

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2742

STATE OF NEW JERSEY
220th LEGISLATURE

ADOPTED JUNE 27, 2022

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator TROY SINGLETON

District 7 (Burlington)

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:

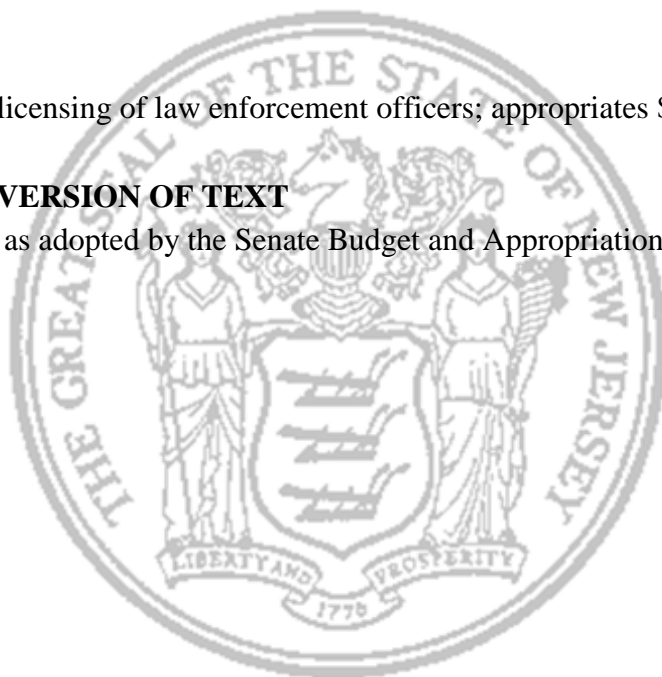
Assemblywomen McKnight, Lopez and Assemblyman McKeon

SYNOPSIS

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

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Budget and Appropriations Committee.



(Sponsorship Updated As Of: 6/29/2022)

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

1 or section 28 of P.L.2017, c.331 (C.4:22-14.4); transit police
2 officers appointed by New Jersey Transit pursuant to section 2 of
3 P.L.1989 c.291 (C.27:25-15.1); and campus police officers
4 appointed pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.).

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

15 "Licensing committee" means the committee established by the
16 Police Training Commission to perform duties with respect to law
17 enforcement officer licensing as set forth in subsection c. of section
18 9 of P.L. , c. (C.) (pending before the Legislature as this
19 bill).

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

24 "National Decertification Index" shall mean the national registry
25 of law enforcement officer decertification or license revocations
26 maintained by the International Association of Directors of Law
27 Enforcement Standards and Training, or a successor database.

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

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

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

44 "Probationary law enforcement license" means a license issued
45 by the Police Training Commission to a person appointed by a law
46 enforcement unit on a probationary or temporary basis which
47 authorizes the person to perform the functions of a permanent law

1 enforcement officer during the person's probationary or temporary
2 appointment term.

3 "Sustained finding" shall mean a determination by an employing
4 law enforcement unit that a law enforcement officer violated a law;
5 regulation; directive, guideline, policy, or procedure issued by the
6 Attorney General or County Prosecutor; agency protocol; standing
7 operating procedure; rule; or training.

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

9

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

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

28 b. A **【police】** law enforcement officer who is terminated from
29 an agency for reasons of economy or efficiency shall be granted an
30 exemption or waiver from retaking the basic training course if,
31 within **【five】** three years from the date of termination, the **【police】**
32 law enforcement officer is appointed to a similar law enforcement
33 position in another agency or is reemployed by the agency from
34 which **【he】** the officer was terminated.

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

36

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

39 4. a. Notwithstanding the provisions of R.S.11:2-6, a
40 probationary or temporary appointment as a **【police】** law
41 enforcement officer may be made for a total period not exceeding
42 one year for the purpose of enabling a person seeking permanent
43 appointment to take a police training course as prescribed in this
44 act, provided, however, that the time period may exceed one year
45 for those persons enrolled prior to the one-year limit in a police
46 training course scheduled to end subsequent to the one-year limit,
47 and for those persons who, prior to the one-year limit, have been

1 scheduled to attend a police training course which commences
2 subsequent to the one-year limit. In no case shall any extension
3 granted for the reasons herein listed exceed six months. Every
4 person holding such a probationary or temporary appointment shall
5 enroll in a police training course, and such appointee shall be
6 entitled to a leave of absence with pay during the period of the
7 police training course.

8 b. A person holding a probationary or temporary appointment
9 on the effective date of P.L. , c. (C.) (pending before the
10 Legislature as this bill) shall not be permitted to continue in the
11 probationary or temporary appointment beyond one year after the
12 effective date of P.L. , c. (C.) (pending before the
13 Legislature as this bill) unless the person enrolls in or completes a
14 basic training course approved by the commission.

15 c. A person appointed on a probationary or temporary basis on
16 or after the effective date of P.L. , c. (C.) (pending before
17 the Legislature as this bill) shall not perform the functions or duties
18 of a permanently appointed law enforcement officer unless the
19 person completes a basic training course approved by the
20 commission. Upon successful completion of the basic training
21 course, a person appointed on a probationary or temporary basis on
22 or after the effective date of P.L. , c. (C.) (pending before
23 the Legislature as this bill) shall receive from the commission a
24 one-year probationary law enforcement license, as defined in
25 section 2 of P.L.1961, c.56 (C.52:17B-67), and the person shall be
26 permitted to perform full police functions or duties during the
27 person's probationary or temporary appointment.

28 d. Upon successful completion of a probationary or temporary
29 appointment, a person may apply for licensure as a permanent law
30 enforcement officer in a manner prescribed by the commission
31 pursuant to P.L. , c. (C.) (pending before the Legislature as
32 this bill). The probationary license shall remain in force and effect
33 until the commission acts upon the application for licensure as a
34 permanent law enforcement officer.

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

36
37 5. Section 2 of P.L.1998, c.146 (C.52:17B-69.1) is amended to
38 read as follows:

39 2. a. A person who does not hold a probationary or temporary
40 appointment as a **police** law enforcement officer, but who is
41 seeking such an appointment may enroll in a police training course
42 provided that person:

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

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

1 The person may be charged a fee by the commission or approved
2 school, as the case may be, not exceeding that which the
3 commission approved school charges a governmental employer for
4 the training of an employee holding a probationary or temporary
5 appointment.

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

9 b. The commission, in accordance with the provisions of the
10 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
11 seq.), shall promulgate rules and regulations to effectuate the
12 purposes of this section.
13 (cf: P.L.1998, c.146, s.2)

14

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

17 3. A person who completes a police training course pursuant to
18 section 2 of P.L.1998, c.146 (C.52:17B-69.1) shall only be eligible
19 for appointment as a permanent full-time member of a [police
20 department or force] law enforcement unit or as a Class Two
21 Special Law Enforcement Officer pursuant to section 4 of P.L.1985,
22 c.439 (C.40A:14-146.11).

23 (cf: P.L.1998, c.146, s.3)

24

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

27 5. There is hereby established in the Division of Criminal
28 Justice in the Department of Law and Public Safety a Police
29 Training Commission whose membership shall consist of the
30 following persons:

31 a. Two Four citizens of this State who shall be appointed by
32 the Governor with the advice and consent of the Senate for terms of
33 three years [commencing with the expiration of the terms of the
34 citizen members, other than the representative of the New Jersey
35 Office of the Federal Bureau of Investigation, now in office].

36 b. The president or other representative designated in
37 accordance with the bylaws of each of the following organizations:
38 the New Jersey State Association of Chiefs of Police; the New
39 Jersey State Policemen's Benevolent Association, Inc.; the New
40 Jersey State League of Municipalities; the New Jersey State Lodge,
41 Fraternal Order of Police; the State Troopers Fraternal Association
42 of New Jersey; the County Prosecutors' Association of New Jersey;
43 the Sheriffs' Association of New Jersey; the Police Academy
44 Directors Association; the New Jersey County Jail Wardens
45 Association; the New Jersey Juvenile Detention Association; and
46 the National Organization of Black Law Enforcement Executives.

1 c. The Attorney General, the Superintendent of State Police,
2 the Commissioner of Education, **the** Secretary of Higher
3 Education,**the** Commissioner of Corrections, and the Chairman of
4 the State Parole Board, ex officio, or **when so designated by**
5 them,**their** **deputies** designees.

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

8 e. The Police Training Commission shall ensure that all
9 commission members, during their tenure as commissioners,
10 annually complete confidentiality, ethics, and other training as
11 required by the Attorney General's Office. The commission shall
12 also ensure that all newly appointed public members of the
13 commission complete a course designed to familiarize the members
14 with relevant law enforcement training concepts, including but not
15 limited to the use of force policy and internal affairs policy and
16 procedures to help the members carry out their duties under P.L. ,
17 c. (C.) (pending before the Legislature as this bill).

18 (cf: P.L.2015, c.258, s.1)

19
20 8. Section 6 of P.L.1961, c.56 (C.52:17B-71) is amended to
21 read as follows:

22 6. The commission **is** vested with the power, responsibility
23 and duty:**shall establish requisite standards for the training of law**
24 enforcement officers and oversee the implementation of those
25 standards.

26 The commission shall have the authority:

27 a. To prescribe standards for the approval and continuation of
28 approval of schools at which police training courses authorized by
29 this act and in-service police training courses shall be conducted,
30 including but not limited to currently existing regional, county,
31 municipal, and police chief association police training schools or at
32 which basic training courses and in-service training courses shall be
33 conducted for State and county juvenile and adult correctional
34 police officers and juvenile detention officers;

35 b. To approve and issue certificates of approval to these
36 schools, to inspect the schools from time to time, and to revoke any
37 approval or certificate issued to the schools;

38 c. To prescribe the curriculum, the minimum courses of study,
39 attendance requirements, equipment and facilities, and standards of
40 operation for these schools**.Courses of study in crime prevention**
41 **may be recommended to the Police Training Commission by the**
42 **Crime Prevention Advisory Committee, established by section 2 of**
43 **P.L.1985, c.1 (C.52:17B-77.1). The Police Training Commission**
44 **may** and prescribe psychological and psychiatric examinations for
45 police recruits **while in the schools**;

46 d. To prescribe minimum qualifications for instructors at these
47 schools and to certify, as qualified, instructors for approved police

- 1 training schools and to issue appropriate certificates to the
2 instructors;
- 3 e. To certify **【**police officers, correctional police officers,
4 juvenile correctional police officers, and juvenile detention**】** law
5 enforcement officers who have satisfactorily completed training
6 programs and to issue appropriate certificates to **【**the police
7 officers, correctional police officers, juvenile correctional police
8 officers, and juvenile detention**】** the officers;
- 9 f. To advise and consent in the appointment of an
10 administrator of police services by the Attorney General pursuant to
11 section 8 of P.L.1961, c.56 (C.52:17B-73);
- 12 g. (Deleted by amendment, P.L.1985, c.491)
- 13 h. To make rules and regulations as may be reasonably
14 necessary or appropriate to accomplish the purposes and objectives
15 of this act;
- 16 i. To make a continuous study of police training methods and
17 training methods for **【**correctional police officers, juvenile
18 correctional police officers, and juvenile detention**】** law
19 enforcement officers and to consult and accept the cooperation of
20 any recognized federal or State law enforcement agency or
21 educational institution;
- 22 j. To consult and cooperate with universities, colleges, and
23 institutes in the State for the development of specialized courses of
24 study for **【**police**】** law enforcement officers in police science and
25 police administration;
- 26 k. To consult and cooperate with other departments and
27 agencies of the State concerned with police training or the training
28 of **【**correctional police officers, juvenile correctional police
29 officers, and juvenile detention**】** law enforcement officers;
- 30 l. To participate in unified programs and projects relating to
31 police training and the training of **【**correctional police officers,
32 juvenile correctional police officers, and juvenile detention**】** law
33 enforcement officers sponsored by any federal, State, or other
34 public or private agency;
- 35 m. To perform other acts as may be necessary or appropriate to
36 carry out its functions and duties as set forth in this act;
- 37 n. To extend the time limit for satisfactory completion of police
38 training programs or programs for the training of **【**correctional
39 police officers, juvenile correctional police officers, and juvenile
40 detention**】** law enforcement officers upon a finding that health,
41 extraordinary workload, or other factors have, singly or in
42 combination, effected a delay in the satisfactory completion of the
43 training program;
- 44 o. (1) To furnish approved schools, for inclusion in their
45 regular police training courses and curriculum, with information
46 concerning the advisability of high speed chases, the risk caused by
47 them, and the benefits resulting from them, and to include any other

1 relevant police training courses that will assist the commission in
2 providing efficient training;

3 (2) To **review and approve new standards and course curricula**
4 **for** consult the New Jersey State Police with respect to its
5 administration of police training courses or programs **to be offered**
6 **by approved schools** for the training of **police** law enforcement
7 officers to be certified as a Drug Recognition Expert for detecting,
8 identifying, and apprehending drug-impaired motor vehicle
9 operators~~].~~ The commission shall~~], and to~~ consult with the
10 Cannabis Regulatory Commission established by 31 of P.L.2019,
11 c.153 (C.24:6I-24) with respect to any aspects of the course
12 curricula that focus on impairment from the use of cannabis items
13 as defined by section 3 of P.L.2021, c.16 (C.24:6I-33) or marijuana.
14 **Any police officer certified and recognized by the commission as a**
15 **Drug Recognition Expert prior to the effective date of this section,**
16 **as amended by the "New Jersey Cannabis Regulatory, Enforcement**
17 **Assistance, and Marketplace Modernization Act," P.L.2021, c.16**
18 **(C.24:6I-31 et al.), shall continue to be recognized as certified until**
19 **that certification has expired or is no longer considered valid as**
20 **determined by the commission, or the certification is replaced by**
21 **the police officer with a new certification in accordance with the**
22 **new standards and course curricula for certification described in**
23 **this paragraph.]**

24 p. **To review and approve new standards and course curricula**
25 **developed by the Department of Corrections for both basic and in-**
26 **service training of State and county correctional police officers and**
27 **juvenile detention officers. These courses for the State correctional**
28 **police officers and juvenile detention officers shall be centrally**
29 **provided at the Corrections Officers' Training Academy of the**
30 **Department of Corrections. Courses for the county correctional**
31 **police officers and juvenile detention officers shall also be centrally**
32 **provided at the Corrections Officers' Training Academy unless an**
33 **off-grounds training program is established by the county. A**
34 **county may elect to establish and conduct a basic training program**
35 **for correctional police officers and juvenile detention officers**
36 **seeking permanent appointment in that county. The Corrections**
37 **Officers' Training Academy shall develop the curriculum of the**
38 **basic training program to be conducted by a county;]** ~~(Deleted by~~
39 ~~amendment, P.L. c.) (pending before the Legislature as this~~
40 ~~bill)~~

41 q. To administer and distribute the monies in the Law
42 Enforcement Officers Training and Equipment Fund established by
43 section 9 of P.L.1996, c.115 (C.2C:43-3.3) and make rules and
44 regulations for the administration and distribution of the monies as
45 may be necessary or appropriate to accomplish the purpose for
46 which the fund was established.

47 (cf: P.L.2021, c.16, s.85)

1 9. (New section) The commission shall establish the process by
2 which law enforcement officers shall be licensed and the
3 implementation of that process. The commission is vested with the
4 power, responsibility, and duty:

5 a. to prescribe minimum standards and requirements for the
6 licensure for law enforcement officers and to maintain the status as
7 a licensed law enforcement officer for the purpose of promoting and
8 assuring integrity, competence, professionalism, and fitness for
9 duty. The minimum standards shall include, but not be limited to:

10 (1) minimum pre-employment qualifications for law
11 enforcement officer applicants, including but not limited to, age
12 requirements, residency requirements, background investigations,
13 psychological examinations, and educational requirements;

14 (2) minimum post-academy training and educational
15 requirements, including but not limited to required field training
16 hours for recent academy graduates and required continuing
17 educational courses for law enforcement officers; and

18 (3) minimum standards of professional conduct;

19 b. to establish a licensure process and applicable criteria for
20 license issuance, renewal, suspension, revocation, or denial; and

21 c. to perform or cause to be performed through the licensing
22 committee the following activities related to law enforcement
23 officer licensing:

24 (1) review applications for and, if warranted, issue initial law
25 enforcement officer licenses to qualified applicants;

26 (2) review and act upon matters related to law enforcement
27 officer license renewal, suspension, revocation, or denial;

28 (3) conduct license renewal, suspension, revocation, or denial
29 hearings; and

30 (4) suspend, revoke, place conditions upon, or deny a license in
31 the event an individual does not meet any standard or requirement
32 prescribed by the commission.

33 d. The commission shall establish a licensing committee to
34 assist it in exercising the authority provided under this act,
35 including duties with respect to law enforcement officer licensing
36 as set forth in subsection c. of this section and section 19 of P.L. ,
37 c. (C.)(pending before the Legislature as this bill), and
38 including but not limited to, making recommendations for licensure
39 to be considered by the full commission.

40 The composition, membership, terms of membership, and
41 procedures applicable to the function and operations of the
42 licensing committee shall be determined by the commission,
43 provided that the membership of the licensing committee shall
44 include the Attorney General's designee and no less than one public
45 member.

46
47 10. (New section) A person shall not be employed as a law
48 enforcement officer, as defined in section 2 of P.L.1961, c.56

(C.52:17B-67), in this State unless the person holds a valid, active license as a law enforcement officer issued in accordance with P.L. , c. (C.) (pending before the Legislature as this bill). A person shall not act as a law enforcement officer, as defined in section 2 of P.L.1961, c.56 (C.52:17B-67), in this State beyond the scope of the authorization provided pursuant to any designations to the license approved by the Police Training Commission.

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

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

b. Prior to being appointed to permanent status as a local **police** law enforcement officer in a law enforcement unit, an individual shall be required to complete the training course adopted under subsection a. of this section. Every local **police** law enforcement officer appointed prior to the effective date of **this act** P.L. , c. (C.) (pending before the Legislature as this bill) shall, within 36 months of the effective date of **this act** P.L. , c. (C.) (pending before the Legislature as this bill), satisfactorily complete a training course in recognition and response techniques concerning these disabilities.

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

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

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

7. a. Except as expressly provided in **this act** P.L.1961, c.56 (C.52:17B-66 et seq.), nothing herein contained shall be deemed to limit the powers, rights, duties or responsibilities of municipal or county governments, nor to affect provisions of Title 11 of the Revised Statutes, provided that a determination by the Civil Service Commission that an individual is eligible for appointment as a law enforcement officer shall not be construed to affect or limit the

1 commission's ability to take any action authorized under
2 P.L. c. (C.) (pending before the Legislature as this bill)
3 with respect to an applicant or licensee.

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

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

11
12 13. Section 10 of P.L.1961. c.56 (C.52:17B-75) is amended to
13 read as follows:

14 10. The members of the commission shall receive no salary but
15 all members except those designated in subsection c. of section 5
16 of this act shall be reimbursed for their reasonable expenses
17 lawfully incurred in the performance of their official functions.
18 The members of the commission who are employed by the State, a
19 county, a municipality or any State, county, or local governmental
20 entity shall not be subject to loss of pay or accrued time due to
21 attending commission meetings or otherwise performing the official
22 commission functions.

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

24
25 14. (New section) a. The applicant for an initial law
26 enforcement license or a probationary license shall have the burden
27 of demonstrating to the satisfaction of the commission that the
28 applicant meets all requirements for the issuance of a law
29 enforcement license. The requirements for an initial license and a
30 probationary license shall include, but not be limited to, that an
31 applicant:

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

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

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

37 (4) be fingerprinted in accordance with the standards established
38 by the commission;

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

42 (6) have passed a psychological examination by a licensed
43 psychologist or psychiatrist based on specifications established by
44 the commission;

45 (7) be of good moral character as determined by a background
46 investigation conducted under the procedures established by the
47 commission and successfully pass a criminal background records

- 1 check in accordance with the Prison Rape Elimination Act (PREA),
2 28 C.F.R. 115.317, if applicable;
- 3 (8) successfully meet and complete all required basic physical
4 and educational training courses as required by the commission;
- 5 (9) successfully pass a drug screening test as prescribed by the
6 commission;
- 7 (10) possess a valid driver's license;
- 8 (11) not have received a dishonorable discharge from military
9 service;
- 10 (12) successfully complete any probationary period prescribed
11 by the commission;
- 12 (13) not have been convicted of any of the following:
 - 13 (a) a crime in this State or any other state, territory, country, or
14 of the United States, including a conviction of an offense which if
15 committed in this State would be deemed a crime under either State
16 or federal law without regard to its designation elsewhere;
 - 17 (b) an act of domestic violence pursuant to P.L.1991, c.261
18 (C.2C:25-17 et seq.);
 - 19 (c) an offense that would preclude an applicant from carrying a
20 firearm as defined by N.J.S.2C:39-1;
 - 21 (d) a disorderly persons offense or petty disorderly persons
22 offense involving dishonesty, fraud, or a lack of good moral
23 character, unless the commission determines the offense to be de
24 minimis in nature or inconsequential to the applicant's ability to
25 meet the standards expected of a law enforcement officer;
 - 26 (e) two or more motor vehicle offenses for operating a motor
27 vehicle while under the influence of drugs or alcohol pursuant to
28 R.S.39:4-50 or two or more motor vehicle offenses for reckless
29 driving pursuant to R.S.39:4-96; or
 - 30 (f) any offense listed in (b) through (e) of this paragraph
31 committed in violation of the laws of another state, territory,
32 country, or the United States;
- 33 (14) not be the subject of or had a domestic violence restraining
34 order pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.), an extreme
35 risk protective order, or a temporary extreme risk protective order
36 pursuant to P.L.2018, c.35 (C.2C:58-20 et seq.) issued against the
37 applicant;
- 38 (15) not be an active member of a group or organization that
39 advocates for, espouses, or promotes the overthrow of a local, state,
40 or federal government or discrimination or violence against or
41 hatred or bias toward individuals or groups based on race, creed,
42 color, national origin, ancestry, age, sex, marital status, sexual
43 orientation, gender identity or expression, or any other protected
44 characteristic under the "Law Against Discrimination," P.L.1945,
45 c.169 (C.10:5-1 et seq.), or knowingly engage in any activity,
46 conduct, or behavior relating to such group or organization with the
47 intent to support, endorse or advocate for, or which the applicant
48 knows or should know will have the effect of supporting,

1 furthering, or advocating for, the goals of such group or
2 organization, where active membership or knowing engagement
3 would undermine public confidence in the ability of the individual
4 law enforcement officer or the employing law enforcement agency
5 to carry out the public safety mission, or where active membership
6 or knowing engagement would cause substantial disruption to
7 proper law enforcement functioning;

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

22 (17) provide to the commission and the applicant's employing
23 law enforcement unit a complete list of all social media accounts
24 maintained by the applicant and grant to the commission and the
25 applicant's employing law enforcement unit access to all outwardly
26 facing activity and publicly accessible components of the accounts;

27 (18) not currently be listed on the National Decertification Index
28 as being decertified as a law enforcement officer or having the
29 license or certification as a law enforcement officer revoked or
30 denied;

31 (19) pay or cause to be paid any fees, if applicable, established
32 by the commission; and

33 (20) any other requirements established by the commission.

34 b. The commission may waive the requirements of
35 subparagraphs (d) and (e) of paragraph (13) of subsection a. of this
36 section if the applicant demonstrates to the licensing committee's
37 satisfaction that:

38 (1) the applicant's conviction or convictions occurred five or
39 more years prior to submission of an application for licensure as a
40 law enforcement officer;

41 (2) the applicant has taken rehabilitative steps since the
42 applicant's conviction or convictions to become a law-abiding
43 citizen through actions, including but not limited to continuing
44 education, maintaining gainful employment, and having no further
45 convictions; and

46 (3) the applicant is currently of good moral character and
47 submits at least three letters of recommendation from members of

1 the applicant's community detailing the applicant's good moral
2 character.

3 c. An applicant for licensure shall provide to the commission
4 or the applicant's employing law enforcement unit documented
5 proof, in a form and manner as required by the commission, that the
6 applicant is in compliance with paragraphs (1) through (20) of
7 subsection a. of this section. The commission shall promulgate in
8 its rules and regulations the form, manner, and substance of
9 documents required by the commission to provide sufficient proof
10 of the qualifications required by this section. An application for
11 initial licensure or license renewal of a person employed as full-
12 time sworn member of any State, county, or municipal law
13 enforcement agency or department, division or instrumentality of
14 those governments on the effective date of
15 P.L. , c. (C.)(pending before the Legislature as this bill)
16 shall not be denied based solely on consideration of disciplinary
17 actions based on conduct occurring prior to the date of enactment of
18 P.L. , c. (C.)(pending before the Legislature as this bill).

19 d. The commission shall have the authority to issue a license for
20 employment as a law enforcement officer if an applicant satisfies all
21 licensing requirements. A license issued pursuant to this section
22 shall expire three years after its date of issuance, before which time
23 the law enforcement officer shall be required to apply for a license
24 renewal pursuant to section 17 of P.L. , c. (C.) (pending
25 before the Legislature as this bill).

26 e. Law enforcement officers from jurisdictions outside of New
27 Jersey and federal law enforcement officers applying for licensure
28 in this State shall be required to meet all of the requirements set
29 forth in this section and also shall be required to complete a waiver
30 form that allows the commission and any hiring law enforcement
31 unit to review the officer's internal affairs records from any and all
32 prior law enforcement positions.

33 f. A person appointed as a permanent law enforcement officer
34 prior to the effective date of P.L. , c. (C.) (pending before
35 the Legislature as this bill) shall apply for a law enforcement
36 license in accordance with section 17 of P.L. , c. (C.)
37 (pending before the Legislature as this bill). The commission shall
38 devise a process and schedule for submission of a law enforcement
39 license application for the officers.

40 g. At the discretion of the commission, licenses issued pursuant
41 to this section may serve as authorization for a licensee to serve in
42 one of the following positions, provided the licensee meets the
43 requisite qualifications for that status: a full-time permanent law
44 enforcement officer; a Class One, Class Two, or Class Three special
45 law enforcement officer; or a probationary law enforcement officer.

46 h. In all situations where a law enforcement officer has been
47 convicted of an offense set forth in subparagraph (a), (b), or (c) of

1 paragraph (13) of subsection a. of this section, the commission shall
2 deny the issuance of a license to an applicant.

3 i. Any decision to deny a license shall be accompanied by a
4 written statement in a form to be prescribed by the commission.
5

6 15. (New section) a. An employing law enforcement unit
7 shall be responsible for the collection, verification, and maintenance
8 of documentation establishing that an applicant meets the minimum
9 qualifications for employment as a law enforcement officer.

10 b. When all of the documentation concerning an applicant is
11 obtained, the employing law enforcement unit shall submit the
12 documentation to the commission for verification and review in a
13 manner prescribed by the commission.

14 c. The commission shall adopt rules and regulations
15 establishing the procedure to submit licensing application
16 documents.

17 d. The commission shall review an applicant's documentation
18 submitted for licensure to determine eligibility for the issuance of a
19 law enforcement license.
20

21 16. (New section) a. The chief law enforcement officer of an
22 employing law enforcement unit shall notify the commission in
23 writing, on a form prescribed by the commission, of a law
24 enforcement officer's appointment to or employment with the law
25 enforcement unit, which shall include the commencement date of
26 such appointment or employment.

27 b. The chief law enforcement officer of an employing law
28 enforcement unit shall notify the commission, in writing, on a form
29 prescribed by the commission, of the following employment actions
30 concerning a law enforcement officer:

31 (1) the separation from appointment or employment with the
32 law enforcement unit, which includes any firing, termination,
33 resignation, retirement, or voluntary or involuntary extended leave
34 of absence, which notice shall include the date of separation;

35 (2) the imposition of any discipline subject to appeal;

36 (3) any suspension of more than five days or 40 hours duration,
37 imposed pending investigation or disciplinary action;

38 (4) any sustained finding that a law enforcement officer used
39 excessive force;

40 (5) any pending criminal charge or conviction of any crime,
41 disorderly persons, petty disorderly persons, or driving while
42 intoxicated offense;

43 (6) any sustained finding that a law enforcement officer is unfit
44 for duty;

45 (7) any sustained finding that the law enforcement officer filed a
46 false report or submitted a false certification in any criminal,
47 administrative, employment, financial, or insurance matter in the
48 officer's professional or personal life;

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

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

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

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

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

39 d. Before employing a licensed law enforcement officer, a
40 subsequent employing law enforcement unit shall contact the
41 commission to inquire as to the facts and reasons an officer was
42 separated from any previous employing unit. The commission shall,
43 upon request and without prejudice, provide to the subsequent
44 employing law enforcement unit all information that is required
45 under subsections a., b., and c. of this section that is in its
46 possession. Notwithstanding this provision, a law enforcement unit
47 seeking to hire a law enforcement officer shall comply with the
48 provisions of section 1 of P.L.2020, c.52 (C.52:17B-247) and

1 request that officer's internal affairs and personnel files from the
2 officer's previous employing law enforcement units.

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

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

26 17. (New section) a. A law enforcement officer required to
27 renew the officer's license or a person appointed as a permanent
28 law enforcement officer prior to the effective date of
29 P.L. , c. (C.) (pending before the Legislature as this bill)
30 shall submit an application for law enforcement license renewal
31 through the officer's employing law enforcement unit to the
32 commission. The application for law enforcement license renewal
33 shall be on a form adopted by the commission and shall require the
34 law enforcement officer and the chief law enforcement officer of
35 the officer's employing law enforcement unit to certify that the
36 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, including a conviction of an offense which if
45 committed in this State would be deemed a crime under either state
46 or federal law without regard to its designation elsewhere;

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

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

3 (d) a disorderly persons offense or petty disorderly persons
4 offense involving dishonesty, fraud, or a lack of good moral
5 character, unless the commission determines the offense to be de
6 minimis in nature or inconsequential to the applicant's ability to
7 meet the standards expected of a law enforcement officer;

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

12 (f) any offense listed in subparagraph (b) through (e) of this
13 paragraph committed in violation of the laws of another state,
14 territory, country, or the United States.

15 (4) is not an active member of a group or organization that
16 advocates for, espouses or promotes the overthrow of a local, state
17 or federal government or discrimination or violence against or
18 hatred or bias toward individuals or groups based on race, creed,
19 color, national origin, ancestry, sex, marital status, sexual
20 orientation, gender identity or expression, or any other protected
21 characteristic under the "Law Against Discrimination," P.L.1945,
22 c.169 (C.10:5-1 et seq.), and has not knowingly engaged in any
23 activity, conduct, or behavior relating to the group or organization
24 with the intent to support, endorse or advocate for, or which the
25 officer knows or should know will have the effect of supporting,
26 furthering, or advocating for, the goals of the group or organization,
27 where active membership or knowing engagement undermines or
28 tends to undermine public confidence in the ability of the individual
29 law enforcement officer or the employing law enforcement agency
30 to carry out the public safety mission, or where active membership
31 or knowing engagement causes or threatens to cause substantial
32 disruption to proper law enforcement functioning; and

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

47 b. A law enforcement officer who is unable to certify to any
48 item enumerated in subsection a. of this section shall disclose to the

1 commission the reason the officer cannot make the certification.
2 The commission shall consider this information in determining
3 whether the officer's license shall be renewed.

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

13 d. A license issued pursuant to section 14 of
14 P.L. , c. (C.) (pending before the Legislature as this bill)
15 may be renewed administratively, under terms and conditions
16 established by the commission, without requiring review by the
17 licensing committee pursuant to subsection d. of section 9 of
18 P.L. , c. (C.) (pending before the Legislature as this bill) or
19 conducting a hearing pursuant to section 19 of
20 P.L. , c. (C.) (pending before the Legislature as this bill),
21 if the licensee and the licensee's employing law enforcement unit
22 submit the certifications required pursuant to subsection a. of this
23 section and if a notice of an employment action concerning the
24 licensee has not been submitted to or is not required to be submitted
25 to the commission in accordance with subsection b. of section 16 of
26 P.L. , c. (C.) (pending before the Legislature as this bill).

27 e. The license of a law enforcement officer who is active and in
28 good standing and who has timely submitted a completed renewal
29 application which the commission fails to act upon prior to the
30 license expiration date shall be deemed in force and effect until the
31 time as the commission acts upon the renewal application, provided
32 that nothing in this subsection shall be construed to preclude the
33 commission from exercising the authority provided under section 18
34 of P.L. , c. (C.) (pending before the Legislature as this bill)
35 during that interval or thereafter.

36 f. Any decision to deny a license renewal shall be accompanied
37 by a written statement in a form to be prescribed by the
38 commission.

39

40 18. (New section) a. The commission shall have authority to
41 impose an adverse license action as set forth in subsection b. of this
42 section if the applicant or officer has:

43 (1) failed to demonstrate or adhere to the minimum
44 qualifications under section 14 of P.L. , c. (C.)(pending
45 before the Legislature as this bill), or in the rules and regulations of
46 the commission when applying for a license or license renewal;

47 (2) knowingly made misleading, deceptive, untrue, or fraudulent
48 representations in the practice of being a law enforcement officer or

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

1 (10) been the subject of or had a domestic violence restraining
2 order pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.), an extreme
3 risk protective order or a temporary extreme risk protective order
4 pursuant to P.L.2018, c.35 (C.2C:58-20 et seq.) issued against the
5 applicant or officer; or

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

8 b. If the commission finds, based on its own review or a
9 recommendation of the licensing committee, that any person has
10 engaged in the conduct described in subsection a. of this section,
11 the commission may take any of the following actions:

12 (1) suspend any license for a definite period;

13 (2) place limitations or restrictions on a license;

14 (3) revoke a license;

15 (4) condition a penalty, or withhold formal disposition, upon the
16 officer's completing care, counseling, or treatment, as directed by
17 the commission; or

18 (5) place the officer's license on inactive status.

19 c. In addition to and in conjunction with the foregoing actions,
20 the commission may make a finding adverse to the applicant or law
21 enforcement officer, but withhold imposition of judgment or it may
22 impose the judgment but suspend enforcement thereof and place the
23 officer on probation, which may be vacated upon noncompliance
24 with reasonable terms as the commission may impose.

25 d. In its discretion, the commission may restore and reissue a
26 license issued under this act and, as a condition thereof, may
27 impose any corrective measure prescribed by the commission.

28 e. In all situations where a law enforcement officer has been
29 convicted of an offense set forth in subparagraph (a), (b), or (c) of
30 paragraph (13) of subsection a. of section 14 of
31 P.L. , c. (C.) (pending before the Legislature as this bill),
32 the commission shall revoke a law enforcement officer's license.

33 f. Any decision to revoke or suspend a license shall be
34 accompanied by a written statement in a form to be prescribed by
35 the commission.

36 g. Decisions of the commission authorized under this section
37 shall be final agency decisions subject to appeal to the Superior
38 Court.

39 h. The commission shall report all final decisions to revoke or
40 deny licensure issued under this act to the National Decertification
41 Index.

42
43 19. (New section) a. Except under circumstances set forth in
44 subsection h. of section 14 of P.L. , c. (C.) (pending before
45 the Legislature as this bill) or subsection e. of section 18 of P.L. ,
46 c. (C.) (pending before the Legislature as this bill), in all
47 situations involving the imposition of an adverse license action by
48 the commission as set forth in subsection b. of section 18 of

1 P.L. , c. (C.) (pending before the Legislature as this bill) or
2 the denial of an initial or renewal license, the law enforcement
3 officer shall, if requested by the officer, be entitled to a hearing in a
4 manner prescribed in this subsection and in regulations as may be
5 promulgated by the commission:

6 (1) The licensing committee may hear the matter or refer the
7 matter to a hearing officer for fact finding and a recommended
8 disposition;

9 (2) If the matter is referred to a hearing officer, the officer shall
10 conduct a hearing and provide a written report to the licensing
11 committee detailing the facts revealed and providing a
12 recommended disposition; and

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

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

28 c. The commission shall promulgate rules and regulations
29 detailing the manner of the hearing and appeal process. The
30 processes shall include, but not be limited to, the manner in which a
31 hearing and appeal are initiated and the manner in which the
32 hearing shall be conducted.

33

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

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

46

47 21. (New section) a. The commission shall, by rule or
48 regulation, establish, prescribe, or modify fees for training or other

1 services provided by the commission pursuant to the provisions of
2 this act. The fees may include, but are not limited to, fees for
3 academy recruits and fees for each academy. Any fees established
4 pursuant to this subsection shall be dedicated to the costs of
5 providing the training or other services provided by the
6 commission, as the case may be.

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

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

29
30 22. (New section) There is hereby appropriated from the General
31 Fund to the Department of Law and Public Safety the sum of
32 \$6,000,000 to carry out the purposes of this act for the fiscal period
33 ending June 30, 2023.

34
35 23. The following sections are repealed:
36 Section 5 of P.L.1988, c.176 (C.52:17B-68.1);
37 Section 3 of P.L.1967, c.252 (C.52:17B-71.1); and
38 Sections 1 through 6 of P.L.1968, c.265 (C.52:17B-71.2 through
39 C.52:17B-71.7).

40
41 24. This act shall take effect on the first day of the eighteenth
42 month after enactment, however paragraph (2) of subsection o. of
43 section 8 shall take effect immediately. The Police Training
44 Commission may take such anticipatory actions in advance of that
45 date as may be necessary to effectuate the provisions of this act.