

ASSEMBLY CHILDREN, FAMILIES AND FOOD SECURITY
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1611

STATE OF NEW JERSEY

DATED: OCTOBER 21, 2024

The Assembly Children, Families and Food Security Committee reports favorably Assembly Bill No. 1611.

This bill creates the “Youth Serving Organization Central Registry,” or “central registry,” which would serve as a clearinghouse for the collection and dissemination of information obtained as a result of conducting criminal history record background checks of prospective or current employees or volunteers of youth serving organizations.

Currently, the Department of Law and Public Safety acts as a clearinghouse for initiating the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to P.L.1999, c.432 (C.15A:3A-1 et seq.). Under this law, a nonprofit youth serving organization may request, through the department, that the State Bureau of Identification (SBI) in the Division of State Police conduct a criminal history record background check on a prospective or current employee or volunteer of an organization. A person may be disqualified from employment or volunteer positions for certain crimes or offenses: involving danger to a person (such as injuries, assault, kidnapping, sexual assault, or robbery); against the family, children or certain persons (e.g., bigamy); involving theft; or, in certain circumstances, involving controlled dangerous substances. The bill maintains these disqualifiers and requires the Attorney General to adopt regulations concerning uniform disqualification criteria.

The central registry is to be established within the department. In order to participate in the central registry, a youth serving organization is required to register with the department and pay the required registration fee.

The bill amends current law to provide that the central registry is to request, through the department, that the SBI conduct a criminal history record background check on each prospective and current employee or volunteer of a participating organization. For the purpose of conducting the background check, the division would examine its own files and arrange for a similar examination by federal authorities. The division is to conduct a criminal history record background check

only after receiving written consent of a prospective or current employee or volunteer.

The prospective or current employee or volunteer would bear the costs associated with conducting criminal history background checks. As is the case under current law, the fee for a criminal history record background check would not exceed the actual cost of conducting that check.

Additionally, each current employee or volunteer of a participating organization would have a criminal history record background check conducted at least once every two years. The central registry would retain records indicating the qualification status of each employee or volunteer. Any participating organization could check the status of an employee or a volunteer and inquire about their status by telephone or through a secure website maintained by the department.

The division would be required to inform a participating organization whether the person's initial or subsequent criminal history record background check reveals a conviction of a disqualifying crime or offense. The central registry status records would then be updated to reflect the disqualifying crime or offense on the record of any prospective or current employee or volunteer.

Finally, the bill revises the definition of a "youth serving organization" to mean a sports team, league, athletic association, or any other corporation, association or other organization, excluding public and nonpublic schools, which provides recreational, educational, cultural, charitable, social or other activities or services for persons under 18 years of age. An organization would not need to be nonprofit to be eligible to participate.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.