

[Second Reprint]

ASSEMBLY, No. 1475

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

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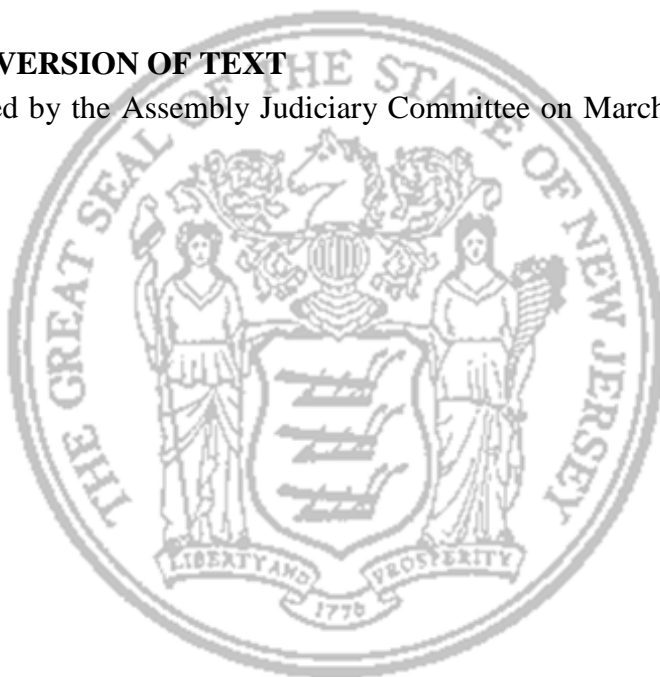
Assemblywomen Chaparro, McKnight and Jaffer

SYNOPSIS

Requires court to consider information concerning coercive control in domestic violence proceedings.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on March 9, 2023, with amendments.



(Sponsorship Updated As Of: 2/28/2022)

1 AN ACT concerning domestic violence and amending P.L.1991,
2 c.261.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹**[**1. Section 3 of P.L.1991, c.261 (C.2C:25-19) is amended to
8 read as follows:

9 3. As used in this act:

10 a. "Domestic violence" means the occurrence of one or more of
11 the following acts inflicted upon a person protected under this act
12 by an adult or an emancipated minor:

- 13 (1) Homicide N.J.S.2C:11-1 et seq.
- 14 (2) Assault N.J.S.2C:12-1
- 15 (3) Terroristic threats N.J.S.2C:12-3
- 16 (4) Kidnapping N.J.S.2C:13-1
- 17 (5) Criminal restraint N.J.S.2C:13-2
- 18 (6) False imprisonment N.J.S.2C:13-3
- 19 (7) Sexual assault N.J.S.2C:14-2
- 20 (8) Criminal sexual contact N.J.S.2C:14-3
- 21 (9) Lewdness N.J.S.2C:14-4
- 22 (10) Criminal mischief N.J.S.2C:17-3
- 23 (11) Burglary N.J.S.2C:18-2
- 24 (12) Criminal trespass N.J.S.2C:18-3
- 25 (13) Harassment N.J.S.2C:33-4
- 26 (14) Stalking P.L.1992, c.209 (C.2C:12-10)
- 27 (15) Criminal coercion N.J.S.2C:13-5
- 28 (16) Robbery N.J.S.2C:15-1
- 29 (17) Contempt of a domestic violence order pursuant to
30 subsection b. of N.J.S.2C:29-9 that constitutes a crime or disorderly
31 persons offense
- 32 (18) Any other crime involving risk of death or serious bodily
33 injury to a person protected under the "Prevention of Domestic
34 Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.)
- 35 (19) Cyber-harassment P.L.2013, c.272 (C.2C:33-4.1)
- 36 (20) Coercive control. As used in this paragraph, "coercive
37 control" means a pattern of behavior against a person protected
38 under this act that in purpose or effect unreasonably interferes with
39 a person's free will and personal liberty. "Coercive control"
40 includes, but is not limited to, unreasonably engaging in any of the
41 following:
42 (a) Isolating the person from friends, relatives, or other sources
43 of support;
44 (b) Depriving the person of basic necessities;

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:

¹Assembly AJU committee amendments adopted October 17, 2022.

²Assembly AJU committee amendments adopted March 9, 2023.

1 (c) Controlling, regulating or monitoring the person's
2 movements, communications, daily behavior, finances, economic
3 resources or access to services;

4 (d) Compelling the person by force, threat or intimidation,
5 including, but not limited to, threats based on actual or suspected
6 immigration status, to (i) engage in conduct from which such person
7 has a right to abstain, or (ii) abstain from conduct that such person
8 has a right to pursue;

9 (e) Name-calling, degradation, and demeaning the person
10 frequently;

11 (f) Threatening to harm or kill the individual or a child or
12 relative of the individual;

13 (g) Threatening to public information or make reports to the
14 police or to the authorities;

15 (h) Damaging property or household goods; or

16 (i) Forcing the person to take part in criminal activity or child
17 abuse.

18 When one or more of these acts is inflicted by an unemancipated
19 minor upon a person protected under this act, the occurrence shall
20 not constitute "domestic violence," but may be the basis for the
21 filing of a petition or complaint pursuant to the provisions of
22 section 11 of P.L.1982, c.77 (C.2A:4A-30).

23 b. "Law enforcement agency" means a department, division,
24 bureau, commission, board or other authority of the State or of any
25 political subdivision thereof which employs law enforcement
26 officers.

27 c. "Law enforcement officer" means a person whose public
28 duties include the power to act as an officer for the detection,
29 apprehension, arrest and conviction of offenders against the laws of
30 this State.

31 d. "Victim of domestic violence" means a person protected
32 under this act and shall include any person who is 18 years of age or
33 older or who is an emancipated minor and who has been subjected
34 to domestic violence by a spouse, former spouse, or any other
35 person who is a present household member or was at any time a
36 household member. "Victim of domestic violence" also includes
37 any person, regardless of age, who has been subjected to domestic
38 violence by a person with whom the victim has a child in common,
39 or with whom the victim anticipates having a child in common, if
40 one of the parties is pregnant. "Victim of domestic violence" also
41 includes any person who has been subjected to domestic violence
42 by a person with whom the victim has had a dating relationship.

43 e. "Emancipated minor" means a person who is under 18 years
44 of age but who has been married, has entered military service, has a
45 child or is pregnant or has been previously declared by a court or an
46 administrative agency to be emancipated.

47 (cf: P.L.2016, c.77, s.1)J¹

1 ¹1. Section 13 of P.L.1991, c.261 (C.2C:25-29) is amended to
2 read as follows:

3 13. a. A hearing shall be held in the Family Part of the
4 Chancery Division of the Superior Court within 10 days of the
5 filing of a complaint pursuant to section 12 of P.L.1991, c.261
6 (C.2C:25-28) in the county where the ex parte restraints were
7 ordered, unless good cause is shown for the hearing to be held
8 elsewhere. A copy of the complaint shall be served on the
9 defendant in conformity with the Rules of Court. If a criminal
10 complaint arising out of the same incident which is the subject
11 matter of a complaint brought under P.L.1981, c.426 (C.2C:25-1 et
12 seq.) or P.L.1991, c.261 (C.2C:25-17 et seq.) has been filed,
13 testimony given by the plaintiff or defendant in the domestic
14 violence matter shall not be used in the simultaneous or subsequent
15 criminal proceeding against the defendant, other than domestic
16 violence contempt matters and where it would otherwise be
17 admissible hearsay under the rules of evidence that govern where a
18 party is unavailable. At the hearing the standard for proving the
19 allegations in the complaint shall be by a preponderance of the
20 evidence. In considering the necessity of ordering a restraining
21 order **【The】** the court shall consider but not be limited to the
22 following factors:

23 (1) The previous history of domestic violence between the
24 plaintiff and defendant, including threats, harassment and physical
25 abuse;

26 (2) The existence of immediate danger to person or property;

27 (3) The financial circumstances of the plaintiff and defendant;

28 (4) The best interests of the victim and any child;

29 (5) In determining custody and parenting time the protection of
30 the victim's safety; **【and】**

31 (6) The existence of a verifiable order of protection from
32 another jurisdiction; and

33 (7) Any pattern of coercive control against a person that in
34 purpose or effect unreasonably interferes with a person's free will
35 and personal liberty. Coercive control includes, but is not limited
36 to:

37 (a) isolating the person from friends, relatives, transportation,
38 medical care, or other source of support;

39 (b) depriving the person of basic necessities;

40 (c) monitoring the person's movements, communications, daily
41 behavior, finances, economic resources, or access to services;

42 (d) compelling the person by force, threat, or intimidation,
43 including, but not limited to, threats based on actual or suspected
44 immigration status;

45 (e) threatening to make or making baseless reports to the police,
46 courts, the Department of Child Protection and Permanency
47 (DCPP), the Board of Social Services, Immigration and Customs
48 Enforcement (ICE), or other parties;

1 ²[(f) name-calling, degradation, and demeaning the person
2 frequently;

3 (g)² threatening to harm or kill the individual's relative or
4 pet; or

5 ²[(h)] (g)² threatening to ²take the individuals children away]
6 deny or interfere with an individual's custody or parenting time,
7 other than through enforcement of a valid custody arrangement or
8 court order pursuant to current law including, but not limited to, an
9 order issued pursuant to Title 9 of the Revised Statutes².

10 An order issued under this act shall only restrain or provide
11 damages payable from a person against whom a complaint has been
12 filed under this act and only after a finding or an admission is made
13 that an act of domestic violence was committed by that person. The
14 issue of whether or not a violation of this act occurred, including an
15 act of contempt under this act, shall not be subject to mediation or
16 negotiation in any form. In addition, where a temporary or final
17 order has been issued pursuant to this act, no party shall be ordered
18 to participate in mediation on the issue of custody or parenting time.

19 b. In proceedings in which complaints for restraining orders
20 have been filed, the court shall grant any relief necessary to prevent
21 further abuse. In addition to any other provisions, any restraining
22 order issued by the court shall bar the defendant from purchasing,
23 owning, possessing or controlling a firearm and from receiving or
24 retaining a firearms purchaser identification card or permit to
25 purchase a handgun pursuant to N.J.S.2C:58-3 during the period in
26 which the restraining order is in effect or two years, whichever is
27 greater. The order shall require the immediate surrender of any
28 firearm or other weapon belonging to the defendant. The order
29 shall include notice to the defendant of the penalties for a violation
30 of any provision of the order, including but not limited to the
31 penalties for contempt of court and unlawful possession of a firearm
32 or other weapon pursuant to N.J.S.2C:39-5.

33 A law enforcement officer shall accompany the defendant, or
34 may proceed without the defendant if necessary, to any place where
35 any firearm or other weapon belonging to the defendant is located
36 to ensure that the defendant does not gain access to any firearm or
37 other weapon, and a law enforcement officer shall take custody of
38 any firearm or other weapon belonging to the defendant. If the
39 order prohibits the defendant from returning to the scene of
40 domestic violence or other place where firearms or other weapons
41 belonging to the defendant are located, any firearm or other weapon
42 located there shall be seized by a law enforcement officer. The
43 provisions of this subsection requiring the surrender or removal of a
44 firearm, card, or permit shall not apply to any law enforcement
45 officer while actually on duty, or to any member of the Armed
46 Forces of the United States or member of the National Guard while
47 actually on duty or traveling to or from an authorized place of duty.
48 At the hearing the judge of the Family Part of the Chancery

1 Division of the Superior Court may issue an order granting any or
2 all of the following relief:

3 (1) An order restraining the defendant from subjecting the
4 victim to domestic violence, as defined in this act.

5 (2) An order granting exclusive possession to the plaintiff of the
6 residence or household regardless of whether the residence or
7 household is jointly or solely owned by the parties or jointly or
8 solely leased by the parties. This order shall not in any manner
9 affect title or interest to any real property held by either party or
10 both jointly. If it is not possible for the victim to remain in the
11 residence, the court may order the defendant to pay the victim's rent
12 at a residence other than the one previously shared by the parties if
13 the defendant is found to have a duty to support the victim and the
14 victim requires alternative housing.

15 (3) An order providing for parenting time. The order shall
16 protect the safety and well-being of the plaintiff and minor children
17 and shall specify the place and frequency of parenting time.
18 Parenting time arrangements shall not compromise any other
19 remedy provided by the court by requiring or encouraging contact
20 between the plaintiff and defendant. Orders for parenting time may
21 include a designation of a place of parenting time away from the
22 plaintiff, the participation of a third party, or supervised parenting
23 time.

24 (a) The court shall consider a request by a custodial parent who
25 has been subjected to domestic violence by a person with parenting
26 time rights to a child in the parent's custody for an investigation or
27 evaluation by the appropriate agency to assess the risk of harm to
28 the child prior to the entry of a parenting time order. Any denial of
29 such a request must be on the record and shall only be made if the
30 judge finds the request to be arbitrary or capricious.

31 (b) The court shall consider suspension of the parenting time
32 order and hold an emergency hearing upon an application made by
33 the plaintiff certifying under oath that the defendant's access to the
34 child pursuant to the parenting time order has threatened the safety
35 and well-being of the child.

36 (4) An order requiring the defendant to pay to the victim
37 monetary compensation for losses suffered as a direct result of the
38 act of domestic violence. The order may require the defendant to
39 pay the victim directly, to reimburse the Victims of Crime
40 Compensation Office for any and all compensation paid by the
41 Victims of Crime Compensation Office directly to or on behalf of
42 the victim, and may require that the defendant reimburse any parties
43 that may have compensated the victim, as the court may determine.
44 Compensatory losses shall include, but not be limited to, loss of
45 earnings or other support, including child or spousal support, out-
46 of-pocket losses for injuries sustained, cost of repair or replacement
47 of real or personal property damaged or destroyed or taken by the
48 defendant, cost of counseling for the victim, moving or other travel

1 expenses, reasonable attorney's fees, court costs, and compensation
2 for pain and suffering. Where appropriate, punitive damages may be
3 awarded in addition to compensatory damages.

4 (5) An order requiring the defendant to receive professional
5 domestic violence counseling from either a private source or a
6 source appointed by the court and, in that event, requiring the
7 defendant to provide the court at specified intervals with
8 documentation of attendance at the professional counseling. The
9 court may order the defendant to pay for the professional
10 counseling. No application by the defendant to dissolve a final
11 order which contains a requirement for attendance at professional
12 counseling pursuant to this paragraph shall be granted by the court
13 unless, in addition to any other provisions required by law or
14 conditions ordered by the court, the defendant has completed all
15 required attendance at such counseling.

16 (6) An order restraining the defendant from entering the
17 residence, property, school, or place of employment of the victim or
18 of other family or household members of the victim and requiring
19 the defendant to stay away from any specified place that is named
20 in the order and is frequented regularly by the victim or other
21 family or household members.

22 (7) An order restraining the defendant from making contact with
23 the plaintiff or others, including an order forbidding the defendant
24 from personally or through an agent initiating any communication
25 likely to cause annoyance or alarm including, but not limited to,
26 personal, written, or telephone contact with the victim or other
27 family members, or their employers, employees, or fellow workers,
28 or others with whom communication would be likely to cause
29 annoyance or alarm to the victim.

30 (8) An order requiring that the defendant make or continue to
31 make rent or mortgage payments on the residence occupied by the
32 victim if the defendant is found to have a duty to support the victim
33 or other dependent household members; provided that this issue has
34 not been resolved or is not being litigated between the parties in
35 another action.

36 (9) An order granting either party temporary possession of
37 specified personal property, such as an automobile, checkbook,
38 documentation of health insurance, an identification document, a
39 key, and other personal effects.

40 (10) An order awarding emergency monetary relief, including
41 emergency support for minor children, to the victim and other
42 dependents, if any. An ongoing obligation of support shall be
43 determined at a later date pursuant to applicable law.

44 (11) An order awarding temporary custody of a minor child.
45 The court shall presume that the best interests of the child are
46 served by an award of custody to the non-abusive parent.

47 (12) An order requiring that a law enforcement officer
48 accompany either party to the residence or any shared business

1 premises to supervise the removal of personal belongings in order
2 to ensure the personal safety of the plaintiff when a restraining
3 order has been issued. This order shall be restricted in duration.

4 (13) (Deleted by amendment, P.L.1995, c.242).

5 (14) An order granting any other appropriate relief for the
6 plaintiff and dependent children, provided that the plaintiff consents
7 to such relief, including relief requested by the plaintiff at the final
8 hearing, whether or not the plaintiff requested such relief at the time
9 of the granting of the initial emergency order.

10 (15) An order that requires that the defendant report to the
11 intake unit of the Family Part of the Chancery Division of the
12 Superior Court for monitoring of any other provision of the order.

13 (16) In addition to the order required by this subsection
14 prohibiting the defendant from possessing any firearm, the court
15 may also issue an order prohibiting the defendant from possessing
16 any other weapon enumerated in subsection r. of N.J.S.2C:39-1 and
17 ordering the search for and seizure of any firearm or other weapon
18 at any location where the judge has reasonable cause to believe the
19 weapon is located. The judge shall state with specificity the reasons
20 for and scope of the search and seizure authorized by the order.

21 (17) An order prohibiting the defendant from stalking or
22 following, or threatening to harm, to stalk or to follow, the
23 complainant or any other person named in the order in a manner
24 that, taken in the context of past actions of the defendant, would put
25 the complainant in reasonable fear that the defendant would cause
26 the death or injury of the complainant or any other person.
27 Behavior prohibited under this act includes, but is not limited to,
28 behavior prohibited under the provisions of P.L.1992, c.209
29 (C.2C:12-10).

30 (18) An order requiring the defendant to undergo a psychiatric
31 evaluation.

32 (19) An order directing the possession of any animal owned,
33 possessed, leased, kept, or held by either party or a minor child
34 residing in the household. Where a person has abused or threatened
35 to abuse such animal, there shall be a presumption that possession
36 of the animal shall be awarded to the non-abusive party.

37 c. Notice of orders issued pursuant to this section shall be sent
38 by the clerk of the Family Part of the Chancery Division of the
39 Superior Court or other person designated by the court to the
40 appropriate chiefs of police, members of the State Police and any
41 other appropriate law enforcement agency.

42 d. Upon good cause shown, any final order may be dissolved or
43 modified upon application to the Family Part of the Chancery
44 Division of the Superior Court, but only if the judge who dissolves
45 or modifies the order is the same judge who entered the order, or
46 has available a complete record of the hearing or hearings on which
47 the order was based.

1 e. Prior to the issuance of any order pursuant to this section,
2 the court shall order that a search be made of the domestic violence
3 central registry.¹
4 (cf: P.L.2016, c.91, s.3)
5

6 ²[¹2. Section 12 of P.L.1991, c.261 (C.2C:25-28) is amended to
7 read as follows:

8 12. a. A victim may file a complaint alleging the commission of
9 an act of domestic violence with the Family Part of the Chancery
10 Division of the Superior Court in conformity with the Rules of
11 Court. The court shall not dismiss any complaint or delay
12 disposition of a case because the victim has left the residence to
13 avoid further incidents of domestic violence. Filing a complaint
14 pursuant to this section shall not prevent the filing of a criminal
15 complaint for the same act.

16 On weekends, holidays and other times when the court is closed,
17 a victim may file a complaint before a judge of the Family Part of
18 the Chancery Division of the Superior Court or a municipal court
19 judge who shall be assigned to accept complaints and issue
20 emergency, ex parte relief in the form of temporary restraining
21 orders pursuant to this act.

22 A plaintiff may apply for relief under this section in a court
23 having jurisdiction over the place where the alleged act of domestic
24 violence occurred, where the defendant resides, or where the
25 plaintiff resides or is sheltered, and the court shall follow the same
26 procedures applicable to other emergency applications. Criminal
27 complaints filed pursuant to this act shall be investigated and
28 prosecuted in the jurisdiction where the offense is alleged to have
29 occurred. Contempt complaints filed pursuant to N.J.S.2C:29-9
30 shall be prosecuted in the county where the contempt is alleged to
31 have been committed and a copy of the contempt complaint shall be
32 forwarded to the court that issued the order alleged to have been
33 violated.

34 b. The court shall waive any requirement that the petitioner's
35 place of residence appear on the complaint.

36 c. (1) The clerk of the court, or other person designated by the
37 court, shall assist the parties in completing any forms necessary for
38 the filing of a summons, complaint, answer or other pleading.

39 (2) The plaintiff may provide information concerning firearms
40 to which the defendant has access, including the location of these
41 firearms, if known, on a form to be prescribed by the
42 Administrative Director of the Courts.

43 (3) Information provided by the plaintiff concerning firearms to
44 which the defendant has access shall be kept confidential and shall
45 not be disseminated or disclosed, provided that nothing in this
46 subsection shall prohibit dissemination or disclosure of this
47 information in a manner consistent with and in furtherance of the
48 purpose for which the information was provided.

1 (4) The plaintiff may provide information concerning coercive
2 control that in purpose or effect unreasonably interferes with a
3 person's free will and personal liberty. Coercive control includes,
4 but is not limited to:

5 (a) isolating the person from friends, relatives, transportation,
6 medical care, or other source of support;

7 (b) depriving the person of basic necessities;

8 (c) monitoring the person's movements, communications, daily
9 behavior, finances, economic resources, or access to services;

10 (d) compelling the person by force, threat, or intimidation,
11 including, but not limited to, threats based on actual or suspected
12 immigration status;

13 (e) threatening to make or making baseless reports to the police,
14 courts, the Department of Child Protection and Permanency
15 (DCPP), the Board of Social Services, Immigration and Customs
16 Enforcement (ICE), or other parties;

17 (f) name-calling, degradation, and demeaning the person
18 frequently;

19 (g) threatening to harm or kill the individual's relative or pet; or

20 (h) threatening to take the individual's children away.

21 d. Summons and complaint forms shall be readily available at
22 the clerk's office, at the municipal courts and at municipal and State
23 police stations.

24 e. As soon as the domestic violence complaint is filed, both the
25 victim and the abuser shall be advised of any programs or services
26 available for advice and counseling.

27 f. A plaintiff may seek emergency, ex parte relief in the nature
28 of a temporary restraining order. A municipal court judge or a
29 judge of the Family Part of the Chancery Division of the Superior
30 Court may enter an ex parte order when necessary to protect the
31 life, health or well-being of a victim on whose behalf the relief is
32 sought.

33 g. If it appears that the plaintiff is in danger of domestic
34 violence, the judge shall, upon consideration of the plaintiff's
35 domestic violence complaint, order emergency ex parte relief, in the
36 nature of a temporary restraining order. A decision shall be made
37 by the judge regarding the emergency relief forthwith.

38 h. A judge may issue a temporary restraining order upon sworn
39 testimony or complaint of an applicant who is not physically
40 present, pursuant to court rules, or by a person who represents a
41 person who is physically or mentally incapable of filing personally.
42 A temporary restraining order may be issued if the judge is satisfied
43 that exigent circumstances exist sufficient to excuse the failure of
44 the applicant to appear personally and that sufficient grounds for
45 granting the application have been shown.

46 i. An order for emergency, ex parte relief shall be granted
47 upon good cause shown and shall remain in effect until a judge of
48 the Family Part issues a further order. Any temporary order

1 hereunder is immediately appealable for a plenary hearing de novo
2 not on the record before any judge of the Family Part of the county
3 in which the plaintiff resides or is sheltered if that judge issued the
4 temporary order or has access to the reasons for the issuance of the
5 temporary order and sets forth in the record the reasons for the
6 modification or dissolution. The denial of a temporary restraining
7 order by a municipal court judge and subsequent administrative
8 dismissal of the complaint shall not bar the victim from refileing a
9 complaint in the Family Part based on the same incident and
10 receiving an emergency, ex parte hearing de novo not on the record
11 before a Family Part judge, and every denial of relief by a
12 municipal court judge shall so state.

13 j. Emergency relief may include forbidding the defendant from
14 returning to the scene of the domestic violence, forbidding the
15 defendant from possessing any firearm or other weapon enumerated
16 in subsection r. of N.J.S.2C:39-1, ordering the search for and
17 seizure of any firearm or other weapon at any location where the
18 judge has reasonable cause to believe the weapon is located and the
19 seizure of any firearms purchaser identification card or permit to
20 purchase a handgun issued to the defendant and any other
21 appropriate relief.

22 If the order requires the surrender of any firearm or other
23 weapon, a law enforcement officer shall accompany the defendant,
24 or may proceed without the defendant if necessary, to the scene of
25 the domestic violence or any other location where the judge has
26 reasonable cause to believe any firearm or other weapon belonging
27 to the defendant is located, to ensure that the defendant does not
28 gain access to any firearm or other weapon, and that the firearm or
29 other weapon is appropriately surrendered in accordance with the
30 order. If the order prohibits the defendant from returning to the
31 scene of domestic violence or any other location where the judge
32 has reasonable cause to believe any firearm or other weapon
33 belonging to the defendant is located, any firearm or other weapon
34 located there shall be seized by a law enforcement officer. The
35 order shall include notice to the defendant of the penalties for a
36 violation of any provision of the order, including but not limited to
37 the penalties for contempt of court and unlawful possession of a
38 firearm or other weapon pursuant to N.J.S.2C:39-5. Other
39 appropriate relief may include but is not limited to an order
40 directing the possession of any animal owned, possessed, leased,
41 kept, or held by either party or a minor child residing in the
42 household and providing that the animal shall not be disposed of
43 prior to entry of a final order pursuant to section 13 of P.L.1991,
44 c.261 (C.2C:25-29).

45 The judge shall state with specificity the reasons for and scope of
46 any search and seizure authorized by the order. The provisions of
47 this subsection prohibiting a defendant from possessing a firearm or
48 other weapon shall not apply to any law enforcement officer while

1 actually on duty, or to any member of the Armed Forces of the
2 United States or member of the National Guard while actually on
3 duty or traveling to or from an authorized place of duty.

4 k. The judge may permit the defendant to return to the scene of
5 the domestic violence to pick up personal belongings and effects
6 but shall, in the order granting relief, restrict the time and duration
7 of such permission and provide for police supervision of such visit.

8 l. An order granting emergency relief, together with the
9 complaint or complaints, shall immediately be forwarded to the
10 appropriate law enforcement agency for service on the defendant,
11 and to the police of the municipality in which the plaintiff resides or
12 is sheltered, and shall immediately be served upon the defendant by
13 the police, except that an order issued during regular court hours
14 may be forwarded to the sheriff for immediate service upon the
15 defendant in accordance with the Rules of Court. If personal
16 service cannot be effected upon the defendant, the court may order
17 other appropriate substituted service. At no time shall the plaintiff
18 be asked or required to serve any order on the defendant.

19 m. (Deleted by amendment, P.L.1994, c.94.)

20 n. Notice of temporary restraining orders issued pursuant to
21 this section shall be sent by the clerk of the court or other person
22 designated by the court to the appropriate chiefs of police, members
23 of the State Police and any other appropriate law enforcement
24 agency or court.

25 o. (Deleted by amendment, P.L.1994, c.94.)

26 p. Any temporary or final restraining order issued pursuant to
27 this act shall be in effect throughout the State, and shall be enforced
28 by all law enforcement officers.

29 q. Prior to the issuance of any temporary or final restraining
30 order issued pursuant to this section, the court shall order that a
31 search be made of the domestic violence central registry with regard
32 to the defendant's record.¹

33 (cf: P.L.2016, c.91, s.2)]²

34

35 ¹[2.] ²[3.1] 2.² This act shall take effect immediately.