

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3091

STATE OF NEW JERSEY
222nd LEGISLATURE

ADOPTED OCTOBER 22, 2026

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

SYNOPSIS

Concerns sexual assault complaints.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Higher Education Committee.



1 AN ACT concerning sexual assault and supplementing Title 18A of
2 the New Jersey Statutes and Title 52 of the Revised Statutes.

3

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

6

7 1. a. The Secretary of Higher Education shall impose a
8 penalty of \$10,000 against an institution of higher education if the
9 secretary determines that the institution failed to appropriately
10 respond to and investigate an allegation of sexual assault made by a
11 student enrolled in the institution against another student enrolled in
12 the institution, and to impose appropriate disciplinary action against
13 the perpetrator if the allegation is substantiated.

14 b. The civil penalty prescribed by subsection a. of this section
15 shall be collected by the secretary in a summary proceeding before
16 a court of competent jurisdiction pursuant to the provisions of the
17 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10
18 et seq.).

19

20 2. a. (1) Every State, county, and municipal law enforcement
21 agency shall notify the appropriate county prosecutor’s office
22 within 24 hours of receiving a report or complaint of a sexual
23 assault pursuant to N.J.S.2C:14-2 or otherwise becoming aware of a
24 sexual assault that occurred in the jurisdiction of the law
25 enforcement agency.

26 (2) Every campus police department at an institution of higher
27 education in this State that appoints police officers pursuant to
28 P.L.1970, c.211 (C.18A:6-4.2 et seq.) shall notify the appropriate
29 county prosecutor’s office within 24 hours of receiving a report or
30 complaint of a sexual assault pursuant to N.J.S.2C:14-2 or
31 otherwise becoming aware of a sexual assault that occurred in the
32 jurisdiction of the campus police department if the victim of the
33 sexual assault provides written consent.

34 (3) Each county prosecutor’s office shall develop and implement
35 protocols that assist law enforcement agencies and campus police
36 departments in complying with this requirement.

37 b. A supervisor in the Special Victims Unit or the Juvenile Unit
38 or an equivalent unit of each county prosecutor’s office shall review
39 and approve all final dispositions in sexual assault cases, including
40 decisions regarding whether to bring or decline to bring criminal
41 charges.

42 c. In addition to the requirements set forth in section 1 of
43 P.L.2003, c.137 (C.2C:14-2.1), when a county prosecutor’s office
44 declines to prosecute a sexual assault case, the assistant prosecutor
45 assigned to the case shall provide the victim with an opportunity for
46 an in-person meeting, during which the assistant prosecutor shall
47 explain the basis for declining prosecution.

- 1 3. This bill shall take effect immediately.