

**SENATE, No. 824**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

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INTRODUCED MARCH 2, 1998

**Sponsored by:**  
**Senator LOUIS F. KOSCO**  
**District 38 (Bergen)**

**SYNOPSIS**

Makes engaging in business of electrical contracting without business permit or license a crime of the fourth degree under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



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1 AN ACT concerning electrical contractors and amending P.L.1962,  
2 c.162 and supplementing chapter 21 of Title 2C of the New Jersey  
3 Statutes.

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

7  
8 1. Section 21 of P.L.1962, c.162 (C.45:5A-21) is amended to read  
9 as follows:

10 21. Any person advertising or engaging in the business of electrical  
11 contracting without having a business permit or license from the board  
12 is a disorderly person.

13 (cf: P.L.1990, c.108, s.2)

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15 2. (New section) a. A person is guilty of a crime of the fourth  
16 degree if that person knowingly engages in the business of electrical  
17 contracting without having a business permit or license issued by the  
18 Board of Examiners of Electrical Contractors and:

19 (1) Creates or reinforces a false impression that the person is  
20 licensed as an electrical contractor or possesses a business permit; or

21 (2) Derives a benefit; or

22 (3) In fact causes injury to another.

23 b. For the purposes of this section, the phrase "in fact" indicates  
24 strict liability.

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26 3. This act shall take effect immediately.

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STATEMENT

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31 This bill makes it a crime of the fourth degree for any person to  
32 knowingly engage in the business of electrical contracting without  
33 having a business permit or license issued by the Board of Examiners  
34 of Electrical Contractors and to: (1) create or reinforce a false  
35 impression that the person is licensed as an electrical contractor or  
36 possesses a business permit; or (2) derive a benefit; or (3) in fact cause  
37 injury to another. For the purposes of the bill, the phrase "in fact"  
38 indicates strict liability. Without this phrase, a prosecution would  
39 require proof that the defendant knowingly caused injury to another.  
40 Under this provision, a person who knowingly engages in the business  
41 of electrical contracting without having a business permit or license is  
42 guilty of a crime of the fourth degree regardless of his intent in causing  
43 injury to another and is not exonerated because the prosecution is

**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.**

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1 unable to prove beyond a reasonable doubt that the person acted  
2 purposely, knowingly, recklessly, or negligently in causing injury to  
3 another.

4 The bill also provides that any person advertising or engaging in the  
5 business of electrical contracting without having a license from the  
6 Board of Examiners of Electrical Contractors is a disorderly person.  
7 Under current law, any person advertising or engaging in the business  
8 of electrical contracting without having a business permit from the  
9 board is a disorderly person.