

**SENATE, No. 3911**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED JUNE 1, 2023

**Sponsored by:**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Establishes 14 years old as minimum age for juvenile delinquency.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT concerning juvenile delinquency and amending P.L.1982,  
2 c.77.

3

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

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7 1. Section 4 of P.L.1982, c.77 (C.2A:4A-23) is amended to  
8 read as follows:

9 4. Definition of delinquency. As used in **[this act]** P.L.1982,  
10 c.77 (C.2A:4A-20 et al.), "delinquency" means the commission of  
11 an act by a juvenile 14 years of age or older which if committed by  
12 an adult would constitute:

13 a. A crime;

14 b. A disorderly persons offense or petty disorderly persons  
15 offense; or

16 c. A violation of any other penal statute, ordinance or  
17 regulation.

18 But, the commission of:

19 (1) an act which constitutes a violation of chapter 3, 4, 6 or 8 of  
20 Title 39 of the Revised Statutes by a juvenile of any age;

21 (2) an act relating to the ownership or operation of a motorized  
22 bicycle which constitutes a violation of chapter 3 or 4 of Title 39 of  
23 the Revised Statutes by a juvenile of any age;

24 (3) an act which constitutes a violation of article 3 or 6 of  
25 chapter 4 of Title 39 of the Revised Statutes pertaining to  
26 pedestrians and bicycles, by a juvenile of any age;

27 (4) the commission of an act which constitutes a violation of  
28 P.L.1981, c.318 (C.26:3D-1 et seq.), P.L.1981, c.319 (C.26:3D-7 et  
29 seq.), P.L.1981, c.320 (C.26:3D-15 et seq.), P.L.1985, c.185  
30 (C.26:3E-7 et seq.), P.L.1985, c.186 (C.26:3D-32 et seq.),  
31 N.J.S.2C:33-13, P.L.1985, c.318 (C.26:3D-38 et seq.), P.L.1985,  
32 c.381 (C.26:3D-46 et seq.), or of any amendment or supplement  
33 thereof, by a juvenile of any age;

34 (5) an act which constitutes a violation of chapter 7 of Title 12  
35 of the Revised Statutes relating to the regulation and registration of  
36 power vessels, by a juvenile of any age or section 2 of P.L.1987,  
37 c.453 (C.12:7-61); or

38 (6) an act which constitutes a violation of a municipal  
39 ordinance enacted pursuant to section 2 of P.L.1992, c.132  
40 (C.40:48-2.52) pertaining to curfew ordinances shall not constitute  
41 delinquency as defined in this **[act]** section. The municipal court  
42 having jurisdiction over a case involving a violation by a juvenile of  
43 a section of Title 26 listed in this subsection, Title 40 listed in this  
44 subsection or N.J.S.2C:33-13, shall forward a copy of the record of  
45 conviction in that case to the Family Part intake service of the  
46 county where the municipal court is located. If a municipal court

**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.**

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1 orders detention or imposes a term of imprisonment on a juvenile in  
2 connection with a violation of Title 39 of the Revised Statutes,  
3 chapter 7 of Title 12 of the Revised Statutes, Title 40 of the Revised  
4 Statutes or N.J.S.2C:33-13, that detention or term of imprisonment  
5 shall be served at a suitable juvenile institution and not at a county  
6 jail or county workhouse.  
7 (cf: P.L.1997, c.383, s.1)

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9 2. This act shall take effect immediately.

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**STATEMENT**

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14 This bill sets the minimum age at which a juvenile can be  
15 adjudicated delinquent at 14 years or older.

16 Under the New Jersey Code of Juvenile Justice, “delinquency” is  
17 defined as the commission of an act by a juvenile which, if  
18 committed by an adult, would constitute a crime of the first through  
19 fourth degree; a disorderly persons offense or petty disorderly  
20 persons offense; or a violation of any other penal statute, ordinance,  
21 or regulation, with certain exceptions. The code currently defines a  
22 “juvenile” as a person under 18 years of age.

23 This bill changes the definition of delinquency in the code to  
24 establish the minimum age at which a juvenile could be adjudicated  
25 delinquent to 14 years of age or older.