

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4215

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 22, 2026

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 4215.

As amended and reported, this bill provides for enhanced penalties for the crime of engaging in prostitution as a patron. In New Jersey, the offense of prostitution encompasses different conduct by various actors; penalties for the offense vary, depending on the unlawful conduct. This bill addresses conduct by persons who purchase sexual activity, commonly referred to as “johns.” Under paragraph (1) of subsection b. of N.J.S.2C:34-1, a person commits this offense if the actor engages in prostitution as a patron, or one who purchases sexual activity with another person in exchange for something of economic value, or the offer or acceptance of an offer to engage in sexual activity in exchange for something of economic value. Currently, a violation of this provision is a disorderly persons offense for a first offense, punishable by up to six months imprisonment, a fine of up to \$1,000, or both. For a second or third violation, it is a crime of the fourth degree, punishable by up to 18 months imprisonment, a fine of up to \$10,000, or both. For a fourth violation, it is a crime of the third degree, punishable by three to five years imprisonment, a fine of up to \$15,000, or both. In addition to any other disposition for the offense, N.J.S.A.2C:34-1.2 assesses additional penalties upon persons convicted of engaging in prostitution as a patron which include an assessment of \$500, and can include participation in a prostitution offender program.

This bill increases prostitution by a patron to a crime of the fourth degree, except that a fourth violation remains a crime of the third degree. In addition, the amended bill provides that any fine collected shall be forwarded to the Department of the Treasury to be deposited equally between the “Human Trafficking Survivor's Assistance Fund” (the HTSAF) established by N.J.S.A.52:17B-238 and the “Victims of Crime Compensation Board Account” (the VCCBA) established by N.J.S.A.2C:43-3.1.

All monies deposited in the HTSAF fund are required by the law to be used for the provision of services to victims of human trafficking, to promote awareness of human trafficking, and the development, maintenance, revision, and distribution of training courses and other

educational materials, and the operation of educational or training programs.

All monies deposited in the VCCBA are required by law to be used to satisfy claims awarded by the Victims of Crime Compensation Office and related administrative costs.

COMMITTEE AMENDMENTS:

The committee amended the bill to provide that fines collected shall be deposited equally between the “Human Trafficking Survivor’s Assistance Fund” (the HTSAF), established by N.J.S.A.52:17B-238, and the “Victims of Crime Compensation Board Account” (the VCCBA), established by P.L.1979, c.396.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that the bill will result in an indeterminate increase in annual State expenditures and revenues. The OLS lacks sufficient information to quantify the fiscal impact, as it is not possible to know how many individuals will be prosecuted, tried, and sentenced for the crimes under the bill.

The bill upgrades the offense of prostitution as a patron from a disorderly persons offense to a crime of the fourth degree, which would result in the following State agencies incurring caseload and expenditure increases: a) the Department of Law and Public Safety would provide guidance and other information related to the prosecution of the cases; b) county prosecutors would have to prosecute additional cases; c) the Judiciary would have to adjudicate additional complaints and monitor additional probationers; d) the Office of the Public Defender would have to represent additional low-income criminal defendants; e) the Department of Corrections may have to house and care for more individuals in cases where the sentencing involves incarceration; and f) the State Parole Board may have to supervise the return to society of additional convicts. The State may receive indeterminate revenues from the enhanced fines; however, the State’s ability to collect fines has historically been limited.

As for local entities, the OLS notes that annual expenditures and revenues are likely to decrease since first-time offenders will now be adjudicated in State court rather than municipal court, and any defendants sentenced to incarceration will be sent to State prison rather than county jail. The local entities will also incur a revenue loss from forgone fines and court fees.