

[Second Reprint]

SENATE, No. 1385

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator CARMEN F. AMATO, JR.

District 9 (Ocean)

Co-Sponsored by:

Senators Holzapfel and Henry

SYNOPSIS

Establishes four-year pilot program in Ocean County for electronic monitoring of certain domestic violence offenders; appropriates \$2.5 million.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 26, 2024, with amendments.



(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT establishing a pilot program for domestic violence
2 offenders, ²**[designated “Lisa’s Law,”]**² supplementing Title 2C
3 of the New Jersey Statutes, amending P.L.1971, c.198, and
4 making an appropriation

5

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

8

9 1. (New section) The Attorney General and the State Parole
10 Board shall establish ¹, administer, and maintain¹ a four-year pilot
11 program in Ocean County ¹or a different county as determined by
12 the Attorney General pursuant to subsection b. of section 12 of
13 P.L. , c. (C.) (pending before the Legislature as this bill)¹
14 for electronic monitoring of defendants and notification of domestic
15 violence victims as ordered by the court.

16

17 2. (New section) a. Pursuant to the pilot program established by
18 P.L. , c. (C.) (pending before the Legislature as this bill),
19 electronic monitoring may be ordered only with the victim’s informed
20 consent as defined in section 5 of P.L. , c. (C.) (pending
21 before the Legislature as this bill). The pilot program shall apply to
22 defendants convicted of contempt of a domestic violence order entered
23 pursuant to the provisions of P.L.1981, c.426 (C.2C:25-1 et al.) or
24 P.L.1991, c.261 (C.2C:25-17 et al.).

25

26 b. In making the determination whether to place the defendant on
27 electronic monitoring, the court may hold a hearing to consider the
28 likelihood that the defendant's participation in electronic monitoring
29 will deter the defendant from injuring the victim. The court shall
30 consider the following factors:

31

32 (1) the gravity and seriousness of harm that the defendant inflicted
33 on the victim in the commission of the act of domestic violence ¹that
34 resulted in the entry of a temporary or final restraining order or a
35 contempt order pursuant to the “Prevention of Domestic Violence
36 Act,” P.L.1981, c.426 (C.2C:25-1 et al.) or the “Prevention of
Domestic Violence Act of 1991,” P.L.1991, c.261 (C.2C:25-17 et
al.)¹;

37

38 (2) the defendant’s previous history of domestic violence, if any;

39

40 (3) the defendant’s history of other criminal acts, if any;

41

42 (4) whether the defendant has access to a weapon;

43

44 (5) whether the defendant has threatened suicide or homicide;

45

46 (6) whether the defendant has a history of mental illness or has
47 been civilly committed; ¹**[and]**¹

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SJU committee amendments adopted June 13, 2024.

²Senate SBA committee amendments adopted June 26, 2024.

1 (7) whether the defendant has a history of alcohol abuse or
2 substance abuse¹;

3 (8) the best interests of any children of the parties; and

4 (9) any other factors the court finds relevant to making such a
5 determination¹.

6 c. Any electronic monitoring device and tracking system worn or
7 utilized by a defendant pursuant to P.L. , c. (C.) (pending
8 before the Legislature as this bill) shall be in compliance with
9 Offender Tracking Systems NIJ Standard 1004.00, issued by the
10 National Institute of Justice in July 2016, and any successor standards
11 adopted by the National Institute of Justice.

12 d. A defendant ordered by the court to be placed on electronic
13 monitoring may be ordered to pay the costs and expenses related to
14 electronic monitoring and victim notification or a portion of the costs
15 and expenses, based on the defendant's ability to pay.

16 e. In addition to the provisions of subsection d. of this section, a
17 defendant ordered by the court to be placed on electronic monitoring
18 shall be assessed a monitoring fee of \$250. The court may waive the
19 fee in cases of extreme financial hardship. The fee shall be collected
20 ¹as provided by the Rules of Court pursuant to the procedures
21 established by the Attorney General¹ and forwarded to the "Domestic
22 Violence Victim Notification Fund" established pursuant to section 7
23 of P.L. , c. (C.) (pending before the Legislature as this bill).

24 f. The Attorney General, in consultation with the
25 ¹Administrative Office of the Courts State Parole Board¹, shall
26 develop procedures to determine, investigate, and ¹report respond to
27 a defendant's noncompliance with the terms and conditions of the
28 electronic monitoring program¹ on a 24-hour-per-day basis ¹a
29 defendant's noncompliance with the terms and conditions of the
30 electronic monitoring program¹. All reports of noncompliance shall
31 be investigated by a law enforcement officer ¹within a reasonable
32 period of time ¹as expeditiously as possible¹.

33 g. The Attorney General, the Administrative Office of the Courts,
34 the Superintendent of State Police, the State Parole Board, and county
35 and municipal law enforcement agencies shall share information
36 obtained pursuant to P.L. , c. (C.) (pending before the
37 Legislature as this bill).

38
39 3. (New section) Pursuant to the pilot program established by
40 P.L. , c. (C.) (pending before the Legislature as this bill),
41 whenever a defendant is convicted of contempt of a domestic violence
42 order entered pursuant to P.L.1981, c.426
43 (C.2C:25-1 et al.) or P.L.1991, c.261 (C.2C:25-17 et al.) the court
44 may, in addition to ²or in lieu of² any other disposition:

45 a. sentence the defendant to electronic monitoring with victim
46 notification ¹for a period of time not to exceed the expiration of the

1 pilot program established pursuant to P.L. , c. (C.) (pending
2 before the Legislature as this bill)¹; ²**[or] and**²

3 b. sentence the defendant to probation ²**[or a suspension of**
4 **sentence]**² and, as a condition of such probation ²**[or suspension]**²,
5 order electronic monitoring with victim notification.
6

7 4. (New section) Any person who tampers with, removes, or
8 vandalizes an electronic monitoring device worn or utilized by a
9 defendant pursuant to P.L. , c. (C.) (pending before the
10 Legislature as this bill) is guilty of a crime of the third degree.
11

12 5. (New section) ²**a.**²As used in P.L. , c. (C.) (pending
13 before the Legislature as this bill), "informed consent" means that
14 prior to consenting to a defendant's participation in the electronic
15 monitoring program established pursuant to P.L. , c. (C.)
16 (pending before the Legislature as this bill), the prosecutor's office has
17 provided¹ the victim ¹**[is given]**¹ the following information ¹**[before**
18 **consenting to participate in the electronic monitoring program**
19 **established by P.L. , c. (C.) (pending before the Legislature as**
20 **this bill)]**¹:

21 ²**[a.] (1)**² The victim's right to refuse to participate in electronic
22 monitoring and the process for requesting the court to terminate the
23 victim's participation after it has been ordered², including the
24 requirement for a resentencing hearing for the defendant when the
25 victim terminates participation, as set forth in subsection b. of this
26 section²;

27 ²**[b.] (2)**² The manner in which the electronic monitoring
28 technology functions and the risks and limitations of that technology,
29 the operational procedures of the device and the applicable instructions
30 regarding the device, and the extent to which the system will track and
31 record the victim's location and movements;

32 ²**[c.] (3)**² The boundaries imposed on the defendant during the
33 electronic monitoring;

34 ²**[d.] (4)**² The sanctions that the court may impose on the
35 defendant for violating an order issued by the court;

36 ²**[e.] (5)**² The procedure that the victim is to follow if the
37 defendant violates an order or if electronic monitoring equipment fails;

38 ²**[f.] (6)**² Identification of support services available to assist the
39 victim in developing a safety plan to use if the defendant violates an
40 order or if electronic monitoring equipment fails;

41 ²**[g.] (7)**² Identification of community services available to assist
42 the victim in obtaining shelter, counseling, education, child care, legal
43 representation, and other help in addressing the consequences and
44 effects of domestic violence; and

1 ²[h.] (8)² The non-confidential nature of the victim's
2 communications with the court concerning electronic monitoring and
3 the restrictions to be imposed upon the defendant's movements.

4 ²b. If the victim requests that the court terminate the victim's
5 participation in the electronic monitoring program after the program
6 has been ordered, the court shall hold a hearing to resentence the
7 defendant. Electronic monitoring with victim notification shall
8 continue until the court issues a resentencing decision.²

9
10 6. (New section) a. From the implementation of the pilot
11 program established by P.L. , c. (C.) (pending before the
12 Legislature as this bill) through the fifth year thereafter, and, in
13 addition to the provisions of section 1 of P.L.2001, c.195
14 (C.2C:25-29.1), any person found by the court in a final hearing
15 pursuant to section 13 of P.L.1991, c.261 (C.2C:25-29) to have
16 committed an act of domestic violence shall be ordered by the court
17 to pay a civil penalty of \$200. In imposing this civil penalty, the
18 court shall take into consideration the nature and degree of injury
19 suffered by the victim. The court may waive the penalty in cases of
20 extreme financial hardship.

21 b. In addition to any other disposition, the court shall impose a
22 civil penalty of \$250 on any person:

23 (1) convicted of a crime or offense involving domestic violence,
24 as defined in subsection a. of section 3 of P.L.1991, c.261
25 (C.2C:25-19); or

26 (2) convicted of contempt of a domestic violence order entered
27 pursuant to P.L.1981, c.426 (C.2C:25-1 et al.) or P.L.1991, c.261
28 (C.2C:25-17 et al.),

29 unless the person was previously assessed the monitoring fee
30 imposed pursuant to subsection e. of section 2 of
31 P.L. , c. (C.) (pending before the Legislature as this bill),
32 in which case the court shall not impose the civil penalty pursuant
33 to this subsection.

34 c. The civil penalties imposed pursuant to this section shall
35 expire at the end of the fifth year following implementation of the
36 pilot program established pursuant to P.L. , c. (C.) (pending
37 before the Legislature as this bill).

38
39 7. (New section) a. There is hereby established the "Domestic
40 Violence Victim Notification Fund," a dedicated, non-lapsing fund
41 within the General Fund and administered by the Attorney General.
42 The fund shall be the depository of the following moneys:

43 (1) the costs and expenses imposed on the defendant for
44 electronic monitoring and victim notification pursuant to subsection
45 d. of section 2 of P.L. , c. (C.) (pending before the
46 Legislature as this bill);

1 (2) the \$250 monitoring fee assessed pursuant to subsection e.
2 of section 2 of P.L. , c. (C.) (pending before the Legislature
3 as this bill);

4 (3) the \$200 civil penalty set forth in subsection a. of section 6
5 of P.L. , c. (C.) (pending before the Legislature as this bill);

6 (4) the \$250 civil penalty set forth in subsection b. of section 6
7 of P.L. , c. (C.) (pending before the Legislature as this bill);
8 and

9 (5) any other monies that may be available to the fund through
10 appropriation by the Legislature or any public or private source.

11 b. All moneys deposited in the “Domestic Violence Victim
12 Notification Fund” shall be used to defray the costs of electronic
13 monitoring with victim notification pursuant to P.L. , c. (C.)
14 (pending before the Legislature as this bill).

15
16 8. (New section) Notwithstanding any other provision of law
17 to the contrary, no supplier of a product, system, or service used for
18 electronic monitoring with victim notification in the pilot program
19 established by P.L. , c. (C.) (pending before the Legislature
20 as this bill) shall be liable, directly or indirectly, for damages
21 arising from any injury or death associated with the use of the
22 product, system or service unless, and only to the extent that, such
23 action is based on a claim that the injury or death was proximately
24 caused by a manufacturing defect in the product or system.

25
26 9. Section 5 of P.L.1971, c.198 (C.40A:11-5) is amended to
27 read as follows:

28 5. Any contract the amount of which exceeds the bid threshold,
29 may be negotiated and awarded by the governing body without
30 public advertising for bids and bidding therefor and shall be
31 awarded by resolution of the governing body if:

32 (1) The subject matter thereof consists of:

33 (a) (i) Professional services. The governing body shall in each
34 instance state supporting reasons for its action in the resolution
35 awarding each contract and shall forthwith cause to be printed once,
36 in the official newspaper, a brief notice stating the nature, duration,
37 service and amount of the contract, and that the resolution and
38 contract are on file and available for public inspection in the office
39 of the clerk of the county or municipality, or, in the case of a
40 contracting unit created by more than one county or municipality, of
41 the counties or municipalities creating the contracting unit; or (ii)
42 Extraordinary unspecifiable services. The application of this
43 exception shall be construed narrowly in favor of open competitive
44 bidding, whenever possible, and the Division of Local Government
45 Services is authorized to adopt and promulgate rules and regulations
46 after consultation with the Commissioner of Education limiting the
47 use of this exception in accordance with the intention herein
48 expressed. The governing body shall in each instance state

- 1 supporting reasons for its action in the resolution awarding each
2 contract and shall forthwith cause to be printed, in the manner set
3 forth in subsection (1) (a) (i) of this section, a brief notice of the
4 award of the contract;
- 5 (b) The doing of any work by employees of the contracting unit;
- 6 (c) The printing of legal briefs, records, and appendices to be
7 used in any legal proceeding in which the contracting unit may be a
8 party;
- 9 (d) The furnishing of a tax map or maps for the contracting unit;
- 10 (e) The purchase of perishable foods as a subsistence supply;
- 11 (f) The supplying of any product or the rendering of any service
12 by a public utility, which is subject to the jurisdiction of the Board
13 of Public Utilities or the Federal Energy Regulatory Commission or
14 its successor, in accordance with tariffs and schedules of charges
15 made, charged or exacted, filed with the board or commission;
- 16 (g) The acquisition, subject to prior approval of the Attorney
17 General, of special equipment for confidential investigation;
- 18 (h) The printing of bonds and documents necessary to the
19 issuance and sale thereof by a contracting unit;
- 20 (i) Equipment repair service if in the nature of an extraordinary
21 unspecifiable service and necessary parts furnished in connection
22 with the service, which exception shall be in accordance with the
23 requirements for extraordinary unspecifiable services;
- 24 (j) The publishing of legal notices in newspapers as required by
25 law;
- 26 (k) The acquisition of artifacts or other items of unique intrinsic,
27 artistic or historical character;
- 28 (l) Those goods and services necessary or required to prepare
29 and conduct an election;
- 30 (m) Insurance, including the purchase of insurance coverage and
31 consultant services, which exception shall be in accordance with the
32 requirements for extraordinary unspecifiable services;
- 33 (n) The doing of any work by persons with disabilities
34 employed by a sheltered workshop;
- 35 (o) The provision of any goods or services including those of a
36 commercial nature, attendant upon the operation of a restaurant by
37 any nonprofit, duly incorporated, historical society at or on any
38 historical preservation site;
- 39 (p) (Deleted by amendment, P.L.1999, c.440)
- 40 (q) Library and educational goods and services;
- 41 (r) (Deleted by amendment, P.L.2005, c.212)
- 42 (s) The marketing of recyclable materials recovered through a
43 recycling program, or the marketing of any product intentionally
44 produced or derived from solid waste received at a resource
45 recovery facility or recovered through a resource recovery program,
46 including, but not limited to, refuse-derived fuel, compost materials,
47 methane gas, and other similar products;
- 48 (t) (Deleted by amendment, P.L.1999, c.440)

1 (u) Contracting unit towing and storage contracts, provided that
2 all of the contracts shall be pursuant to reasonable non-exclusionary
3 and non-discriminatory terms and conditions, which may include
4 the provision of the services on a rotating basis, at the rates and
5 charges set by the municipality pursuant to section 1 of P.L.1979,
6 c.101 (C.40:48-2.49). All contracting unit towing and storage
7 contracts for services to be provided at rates and charges other than
8 those established pursuant to the terms of this paragraph shall only
9 be awarded to the lowest responsible bidder in accordance with the
10 provisions of the "Local Public Contracts Law," P.L.1971, c.198
11 (C.40A:11-1 et seq.) and without regard for the value of the
12 contract therefor;

13 (v) The purchase of steam or electricity from, or the rendering
14 of services directly related to the purchase of steam or electricity
15 from a qualifying small power production facility or a qualifying
16 cogeneration facility as defined pursuant to 16 U.S.C. s.796;

17 (w) The purchase of electricity or administrative or dispatching
18 services directly related to the transmission of purchased electricity
19 by a contracting unit engaged in the generation of electricity;

20 (x) The printing of municipal ordinances or other services
21 necessarily incurred in connection with the revision and
22 codification of municipal ordinances;

23 (y) An agreement for the purchase of an equitable interest in a
24 water supply facility or for the provision of water supply services
25 entered into pursuant to section 2 of P.L.1993, c.381 (C.58:28-2), or
26 an agreement entered into pursuant to N.J.S.40A:31-1 et al., so long
27 as the agreement is entered into no later than six months after the
28 effective date of P.L.1993, c.381 (C.58:28-1 et al.);

29 (z) A contract for the provision of water supply services entered
30 into pursuant to P.L.1995, c.101 (C.58:26-19 et al.);

31 (aa) The cooperative marketing of recyclable materials
32 recovered through a recycling program;

33 (bb) A contract for the provision of wastewater treatment
34 services entered into pursuant to P.L.1995, c.216
35 (C.58:27-19 et al.);

36 (cc) Expenses for travel and conferences;

37 (dd) The provision or performance of goods or services for the
38 support or maintenance of proprietary computer hardware and
39 software, except that this provision shall not be utilized to acquire
40 or upgrade non-proprietary hardware or to acquire or update non-
41 proprietary software;

42 (ee) The management or operation of an airport owned by the
43 contracting unit pursuant to R.S.40:8-1 et seq.;

44 (ff) Purchases of goods and services at rates set by the
45 Universal Service Fund administered by the Federal
46 Communications Commission;

47 (gg) A contract for the provision of water supply services or
48 wastewater treatment services entered into pursuant to section 2 of

1 P.L.2002, c.47 (C.40A:11-5.1), or the designing, financing,
2 construction, operation, or maintenance, or any combination
3 thereof, of a water supply facility as defined in subsection (16) of
4 section 15 of P.L.1971, c.198 (C.40A:11-15) or a wastewater
5 treatment system as defined in subsection (19) of section 15 of
6 P.L.1971, c.198 (C.40A:11-15), or any component part or parts
7 thereof, including a water filtration system as defined in subsection
8 (16) of section 15 of P.L.1971, c.198 (C.40A:11-15); or

9 (hh) The purchase of electricity generated from a power
10 production facility that is fueled by methane gas extracted from a
11 landfill in the county of the contracting unit;

12 (ii) For the duration of the four-year pilot program established
13 by P.L. , c. (C.) (pending before the Legislature as this
14 bill), services and equipment necessary for the implementation of
15 the program.

16 (2) It is to be made or entered into with the United States of
17 America, the State of New Jersey, county, or municipality, or any
18 board, body, officer, agency, or authority thereof, or any other state
19 or subdivision thereof.

20 (3) Bids have been advertised pursuant to section 4 of P.L.1971,
21 c.198 (C.40A:11-4) on two occasions and (a) no bids have been
22 received on both occasions in response to the advertisement, or (b)
23 the governing body has rejected the bids on two occasions because
24 it has determined that they are not reasonable as to price, on the
25 basis of cost estimates prepared for or by the contracting agent prior
26 to the advertising therefor, or have not been independently arrived
27 at in open competition, or (c) on one occasion no bids were received
28 pursuant to (a) and on one occasion all bids were rejected pursuant
29 to (b), in whatever sequence; a contract may then be negotiated and
30 may be awarded upon adoption of a resolution by a two-thirds
31 affirmative vote of the authorized membership of the governing
32 body authorizing the contract; provided, however, that:

33 (i) A reasonable effort is first made by the contracting agent to
34 determine that the same or equivalent goods or services, at a cost
35 which is lower than the negotiated price, are not available from an
36 agency or authority of the United States, the State of New Jersey or
37 of the county in which the contracting unit is located, or any
38 municipality in close proximity to the contracting unit;

39 (ii) The terms, conditions, restrictions, and specifications set
40 forth in the negotiated contract are not substantially different from
41 those which were the subject of competitive bidding pursuant to
42 section 4 of P.L.1971, c.198 (C.40A:11-4); and

43 (iii) Any minor amendment or modification of any of the terms,
44 conditions, restrictions, and specifications, which were the subject
45 of competitive bidding pursuant to section 4 of P.L.1971, c.198
46 (C.40A:11-4), shall be stated in the resolution awarding the
47 contract; provided further, however, that if on the second occasion
48 the bids received are rejected as unreasonable as to price, the

1 contracting agent shall notify each responsible bidder submitting
2 bids on the second occasion of its intention to negotiate, and afford
3 each bidder a reasonable opportunity to negotiate, but the governing
4 body shall not award the contract unless the negotiated price is
5 lower than the lowest rejected bid price submitted on the second
6 occasion by a responsible bidder, is the lowest negotiated price
7 offered by any responsible vendor, and is a reasonable price for
8 goods or services.

9 Whenever a contracting unit shall determine that a bid was not
10 arrived at independently in open competition pursuant to subsection
11 (3) of this section it shall thereupon notify the county prosecutor of
12 the county in which the contracting unit is located and the Attorney
13 General of the facts upon which its determination is based, and
14 when appropriate, it may institute appropriate proceedings in any
15 State or federal court of competent jurisdiction for a violation of
16 any State or federal antitrust law or laws relating to the unlawful
17 restraint of trade.

18 (4) The contracting unit has solicited and received at least three
19 quotations on materials, supplies, or equipment for which a State
20 contract has been issued pursuant to section 12 of P.L.1971, c.198
21 (C.40A:11-12), and the lowest responsible quotation is at least 10
22 percent less than the price the contracting unit would be charged for
23 the identical materials, supplies, or equipment, in the same
24 quantities, under the State contract. A contract entered into
25 pursuant to this subsection may be awarded only upon adoption of a
26 resolution by the affirmative vote of two-thirds of the full
27 membership of the governing body of the contracting unit at a
28 meeting thereof authorizing the contract. A copy of the purchase
29 order relating to the contract, the requisition for purchase order, if
30 applicable, and documentation identifying the price of the materials,
31 supplies or equipment under the State contract and the State
32 contract number shall be filed with the director within five working
33 days of the award of the contract by the contracting unit. The
34 director shall notify the contracting unit of receipt of the material
35 and shall make the material available to the State Treasurer. The
36 contracting unit shall make available to the director upon request
37 any other documents relating to the solicitation and award of the
38 contract, including, but not limited to, quotations, requests for
39 quotations, and resolutions. The director periodically shall review
40 material submitted by contracting units to determine the impact of
41 the contracts on local contracting and shall consult with the State
42 Treasurer on the impact of the contracts on the State procurement
43 process. The director may, after consultation with the State
44 Treasurer, adopt rules in accordance with the "Administrative
45 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to limit the
46 use of this subsection, after considering the impact of contracts
47 awarded under this subsection on State and local contracting, or
48 after considering the extent to which the award of contracts

1 pursuant to this subsection is consistent with and in furtherance of
2 the purposes of the public contracting laws.

3 (5) Notwithstanding any provision of law, rule, or regulation to
4 the contrary, the subject matter consists of the combined collection
5 and marketing, or the cooperative combined collection and
6 marketing of recycled material recovered through a recycling
7 program, or any product intentionally produced or derived from
8 solid waste received at a resource recovery facility or recovered
9 through a resource recovery program including, but not limited to,
10 refuse-derived fuel, compost materials, methane gas, and other
11 similar products, provided that in lieu of engaging in public
12 advertising for bids and the bidding therefor, the contracting unit
13 shall, prior to commencing the procurement process, submit for
14 approval to the Director of the Division of Local Government
15 Services, a written detailed description of the process to be
16 followed in securing the services. Within 30 days after receipt of
17 the written description the director shall, if the director finds that
18 the process provides for fair competition and integrity in the
19 negotiation process, approve, in writing, the description submitted
20 by the contracting unit. If the director finds that the process does
21 not provide for fair competition and integrity in the negotiation
22 process, the director shall advise the contracting unit of the
23 deficiencies that must be remedied. If the director fails to respond
24 in writing to the contracting unit within 30 days, the procurement
25 process as described shall be deemed approved. As used in this
26 section, "collection" means the physical removal of recyclable
27 materials from curbside or any other location selected by the
28 contracting unit.

29 (6) Notwithstanding any provision of law, rule, or regulation to
30 the contrary, the contract is for the provision of electricity by a
31 contracting unit engaged in the distribution of electricity for retail
32 sale, for the provision of wholesale electricity by a municipal
33 shared services energy authority as defined pursuant to section 3 of
34 P.L.2015, c.129 (C.40A:66-3), or for the provision of administrative
35 or dispatching services related to the transmission of electricity,
36 provided that in lieu of engaging in public advertising for bids and
37 the bidding therefor, the contracting unit shall, prior to commencing
38 the procurement process, submit for approval to the Director of the
39 Division of Local Government Services, a written detailed
40 description of the process to be followed in securing these services.
41 The process shall be designed in a way that is appropriate to and
42 commensurate with industry practices, and the integrity of the
43 government contracting process. Within 30 days after receipt of the
44 written description, the director shall, if the director finds that the
45 process provides for fair competition and integrity in the
46 negotiation process, approve, in writing, the description submitted
47 by the contracting unit. If the director finds that the process does
48 not provide for fair competition and integrity in the negotiation

1 process, the director shall advise the contracting unit of the
2 deficiencies that must be remedied. If the director fails to respond
3 in writing to the contracting unit within 30 days, the procurement
4 process, as submitted to the director pursuant to this [section]
5 subsection, shall be deemed approved.

6 (cf: P.L.2017, c.131, s.174)

7
8 10. (New section) There is appropriated from the General Fund
9 \$2.5 million to the “Domestic Violence Victim Notification Fund”
10 created by section 7 of P.L. , c. (C.) (pending before the
11 Legislature as this bill) to effectuate the provisions of
12 P.L. , c. (C.) (pending before the Legislature as this bill).
13 Following the expiration of the four-year pilot program established
14 by P.L. , c. (C.) (pending before the Legislature as this
15 bill), any unexpended funds shall be returned to the General Fund.

16
17 11. (New section) Not later than one year following the
18 implementation of the pilot program, and annually thereafter for a total
19 of four years, the Attorney General shall submit to the Governor and to
20 the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-
21 19.1), a report containing an evaluation of the pilot program. The
22 report shall recommend whether the pilot program should be continued
23 as a Statewide program ¹and include a cost impact analysis of the costs
24 and expenses used to help pay for electronic monitoring and victim
25 notification, the monitoring fee, and civil penalties imposed on
26 defendants pursuant to sections 2 and 6 of P.L. , c. (C.)
27 (pending before the Legislature as this bill) to defray the costs of
28 electronic monitoring and victim notification pursuant to P.L. , c.
29 (C.) (pending before the Legislature as this bill)¹.

30
31 12. (New section) ¹a.¹ The Attorney General, in conjunction with
32 the ¹[Administrative Office of the Courts,]¹ Division of Probation
33 Services ¹[,]¹ and the State Parole Board, and in consultation with the
34 Ocean County Prosecutor and Ocean County Sheriff and any other
35 entities that the Attorney General deems necessary, ¹including, but not
36 limited to local victim service providers and abuse intervention
37 programs,¹ shall promulgate rules and regulations to effectuate the
38 provisions of P.L. , c. (C.) (pending before the Legislature as
39 this bill).

40 ¹b. If the Attorney General, while promulgating rules and
41 regulations to effectuate the provisions of P.L. , c. (C.)
42 (pending before the Legislature as this bill) pursuant to subsection a. of
43 this section, determines that a county other than Ocean County may be
44 a more effective venue for the pilot program, the Attorney General
45 may change the county in which the pilot program is established.¹

1 13. This act shall take effect immediately and shall expire upon
2 submission of the fourth annual report to the Governor and
3 Legislature pursuant to section 11 of P.L. , c. (C.) (pending
4 before the Legislature as this bill).