

[First Reprint]

SENATE, No. 4040

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JUNE 27, 2023

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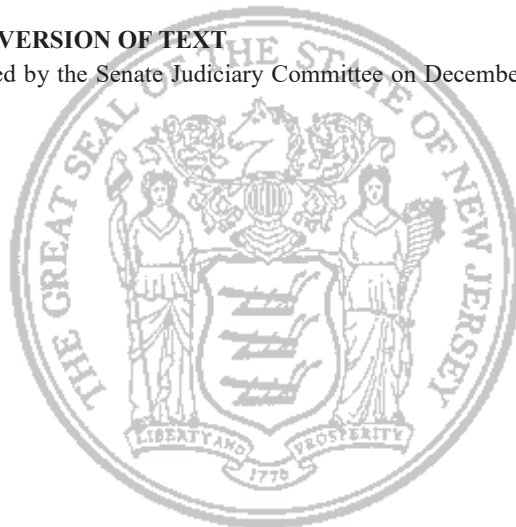
District 2 (Atlantic)

SYNOPSIS

Concerns jurisdiction and operations of regional municipal courts.

CURRENT VERSION OF TEXT

As reported by the Senate Judiciary Committee on December 7, 2023, with amendments.



(Sponsorship Updated As Of: 1/8/2024)

1 AN ACT concerning ¹**[jurisdiction of]**¹ regional municipal courts,
2 amending ¹**[various parts of statutory law]** N.J.S.2B:12-16 and
3 P.L.2000, c.126¹, and ¹**amending and**¹ supplementing P.L.2021,
4 c.191.

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

8
9 ¹**[1. N.J.S.2B:12-2 is amended to read as follows:**
10 2B:12-2. Name of court. The name of a municipal court of a
11 single municipality shall be the “Municipal Court of (insert name of
12 municipality).” The name of a joint municipal court shall be
13 specified in the ordinances establishing the court. The name of a
14 central municipal court shall be the “Central Municipal Court of the
15 County of (insert name of county)” and shall be specified in the
16 ordinance establishing the court. The name of a regional municipal
17 court established pursuant to the pilot program set forth in section 1
18 of P.L.2021, c.191 (C.2B:12-34) shall be the “Regional Municipal
19 Court of the County of (insert name of county)” and shall be
20 specified in the ordinance establishing the court.
21 (cf: P.L.1996, c.95, s.2)¹

22
23 ¹**[2.] 1.**¹ N.J.S.2B:12-16 is amended to read as follows:
24 2B:12-16. Territorial jurisdiction. a. A municipal court of a
25 single municipality shall have jurisdiction over cases arising within
26 the territory of that municipality except as provided in section 10 of
27 P.L.1997, c.357 (C.27:25-5.15). A joint municipal court shall have
28 jurisdiction over cases arising within the territory of any of the
29 municipalities which the court serves. The territory of a
30 municipality includes any premises or property located partly in and
31 partly outside of the municipality. A central municipal court shall
32 have jurisdiction over cases arising within the territorial boundaries
33 of the county. A regional municipal court established pursuant to
34 the pilot program set forth in section 1 of P.L.2021, c.191 (C.2B:12-
35 34) shall have territorial jurisdiction over cases arising within the
36 territory of the municipalities participating in the regional
37 municipal court pilot program.

38 b. A municipal court judge, serving as an acting judge in any
39 other municipal court in the county, may also hear matters arising
40 out of that other court, while sitting in the court where the acting
41 judge holds a regular appointment.
42 (cf: P.L.1997, c.357, s.13)

43
44 ¹**[3] 2.**¹ Section 2 of P.L.2021, c.191 (C.2B:12-35) is amended to
45 read as follows:

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.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate SJU committee amendments adopted December 7, 2023.

1 2. A regional municipal court shall have territorial and subject
2 matter jurisdiction over all municipal court matters falling within the
3 territorial jurisdiction of the **【municipal courts】** ¹municipal courts of
4 the¹ municipalities in the pilot program. **【All complaints issued in the**
5 **county by the State Police or any Statewide law enforcement agency,**
6 **or by any county law enforcement agency, any county code**
7 **enforcement entity, or by any other non-municipal law enforcement**
8 **agency, shall also fall within the jurisdiction of the regional municipal**
9 **court, consistent with the provisions of N.J.S.2B:12-17 and**
10 **N.J.S.2B:12-18.】** A county may, by ordinance, confer the regional
11 municipal court with subject matter jurisdiction over complaints issued
12 by such county law enforcement agencies or county code enforcement
13 entities as may be set forth by ordinance.

14 (cf: P.L.2021, c.191, s.2)

15
16 ¹**【4.】** 3.¹ (New section) All complaints issued in the county on or
17 after the effective date of P.L. , c. (C.) (pending before the
18 Legislature as this bill) by the State Police or any Statewide law
19 enforcement agency, or by any county law enforcement agency, any
20 county code enforcement entity, or by any other non-municipal law
21 enforcement agency, shall be heard in the municipal court of the
22 municipality from which the complaint originates, consistent with
23 the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18. A regional
24 municipal court established prior to the enactment of
25 P.L. , c. (C.) (pending before the Legislature as this bill)
26 shall retain jurisdiction over all matters pending as of the effective
27 date of P.L. , c. (C.) (pending before the Legislature as this
28 bill). The assignment judge of the vicinage shall have the
29 authority to transfer matters between the municipal courts of the
30 county consistent with the provisions of this section.

31
32 ¹4. Section 37 of P.L.2000, c.126 (C.40:23-6.53) is amended to
33 read as follows:

34 37. The governing body of any county may enter into a contract
35 with a private agency or firm for the purpose of collecting delinquent
36 fees, fines, costs, surcharges, and other penalties or assessments
37 imposed, after a final determination of guilt, by a central municipal
38 court established pursuant to subsection e. of N.J.S.2B:12-1, or
39 imposed, after a final determination of guilt, on cases that were filed in
40 a regional municipal court established pursuant to N.J.S.2B:12-34.
41 The use of private agencies or firms to collect delinquent fees, fines,
42 costs, surcharges and other penalties or assessments imposed by a
43 central municipal court or for cases filed in a regional municipal court
44 shall be in accordance with rules or procedures adopted by the
45 Supreme Court. Any such contract shall be made pursuant to the
46 provisions of the “Local Public Contracts Law,” P.L.1971, c.198

1 (C.40A:11-1 et seq.). The governing body of any county may
2 authorize the assessment of a fee by a private agency or firm not to
3 exceed 22% of the amount collected to be paid by the debtor to the
4 private agency or firm to pay for the costs of collection.¹
5 (cf: P.L.2009, c.233, s.2)

6
7 5. This act shall take effect on the first day of the seventh month
8 following enactment, except that the Administrative Director of the
9 Courts may take any anticipatory action in advance as the director
10 deems necessary for the timely implementation of this act.