

P.L. 2015, c. 141
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ASSEMBLY, No. 3841
STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED OCTOBER 23, 2014

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Senator LORETTA WEINBERG
District 37 (Bergen)

Co-Sponsored by: Assemblyman Fiocchi, Assemblywoman Spencer, Senators Beach, Allen and Beck

SYNOPSIS

Upgrades violation of a stalking restraining order to a crime of the third degree.

CURRENT VERSION OF TEXT

As amended by the General Assembly on December 18, 2014.

AN ACT concerning stalking and amending ²[P.L.1992, c.209 and supplementing Title 2C of the New Jersey Statutes] N.J.S.2C:29-9².

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

²1. N.J.S.2C:29-9 is amended to read as follows:

2C:29-9. Contempt. a. A person is guilty of a crime of the fourth degree if he purposely or knowingly disobeys a judicial order or protective order, pursuant to section 1 of P.L.1985, c.250 (C.2C:28-5.1), or hinders, obstructs or impedes the effectuation of a judicial order or the exercise of jurisdiction over any person, thing or controversy by a court, administrative body or investigative entity.

b. (1) Except as provided [below] in paragraph (2) of this subsection, a person is guilty of a crime of the fourth degree if that person purposely or knowingly violates any provision in an order entered under the provisions of the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.) or an order entered under the provisions of a substantially similar statute under the laws of another state or the United States when the conduct which constitutes the violation could also constitute a crime or a disorderly persons offense. Orders entered pursuant to paragraphs (3), (4), (5), (8) and (9) of subsection b. of section 13 of P.L.1991, c.261 (C.2C:25-29) or substantially similar orders entered under the laws of another state or the United States shall be excluded from the provisions of this subsection.

(2) In all other cases a person is guilty of a disorderly persons offense if that person purposely or knowingly violates an order entered under the provisions of [this act] the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.) or an order entered under the provisions of a substantially similar statute under the laws of another state or the United States. Orders entered pursuant to paragraphs (3), (4), (5), (8) and (9) of subsection b. of section 13 of P.L.1991, c.261 (C.2C:25-29) or substantially similar orders entered under the laws of another state or the United States shall be excluded from the provisions of this subsection.

c. A person is guilty of a crime of the third degree if that person purposely or knowingly violates any provision in an order entered under the provisions of section 3 of P.L.1996, c.39 (C.2C:12-10.1) or section 2 of P.L.1999, c.47 (C.2C:12-10.2) or an order entered under the provisions of a substantially similar statute under the laws of another state or the United States when the conduct which constitutes the violation could also constitute a crime or a disorderly persons offense.

As used in this [subsection] section, "state" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band, or Alaskan native village, which is recognized by a federal law or formally acknowledged by a state.²
(cf: P.L. 2008, c.81, s.3)

¹[6.] ²[7.¹] 2.² This act shall take effect immediately and shall apply to persons convicted of ²[a second or subsequent] an² offense committed on or after the effective date.