

ASSEMBLY, No. 2182

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblyman DOUGLAS H. FISHER

District 3 (Salem, Cumberland and Gloucester)

Assemblyman CHARLES T. EPPS, JR.

District 31 (Hudson)

Assemblywoman OADLINE D. TRUITT

District 28 (Essex)

Co-Sponsored by:

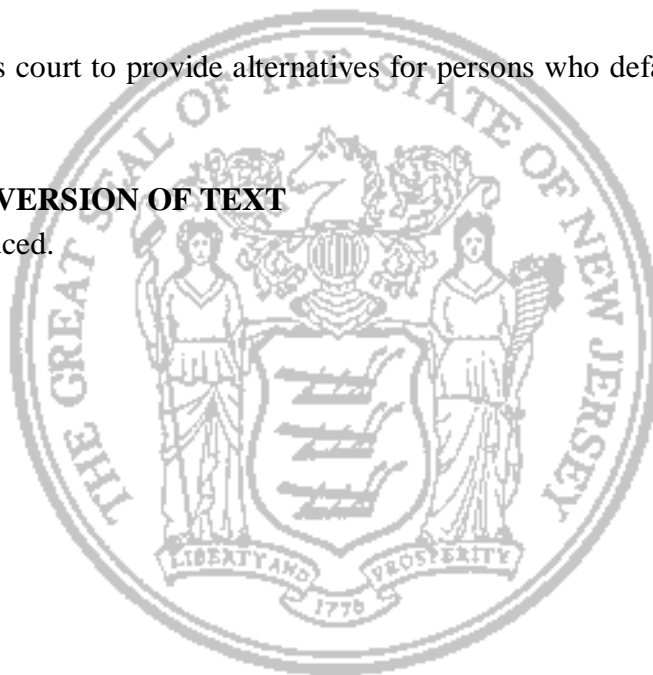
Assemblymen Manzo, Diegnan, Assemblywoman Oliver, Assemblymen Prieto, Chivukula, Green, Albano, Payne, Giblin, Johnson and Bateman

SYNOPSIS

Authorizes court to provide alternatives for persons who default in payment of fines.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/31/2006)

1 AN ACT concerning municipal court fines and supplementing Title
2 2B of the New Jersey Statutes.

3

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

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7 1. Notwithstanding any other provision of law to the contrary, if
8 a municipal court finds that a person has defaulted on a court-
9 imposed fine or State-assessed penalty, the court may:

10 a. order that credit be given against the amount owed for each
11 day of confinement, if the court finds that the person has served jail
12 time for the default;

13 b. revoke or suspend the fine or any unpaid portion of the fine, if
14 the court finds that the circumstances that warranted the fine have
15 changed or that it would be unjust to require payment;

16 c. order the person to perform community service in lieu of
17 payment of the fine or penalty.

18

19 2. This act shall take effect immediately.

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22 STATEMENT

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24 Currently, if a person is sentenced by a municipal court to pay a
25 fine and that person defaults on the payment of that fine, the court
26 may order the person to perform community service pursuant to the
27 provisions of N.J.S.A.2B:12-23.

28 This bill would supplement that provision of the law by allowing
29 a municipal court to grant a credit for jail time against the fine; have
30 the fine suspended or revoked or order the performance of
31 community service in lieu of payment of the fine or penalty.

32 Under the provision of the bill, if the court finds that a person
33 has defaulted on a court-imposed fine or State-assessed penalty, the
34 court may: (1) order that credit be given against the amount owed
35 for each day of confinement, if the court finds that the person has
36 served jail time for the default; (2) revoke or suspend the fine or
37 any unpaid portion of the fine, if the court finds that the
38 circumstances that warranted the fine have changed or that it would
39 be unjust to require payment; or (3) order the person to perform
40 community service in lieu of payment of the fine or penalty.

41 It is the sponsor's intent to avoid the scenario where a person is
42 repeatedly picked up on outstanding warrants for not satisfying
43 court-imposed fines when the person does not have the means to
44 satisfy the fines. These individuals often serve jail time but that
45 time is not credited towards the amount owed. This bill would allow
46 the court to provide credit for time served, to revoke or suspend the
47 fine or to order community service.