. This amendment would prohibit slavery and involuntary servitude. Involuntary servitude means forcing a person to work against their will for the benefit of another. Currently, inmates in this State have to work while in prison. An inmate is paid a minimal amount for that work. This amendment would prohibit forcing an inmate to work as a penalty for a crime, even if they are paid. This amendment would not prohibit inmates from working voluntarily.

STATEMENT

This constitutional amendment prohibits slavery or involuntary servitude in the State of New Jersey, including as punishment for a crime. Involuntary servitude is the coerced service of one individual for the benefit of another.

Currently, the State Constitution does not include any language concerning slavery or involuntary servitude. The 1776 and 1844 versions of the Constitution also did not include any mention of slavery or involuntary servitude. This amendment adds language to Article I expressly prohibiting slavery and involuntary servitude.

The amendment also directly prohibits slavery and involuntary servitude as punishment for a crime. Prisoners in New Jersey are required to engage in labor, for a minimal pay, while they are incarcerated. The State should not have the power to compel individuals to labor against their will. This amendment ensures that no prisoner in this State would be involuntarily forced into labor, even if the labor performed by the prisoner would be compensated.

However, this amendment would not take away voluntary opportunities to work for individuals who have been convicted of a crime. The State recognizes that work can assist in an individual's rehabilitation, improve practical and interpersonal skills that may be useful upon their reintegration with society, and contribute to healthier and safer penal environments.