

ASSEMBLY, No. 4194

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 2, 2022

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman WILLIAM W. SPEARMAN

District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblywoman McKnight

SYNOPSIS

Concerns licensing of law enforcement officers; appropriates \$6 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/2/2022)

A4194 REYNOLDS-JACKSON, WIMBERLY

2

1 AN ACT concerning licensing of law enforcement officers by the
2 Police Training Commission, amending, supplementing, and
3 repealing various parts of the statutory law, and making an
4 appropriation.

5

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

8

9 1. Section 1 of P.L.1961, c.56 (C.52:17B-66) is amended to
10 read as follows:

11 1. The Legislature of New Jersey hereby finds and declares that
12 a serious need for improvement in the administration of local and
13 county law enforcement exists in order to better protect the health,
14 safety and welfare of its citizens; that police work, a basic adjunct
15 of law enforcement administration, is professional in nature, and
16 requires proper educational and clinical training in a State whose
17 population is increasing in relation to its physical area, and in a
18 society where greater reliance on better law enforcement through
19 higher standards of efficiency is of paramount need; that the present
20 need for improvement can be substantially met by the creation of a
21 compulsory educational and training program for persons who seek
22 to become permanent law enforcement officers wherein such
23 persons will be required, while serving in a probationary capacity
24 prior to permanent appointment, to receive efficient training in this
25 profession provided at facilities selected, approved and inspected
26 by a commission created for such purpose; and that by qualifying
27 and becoming proficient in the field of law enforcement such
28 persons shall individually and collectively better insure the health,
29 safety and welfare of the citizens of this State in their respective
30 communities.

31 The Legislature further finds and declares that, in addition to
32 providing proper educational and clinical training to law
33 enforcement officers in this State, it is also important, in order to
34 help protect the health, safety, and welfare of its citizens, that
35 appropriately-situated State authorities are accorded the ability and
36 responsibility to monitor and take appropriate action against any
37 law enforcement officer who acts outside the bounds of
38 professionalism or engages in illegal or improper conduct.
39 Professional licensure provides the means to help ensure that those
40 individuals who serve as law enforcement officers in this State
41 uphold the public trust by meeting and maintaining appropriately
42 high standards of training and professionalism, in qualifying for the
43 positions, and in performing the duties. Therefore, it is necessary
44 and appropriate to establish a Statewide licensure system, through
45 which the Police Training Commission will promulgate and apply

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.

1 uniform standards of professional conduct by law enforcement
2 officers, establish minimum standards for licensure, review and take
3 action on initial and renewal applications of applicants and law
4 enforcement officers and applicants who meet those standards, and
5 deny, revoke, or suspend licenses due to failure to meet or maintain
6 those standards.
7 Nothing in this act is intended to limit in any manner the powers
8 and authority granted to the Attorney General as the chief law
9 enforcement officer of the State pursuant to the Criminal Justice
10 Act of 1970, P.L.1970, c.74 (C.52:17B-97 et seq.).

11 (cf: P.L.1965, c.8, s.1)

12

13 2. Section 2 of P.L.1961, c.56 (C.52:17B-67) is amended to
14 read as follows:

15 2. As used in this act:

16 “Applicant” means an individual who applies to the Police
17 Training Commission to become licensed as a law enforcement
18 officer in accordance with P.L. , c. (C.) (pending before the
19 Legislature as this bill).

20 "Approved school" shall mean a school approved and authorized
21 by the Police Training Commission to give police training courses
22 or a training course for State and county correctional police officers
23 and juvenile detention officers as prescribed in this act.

24 "Commission" shall mean the Police Training Commission or
25 officers or employees thereof acting on its behalf.

26 "County" shall mean any county which within its jurisdiction has
27 or shall have a law enforcement unit as defined in this act.

28 “Discipline subject to appeal” means a removal, disciplinary
29 demotion, suspension, or fine of more than five days, or fewer
30 where the aggregate number of days the employee was suspended
31 or fined in any one calendar year is 15 or more days or where the
32 employee received more than three suspensions or fines of five days
33 or fewer in one calendar year.

34 “Law enforcement officer” means any person who is employed
35 as a sworn member of any State, county, or municipal law
36 enforcement agency, department, or division of those governments
37 who is statutorily empowered to act for the detection, investigation,
38 arrest, conviction, detention, or rehabilitation of persons violating
39 the criminal laws of the State. This term shall include, but is not
40 limited to, sworn members of the New Jersey State Police, the
41 Division of Criminal Justice, and the Juvenile Justice Commission;
42 State correctional police officers pursuant to section 1 of P.L.1968,
43 c.427 (C.2A:154-4); county correctional police officers pursuant to
44 N.J.S.2A:154-3; State Parole officers pursuant to section 1 of
45 P.L.1968, c.427 (C.2A:154-4); special law enforcement officers of
46 all classes pursuant to P.L.1985, c.439 (C.40A:14-146.8 et seq.);
47 humane law enforcement officers appointed pursuant to section 25
48 of P.L.2017, c.331 (C.4:22-14.1) or section 28 of P.L.2017, c.331

1 (C.4:22-14.4); and campus police officers appointed pursuant to
2 P.L.1970, c.211 (C.18A:6-4.2 et seq.).

3 "Law enforcement unit" shall mean any **【**police force or
4 organization in a municipality or county which has by statute or
5 ordinance the responsibility of detecting crime and enforcing the
6 general criminal laws of this**】** State, county or municipal law
7 enforcement agency, department, or division of such government
8 that is statutorily empowered to act for the detection, investigation,
9 arrest, conviction, detention, or rehabilitation of persons violating
10 the criminal laws of the State, and shall include all agencies that
11 employ law enforcement officers as defined in this section.

12 "Licensing committee" means the committee established by the
13 Police Training Commission to perform duties with respect to law
14 enforcement officer licensing as set forth in subsection c. of section
15 9 of P.L. , c. (C.) (pending before the Legislature as this
16 bill).

17 "Municipality" shall mean a city of any class, township, borough,
18 village, **【**camp meeting association,**】** or any other type of
19 municipality in this State which, within its jurisdiction, has or shall
20 have a law enforcement unit as defined in this act.

21 "Permanent appointment" shall mean an appointment having
22 permanent status as a **【**police**】** law enforcement officer in a law
23 enforcement unit as prescribed by Title 11A of the New Jersey
24 Statutes, Civil Service Commission Rules and Regulations, or of
25 any other law of this State, municipal ordinance, or rules and
26 regulations adopted thereunder.

27 **【**"Police officer" shall mean any employee of a law enforcement
28 unit, including sheriff's officers and county investigators in the
29 office of the county prosecutor, other than civilian heads thereof,
30 assistant prosecutors and legal assistants, persons appointed
31 pursuant to the provisions of R.S.40:47-19, persons whose duties do
32 not include any police function, court attendants, State and county
33 correctional police officers, juvenile correctional police officers,
34 and juvenile detention officers.**】**

35 "Police training course" means a training course approved by the
36 Police Training Commission and conducted at an approved school.

37 "Probationary law enforcement license" means a license issued
38 by the Police Training Commission to a person appointed by a law
39 enforcement unit on a probationary or temporary basis which
40 authorizes the person to perform the functions of a permanent law
41 enforcement officer during the person's probationary or temporary
42 appointment term.

43 (cf: P.L.2019, c.219, s.8)

44
45 3. Section 3 of P.L.1961, c.56 (C.52:17B-68) is amended to
46 read as follows:

1 3. a. Every **【municipality and 】** State, county, and municipal
2 agency, with the exception of the New Jersey State Police, that
3 employs law enforcement officers as defined in section 2 of
4 P.L.1961, c.56 (C.52:17B-67), as applicable, shall authorize
5 attendance at an approved school by persons holding a probationary
6 appointment as a **【police】** law enforcement officer, and every
7 **【municipality and county】** agency shall require that no person shall
8 hereafter be given or accept a permanent appointment as a **【police】**
9 law enforcement officer unless such person has successfully
10 completed a police training course at an approved school; provided,
11 however, that the commission may, in its discretion, except from
12 the requirements of this section any person who demonstrates to the
13 commission's satisfaction that **【he】** the person has successfully
14 completed a police training course conducted by any Federal, State
15 or other public or private agency, the requirements of which are
16 substantially equivalent to the requirements of this act.

17 b. A **【police】** law enforcement officer who is terminated from
18 an agency for reasons of economy or efficiency shall be granted an
19 exemption or waiver from retaking the basic training course if,
20 within **【five】** three years from the date of termination, the **【police】**
21 law enforcement officer is appointed to a similar law enforcement
22 position in another agency or is reemployed by the agency from
23 which **【he】** the officer was terminated.

24 (cf: P.L.2011, c.158, s.1)

25

26 4. Section 4 of P.L.1961, c.56 (C.52:17B-69) is amended to
27 read as follows:

28 4. a. Notwithstanding the provisions of R.S.11:2-6, a
29 probationary or temporary appointment as a **【police】** law
30 enforcement officer may be made for a total period not exceeding
31 one year for the purpose of enabling a person seeking permanent
32 appointment to take a police training course as prescribed in this
33 act, provided, however, that the time period may exceed one year
34 for those persons enrolled prior to the one-year limit in a police
35 training course scheduled to end subsequent to the one-year limit,
36 and for those persons who, prior to the one-year limit, have been
37 scheduled to attend a police training course which commences
38 subsequent to the one-year limit. In no case shall any extension
39 granted for the reasons herein listed exceed six months. Every
40 person holding such a probationary or temporary appointment shall
41 enroll in a police training course, and such appointee shall be
42 entitled to a leave of absence with pay during the period of the
43 police training course.

44 b. A person holding a probationary or temporary appointment
45 on the effective date of P.L. , c. (C.) (pending before the
46 Legislature as this bill) shall not be permitted to continue in the
47 probationary or temporary appointment beyond one year after the

1 effective date of P.L. , c. (C.) (pending before the
2 Legislature as this bill) unless the person enrolls in or completes a
3 basic training course approved by the commission.

4 c. A person appointed on a probationary or temporary basis on
5 or after the effective date of P.L. , c. (C.) (pending before
6 the Legislature as this bill) shall not perform the functions or duties
7 of a permanently appointed law enforcement officer unless the
8 person completes a basic training course approved by the
9 commission. Upon successful completion of the basic training
10 course, a person appointed on a probationary or temporary basis on
11 or after the effective date of P.L. , c. (C.) (pending before
12 the Legislature as this bill) shall receive from the commission a
13 one-year probationary law enforcement license, as defined in
14 section 2 of P.L.1961, c.56 (C.52:17B-67), and the person shall be
15 permitted to perform full police functions or duties during the
16 person's probationary or temporary appointment.

17 d. Upon successful completion of a probationary or temporary
18 appointment, a person may apply for licensure as a permanent law
19 enforcement officer in a manner prescribed by the commission
20 pursuant to P.L. , c. (C.) (pending before the Legislature as
21 this bill).

22 (cf: P.L.1998, c.146, s.1)

23

24 5. Section 2 of P.L.1998, c.146 (C.52:17B-69.1) is amended to
25 read as follows:

26 2. a. A person who does not hold a probationary or temporary
27 appointment as a **[police]** law enforcement officer, but who is
28 seeking such an appointment may enroll in a police training course
29 provided that person:

30 (1) meets the general qualifications for a police officer set forth
31 in N.J.S.40A:14-122 and such other qualifications as the
32 commission may deem appropriate; and

33 (2) applies to and is accepted by a commission approved school
34 for admission to a police training course.

35 The person may be charged a fee by the commission or approved
36 school, as the case may be, not exceeding that which the
37 commission approved school charges a governmental employer for
38 the training of an employee holding a probationary or temporary
39 appointment.

40 An appointing authority may, at its discretion, reimburse a
41 person who has completed a police training course pursuant to this
42 section for all or part of the costs of training.

43 b. The commission, in accordance with the provisions of the
44 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
45 seq.), shall promulgate rules and regulations to effectuate the
46 purposes of this section.

47 (cf: P.L.1998, c.146, s.2)

1 6. Section 3 of P.L.1998, c.146 (C.52:17B-69.2) is amended to
2 read as follows:

3 3. A person who completes a police training course pursuant to
4 section 2 of P.L.1998, c.146 (C.52:17B-69.1) shall only be eligible
5 for appointment as a permanent full-time member of a **【**police
6 department or force**】** law enforcement unit or as a Class Two
7 Special Law Enforcement Officer pursuant to section 4 of P.L.1985,
8 c.439 (C.40A:14-146.11).
9 (cf: P.L.1998, c.146, s.3)

10

11 7. Section 5 of P.L.1961, c.56 (C.52:17B-70) is amended to
12 read as follows:

13 5. There is hereby established in the Division of Criminal
14 Justice in the Department of Law and Public Safety a Police
15 Training Commission whose membership shall consist of the
16 following persons:

17 a. **【Two】** Four citizens of this State who shall be appointed by
18 the Governor with the advice and consent of the Senate for terms of
19 three years **【**commencing with the expiration of the terms of the
20 citizen members, other than the representative of the New Jersey
21 Office of the Federal Bureau of Investigation, now in office**】**.

22 b. The president or other representative designated in
23 accordance with the bylaws of each of the following organizations:
24 the New Jersey State Association of Chiefs of Police; the New
25 Jersey State Policemen's Benevolent Association, Inc.; the New
26 Jersey State League of Municipalities; the New Jersey State Lodge,
27 Fraternal Order of Police; the State Troopers Fraternal Association
28 of New Jersey; the County Prosecutors' Association of New Jersey;
29 the Sheriffs' Association of New Jersey; the Police Academy
30 Directors Association; the New Jersey County Jail Wardens
31 Association; the New Jersey Juvenile Detention Association; and
32 the National Organization of Black Law Enforcement Executives.

33 c. The Attorney General, the Superintendent of State Police,
34 the Commissioner of Education, **【**the Secretary of Higher
35 Education,**】** the Commissioner of Corrections, and the Chairman of
36 the State Parole Board, ex officio, or **【**when so designated by
37 them,**】** their **【**deputies**】** designees.

38 d. The Special Agent in Charge of the State of New Jersey for
39 the Federal Bureau of Investigation or a designated representative.

40 e. The Police Training Commission shall ensure that all
41 commission members, during their tenure as commissioners,
42 annually complete confidentiality, ethics, and other training as
43 required by the Attorney General's Office. The commission shall
44 also ensure that all newly appointed public members of the
45 commission complete a course designed to familiarize the members
46 with relevant law enforcement training concepts, including but not
47 limited to the use of force policy and internal affairs policy and

1 procedures to help the members carry out their duties under P.L. .
2 c. (C.) (pending before the Legislature as this bill).
3 (cf: P.L.2015, c.258, s.1)

4
5 8. Section 6 of P.L.1961, c.56 (C.52:17B-71) is amended to
6 read as follows:

7 6. The commission **【is vested with the power, responsibility**
8 **and duty:】** shall establish requisite standards for the training of law
9 enforcement officers and oversee the implementation of those
10 standards.

11 The commission shall have the authority:

12 a. To prescribe standards for the approval and continuation of
13 approval of schools at which police training courses authorized by
14 this act and in-service police training courses shall be conducted,
15 including but not limited to currently existing regional, county,
16 municipal, and police chief association police training schools or at
17 which basic training courses and in-service training courses shall be
18 conducted for State and county juvenile and adult correctional
19 police officers and juvenile detention officers;

20 b. To approve and issue certificates of approval to these
21 schools, to inspect the schools from time to time, and to revoke any
22 approval or certificate issued to the schools;

23 c. To prescribe the curriculum, the minimum courses of study,
24 attendance requirements, equipment and facilities, and standards of
25 operation for these schools**【.Courses of study in crime prevention**
26 **may be recommended to the Police Training Commission by the**
27 **Crime Prevention Advisory Committee, established by section 2 of**
28 **P.L.1985, c.1 (C.52:17B-77.1). The Police Training Commission**
29 **may】** and prescribe psychological and psychiatric examinations for
30 police recruits **【while in the schools】;**

31 d. To prescribe minimum qualifications for instructors at these
32 schools and to certify, as qualified, instructors for approved police
33 training schools and to issue appropriate certificates to the
34 instructors;

35 e. To certify **【police officers, correctional police officers,**
36 **juvenile correctional police officers, and juvenile detention】** law
37 enforcement officers who have satisfactorily completed training
38 programs and to issue appropriate certificates to **【the police**
39 officers, correctional police officers, juvenile correctional police
40 officers, and juvenile detention **】** the officers;

41 f. To advise and consent in the appointment of an
42 administrator of police services by the Attorney General pursuant to
43 section 8 of P.L.1961, c.56 (C.52:17B-73);

44 g. (Deleted by amendment, P.L.1985, c.491)

45 h. To make rules and regulations as may be reasonably
46 necessary or appropriate to accomplish the purposes and objectives
47 of this act;

- 1 i. To make a continuous study of police training methods and
2 training methods for **【correctional police officers, juvenile**
3 **correctional police officers, and juvenile detention】** law
4 enforcement officers and to consult and accept the cooperation of
5 any recognized federal or State law enforcement agency or
6 educational institution;
- 7 j. To consult and cooperate with universities, colleges, and
8 institutes in the State for the development of specialized courses of
9 study for **【police】** law enforcement officers in police science and
10 police administration;
- 11 k. To consult and cooperate with other departments and
12 agencies of the State concerned with police training or the training
13 of **【correctional police officers, juvenile correctional police**
14 **officers, and juvenile detention】** law enforcement officers;
- 15 l. To participate in unified programs and projects relating to
16 police training and the training of **【correctional police officers,**
17 **juvenile correctional police officers, and juvenile detention】** law
18 enforcement officers sponsored by any federal, State, or other
19 public or private agency;
- 20 m. To perform other acts as may be necessary or appropriate to
21 carry out its functions and duties as set forth in this act;
- 22 n. To extend the time limit for satisfactory completion of police
23 training programs or programs for the training of **【correctional**
24 **police officers, juvenile correctional police officers, and juvenile**
25 **detention】** law enforcement officers upon a finding that health,
26 extraordinary workload, or other factors have, singly or in
27 combination, effected a delay in the satisfactory completion of the
28 training program;
- 29 o. (1) To furnish approved schools, for inclusion in their
30 regular police training courses and curriculum, with information
31 concerning the advisability of high speed chases, the risk caused by
32 them, and the benefits resulting from them, and to include any other
33 relevant police training courses that will assist the commission in
34 providing efficient training;
- 35 (2) To **【review and approve new standards and course curricula**
36 **for】** consult the New Jersey State Police with respect to its
37 administration of police training courses or programs **【to be offered**
38 **by approved schools】** for the training of **【police】** law enforcement
39 officers to be certified as a Drug Recognition Expert for detecting,
40 identifying, and apprehending drug-impaired motor vehicle
41 operators**【. The commission shall】**, and to consult with the
42 Cannabis Regulatory Commission established by 31 of P.L.2019,
43 c.153 (C.24:6I-24) with respect to any aspects of the course
44 curricula that focus on impairment from the use of cannabis items
45 as defined by section 3 of P.L.2021, c.16 (C.24:6I-33) or marijuana.
46 **【Any police officer certified and recognized by the commission as a**

1 Drug Recognition Expert prior to the effective date of this section,
2 as amended by the "New Jersey Cannabis Regulatory, Enforcement
3 Assistance, and Marketplace Modernization Act," P.L.2021, c.16
4 (C.24:6I-31 et al.), shall continue to be recognized as certified until
5 that certification has expired or is no longer considered valid as
6 determined by the commission, or the certification is replaced by
7 the police officer with a new certification in accordance with the
8 new standards and course curricula for certification described in
9 this paragraph.】

10 p. 【To review and approve new standards and course curricula
11 developed by the Department of Corrections for both basic and in-
12 service training of State and county correctional police officers and
13 juvenile detention officers. These courses for the State correctional
14 police officers and juvenile detention officers shall be centrally
15 provided at the Corrections Officers' Training Academy of the
16 Department of Corrections. Courses for the county correctional
17 police officers and juvenile detention officers shall also be centrally
18 provided at the Corrections Officers' Training Academy unless an
19 off-grounds training program is established by the county. A
20 county may elect to establish and conduct a basic training program
21 for correctional police officers and juvenile detention officers
22 seeking permanent appointment in that county. The Corrections
23 Officers' Training Academy shall develop the curriculum of the
24 basic training program to be conducted by a county;】 (Deleted by
25 amendment, P.L. c.) (pending before the Legislature as this
26 bill)

27 q. To administer and distribute the monies in the Law
28 Enforcement Officers Training and Equipment Fund established by
29 section 9 of P.L.1996, c.115 (C.2C:43-3.3) and make rules and
30 regulations for the administration and distribution of the monies as
31 may be necessary or appropriate to accomplish the purpose for
32 which the fund was established.
33 (cf: P.L.2021, c.16, s.85)
34

35 9. (New section) The commission shall establish the process
36 by which law enforcement officers shall be licensed and
37 implementation of that process. The commission is vested with the
38 power, responsibility, and duty:

39 a. to prescribe minimum standards for the licensure for law
40 enforcement officers for the purpose of promoting and assuring
41 integrity, competence, professionalism, and fitness for duty. The
42 minimum standards shall include, but not be limited to:

43 (1) minimum pre-employment qualifications for law
44 enforcement officer applicants, including but not limited to, age
45 requirements, residency requirements, background investigations,
46 psychological examinations, and educational requirements;

47 (2) minimum post-academy training and educational
48 requirements, including but not limited to required field training

- 1 hours for recent academy graduates and required continuing
2 educational courses for veteran law enforcement officers; and
3 (3) minimum standards of professional conduct;
4 b. to establish a licensure application process for law
5 enforcement officers and establish and implement procedures and
6 applicable criteria for license renewal, suspension, revocation or
7 denial; and
8 c. to perform or cause to be performed through the licensing
9 committee the following activities related to law enforcement
10 officer licensing:
11 (1) review applications for and, if warranted, issue law
12 enforcement officer licenses to qualified applicants;
13 (2) review and act upon matters related to law enforcement
14 officer license renewal, suspension, revocation, or denial;
15 (3) conduct license renewal, suspension, revocation, or denial
16 hearings; and
17 (4) suspend, revoke, place conditions upon, or deny a license in
18 the event an individual does not meet any standard or requirement
19 prescribed by the commission.

20
21 10. (New section) A person shall not be employed as a law
22 enforcement officer, as defined in section 2 of P.L.1961, c.56
23 (C.52:17B-67), in this State unless the person holds a valid, active
24 license as a law enforcement officer issued in accordance with
25 P.L. , c. (C.) (pending before the Legislature as this bill).
26 A person shall not act as a law enforcement officer, as defined in
27 section 2 of P.L.1961, c.56 (C.52:17B-67), in this State beyond the
28 scope of the authorization provided pursuant to any endorsements to
29 the license approved by the Police Training Commission.

30
31 11. Section 4 of P.L.2008, c.80 (C.52:17B-71.9) is amended to
32 read as follows:

33 4. a. The Police Training Commission in the Department of
34 Law and Public Safety shall adopt a training course regarding the
35 risks associated with autism or an intellectual or other
36 developmental disability and appropriate recognition and response
37 techniques concerning these disabilities based on the curriculum
38 developed by the Departments of Health and Senior Services and
39 Human Services pursuant to subsection a. of section 2 of P.L.2008,
40 c.80 (C.26:2-190). The training course shall be administered by the
41 employing agency as part of the in-service training provided to each
42 local police officer in each law enforcement unit operating in this
43 State.

44 b. Prior to being appointed to permanent status as a local
45 **【police】** law enforcement officer in a law enforcement unit, an
46 individual shall be required to complete the training course adopted
47 under subsection a. of this section. Every local **【police】** law
48 enforcement officer appointed prior to the effective date of **【this**

1 act] P.L. , c. (C.) (pending before the Legislature as this
2 bill) shall, within 36 months of the effective date of [this act]
3 P.L. , c. (C.) (pending before the Legislature as this bill),
4 satisfactorily complete a training course in recognition and response
5 techniques concerning these disabilities.

6 c. The Police Training Commission shall adopt rules and
7 regulations, pursuant to the "Administrative Procedure Act,"
8 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
9 this act.

10 (cf: P.L.2008, c.80, s.4)

11

12 12. Section 7 of P.L.1961, c.56 (C.52:17B-72) is amended to
13 read as follows:

14 7. a. Except as expressly provided in [this act] P.L.1961, c.56
15 (C.52:17B-66 et seq.), nothing herein contained shall be deemed to
16 limit the powers, rights, duties or responsibilities of municipal or
17 county governments, nor to affect provisions of Title 11 of the
18 Revised Statutes, provided that a determination by the Civil
19 Service Commission that an individual is eligible for appointment
20 as a law enforcement officer shall not be construed to affect or limit
21 the commission's ability to take any action authorized under P.L.
22 c. (C.) (pending before the Legislature as this bill) with
23 respect to an applicant or licensee.

24 b. Notwithstanding the provisions of any statute, rule,
25 regulation or collective bargaining agreement to the contrary, the
26 commission shall have the sole authority to establish training
27 standards and certification for approved schools, and the licensure
28 requirements for a law enforcement officer as defined in section 2
29 of P.L.1961, c.56 (C.52:17B-67).

30 (cf: P.L.1961, c.56, s.7)

31

32 13. Section 10 of P.L.1961. c.56 (C.52:17B-75) is amended to
33 read as follows:

34 10. The members of the commission shall receive no salary but
35 all members except those designated in subsection c. of section 5
36 of this act shall be reimbursed for their reasonable expenses
37 lawfully incurred in the performance of their official functions.
38 The members of the commission who are employed by the State, a
39 county, a municipality or any State, county, or local governmental
40 entity shall not be subject to loss of pay or accrued time due to
41 attending commission meetings or otherwise performing the official
42 commission functions.

43 (cf: P.L.1963, c.81, s.13)

44

45 14. (New section) a. The commission is authorized to establish
46 minimum requirements for an applicant to be appointed as or
47 maintain the status of a licensed law enforcement officer. The
48 applicant shall have the burden of demonstrating to the satisfaction

1 of the commission that the applicant meets all requirements for the
2 issuance of a law enforcement license. The commission shall have
3 the authority to issue a license for employment as a law
4 enforcement officer if an applicant satisfies all licensing
5 requirements. A license issued pursuant to this section shall expire
6 three years after its date of issuance, before which time the law
7 enforcement officer shall be required to apply for a license renewal.
8 The requirements for initial licensure shall include, but not be
9 limited to, that an applicant:

10 (1) be at least 18 years of age;

11 (2) be a citizen of the United States, if required for the position
12 for which licensure is sought;

13 (3) be at least a high school graduate or have earned a General
14 Educational Development (GED) diploma;

15 (4) be fingerprinted in accordance with the standards established
16 by the commission;

17 (5) have passed a medical examination by a licensed physician,
18 physician assistant, or licensed advanced practice registered nurse,
19 based on specifications established by the commission;

20 (6) have passed a psychological examination by a licensed
21 psychologist or psychiatrist based on specifications established by
22 the commission;

23 (7) be of good moral character as determined by a background
24 investigation conducted under the procedures established by the
25 commission and successfully pass a criminal background records
26 check in accordance with the Prison Rape Elimination Act (PREA),
27 28 C.F.R. 115.317, if applicable;

28 (8) successfully meet and complete all required basic physical
29 and educational training courses as required by the commission;

30 (9) successfully pass a drug screening test as prescribed by the
31 commission;

32 (10) possess a valid driver's license;

33 (11) not have received a dishonorable discharge from military
34 service;

35 (12) successfully complete any probationary period prescribed
36 by the commission;

37 (13) not have been convicted of any of the following:

38 (a) a crime in this State or any other state, territory, country, or
39 of the United States. As used in this paragraph, the term shall
40 include a conviction of an offense which if committed in this State
41 would be deemed a crime under either State or federal law without
42 regard to its designation elsewhere;

43 (b) an act of domestic violence pursuant to P.L.1991, c.261
44 (C.2C:25-17 et seq.);

45 (c) an offense that would preclude an applicant from carrying a
46 firearm as defined by N.J.S.2C:39-1;

47 (d) a disorderly persons offense or petty disorderly persons
48 offense involving dishonesty, fraud, or a lack of good moral

1 character, unless the commission determines the offense to be de
2 minimis in nature or inconsequential to the applicant's ability to
3 meet the standards expected of a law enforcement officer;

4 (e) two or more motor vehicle offenses for operating a motor
5 vehicle while under the influence of drugs or alcohol pursuant to
6 R.S.39:4-50 or two or more motor vehicle offenses for reckless
7 driving pursuant to R.S.39:4-96; or

8 (f) any offense listed in (b) through (e) of this paragraph
9 committed in violation of the laws of another state, territory,
10 country, or the United States;

11 (14)not be the subject of a domestic violence restraining order
12 pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.), an extreme risk
13 protective order, or a temporary extreme risk protective order
14 pursuant to P.L.2018, c.35 (C.2C:58-20 et seq.) issued against the
15 applicant;

16 (15)not be an active member of a group or organization that
17 advocates for, espouses, or promotes:

18 (a) the overthrow of a local, state, or federal government; or
19 (b) discrimination or violence against or hatred or bias toward
20 individuals or groups based on race, creed, color, national origin,
21 ancestry, age, sex, marital status, sexual orientation, gender identity
22 or expression, or any other protected characteristic under the "Law
23 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), or
24 knowingly engage in any activity, conduct, or behavior relating to
25 such group or organization with the intent to support, endorse or
26 advocate for, or which the applicant knows or should know will
27 have the effect of supporting, furthering, or advocating for, the
28 goals of such group or organization, where active membership or
29 knowing engagement would undermine public confidence in the
30 ability of the individual law enforcement officer or the employing
31 law enforcement agency to carry out the public safety mission, or
32 where active membership or knowing engagement would cause
33 substantial disruption to proper law enforcement functioning;

34 (16) not have engaged in conduct or behavior in the applicant's
35 personal or professional life, including, but not limited to, making
36 statements, posting, sharing, or commenting in support of any
37 posting, on social media or otherwise, that demonstrates, espouses,
38 advocates, or supports discrimination or violence against, or hatred
39 or bias toward, individuals or groups based on race, creed, color,
40 national origin, ancestry, age, sex, marital status, sexual orientation,
41 gender identity or expression, or any other protected characteristic
42 under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1
43 et seq.), where the conduct or behavior would undermine public
44 confidence in the ability of the individual law enforcement officer
45 or the employing law enforcement agency to carry out the public
46 safety mission, or where the conduct or behavior would cause
47 substantial disruption to proper law enforcement functioning;

1 (17) provide to the commission and the applicant's employing
2 law enforcement unit a complete list of all social media accounts
3 maintained by the applicant and grant to the commission and the
4 applicant's employing law enforcement unit access to all outwardly
5 facing activity and publicly accessible components of the accounts;
6 and

7 (18) pay or cause to be paid any fees, if applicable, established
8 by the commission.

9 b. An applicant for licensure or license renewal shall provide to
10 the commission and the applicant's employing law enforcement unit
11 documented proof, in a form and manner as required by the
12 commission, that the applicant is in compliance with paragraphs (1)
13 through (18) of subsection a. of this section. The commission shall
14 promulgate in its rules and regulations the form, manner and
15 substance of documents required by the commission to provide
16 sufficient proof of the qualifications required by this section.

17 c. Law enforcement officers from jurisdictions outside of New
18 Jersey and federal law enforcement officers applying for licensure
19 in this State shall be required to meet all of the requirements set
20 forth in this section and also shall be required to complete a waiver
21 form that allows the commission and any hiring law enforcement
22 unit to review the officer's internal affairs records from any and all
23 prior law enforcement positions.

24 d. At the discretion of the commission, licenses issued pursuant
25 to this section may serve as authorization for a licensee to serve in
26 one of the following positions, provided the licensee meets the
27 requisite qualifications for that status: a full-time permanent law
28 enforcement officer; a Class One, Class Two, or Class Three special
29 law enforcement officer; or a probationary law enforcement officer.

30 e. A license issued pursuant to this section may be renewed
31 administratively, under terms and conditions established by the
32 commission, without requiring review by the licensing committee
33 pursuant to subsection b. of section 19 of P.L. , c. (C.)
34 (pending before the Legislature as this bill) or conducting a hearing
35 pursuant to section 20 of P.L. , c. (C.) (pending before the
36 Legislature as this bill), if the licensee and the licensee's employing
37 law enforcement unit submit the certifications required pursuant to
38 subsection a. of section 18 of P.L. , c. (C.) (pending before
39 the Legislature as this bill) and if a notice of an employment action
40 concerning the licensee has not been submitted to or is not required
41 to be submitted to the commission in accordance with subsection a.
42 of section 17 of P.L. , c. (C.) (pending before the
43 Legislature as this bill).

44
45 15. (New section) The commission may waive the requirements
46 of subparagraphs (d) and (e) of paragraph (13) of subsection a. of
47 section 14 of P.L. , c. (C.) (pending before the Legislature

1 as this bill) if the applicant demonstrates to the licensing
2 committee's satisfaction that:

3 a. the applicant's conviction or convictions occurred five or
4 more years prior to submission of an application for licensure as a
5 law enforcement officer;

6 b. the applicant has taken rehabilitative steps since the
7 applicant's conviction or convictions to become a law-abiding
8 citizen through actions, including but not limited to continuing
9 education, maintaining gainful employment, and having no further
10 convictions; and

11 c. the applicant is currently of good moral character and
12 submits at least three letters of recommendation from members of
13 the applicant's community detailing the applicant's good moral
14 character.

15

16 16. (New section) a. An employing law enforcement unit shall
17 be responsible for the collection, verification, and maintenance of
18 documentation establishing that an applicant meets the minimum
19 qualifications for employment as a law enforcement officer.

20 b. When all of the documentation concerning an applicant is
21 obtained, the employing law enforcement unit shall submit the
22 documentation to the commission for verification and review in a
23 manner prescribed by the commission.

24 c. The commission shall adopt rules and regulations
25 establishing the procedure to submit licensing application
26 documents.

27 d. The commission shall review an applicant's documentation
28 submitted for licensure to determine eligibility for the issuance of a
29 law enforcement license.

30

31 17. (New section) a. The chief of an employing law
32 enforcement unit shall notify the commission in writing, on a form
33 prescribed by the commission, of the following employment actions
34 concerning a law enforcement officer:

35 (1) the date of appointment or employment with the law
36 enforcement unit;

37 (2) the date of separation from appointment or employment with
38 the law enforcement unit, which includes any firing, termination,
39 resignation, retirement, or voluntary or involuntary extended leave
40 of absence;

41 (3) the imposition of any discipline subject to appeal;

42 (4) any suspension of more than five days or 40 hours duration,
43 imposed pending investigation or disciplinary action;

44 (5) any sustained finding that a law enforcement officer used
45 excessive force;

46 (6) any pending criminal charge or conviction of any crime,
47 disorderly persons, petty disorderly persons, or driving while
48 intoxicated offense;

1 (7) any sustained finding that a law enforcement officer is unfit
2 for duty;

3 (8) any sustained finding that the law enforcement officer filed a
4 false report or submitted a false certification in any criminal,
5 administrative, employment, financial, or insurance matter in the
6 officer's professional or personal life;

7 (9) any sustained finding that the law enforcement officer
8 mishandled or destroyed evidence;

9 (10) any sustained finding that the law enforcement officer was
10 untruthful or demonstrated a lack of candor; and

11 (11) any sustained finding that the law enforcement officer is
12 biased against a particular class of people based on race, creed,
13 color, national origin, ancestry, sex, marital status, sexual
14 orientation, gender identity or expression, or any other protected
15 characteristic under the "Law Against Discrimination," P.L.1945,
16 c.169 (C.10:5-1 et seq.).

17 In addition to the completed form, the employing law
18 enforcement unit shall provide additional supporting information
19 and documentation as may be required by the commission. The
20 employing law enforcement unit shall maintain the original form
21 and submit, or electronically transmit, the information required
22 under this subsection to the commission within two business days
23 of the employment action. Notwithstanding any other provision of
24 law, the completed forms and information submitted to the
25 commission pursuant to this section shall not constitute a public
26 record under P.L.1963, c.73 (C.47:1A-1 et seq.) or any court
27 decision, or a government record subject to access pursuant to
28 P.L.2001, c.404 (C.47:1A-5 et seq.).

29 b. In a case of separation from employment, the employing law
30 enforcement unit shall execute and maintain a form adopted by the
31 commission, setting forth in detail the facts and reasons for the
32 separation. The information contained in the form shall be
33 submitted, or electronically transmitted, to the commission within
34 two business days. If the officer is separated for the officer's
35 failure to comply with the provisions of P.L. , c. (C.)
36 (pending before the Legislature as this bill), the notice shall specify
37 this. Any law enforcement officer who has separated from
38 employment for cause shall be permitted to respond to the
39 separation, in writing, to the commission, setting forth the facts and
40 reasons for the separation as the officer understands them. The
41 response shall be submitted to the commission within two business
42 days of the separation.

43 c. Before employing a licensed law enforcement officer, a
44 subsequent employing law enforcement unit shall contact the
45 commission to inquire as to the facts and reasons an officer was
46 separated from any previous employing unit. The commission shall,
47 upon request and without prejudice, provide to the subsequent
48 employing law enforcement unit all information that is required

1 under sections a. and b. of this section that is in its possession.
2 Notwithstanding this provision, a law enforcement unit seeking to
3 hire a law enforcement officer shall comply with the provisions of
4 section 1 of P.L.2020, c.52 (C.52:17B-247) and request that
5 officer's internal affairs and personnel files from the officer's
6 previous employing law enforcement units.

7 d. Whenever a law enforcement officer voluntarily separates
8 from employment with a law enforcement unit to commence
9 employment at another unit, the chief of the former law
10 enforcement unit shall notify the commission in writing in advance,
11 if possible, but no later than two business days after the officer's
12 departure. Upon separation from employment, the law enforcement
13 officer's license shall be placed on inactive status, unless the
14 commission has previously acted to approve the officer's active
15 status at the new employing law enforcement unit. The chief of that
16 unit shall make application to the commission, in a manner
17 proscribed by the commission, through its regulations, prior to or
18 within two business days of the officer's appointment date to
19 restore the officer's license to active status. The commission shall
20 consider the application and render a decision concerning the
21 reactivation of the officer's license.

22 e. It shall be unlawful for any State, county, or municipal
23 agency, law enforcement unit, or licensed law enforcement officer
24 to enter into any non-disclosure agreement which seeks to conceal
25 or prevent public review of the circumstances under which the
26 officer separated from or was terminated or fired from employment
27 by the law enforcement unit or State, county, or municipal agency.
28

29 18. (New section) a. A law enforcement officer required to
30 renew the officer's license shall submit an application for law
31 enforcement license renewal through the officer's employing law
32 enforcement unit to the commission. The application for law
33 enforcement license renewal shall be on a form adopted by the
34 commission and shall require the law enforcement officer and the
35 chief of the officer's employing law enforcement unit to certify that
36 the officer:

37 (1) is of good moral character as determined by a background
38 investigation conducted under the procedures established by the
39 commission;

40 (2) successfully meets and has completed all commission
41 required physical and educational training courses;

42 (3) has not been convicted of:

43 (a) a crime in this State or any other state, territory, country, or
44 of the United States. As used in this paragraph, the term "convicted
45 of a crime" shall include a conviction of an offense which if
46 committed in this State would be deemed a crime under either state
47 or federal law without regard to its designation elsewhere;

- 1 (b) an act of domestic violence pursuant to P.L.1991, c.261
2 (C.2C:25-17 et seq.);
- 3 (c) an offense that would preclude an applicant from carrying a
4 firearm as defined by N.J.S.2C:39-1;
- 5 (d) a disorderly persons offense or petty disorderly persons
6 offense involving dishonesty, fraud, or a lack of good moral
7 character, unless the commission determines the offense to be de
8 minimis in nature or inconsequential to the applicant's ability to
9 meet the standards expected of a law enforcement officer;
- 10 (e) two or more motor vehicle offenses for operating a motor
11 vehicle while under the influence of drugs or alcohol pursuant to
12 R.S.39:4-50 or two or more motor vehicle offenses for reckless
13 driving pursuant to R.S.39:4-96; or
- 14 (f) any offense listed in subparagraph (b) through (e) of this
15 paragraph committed in violation of the laws of another state,
16 territory, country, or the United States.
- 17 (4) is not an active member of a group or organization that
18 advocates for, espouses or promotes:
- 19 (a) the overthrow of a local, state or federal government; or
- 20 (b) discrimination or violence against or hatred or bias toward
21 individuals or groups based on race, creed, color, national origin,
22 ancestry, sex, marital status, sexual orientation, gender identity or
23 expression, or any other protected characteristic under the "Law
24 Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), and
25 has not knowingly engaged in any activity, conduct, or behavior
26 relating to the group or organization with the intent to support,
27 endorse or advocate for, or which the officer knows or should know
28 will have the effect of supporting, furthering, or advocating for, the
29 goals of the group or organization, where active membership or
30 knowing engagement undermines or tends to undermine public
31 confidence in the ability of the individual law enforcement officer
32 or the employing law enforcement agency to carry out the public
33 safety mission, or where active membership or knowing
34 engagement causes or threatens to cause substantial disruption to
35 proper law enforcement functioning; and
- 36 (5) has not engaged in conduct or behavior in the officer's
37 personal or professional life, including but not limited to, making
38 statements, posting, sharing, or commenting in support of any
39 posting on social media or otherwise that demonstrates, espouses,
40 advocates or supports discrimination or violence against, or hatred
41 or bias toward individuals or groups based on race, creed, color,
42 national origin, ancestry, sex, marital status, sexual orientation,
43 gender identity or expression, or any other protected characteristic
44 under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1
45 et seq.), where the conduct or behavior would undermine public
46 confidence in the ability of the individual law enforcement officer
47 or the employing law enforcement agency to carry out the public

1 safety mission, or where the conduct or behavior would cause
2 substantial disruption to proper law enforcement functioning.

3 b. A law enforcement officer who is unable to certify to any
4 item enumerated in subsection a. of this section shall disclose to the
5 commission the reason the officer cannot make the certification.
6 The commission shall consider this information in determining
7 whether the officer's license shall be renewed.

8 c. In addition to the information contained in the law
9 enforcement license renewal application form, the commission may
10 request any additional information it deems relevant to determine
11 whether a law enforcement officer's license should be renewed.
12 The information may include a summary of a law enforcement
13 officer's internal affairs file, or the entire file as the commission
14 deems necessary. An employing law enforcement unit or the law
15 enforcement officer shall provide all additional information
16 requested by the commission.

17 d. The license of a law enforcement officer who is active and in
18 good standing and who has timely submitted a completed renewal
19 application which the commission fails to act upon prior to the
20 license expiration date shall be deemed in force and effect until the
21 time as the commission acts upon the renewal application, provided
22 that nothing in this subsection shall be construed to preclude the
23 commission from exercising the authority provided under section 19
24 of P.L. , c. (C.) (pending before the Legislature as this bill)
25 during that interval or thereafter.

26 e. A person appointed as a permanent law enforcement officer
27 prior to the effective date of P.L. , c. (C.) (pending before
28 the Legislature as this bill) shall apply for a law enforcement
29 license in accordance with subsections a. through c. of this section.
30 The commission shall devise a process and schedule for submission
31 of a law enforcement license application for the officers.

32

33 19. (New section) a. The commission shall have authority to
34 suspend, revoke, place conditions upon, or deny a law enforcement
35 license or otherwise place conditions on the renewal of a law
36 enforcement license to an applicant or law enforcement officer if
37 the applicant or officer has:

38 (1) failed to demonstrate or adhere to the minimum
39 qualifications under section 14 of P.L. , c. (C.)(pending
40 before the Legislature as this bill), or in the rules and regulations of
41 the commission when applying for a license or license renewal. The
42 burden shall be on the applicant or the law enforcement officer to
43 establish that the minimum qualifications are met;

44 (2) knowingly made misleading, deceptive, untrue, or fraudulent
45 representations in the practice of being a law enforcement officer or
46 in any document connected therewith or practiced fraud or deceit or
47 intentionally made any false statement in obtaining a license to be
48 an officer;

- 1 (3) been convicted of a crime in this State or any other state,
2 territory, country, or of the United States. As used in this
3 paragraph, the term "convicted of a crime" shall include a
4 conviction of an offense which if committed in this State would be
5 deemed a crime under either state or federal law without regard to
6 its designation elsewhere;
- 7 (4) committed a crime involving moral turpitude, without regard
8 to conviction. The conviction of a crime involving moral turpitude
9 shall be conclusive of the commission of the crime;
- 10 (5) been convicted of an act of domestic violence as defined by
11 section 1 of P.L.1991, c.261 (C.2C:25-17 et seq.);
- 12 (6) had the officer's law enforcement license revoked,
13 suspended, or annulled by any lawful certifying or licensing
14 authority, had other disciplinary action taken against the officer by
15 any lawful certifying or licensing authority, or was denied a license
16 by any lawful certifying or licensing authority;
- 17 (7) engaged in any unprofessional, unethical, deceptive, or
18 deleterious conduct or practice harmful to the public; the conduct or
19 practice need not have resulted in actual injury to any person. As
20 used in this paragraph, the term "unprofessional conduct" shall
21 include any departure from, or failure to conform to, the minimal
22 standards of acceptable and prevailing practice of an officer as
23 prescribed by the commission. As used in this paragraph the term
24 "deceptive conduct" shall include but not be limited to:
 - 25 (a) a sustained finding that a law enforcement officer filed a
26 false report or submitted a false certification in any criminal,
27 administrative, employment, financial, or insurance matter in the
28 professional or personal life of the officer;
 - 29 (b) a sustained finding that the law enforcement officer was
30 untruthful or demonstrated a lack of candor;
 - 31 (c) a sustained finding that the law enforcement officer
32 mishandled or destroyed evidence; or
 - 33 (d) a sustained finding that a law enforcement officer has
34 engaged in conduct demonstrating discrimination, hatred or bias
35 against individuals or groups based on race, creed, color, national
36 origin, ancestry, sex, marital status, sexual orientation, gender
37 identity or expression, or any other protected characteristic under
38 the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et
39 seq.);
- 40 (8) been adjudged mentally incompetent by a court of competent
41 jurisdiction, within or outside this State;
- 42 (9) become unable to perform as an officer with reasonable skill
43 and safety to citizens by reason of illness or use of alcohol, drugs,
44 narcotics, chemicals, or any other type of material or as a result of
45 any mental or physical condition;
- 46 (10) been the subject of a domestic violence restraining order
47 pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.), an extreme risk
48 protective order or a temporary extreme risk protective order

1 pursuant to P.L.2018, c.35 (C.2C:58-20 et seq.) issued against the
2 applicant or officer; or

3 (11) been suspended or discharged by the officer's employing
4 law enforcement unit for disciplinary reasons.

5 b. The commission shall establish a licensing committee to
6 assist it in exercising the authority provided under this act,
7 including duties with respect to law enforcement officer licensing
8 as set forth in subsection c. of section 9 of P.L. , c. (C.)
9 (pending before the Legislature as this bill) and this section,
10 including but not limited to, making recommendations for licensure
11 to be considered by the full commission. The composition,
12 membership, terms of membership, and procedures applicable to the
13 function and operations of the licensing committee shall be
14 determined by the commission, provided that the membership of the
15 licensing committee shall include the Attorney General's designee
16 and no less than one public member.

17 c. If the commission finds, based on its own review or a
18 recommendation of the licensing committee, that any person has
19 engaged in the conduct described in subsection a. of this section,
20 the commission may take any of the following actions:

21 (1) deny a license to an applicant;

22 (2) suspend any license for a definite period;

23 (3) place limitations or restrictions on a license;

24 (4) revoke a license;

25 (5) condition a penalty, or withhold formal disposition, upon the
26 officer's completing care, counseling, or treatment, as directed by
27 the commission; or

28 (6) place the officer's license on inactive status.

29 d. In addition to and in conjunction with the foregoing actions,
30 the commission may make a finding adverse to the applicant or law
31 enforcement officer, but withhold imposition of judgment or it may
32 impose the judgment but suspend enforcement thereof and place the
33 officer on probation, which may be vacated upon noncompliance
34 with reasonable terms as the commission may impose.

35 e. In its discretion, the commission may restore and reissue a
36 license issued under this act and, as a condition thereof, may
37 impose any corrective measure prescribed by the commission.

38 f. Any decision to revoke, suspend, or deny licensure or
39 license renewal shall be accompanied by a written statement in a
40 form to be prescribed by the commission.

41 g. Decisions of the commission authorized under this section
42 shall be final agency decisions subject to appeal to the Superior
43 Court.

44

45 20. (New section) a. In all situations where a law enforcement
46 officer has been convicted of an offense set forth in subparagraph
47 (a), (b), or (c) of paragraph (13) of subsection a. of section 14 of
48 P.L. . , c. (C.) (pending before the Legislature as this bill),

1 the commission shall revoke a law enforcement officer's license or
2 deny the issuance of a license to an applicant.

3 b. Except as provided in section a. of this section, in all
4 situations involving application of the authority of the commission
5 set forth in section 19 of P.L. , c. (C.) (pending before the
6 Legislature as this bill), the law enforcement officer shall, if
7 requested by the officer, be entitled to a hearing in a manner
8 prescribed in this subsection and in regulations as may be
9 promulgated by the commission:

10 (1) The licensing committee may hear the matter or refer the
11 matter to a hearing officer for fact finding and a recommended
12 disposition;

13 (2) If the matter is referred to a hearing officer, the officer shall
14 conduct a hearing and provide a written report to the licensing
15 committee detailing the facts revealed and providing a
16 recommended disposition; and

17 (3) The licensing committee shall review the hearing officer's
18 report, vote on the proposed disposition, and make a
19 recommendation to the full commission, which shall render a
20 decision in writing to the law enforcement officer, or any other
21 party participating in the hearing.

22 c. Any ruling adverse to the law enforcement officer or any
23 party participating in the hearing may be appealed to the Superior
24 Court within 45 days of receipt of the commission's decision on
25 appeal. Absent an appeal to the Superior Court, all findings of the
26 commission shall become final upon the expiration of the appeal
27 deadline. Upon review on appeal to the Superior Court, the
28 commission's decisions shall be upheld unless the court finds the
29 commission's decision was arbitrary, capricious, or unreasonable,
30 or the record was unsupported by substantial credible evidence.

31 d. The commission shall promulgate rules and regulations
32 detailing the manner of the hearing and appeal process. The
33 processes shall include, but not be limited to, the manner in which a
34 hearing and appeal are initiated and the manner in which the
35 hearing shall be conducted.

36

37 21. (New section) a. The commission shall, by regulation,
38 require all law enforcement officers, as a condition of continued
39 employment or appointment as an officer, to receive periodic
40 commission-approved continuing officer education training. The
41 training or education shall be mandated and prescribed by the
42 commission. Every law enforcement unit shall provide a reasonable
43 opportunity for its officers to complete training.

44 b. The law enforcement officer shall submit proof of all
45 required training to the chief of the officer's employing law
46 enforcement unit, who shall in turn, submit the documentation to
47 the commission in a manner to be proscribed by the commission's
48 regulations.

1 22. (New section) a. The commission shall, by rule or
2 regulation, establish, prescribe, or modify fees for training or other
3 services provided by the commission pursuant to the provisions of
4 this act. The fees may include, but are not limited to, fees for
5 academy recruits and fees for each academy. Any fees established
6 pursuant to this subsection shall be dedicated to the costs of
7 providing the training or other services provided by the
8 commission, as the case may be.

9 b. The commission may, by rule or regulation, establish,
10 prescribe, or modify fees for application for and issuance of an
11 initial license pursuant to the provisions of this act for applicants or
12 law enforcement officers not employed as full-time sworn members
13 of any State, county, or municipal law enforcement agency or
14 department or division of those governments on the effective date
15 of this act, provided that a fee may not be charged for application
16 for and issuance of initial licenses for law enforcement officers
17 employed as full-time sworn members of any State, county, or
18 municipal law enforcement agency, department, or division of those
19 governments on the effective date of this act, or for application for
20 and issuance of law enforcement license renewals for law
21 enforcement officers employed as full-time sworn members of any
22 State, county, or municipal law enforcement agency, department, or
23 division of those governments on or after the effective date of this
24 act.

25 c. The commission shall be authorized to accept payment of
26 fees established pursuant to this section from an applicant or
27 licensee or on behalf of an applicant or licensee from a law
28 enforcement unit employing or proposing to employ the applicant
29 or officer, from any other governmental entity, or from funds made
30 available by the State for this purpose.

31

32 23. (New section) There is hereby appropriated from the
33 General Fund to the Department of Law and Public Safety the sum
34 of \$6,000,000 to carry out the purposes of this act for the fiscal
35 period ending June 30, 2023.

36

37 24. The following sections are repealed:

38 Section 5 of P.L.1988, c.176 (C.52:17B-68.1);

39 Section 3 of P.L.1967, c.252 (C.52:17B-71.1); and
40 5-71.7).

41

42 25. This act shall take effect on the first day of the eighteenth
43 month after enactment, however the provisions of paragraph (2) of
44 subsection o. of section 8 shall take effect immediately. The Police
45 Training Commission may take such anticipatory actions in advance
46 of that date as may be necessary to effectuate the provisions of this
47 act.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

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

Under the provisions of this bill, 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 bill'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 bill, 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 bill provides that the PTC is vested with the power, responsibility, and duty to prescribe minimum standards for the licensure for law enforcement officers; establish a licensure application process for law enforcement officers and establish and implement procedures and criteria for license renewal, suspension, revocation, or denial; and to perform, through the licensing committee, certain activities related to law enforcement officer licensing.

Under the bill, the PTC is to establish a licensing committee to assist it in exercising the authority provided under the bill, including but not limited to, making recommendations for licensure to be considered by the full commission. The membership of the licensing committee is to include the Attorney General's designee and at least one public member.

The bill sets forth specific requirements for initial licensure. A license issued under the bill 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 is to submit an application through the officer's employing law enforcement unit to the PTC. The law enforcement officer and the chief of the employing law enforcement unit are required to certify that the officer meets certain requirements.

The employing law enforcement unit is required to notify the PTC of certain employment actions regarding a law enforcement officer. Under the bill, the PTC has the authority to suspend, revoke, place conditions upon, or deny a law enforcement officer license or place conditions on the renewal of a license under certain circumstances.

The bill provides that the PTC is required to revoke or deny a license whenever a law enforcement officer or applicant is convicted of a crime, an act of domestic violence, or an offense that would preclude the officer or applicant from carrying a firearm. In all other instances the law enforcement officer is entitled to a hearing. Under the bill, decisions of the PTC are final agency decisions subject to appeal to the Superior Court.

1 In addition, the bill provides that the commission may establish
2 or prescribe fees for training or other services provided by the PTC.
3 However, current law enforcement officers are not to be charged
4 application or licensing fees when applying for a license.

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