

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 3091

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2026

The Assembly Higher Education Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3091.

This committee substitute requires the Secretary of Higher Education to impose a penalty of \$10,000 against an institution of higher education in the event that the secretary determines that the institution failed to appropriately respond to and investigate an allegation of sexual assault made by a student enrolled in the institution against another student, and to impose appropriate disciplinary action against the perpetrator if the allegation is substantiated.

The penalty is to be collected by the secretary in a summary proceeding before a court of competent jurisdiction pursuant to the "Penalty Enforcement Law of 1999."

In addition, under the provisions of the bill, every State, county, and municipal law enforcement agency is required to notify the appropriate county prosecutor's office within 24 hours of receiving a report or complaint of a sexual assault or otherwise becoming aware of a sexual assault that occurred in the jurisdiction of the law enforcement agency. A campus police department is required to provide this same notification if the victim of the sexual assault provides written consent.

In addition, the bill requires a supervisor in the Special Victims Unit or Juvenile Unit or an equivalent unit of each county prosecutor's office to review and approve all final dispositions in sexual assault cases, including decisions regarding whether to bring or decline to bring criminal charges.

Finally, under the bill, when a county prosecutor's office declines to prosecute a sexual assault case, the assistant prosecutor assigned to the case is required to provide the victim with an opportunity for an in-person meeting, during which the assistant prosecutor is required to explain the basis for declining prosecution. This requirement is in addition to the requirement under current law to advise a victim of sexual assault of the right to be notified of the prosecuting agency's decision to file, or decline to file, criminal charges and, if appropriate, provide this notification.