

P.L. 2013, c.255
Approved January 17, 2014

ASSEMBLY, No. 3254
STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED SEPTEMBER 27, 2012

Sponsored by:

Assemblyman CRAIG J. COUGHLIN, District 19 (Middlesex)

Assemblyman GORDON M. JOHNSON, District 37 (Bergen)

Assemblyman BENJIE E. WIMBERLY, District 35 (Bergen and Passaic)

Assemblyman ALBERT COUTINHO, District 29 (Essex)

Co-Sponsored by: Assemblymen Diegnan and C.A.Brown

SYNOPSIS

Permits municipal court to order certain offenders to perform community service in lieu of payment of penalty.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning municipal court and amending P.L. 2009, c.317.

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

1. Section 1 of P.L. 2009, c. 317 (C.2B:12-23.1) is amended to read as follows:

1. a. Notwithstanding any other provision of law to the contrary, if a municipal court finds that a person does not have the ability to pay a penalty in full on the date of the hearing or has failed to pay a previously imposed penalty, the court may order the person to perform community service in lieu of the payment of a penalty; or, order the payment of the penalty in installments for a period of time determined by the court. If a person defaults on any payment and a municipal court finds that the defendant does not have the ability to pay, the court may:

- (1) reduce the penalty, suspend the penalty, or modify the installment plan;
- (2) order that credit be given against the amount owed for each day of confinement, if the court finds that the person has served jail time for the default;
- (3) revoke any unpaid portion of the penalty, if the court finds that the circumstances that warranted the imposition have changed or that it would be unjust to require payment;
- (4) order the person to perform community service in lieu of payment of the penalty; or
- (5) impose any other alternative permitted by law in lieu of payment of the penalty.

b. For the purposes of this section, "penalty" means any fine, statutorily-mandated assessment, surcharge or other financial penalty imposed by a municipal court, except

restitution or a surcharge assessed pursuant to subsection f. of section 1 of P.L.2000, c.75 (C.39:4-97.2).
(cf: P.L.2009, c.317, s.1

2. This act shall take effect immediately.