SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

# SENATE, No. 2938

with committee amendments

# STATE OF NEW JERSEY

DATED: MAY 16, 2024

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2938.

As reported by the committee, the amended bill requires each county sheriff to designate at least one parking lot at the sheriff's office, or a substation thereof, as a neutral safe exchange zone at which parents may meet to exchange a minor child for the purpose of visitation or custody.

Under the bill, each neutral safe exchange zone is required to:

(1) have a sign on the premises to clearly identify the designated area as a neutral safe exchange zone;

(2) be accessible 24 hours a day, seven days a week;

(3) provide adequate lighting; and

(4) maintain an external video surveillance system that records continuously, 24 hours a day, seven days a week.

The surveillance system is required to have the capability to record the neutral safe exchange zone during both day and night, capture and record images clearly, and accurately display the time and date. The county sheriff is required to retain the video surveillance recordings or images for at least 45 days. However, nothing contained in the bill holds a county, sheriff, law enforcement officer, or employee thereof, liable for civil damages for any act or omission relating to an incident arising from a meeting to exchange a minor child at a neutral safe exchange zone.

Under the amended bill, the court may order an exchange of the minor child at a court approved site at the request of a party to enforce compliance with a visitation or custody order if there has been a history of domestic violence between the parties or if there is a temporary or final restraining order issued pursuant to the "Prevention of Domestic Violence Act of 1991."

Finally, the bill makes a General Fund appropriation to each county sheriff's office in this State to fund the creation of the neutral safe exchange zones.

COMMITTEE AMENDMENTS

The committee amended the bill to:

1) provide that a court may order an exchange of the minor child at

a court approved site at the request of a party to enforce compliance with a visitation or custody order if there has been a history of domestic violence between the parties or if there is a temporary or final restraining order issued pursuant to the "Prevention of Domestic Violence Act of 1991"; and

2) make technical and clarifying changes.