

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4194

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 4194.

This committee substitute concerns the licensing of law enforcement officers and appropriates \$6 million.

Under the provisions of this committee substitute, a person is not to be employed as a law enforcement officer in this State unless the person holds a valid, active license issued in accordance with the committee substitute's provisions.

The Police Training Commission (PTC) is required to establish the process by which law enforcement officers are to be licensed and implement that process. Under the committee substitute, the membership of the PTC is expanded to include two additional public members and a member of the State Troopers Fraternal Association of New Jersey.

The committee substitute provides that the PTC is vested with the power, responsibility, and duty to: prescribe minimum standards and requirements for the licensure for law enforcement officers and to maintain the status of a licensed law enforcement officer; establish a licensure process and applicable criteria for license issuance, renewal, suspension, revocation, or denial; and to perform or cause to be performed through the licensing committee certain activities related to law enforcement officer licensing.

Under the committee substitute, the PTC is to establish a licensing committee to assist in exercising the authority provided under the committee substitute, including certain duties with respect to law enforcement officer licensing. The membership of the licensing committee is to include, but is not limited to, the Attorney General's designee and no less than one public member.

The committee substitute sets forth specific requirements for an initial license and a probationary license. The PTC has the authority to issue a license for employment as a law enforcement officer if an applicant satisfies all licensing requirements. The committee substitute requires the PTC to deny an application for a license if the applicant or officer is convicted of a crime, an act of domestic violence, or an offense that would preclude the applicant or officer from carrying a firearm. A license issued under the committee substitute expires three

years after its date of issuance, before which time the law enforcement officer is required to apply for a license renewal.

A law enforcement officer that is required to renew the officer's license or a person appointed as a permanent law enforcement officer prior to the committee substitute's effective date is to submit an application through the officer's employing law enforcement unit to the PTC. The law enforcement officer and the chief law enforcement officer of the employing law enforcement unit are required to certify that the officer meets certain requirements.

The committee substitute further provides that the employing law enforcement unit is required to notify the PTC of certain employment actions regarding a law enforcement officer.

In addition, under the committee substitute, the PTC also has the authority to impose certain adverse license actions if a law enforcement officer engages in certain conduct. If the PTC finds that the officer has engaged in the enumerated conduct, the PTC can take any of the following adverse license actions: suspend the license for a definite period; place limitations or restrictions on a license; revoke a license, condition a penalty or withhold formal disposition upon the officer's completing care, counseling, or treatment, as directed by the commission; or place the officer's license on inactive status.

The committee substitute requires the PTC to revoke a law enforcement officer's license if the officer is convicted of a crime, an act of domestic violence, or an offense that would preclude the officer from carrying a firearm.

Under the committee substitute, with certain exceptions, in all situations involving the imposition of an adverse license action by the commission or the denial of an initial or renewal license, the law enforcement officer is entitled to a hearing, if requested by the officer.

The committee substitute provides that any ruling of the commission adverse to the law enforcement officer or any party participating in the hearing may be appealed to the Superior Court within 45 days of receipt of the commission's decision. Upon review on appeal to the Superior Court, the commission's decision is to be upheld unless the court finds the commission's decision was arbitrary, capricious, or unreasonable, or the record was unsupported by substantial credible evidence.

In addition, the committee substitute provides that the commission may establish or prescribe fees for training or other services provided by the PTC. Under the committee substitute, current law enforcement officers are not to be charged application or licensing fees when applying for a license.

Finally, the committee substitute appropriates \$6 million from the General Fund to the Department of Law and Public Safety to carry out the bill's purposes.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.