

[Second Reprint]

ASSEMBLY, No. 4796

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED MARCH 23, 2026

Sponsored by:

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SYNOPSIS

Expands criminal and civil penalties for human trafficking, and expands human trafficking training requirements for law enforcement.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on October 22, 2026, with amendments.

(Sponsorship Updated As Of: 9/10/2026)

1 AN ACT concerning human trafficking, amending and
2 supplementing various parts of the statutory law, ¹and¹ repealing
3 section 11 of P.L.2013, c.51 ¹[, and making an appropriation]¹.
4

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

8 1. Section 1 P.L.1959, c.90 (2A:53A-7) is amended to read as
9 follows:

10 1. a. No nonprofit corporation, society or association organized
11 exclusively for religious, charitable or educational purposes or its
12 trustees, directors, officers, employees, agents, servants or
13 volunteers shall, except as is hereinafter set forth, be liable to
14 respond in damages to any person who shall suffer damage from the
15 negligence of any agent or servant of such corporation, society or
16 association, where such person is a beneficiary, to whatever degree,
17 of the works of such nonprofit corporation, society or association;
18 provided, however, that such immunity from liability shall not
19 extend to any person who shall suffer damage from the negligence
20 of such corporation, society, or association or of its agents or
21 servants where such person is one unconcerned in and unrelated to
22 and outside of the benefactions of such corporation, society or
23 association.

24 Nothing in this subsection shall be deemed to grant immunity to
25 any health care provider, in the practice of his profession, who is a
26 compensated employee, agent or servant of any nonprofit
27 corporation, society or association organized exclusively for
28 religious, charitable or educational purposes.

29 b. No nonprofit corporation, society or association organized
30 exclusively for hospital purposes or its trustees, directors, officers
31 or volunteers shall, except as is hereinafter set forth, be liable to
32 respond in damages to any person who shall suffer damage from the
33 negligence of any agent or servant of such corporation, society or
34 association, where such person is a beneficiary, to whatever degree,
35 of the works of such nonprofit corporation, society or association;
36 provided, however, that such immunity from liability shall not
37 extend to any person who shall suffer damage from the negligence
38 of such corporation, society, or association or of its agents or
39 servants where such person is one unconcerned in and unrelated to
40 and outside of the benefactions of such corporation, society or
41 association; but nothing herein contained shall be deemed to exempt
42 the agent, employee or servant individually from their liability for
43 any such negligence.

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:

¹Assembly AJU committee amendments adopted October 15, 2026.

²Assembly AAP committee amendments adopted October 22, 2026.

1 c. Nothing in this section shall be deemed to grant immunity
2 to: (1) any nonprofit corporation, society or association organized
3 exclusively for religious, charitable, educational or hospital
4 purposes, or its trustee, director, officer, employee, agent, servant or
5 volunteer, causing damage by a willful, wanton or grossly negligent
6 act of commission or omission, including sexual assault, any other
7 crime of a sexual nature, a prohibited sexual act as defined in
8 section 2 of P.L.1992, c.7 (C.2A:30B-2), **【or】** sexual abuse as
9 defined in section 1 of P.L.1992, c.109 (C.2A:61B-1), a human
10 trafficking offense pursuant to section 1 of P.L.2005, c.77(C.2C:13-
11 8) or section 5 of P.L.2013, c.51 (C.2C:13-9), or advertising
12 commercial sexual abuse of a minor pursuant to subsection b. of
13 section 12 of P.L.2013, c.51 (C.2C:13-10) ;

14 (2) any trustee, director, officer, employee, agent, servant or
15 volunteer causing damage as the result of the negligent operation of
16 a motor vehicle; or

17 (3) an independent contractor of a nonprofit corporation, society
18 or association organized exclusively for religious, charitable,
19 educational or hospital purposes.

20 (cf: P.L.2019, c.120, s.5)

21
22 ¹**【2.**Section 1 of P.L.1985, c.126 (C.2A:84A-32.4) is amended to
23 read as follows:

24 1. a. (1) In prosecutions for aggravated sexual assault, sexual
25 assault, aggravated criminal sexual contact, criminal sexual contact,
26 human trafficking **【involving sexual activity】**, a crime involving
27 domestic violence as defined in section 3 of P.L.1991, c.261
28 (C.2C:25-19), endangering the welfare of a child pursuant to
29 N.J.S.2C:24-4, abuse or neglect of a child pursuant to R.S.9:6-3, or
30 in any action alleging an abused or neglected child under P.L.1974,
31 c.119 (C.9:6-8.21 et seq.), the court may, on motion and after
32 conducting a hearing in camera, or in the court's discretion, order
33 the taking of the testimony of a victim or witness on closed circuit
34 television at the trial, out of the view of the jury, defendant, or
35 spectators upon making findings as provided in subsection b. of this
36 section.

37 (2) In granting such an order, the court shall assure that:

38 (a) the victim or witness will testify under oath;

39 (b) the victim or witness will submit to cross-examination by the
40 defendant's attorney; and

41 (c) the defendant, jury, and judge will be permitted to observe
42 the demeanor of the victim or witness when making testimonial
43 statements using closed circuit television.

44 b. An order under this section may be made only if the court
45 determines by clear and convincing evidence that there is a
46 substantial likelihood that the victim or witness would suffer severe
47 emotional or mental distress if required to testify in the presence of
48 spectators, the defendant, the jury, or all of them. The order shall

1 be specific as to whether the victim or witness will testify outside
2 the presence of spectators, the defendant, the jury, or all of them
3 and shall be based on specific findings relating to the impact of the
4 presence of each.

5 c. A motion seeking closed circuit testimony under subsection
6 a. of this section may be filed by:

7 (1) The victim or witness or, in the case of a victim or witness
8 who is under the age of 18, the victim's or witness's attorney, parent
9 or legal guardian;

10 (2) The prosecutor; **【or】**

11 (3) The defendant or the defendant's counsel;

12 (4) The court on its own motion.

13 d. The defendant's counsel shall be present in the same room as
14 the victim or witness at the taking of testimony on closed circuit
15 television. The defendant and the defendant's attorney shall be able
16 to confer privately with each other during the testimony by a
17 separate audio system.

18 e. If testimony is taken on closed circuit television pursuant to
19 the provisions of this section, the video portion of the testimony
20 shall not be recorded and shall not constitute part of the record on
21 appeal. All audio transmissions, except private conversations
22 between the defendant and the defendant's attorney, shall be
23 recorded and thereafter shall be subject to the following provisions:

24 (1) If the victim or witness is 18 years of age or older at the time
25 of the court proceedings, any recording of the audio portion of the
26 closed circuit testimony shall constitute part of the record on
27 appeal, unless the court orders otherwise for good cause shown
28 upon motion of the parties.

29 (2) If the victim or witness is under the age of 18 at the time of
30 the court proceedings, any recording of the audio portion of the
31 closed circuit testimony shall not constitute part of the record on
32 appeal and shall be deemed confidential and not available to the
33 public, unless the court orders otherwise for good cause shown
34 upon motion of the parties. In making the determination regarding
35 the availability of the audio portion of the testimony, the court shall
36 consider potential trauma or stigma to the victim or witness. A
37 transcript of the audio portion of the closed circuit testimony shall
38 constitute part of the record on appeal, subject to any personal
39 identification safeguards contained in section 1 of P.L.1989, c.336
40 (C.2A:82-46).

41 f. For purposes of this section, "closed circuit television"
42 means any closed-circuit, videoconferencing or other audio-visual
43 electronic technology capable of producing a simultaneous, one-
44 way broadcast from a victim or witness to a defendant in a separate
45 physical location. The technology shall allow for the live
46 observation of the victim or witness by the defendant, jury, and
47 judge during the course of testimony or cross-examination, while

1 excluding a victim or witness from directly hearing or viewing the
2 defendant during the proceedings.

3 (cf: P.L.2017, c.205, s.1)]¹

4
5 ¹[3.] 2.¹ Section 8 of P.L.1968, c.409 (C.2A:156A-8) is
6 amended to read as follows:

7 8. The Attorney General, county prosecutor or a person
8 designated to act for such an official and to perform his duties in
9 and during his actual absence or disability, may authorize, in
10 writing, an ex parte application to a judge designated to receive the
11 same for an order authorizing the interception of a wire, or
12 electronic or oral communication by the investigative or law
13 enforcement officers or agency having responsibility for an
14 investigation when such interception may provide evidence of the
15 commission of the offense of murder, kidnapping, gambling,
16 robbery, bribery, a violation of paragraph (1) or (2) of subsection b.
17 of N.J.S.2C:12-1, ¹[a violation of stalking pursuant to section 1 of
18 P.L.1992, c.209 (C.2C:12-10),]¹ luring or enticing a child pursuant
19 to section 1 of P.L.1993, c.291 (C.2C:13-6), a human trafficking
20 offense pursuant to section 1 of ¹[L.2005] P.L.2005¹ , C.77
21 (C.2C:13-8) or section 5 of P.L.2013, c.51 (C.2C:13-9), advertising
22 commercial sexual abuse of a minor pursuant to section 12 of
23 P.L.2013, c.51 (C.2C:13-10), a violation of section 3 of P.L.1997,
24 c.353 (C.2C:21-4.3), a violation of ¹subsection a. of¹ N.J.S.2C:21-
25 17 ¹when charged as a second degree offense¹ , a violation of
26 N.J.S.2C:21-19 punishable by imprisonment for more than one
27 year, a violation of P.L.1994, c.121 (C.2C:21-23 et seq.), a violation
28 of sections 1 through 5 of P.L.2002, c.26 (C.2C:38-1 through
29 C.2C:38-5), a violation of N.J.S.2C:33-3, a violation of
30 N.J.S.2C:17-2, a violation of sections 1 through 3 of P.L.1983,
31 c.480 (C.2C:17-7 through 2C:17-9), a violation of N.J.S.2C:12-3
32 (terroristic threats), ¹[a third or fourth degree crime of cyber-
33 harassment pursuant to subsection b. of section 1 of P.L.2013, c.272
34 (C.2C:33-4.1),]¹ violations of N.J.S.2C:35-3, N.J.S.2C:35-4 and
35 N.J.S.2C:35-5, violations of sections 112 through 116, inclusive, of
36 the "Casino Control Act," P.L.1977, c.110 (C.5:12-112 through
37 5:12-116), a violation of section 1 of P.L.2005, c.77 (C.2C:13-8), a
38 violation of N.J.S.2C:34-1 punishable by imprisonment for more
39 than one year, arson, burglary, theft and related offenses punishable
40 by imprisonment for more than one year, [endangering the welfare
41 of a child pursuant to] a violation of N.J.S.2C:24-4, escape, forgery
42 and fraudulent practices punishable by imprisonment for more than
43 one year, alteration of motor vehicle identification numbers,
44 unlawful manufacture, purchase, use, or transfer of firearms,
45 unlawful possession or use of destructive devices or explosives,
46 weapons training for illegal activities pursuant to section 1 of
47 P.L.1983, c.229 (C.2C:39-14), racketeering or a violation of

1 subsection g. of N.J.S.2C:5-2, leader of organized crime, organized
2 criminal activity directed toward the unlawful transportation,
3 storage, disposal, discharge, release, abandonment or disposition of
4 any harmful, hazardous, toxic, destructive, or polluting substance,
5 or any conspiracy to commit any of the foregoing offenses or which
6 may provide evidence aiding in the apprehension of the perpetrator
7 or perpetrators of any of the foregoing offenses.

8 (cf: P.L.2013, c.51, s.14)

9
10 ¹4.N.J.S.2C:1-6 is amended to read as follows:

11 2C:1-6. Time Limitations. a. (1) A prosecution for any offense,
12 or a conspiracy to commit any offense, set forth in N.J.S.2C:11-3,
13 N.J.S.2C:11-4, section 1 of P.L.2005, c.77 (C.2C:13-8), section 5 of
14 P.L.2013, c.51 (C.2C:13-9), section 12 of P.L.2013, c.51 (C.2C:13-
15 10), N.J.S.2C:14-2, N.J.S.2C:14-3, or sections 1 through 5 of
16 P.L.2002, c.26 (C.2C:38-1 through C.2C:38-5) may be commenced
17 at any time.

18 (2) A prosecution for any offense set forth in N.J.S.2C:17-2,
19 section 9 of P.L.1970, c.39 (C.13:1E-9), section 20 of P.L.1989,
20 c.34 (C.13:1E-48.20), section 19 of P.L.1954, c.212 (C.26:2C-19),
21 section 10 of P.L.1984, c.173 (C.34:5A-41), or section 10 of
22 P.L.1977, c.74 (C.58:10A-10) may be commenced at any time.

23 b. Except as otherwise provided in this section, prosecutions
24 for other offenses are subject to the following periods of
25 limitations:

26 (1) A prosecution for a crime must be commenced within five
27 years after it is committed;

28 (2) A prosecution for a disorderly persons offense or petty
29 disorderly persons offense must be commenced within one year
30 after it is committed;

31 (3) A prosecution for any offense set forth in N.J.S.2C:27-2,
32 N.J.S.2C:27-4, N.J.S.2C:27-6, N.J.S.2C:27-7, N.J.S.2C:29-4,
33 N.J.S.2C:30-2, N.J.S.2C:30-3, or any attempt or conspiracy to
34 commit such an offense, must be commenced within seven years
35 after the commission of the offense;

36 (4) A prosecution for an offense set forth in **[N.J.S.2C:14-3 or]**
37 **N.J.S.2C:24-4**, when the victim at the time of the offense is below
38 the age of 18 years, must be commenced within five years of the
39 victim's attaining the age of 18 or within two years of the discovery
40 of the offense by the victim, whichever is later;

41 (5) (Deleted by amendment, P.L.2007, c.131).

42 c. An offense is committed either when every element occurs
43 or, if a legislative purpose to prohibit a continuing course of
44 conduct plainly appears, at the time when the course of conduct or
45 the defendant's complicity therein is terminated. Time starts to run
46 on the day after the offense is committed, except that when the
47 prosecution is supported by physical evidence that identifies the
48 actor by means of DNA testing or fingerprint analysis, time does

1 not start to run until the State is in possession of both the physical
2 evidence and the DNA or fingerprint evidence necessary to
3 establish the identification of the actor by means of comparison to
4 the physical evidence.

5 d. A prosecution is commenced for a crime when an indictment
6 is found and for a nonindictable offense when a warrant or other
7 process is issued, provided that such warrant or process is executed
8 without unreasonable delay. Nothing contained in this section,
9 however, shall be deemed to prohibit the downgrading of an offense
10 at any time if the prosecution of the greater offense was commenced
11 within the statute of limitations applicable to the greater offense.

12 e. The period of limitation does not run during any time when a
13 prosecution against the accused for the same conduct is pending in
14 this State.

15 f. The limitations in this section shall not apply to any person
16 fleeing from justice.

17 g. Except as otherwise provided in this code, no civil action
18 shall be brought pursuant to this code more than five years after
19 such action accrues.

20 (cf: P.L.2007, c.131, s.1)]¹

21
22 ¹[5.] 3.¹ N.J.S.2C:5-4 is amended to read as follows:

23 2C:5-4. Grading of Criminal Attempt and Conspiracy; Mitigation
24 in Cases of Lesser Danger. a. Grading. Except as provided in
25 subsections c., d., and e., an attempt or conspiracy to commit a
26 crime of the first degree is a crime of the second degree; except that
27 an attempt or conspiracy to commit murder or terrorism is a crime
28 of the first degree, provided, however, that if the person attempted
29 or conspired to murder five or more persons, the person shall be
30 sentenced by the court to a term of 30 years, during which the
31 person shall not be eligible for parole, or to a specific term of years
32 which shall be between 30 years and life imprisonment, of which
33 the person shall serve not less than 30 years before eligibility for
34 parole. Otherwise an attempt is a crime of the same degree as the
35 most serious crime which is attempted, and conspiracy is a crime of
36 the same degree as the most serious crime which is the object of the
37 conspiracy; provided that, leader of organized crime is a crime of
38 the second degree. An attempt or conspiracy to commit an offense
39 defined by a statute outside the code shall be graded as a crime of
40 the same degree as the offense is graded pursuant to N.J.S.2C:1-4
41 and N.J.S.2C:43-1.

42 b. Mitigation. The court may impose sentence for a crime of a
43 lower grade or degree if neither the particular conduct charged nor
44 the defendant presents a public danger warranting the grading
45 provided for such crime under subsection a. because:

46 (1) The criminal attempt or conspiracy charged is so inherently
47 unlikely to result or culminate in the commission of a crime; or

(2) The conspiracy, as to the particular defendant charged, is so peripherally related to the main unlawful enterprise.

c. Notwithstanding the provisions of subsection a. of this section, conspiracy to commit a crime set forth in subsection a., b., or d. of N.J.S.2C:17-1 where the structure which was the target of the crime was a church, synagogue, temple or other place of public worship is a crime of the first degree.

d. Notwithstanding the provisions of subsection a. of this section, conspiracy to commit a crime as set forth in P.L.1994, c.121 (C.2C:21-23 et seq.) is a crime of the same degree as the most serious crime that was conspired to be committed.

e. Notwithstanding the provisions of subsection a. of this section, an attempt or conspiracy to commit a crime of human trafficking as set forth in section 1 of P.L.2005, c.77 (C.2C:13-8) is a crime of the first degree.

(cf: P.L.2013, c.51, s.6)

1[6.] 4.¹ Section 1 of P.L.2005, c.77 (C.2C:13-8) is amended to read as follows:

1. Human trafficking. a. A person commits the crime of human trafficking if **1[he] the person**¹ :

(1) knowingly holds, recruits, lures, entices, harbors, transports, provides or obtains, by any means, another **1person who is at least 18 years of age**¹ , to engage in sexual activity as defined in paragraph (2) of subsection a. of N.J.S.2C:34-1 or to provide labor or services:

(a) by causing or threatening to cause serious bodily harm or physical restraint against the person or any other person;

(b) by means of any scheme, plan, or pattern intended to cause the person to believe that the person or any other person would suffer serious bodily harm or physical restraint;

(c) by committing a violation of N.J.S.2C:13-5 against the person;

(d) by destroying, concealing, removing, confiscating, or possessing any passport, immigration-related document as defined in section 1 of P.L.1997, c.1 (C.2C:21-31), or other document issued by a governmental agency to any person which could be used as a means of verifying the person's identity or age or any other personal identifying information;

(e) by means of the abuse or threatened abuse of the law or legal process;

(f) by means of fraud, deceit, or misrepresentation against the person; or

(g) by facilitating access to a controlled dangerous substance or controlled substance analog as set forth in chapter 35 of Title 2C of the New Jersey Statutes; or

(2) **1knowingly**¹ receives anything of value, including non-monetary items, or benefits financially from participation **[as an organizer, supervisor, financier or manager]** in a scheme or course of

1 conduct which 'the person knows or should have known'¹ violates
2 paragraph (1) **'[or]'**, ¹ (3) ¹, or (4)¹ of this subsection; **'[or]'**¹

3 (3) knowingly holds, recruits, lures, entices, harbors, transports,
4 provides or obtains, by any means, a child under 18 years of age, to
5 engage in sexual activity as defined in paragraph (2) of subsection a.
6 of N.J.S.2C:34-1 **'[or to provide labor or services]'**¹, whether or not
7 the actor mistakenly believed that the child was 18 years of age or
8 older, even if that mistaken belief was reasonable ¹; or

9 (4) knowingly holds, recruits, lures, entices, harbors, transports,
10 provides, or obtains, by any of the means enumerated in subparagraphs
11 (a) through (g) of paragraph (1) of this subsection, a child under 18
12 years of age to provide labor or services, whether or not the actor
13 mistakenly believed that the child was 18 years of age or older, even if
14 that mistaken belief was reasonable¹.

15 b. An offense under this section constitutes a crime of the first
16 degree.

17 c. **'[(1)]'**¹ It is an affirmative defense to prosecution for a
18 violation of this section that, during the time of the alleged
19 commission of the offense of human trafficking created by this
20 section, the defendant was a victim of human trafficking.

21 **'[(2)]'** With regard to the court's consideration of relevant evidence
22 related to the prosecution of a human trafficking offense, pursuant to
23 Rule 903 of the Rules of Evidence, authentication of the following
24 types of evidence may be made by certification of the records
25 custodian or authorized representative of the financial institution,
26 remote computing service, print media or electronic communication
27 provider, or other provider:

28 (a) advertisements published or disseminated in electronic or print
29 form;

30 (b) financial institution records; and

31 (c) records related to the provision of remote computing services
32 or electronic communication services;

33 Upon the request of either party, in lieu of a certification, the court
34 may authorize a representative of a financial institution, remote
35 computing service, print media or electronic communication provider,
36 or other provider to testify in a video or remote format concerning the
37 admissibility of evidence pursuant to this paragraph.**']'**¹

38 d. (1) Notwithstanding the provisions of N.J.S.2C:43-6, the term
39 of imprisonment imposed for a crime, or an attempt or conspiracy to
40 commit a crime, of the first degree under **['paragraph (2) or (3) of**
41 **subsection a. of]'** ¹paragraph (2), (3), or (4) of subsection a. of¹ this
42 section shall be either a term of 20 years during which the actor shall
43 not be eligible for parole, or a specific term between 20 years and life
44 imprisonment, of which the actor shall serve 20 years before being
45 eligible for parole. Notwithstanding the provisions of N.J.S.2C:43-3,
46 the sentence for a conviction for a crime of the first degree under this
47 section shall include a fine in an amount of not less than \$25,000,

1 which shall be collected as provided for the collection of fines and
2 restitutions in section 3 of P.L.1979, c.396 (C.2C:46-4) and forwarded
3 to the Department of the Treasury to be deposited in the "Human
4 Trafficking Survivor's Assistance Fund" established by section 2 of
5 P.L.2013, c.51 (C.52:17B-238).

6 (2) A prosecutor, in consideration of the interests of the victim,
7 may offer a negotiated plea agreement in which the defendant would
8 be sentenced to a specific term of imprisonment that is not less than 10
9 years, during which the defendant shall not be eligible for parole. In
10 making such an offer, the prosecutor shall provide, in writing, specific
11 reasons explaining the decision to enter into such an agreement. The
12 court may accept a negotiated plea pursuant to this paragraph and,
13 upon conviction, impose the term of imprisonment and period of
14 parole ineligibility provided in the plea agreement. The court shall not
15 impose a sentence that is less than the term provided in the plea
16 agreement.

17 The Attorney General shall develop guidelines to ensure the
18 uniform exercise of discretion in making determinations regarding a
19 negotiated reduction in the term of imprisonment and period of parole
20 ineligibility pursuant to this paragraph.

21 ¹Unless otherwise provided in guidelines established by the
22 Attorney General, nothing contained in this paragraph shall be
23 construed to alter or limit the authority or discretion of the prosecutor
24 to enter into any plea agreement which the prosecutor deems
25 appropriate.¹

26 e. In addition to mandatory restitution pursuant to ¹[section 8]
27 section 5¹ of P.L. , c. (C.) (pending before the Legislature as
28 this bill) or any other disposition authorized by law, any person who
29 violates the provisions of this section shall be ordered to make
30 restitution to any victim. The court shall award to the victim restitution
31 which is the greater of:

32 (1) the gross income or value to the defendant of the victim's labor
33 or services; or

34 (2) the value of the victim's labor or services as determined by the
35 "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et
36 seq.), the "New Jersey State Wage and Hour Law," P.L.1966, c.113
37 (C.34:11-56a et seq.), the Seasonal Farm Labor Act, P.L.1945, c.71
38 (C.34:9A-1 et seq.), the laws concerning the regulation of child labor
39 in chapter 2 of Title 34 of the Revised Statutes, or any other applicable
40 State law, and the "Fair Labor Standards Act of 1938," 29 U.S.C. s.201
41 et seq., or any other applicable federal law.

42 ¹f. With regard to the court's consideration of relevant evidence
43 related to the prosecution of a human trafficking offense under section
44 1 of P.L.2005, c.77 (C.2C:13-8), section 5 of P.L.2013, c.51 ²[(2C:13-
45 9)] (C.2C:13-9)² , or section 12 of P.L.2013, c.51 (C.2C:13-10),
46 pursuant to ²Rule 803, Rule 902, or² Rule 903 of the Rules of
47 Evidence, ²as appropriate,² authentication of the following types of

1 evidence may be made by certification of the records custodian or
2 authorized representative of the financial institution, remote computing
3 service, print media or electronic communication provider, or other
4 provider:

5 (1) advertisements published or disseminated in electronic or print
6 form;

7 (2) financial institution records; and

8 (3) records related to the provision of remote computing services
9 or electronic communication services;

10 Upon the request of either party, in lieu of a certification, the court
11 may authorize a representative of a financial institution, remote
12 computing service, print media or electronic communication provider,
13 or other provider to testify in a video or remote format concerning the
14 admissibility of evidence pursuant to this subsection.¹

15 ²The Court shall also consider expert testimony by a person who
16 possesses a background in or demonstrates a specialized knowledge of
17 the legal, policy, educational, social, or psychological aspects of
18 human trafficking.²

19 (cf: P.L.2013, c.51, s.3)

20
21 ¹**7.(New section) a.** The county prosecutor's office in each
22 county shall establish a Human Trafficking Response Team or shall
23 enter into a collaborative agreement with another county to share
24 the services of that county's response team. The county prosecutor
25 shall ensure that each response team is comprised of the following:

26 (1) a law enforcement officer;

27 (2) at least one health care professional with experience in
28 mental health care and substance use disorder treatment;

29 (3) a person with experience in the investigation of human
30 trafficking violations by the Department of Labor and Workforce
31 Development, the Division of Child Protection and Permanency in
32 the Department of Children and Families, or the Institutional Abuse
33 Investigation Unit in the Department of Children and Families; and

34 (4) in counties in which a child advocacy center or
35 multidisciplinary team has been established pursuant to section 5 of
36 P.L.2017, c.90 (C. 9:6-8.111), a representative of the child
37 advocacy center or multidisciplinary team.

38 b. The Attorney General shall:

39 (1) establish a State Human Trafficking Response Team that
40 consists of the same members as provided in paragraphs (1) through
41 (4) of subsection a. of this section; or

42 (2) attend a county response team meeting as it relates to cases
43 within that county that are prosecuted by the Department of Law
44 and Public Safety.

45 c. In response to a report of human trafficking at the request of
46 a victim of human trafficking, or a report of suspected human
47 trafficking, in accordance with guidelines established by the
48 Attorney General pursuant to section 23 of P.L. , c. (C.)

1 (pending before the Legislature as this bill), the response team
2 shall:

3 (1) facilitate the investigation, management, and disposition of
4 the report;

5 (2) provide treatment, counseling, legal, and forensic medical
6 services to a victim of human trafficking in accordance with the
7 standard protocols developed by the Attorney General pursuant to
8 section 23 of P.L. , c. (C.) (pending before the Legislature as
9 this bill); and

10 (3) provide appropriate referrals for medical and social service
11 agencies; information regarding the identification and treatment of
12 health care needs associated with human trafficking; and
13 appropriate follow-up care for human trafficking victims and their
14 families.

15 d. The county prosecutor in each county shall ensure that each
16 member of the response team completes the standardized education
17 and training program developed by the Commission on Human
18 Trafficking pursuant to section 14 of P.L. , c. (C.) (pending
19 before the Legislature as this bill).

20 e. There is appropriated the sum of \$750,000 from the general
21 fund to the New Jersey Commission on Human Trafficking to
22 disburse these funds in effectuation of formation and maintenance
23 of county-based multi-disciplinary teams. The Legislature, to the
24 extent possible, shall ensure that sufficient appropriations are
25 provided annually to maintain the county Human Trafficking
26 Response Teams, which shall be dedicated to the providing of
27 services pursuant to this section. The disbursement of funds shall
28 not be dependent on whether prosecutions for human trafficking
29 occur.】¹

30

31 ¹【8.】5.¹ (New section) Notwithstanding the provisions of
32 section 6 of P.L. 2013 c.214 (C.2C:46-4.1), and in addition to any
33 restitution ordered by the court pursuant to section 1 of P.L.2005,
34 c.77 (C.2C:13-8) or any other relevant provisions of law, the court
35 shall order a person convicted of any violation of human trafficking
36 pursuant to section 1 of P.L.2005, c.77 (C.2C:13-8); facilitation of
37 human trafficking pursuant to section 5 of P.L. 2013 (C.2C:13-9);
38 prostitution pursuant to N.J.S.2C:34-1 and related offenses; or
39 liability for another's conduct related any of the foregoing offenses
40 pursuant to N.J.S.2C:2-6 or any other provision of law governing a
41 person's liability for the conduct of another, to pay mandatory
42 restitution to the victim of the offense or the prosecutorial or law
43 enforcement entity responsible for investigating or prosecuting the
44 offense. The proceeds from any property related to the prosecution
45 that is forfeited pursuant to section 1 of P.L. 2019 (C.2C:64-3) shall
46 be applied first toward the payment of any restitution ordered
47 pursuant to this section.

1 c. Restitution ordered pursuant to subsection b. of this section
2 shall include, but not be limited to:

3 (1) any costs of medical or mental health care treatment
4 including, but not limited to, physical and occupational therapy and
5 rehabilitation;

6 (2) costs of necessary transportation, temporary housing, and
7 child care expenses;

8 (3) costs of investigation, prosecution, attorney's fees, victim
9 advocate fees, and other court-related costs;

10 (4) necessary relocation costs incurred by the victim and any
11 family or household members of the victim including, but not
12 limited to, deposits for utilities or rental housing, telephone service,
13 temporary lodging and food expenses, clothing, and personal items;

14 (5) costs associated with restoration of the victim's credit rating;

15 (6) costs associated with obtaining legal or administrative
16 assistance to establish, restore, or maintain the victim's immigration
17 status; and

18 (7) reimbursement for any other financial losses, whether direct
19 or indirect, suffered by the victim as a result of the defendant's
20 action.

21

22 ¹§9. Section 4 of P.L.2013, c.51 (C.2C:13-8.1) is amended to
23 read as follows:

24 4. a. Any person injured, including injury due to the loss of
25 moneys or property, real or personal, as a result of the commission
26 of a human trafficking offense in violation of section 1 of P.L.2005,
27 c.77 (C.2C:13-8), or section 5 of P.L.2013, c.51 (C.2C:13-9), may
28 bring a civil action in any court of competent jurisdiction against:
29 (1) the offender; (2) all those acting in concert with that offender;
30 (3) all those who, knowingly **【deriving】** or with reckless disregard,
31 derive a direct or indirect pecuniary benefit from the offense,
32 whether or not these parties are acting in concert with the offender;
33 and (4) all those who, knowingly **【maintaining】** or with reckless
34 disregard, maintain any victim of the offense, whether or not these
35 parties are acting in concert with the offender. A civil action
36 brought under this section shall not preclude the application of any
37 other civil, administrative, or criminal remedy under any other
38 provision of law.

39 b. (1) The standard of proof in a civil action brought pursuant to
40 this section is a preponderance of the evidence, and the fact that a
41 prosecution against the offending actor is not instituted or,
42 whenever instituted, terminates without a conviction, shall not
43 preclude a civil action.

44 (2) A final judgment rendered in favor of the State in any
45 criminal proceeding shall estop the defendant from denying the
46 same conduct in any civil action brought pursuant to this section.

47 c. In any civil action brought pursuant to this section, the court
48 shall, in addition to any other appropriate legal or equitable relief,

1 including damages for pain and suffering, recovery of reasonable
2 costs for necessary medical, dental, and psychological services and
3 punitive damages, award damages in an amount that is the greater
4 of:

5 (1) the gross income or value to the defendant of the injured
6 party's labor or services; or

7 (2) the value of the injured party's labor or services as
8 determined by the "New Jersey Prevailing Wage Act," P.L.1963,
9 c.150 (C.34:11-56.25 et seq.), the "New Jersey State Wage and
10 Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.), the Seasonal
11 Farm Labor Act, P.L.1945, c.71 (C.34:9A-1 et seq.), the laws
12 concerning the regulation of child labor in chapter 2 of Title 34 of
13 the Revised Statutes, or any other applicable State law, and the
14 "Fair Labor Standards Act of 1938," 29 U.S.C. s.201 et seq., or any
15 other applicable federal law.

16 d. In addition to any damages, penalty, injunction, or other
17 appropriate relief awarded in an action brought pursuant to this
18 section, the court may award to the injured person bringing suit
19 reasonable attorney's fees and costs.

20 e. As used in this section, the term "knowing" or "knowingly"
21 means, with respect to information, that a person:

22 (1) has actual knowledge of the information; or

23 (2) acts in deliberate ignorance of the truth or falsity of the
24 information; or

25 (3) acts in reckless disregard of the truth or falsity of the
26 information.

27 (P.L.2023, c.208, s.1)】¹

28
29 ¹【10.】 6.¹ Section 5 of P.L.2013, c.51 (C.2C:13-9) is amended to
30 read as follows:

31 5. a. A person commits a crime of the second degree if ¹【he】 the
32 person¹ :

33 (1) provides services, resources, or assistance with the knowledge
34 that the services, resources, or assistance are intended to be used in
35 furtherance of the commission of the crime of human trafficking in
36 violation of section 1 of P.L.2005, c.77 (C.2C:13-8).

37 (a) For purposes of this paragraph, "services, resources, or
38 assistance" shall include financial support, business services, lodging,
39 transportation, the provision of false documentation or identification,
40 equipment, facilities, or any other service or property with a pecuniary
41 value that exceeds \$200, whether or not a person is compensated for
42 the services, resources, or assistance, but shall not include
43 humanitarian or charitable aid or services provided directly to a victim
44 of human trafficking.

45 (b) For purposes of this paragraph, the requisite knowledge that
46 services, resources, or assistance are intended to be used in furtherance
47 of the commission of the crime of human trafficking may be inferred if
48 the defendant was aware that a person to whom the defendant was

1 providing services, resources, or assistance: (i) was subject to or
2 subjected another to restrictions on the person's freedom of movement,
3 so that the person could not leave without accompaniment of another
4 person or was otherwise subjected to obvious restrictions on mobility;
5 or (ii) did not possess or have access to any means of communication,
6 including but not limited to a cellular or other wireless telephone or
7 other electronic communication device, and was not permitted or was
8 otherwise unable to communicate with another person without
9 supervision or permission; or

10 (2) procures or attempts to procure a person to engage in sexual
11 activity as defined in paragraph (2) of subsection a. of N.J.S.2C:34-1,
12 or to provide labor or services, whether for himself or another person,
13 knowing that the person provided or to be provided was a victim of
14 human trafficking, or under circumstances in which a reasonable
15 person would conclude that there was a substantial likelihood that the
16 person was a victim of human trafficking.

17 (a) For purposes of this paragraph, there shall be a rebuttable
18 presumption that the defendant knew, and that a reasonable person
19 would conclude there was a substantial likelihood, that a person was a
20 victim of human trafficking if the person: (i) could not leave the
21 premises where the person provided labor or services without
22 accompaniment of another person or was otherwise subjected to
23 significant restrictions on the person's freedom of movement; or (ii)
24 did not possess or have access to any means of communication,
25 including but not limited to a cellular or other wireless telephone or
26 other electronic communication device, and was not permitted or was
27 otherwise unable to communicate with another person without
28 supervision or permission.

29 (b) For the purposes of this paragraph, there shall be a rebuttable
30 presumption that: (i) a person knew that a child under the age of 18
31 years of age procured to engage in sexual activity or for whom
32 attempts were made to procure for that activity was a victim of human
33 trafficking; and (ii) a reasonable person would conclude that there was
34 a substantial likelihood that a child under the age of 18 years of age
35 procured to engage in sexual activity or for whom attempts were made
36 to procure for that activity was a victim of human trafficking.

37 (c) With regard to the court's consideration of relevant evidence
38 related to the prosecution of a human trafficking offense ¹under
39 section 1 of P.L.2005, c.77 (C.2C:13-8), section 5 of P.L.2013, c.51
40 ²[(2C:13-9)] (C.2C:13-9)², or section 12 of P.L.2013, c.51 (C.2C:13-
41 10)¹, pursuant to ²Rule 803, Rule 902, or² Rule 903 of the Rules of
42 Evidence, ²as appropriate,² authentication of the following types of
43 evidence may be made by certification of the records custodian or
44 authorized representative of the financial institution, remote computing
45 service, print media or electronic communication provider, or other
46 provider:

47 ¹[i.] (i)¹ advertisements published or disseminated in electronic
48 or print form;

1 ¹[(ii)] (ii)¹ financial institution records; and

2 ¹[(iii)] (iii)¹ records related to the provision of remote computing
3 services or electronic communication services;

4 Upon the request of either party, in lieu of a certification, the court
5 may authorize a representative of a financial institution, remote
6 computing service, print media or electronic communication provider,
7 or other provider to testify in a video or remote format concerning the
8 admissibility of evidence pursuant to this paragraph.

9 The court shall also consider expert testimony by a person who
10 possesses a background in or demonstrates a specialized knowledge of
11 the legal, policy, educational, social, or psychological aspects of
12 human trafficking.

13 b. (1) It is an affirmative defense to prosecution for a violation of
14 this section that, during the time of the alleged commission of the
15 crime, the defendant was a victim of human trafficking.

16 (2) There shall be a rebuttable presumption that a child under the
17 age of 18 years of age charged with a violation of this section was a
18 victim of human trafficking.

19 c. (1) Notwithstanding any provision of law to the contrary, a
20 person convicted for a violation of this section shall be sentenced to a
21 term of imprisonment, which shall include a period of parole
22 ineligibility of one-third to one-half of the term of imprisonment
23 imposed or three years, whichever is greater. Notwithstanding the
24 provisions of N.J.S.2C:43-3, the sentence for a conviction under this
25 section shall include a fine in an amount of not less than \$15,000,
26 which shall be collected as provided for the collection of fines and
27 restitutions in section 3 of P.L.1979, c.396 (C.2C:46-4) and forwarded
28 to the Department of the Treasury to be deposited in the "Human
29 Trafficking Survivor's Assistance Fund" established by section 2 of
30 P.L.2013, c.51 (C.52:17B-238).

31 (2) Additionally, upon a finding of guilt or entry of a guilty plea
32 for a crime described under this section, the court shall direct any
33 issuing State, county, or municipal governmental agency to revoke any
34 license, permit, certificate, approval, registration, charter, or similar
35 form of business or professional authorization required by law
36 concerning the operation of that person's business or profession, if that
37 business or profession was used in the course of the crime.

38 (3) Notwithstanding the provisions of subsection a. of this section,
39 a prosecutor may offer a negotiated plea agreement in which a
40 defendant who provides services, resources, or assistance in
41 furtherance of the commission of the crime of human trafficking
42 pursuant to section 1 of P.L.2005, c.77 (C.2C:13-8), in violation of this
43 section, may be sentenced for a crime of the third degree.

44 (4) Notwithstanding any other provision of law to the contrary, a
45 person who commits a second or subsequent violation of this section
46 shall be sentenced to an extended term of imprisonment as set forth in
47 N.J.S.2C:43-7.

1 The Attorney General shall develop guidelines to ensure the
2 uniform exercise of discretion in making determinations regarding a
3 negotiated reduction in the term of imprisonment and period of parole
4 ineligibility pursuant to this paragraph.

5 ¹Unless otherwise provided in guidelines established by the
6 Attorney General, nothing contained in this paragraph shall be
7 construed to alter or limit the authority or discretion of the prosecutor
8 to enter any plea agreement which the prosecutor deems appropriate.¹

9 d. Nothing in this section shall be construed to preclude, or limit
10 in any way, the prosecution and conviction for any other offense,
11 including prosecution and conviction pursuant to section 1 of
12 P.L.2005, c.77 (C.2C:13-8), human trafficking, N.J.S.2C:34-1,
13 prostitution and related offenses, and N.J.S.2C:2-6, liability for
14 another's conduct.

15 (P.L.2013, c.51, s.5)

16
17 ¹**[[11.] 7.]** Section 12 of P.L.2013, c.51 (C.2C:13-10) is
18 amended to read as follows:

19 12. a. The Legislature finds and declares that:

20 (1) There reportedly are more than 12 million victims of human
21 trafficking and it is estimated that this figure could actually be as
22 high as 27 million;

23 (2) According to the National Center for Missing and Exploited
24 Children, at least 100,000 human trafficking victims are American
25 children who are an average age of 13 years old;

26 (3) Advertisements for selling the services of **[girls]** youths as
27 escorts on Internet websites falsely claim that these **[girls]** youths
28 are 18 years of age or older, when **[the girls]** they actually are
29 minors;

30 (4) The advertising of these escort services includes minors who
31 are being sold for sex, which constitutes sex trafficking and
32 commercial sexual abuse of minors;

33 (5) Responding to political and public outcry, the Internet
34 website craigslist.com removed its escort section, but another
35 website with an escort section, backpage.com, has to date refused to
36 do so;

37 (6) The states of Washington and Connecticut recently enacted
38 laws to require Internet websites, such as backpage.com, and the
39 patrons who advertise on websites, to maintain documentation that
40 they have proved the age of the escorts presented in the
41 advertisements;

42 (7) The State of New Jersey criminalized human trafficking in
43 2005; however, despite aggressive efforts by the Legislature to
44 combat human trafficking, victims are routinely exploited, both
45 financially and sexually, primarily through Internet websites,
46 mobile applications, and other electronic means of communication
47 including, but not limited to, advertisements for dating or

1 employment, and sexually-related Internet websites and mobile
2 applications; and

3 (8) Sex trafficking of minors should be eliminated in conformity
4 with federal laws prohibiting the sexual exploitation of children.

5 b. A person commits the offense of advertising commercial
6 sexual abuse of a minor if:

7 (1) the person knowingly publishes, disseminates, or displays,
8 or causes directly or indirectly, to be published, disseminated, or
9 displayed, any advertisement for a commercial sex act, which is to
10 take place in this State and which includes the depiction of a minor;
11 or

12 (2) the person knowingly purchases advertising in this State for
13 a commercial sex act which includes the depiction of a minor.

14 c. A person who commits the offense of advertising
15 commercial sexual abuse of a minor as established in subsection b.
16 of this section is guilty of a crime of the first degree.
17 Notwithstanding the provisions of N.J.S.2C:43-3, the fine imposed
18 for an offense under this section shall be a fine of at least \$25,000,
19 which shall be collected as provided for the collection of fines and
20 restitutions in section 3 of P.L.1979, c.396 (C.2C:46-4) and
21 forwarded to the Department of the Treasury to be deposited in the
22 "Human Trafficking Survivor's Assistance Fund" established by
23 section 2 of P.L.2013, c.51 (C.52:17B-238).

24 d. Nothing in this section shall preclude an indictment and
25 conviction for any other offense defined by the laws of this State.

26 e. For the purposes of this section:

27 "Advertisement for a commercial sex act" means any
28 advertisement or offer in electronic or print media, including the
29 Internet, which includes either an explicit or implicit offer for a
30 commercial sex act to occur in this State.

31 "Commercial sex act" means any act of sexual contact or sexual
32 penetration, as defined in N.J.S.2C:14-1, or any prohibited sexual
33 act, as defined in N.J.S.2C:24-4, for which something of value is
34 given or received by any person.

35 "Depiction" means any photograph or material containing a
36 photograph or reproduction of a photograph.

37 "Minor" means a person who is under 18 years of age.

38 "Photograph" means a print, negative, slide, digital image,
39 motion picture, or videotape, and includes anything tangible or
40 intangible produced by photographing.

41 f. It shall not be a defense to a violation of this section that the
42 defendant:

43 (1) did not know the age of the minor depicted in the
44 advertisement; or

45 (2) claims to know the age of the person depicted, unless there
46 is appropriate proof of age obtained and produced in accordance
47 with subsections g. and h. of this section.

g. It shall be a defense to a violation of this section that the defendant made a reasonable, bona fide attempt to ascertain the true age of the minor depicted in the advertisement by requiring, prior to publication, dissemination, or display of the advertisement, production of a driver's license, marriage license, birth certificate, or other governmental or educational identification card or paper of the minor depicted in the advertisement and did not rely solely on oral or written representations of the minor's age, or the apparent age of the minor as depicted. The defendant shall prove the defense established in this subsection by a preponderance of the evidence.

h. The defendant shall maintain and, upon request, produce a record of the identification used to verify the age of the person depicted in the advertisement.

(P.L.2013, c.51, s.12)

¹[12. Section 19 of P.L.2013, c.51 (C.2C:13-12) is amended to read as follows:

19. a. The Police Training Commission, in consultation with the Attorney General **[and]** , the Director of the Division of Criminal Justice in the Department of Law and Public Safety, County Prosecutors' Association of the State of New Jersey, the Assistant Prosecutors' Association of New Jersey, a non-profit organization with demonstrated experience in human trafficking approved by the Attorney General, and the Commission on Human Trafficking, shall develop and approve, as part of the police training courses required pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), courses of study on the handling, response procedures, investigation, and prosecution of human trafficking cases. These courses shall be reviewed at least once every two years and modified from time to time as need may require.

b. (1) The Department of Community Affairs, in consultation with the Commission on Human Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and provide for a **[one-time]** training course on the handling and response procedures of suspected human trafficking activities for owners, operators, and staff of hotels and motels as defined in the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.); or alternatively, the department, in consultation with the commission, shall approve a substantially similar **[one-time]** training course for use by hotels and motels in providing training to owners, operators, and staff. The department, in consultation with the commission, shall define by regulation which staff positions are required, as a condition of employment, to attend the **[one-time]** training course. Verifiable completion of the training course by required staff shall be a condition of issuance, maintenance, or renewal of any license, permit, certificate, or approval required, permitted to be granted, or issued to owners or operators under the

1 provisions of the "Hotel and Multiple Dwelling Law," P.L.1967,
2 c.76 (C.55:13A-1 et seq.). The training course shall be reviewed at
3 least every two years and modified by the department, in
4 consultation with the commission, from time to time as need may
5 require.

6 (2) The Department of Community Affairs, through its oversight
7 and enforcement authority provided under the "Hotel and Multiple
8 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
9 responsible for ensuring that all hotel and motel owners, operators,
10 and **required** staff attend the **one-time** training course. Owners,
11 operators, and staff of a hotel, as defined in the "Hotel and Multiple
12 Dwelling Law" pursuant to section 3 of P.L.1967, c.76 (C.55:13A-
13 3) shall be required to attend the training course at least once every
14 two years, and within one year of the enactment of this section in
15 the case of all current owners, operators, and **required** staff
16 engaging in their respective profession on the effective date of this
17 section, and within six months of the first day of ownership,
18 operation, or employment for all new owners, operators, and
19 **required** staff who initially engage in their respective profession
20 on a date that follows the effective date.

21 (3) The Department of Community Affairs shall make available
22 the training materials for the **one-time** training course to hotel
23 and motel owners, operators, and required staff in order for the
24 owners, operators, and required staff to fulfill the **one-time**
25 training requirement set forth in this subsection.

26 c. (1) The Department of Health, in consultation with the
27 Commission on Human Trafficking established by section 1 of
28 P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and provide
29 for a one-time training course on the handling and response
30 procedures of suspected human trafficking activities for employees
31 of every licensed health care facility as defined in section 2 of
32 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
33 professional practice is regulated pursuant to Title 45 of the Revised
34 Statutes; or alternatively, the department, in consultation with the
35 commission, shall approve for use a substantially similar one-time
36 training course provided by a recognized Statewide nonprofit
37 healthcare trade association with demonstrated experience in
38 providing course offerings to health care facility employees on
39 similar workplace matters. The department, in consultation with the
40 commission and the approved nonprofit course provider, if any,
41 shall define by regulation which employees are required, as a
42 condition of their employment, to attend the one-time training
43 course. Verifiable completion of the training course by required
44 employees shall be a condition of issuance, maintenance, or renewal
45 of any license, permit, certificate, or approval required, permitted to
46 be granted, or issued to licensed health care facilities under the
47 provisions of P.L.1971, c.136 (C.26:2H-1 et al.). The training
48 course shall be reviewed at least every two years and modified by

1 the department, in consultation with the commission and the
2 approved nonprofit course provider, if any, from time to time as
3 need may require.

4 (2) The Department of Health, through its oversight and
5 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1
6 et al.), shall be responsible for ensuring that all required employees
7 of licensed health care facilities attend the one-time training course
8 within one year of the enactment of this section in the case of all
9 current employees engaging in their respective profession on the
10 effective date of this section, and within six months of the first day
11 of employment for all new employees who initially engage in their
12 respective profession on a date that follows the effective date. If an
13 approved nonprofit course provider is involved in providing the
14 one-time training course to new employees who initially engage in
15 their respective profession on a date that follows the effective date
16 of this section, then the nonprofit course provider shall provide the
17 training course at least once every six months in order for these
18 employees to meet the six-month training deadline established by
19 this paragraph.

20 (3) The Department of Health shall make available the training
21 materials for the one-time training course to required employees, or
22 to the approved nonprofit course provider, if any, in order for the
23 required employees to fulfill the one-time training requirement set
24 forth in this subsection.

25 d. (1) The Administrative Office of the Courts shall develop and
26 approve a training course and a curriculum to raise awareness of
27 judges and judicial personnel on the seriousness of the crime of
28 human trafficking, its impact on human rights and the need to
29 adequately implement anti-trafficking laws, including not only the
30 prosecution and sentencing of defendants charged with human
31 trafficking, but the need to respect and restore rights and needs of
32 victims of human trafficking. This training course shall be
33 reviewed at least every two years and modified by the
34 Administrative Office of the Courts from time to time as need may
35 require.

36 (2) The Administrative Office of the Courts shall make the
37 training course, curriculum, and supporting materials available to
38 appropriate judges and judicial personnel who may be involved
39 with the court-related aspects of human trafficking prosecutions
40 through annual in-service judicial training programs or other means.

41 e. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
42 Attorney General, in consultation with the Commission on Human
43 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
44 237), may provide for the expenditures of monies from the "Human
45 Trafficking Survivor's Assistance Fund" to assist with the
46 development, maintenance, revision, and distribution of training

1 course materials for the courses developed in accordance with this
2 section, and the operation of these training courses.

3 (cf: P.L.2013, c.51, s.19)】¹

5 ¹8. Section 19 of P.L.2013, c.51 (C.2C:13-12) is amended to
6 read as follows:

7 19. a. The Police Training Commission, in consultation with the
8 Attorney General **【and】**, the Director of the Division of Criminal
9 Justice in the Department of Law and Public Safety, County
10 Prosecutors' Association of the State of New Jersey, the Assistant
11 Prosecutors' Association of New Jersey, a non-profit organization
12 with demonstrated experience in human trafficking approved by the
13 Attorney General, the Commission on Human Trafficking, and the
14 Division of Violence Intervention and Victim Assistance
15 established pursuant to section 1 of P.L.2023, c.167 (C. 52:4B-
16 60.4), shall develop and approve, as part of the police training
17 courses required pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.),
18 courses of study on the handling, response procedures,
19 investigation, and prosecution of human trafficking cases. The
20 courses shall include, at a minimum, a demonstration of and
21 information regarding known signs and signals that may be used or
22 communicated by victims of human trafficking seeking assistance
23 or may be observed by individuals in public spaces. These courses
24 shall be reviewed at least once every two years and modified from
25 time to time as need may require.

26 b. (1) The Department of Community Affairs, in consultation
27 with the Commission on Human Trafficking established by section
28 1 of P.L.2013, c.51 (C.52:17B-237) and the Division of Violence
29 Intervention and Victim Assistance established pursuant to section
30 1 of P.L.2023, c.167 (C. 52:4B-60.4), shall develop, approve, and
31 provide for a **【one-time】** training course on the handling and
32 response procedures of suspected human trafficking activities for
33 owners, operators, and staff of hotels and motels as defined in the
34 "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et
35 seq.); or alternatively, the department, in consultation with the
36 commission and the division, shall approve a substantially similar
37 **【one-time】** training course for use by hotels and motels in
38 providing training to owners, operators, and staff. The department,
39 in consultation with the commission and the division, shall define
40 by regulation which staff positions are required, as a condition of
41 employment, to attend the **【one-time】** training course. Verifiable
42 completion of the training course by required staff shall be a
43 condition of issuance, maintenance, or renewal of any license,
44 permit, certificate, or approval required, permitted to be granted, or
45 issued to owners or operators under the provisions of the "Hotel and
46 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.). The
47 training course shall include, at a minimum, a demonstration of and

1 information regarding known signs and signals that may be used or
2 communicated by victims of human trafficking seeking assistance
3 or may be observed by individuals in public spaces. The training
4 course shall be reviewed at least once every two years and modified
5 by the department, in consultation with the commission and the
6 division, from time to time as need may require.

7 (2) The Department of Community Affairs, through its oversight
8 and enforcement authority provided under the "Hotel and Multiple
9 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
10 responsible for ensuring that all hotel and motel owners, operators,
11 and **[required]** staff attend the **[one-time]** training course. Owners,
12 operators, and staff of a hotel, as defined in the "Hotel and Multiple
13 Dwelling Law" pursuant to section 3 of P.L.1967, c.76 (C.55:13A-
14 3) shall be required to attend the training course at least once every
15 two years, and within one year of the enactment of this section in
16 the case of all current owners, operators, and **[required]** staff
17 engaging in their respective profession on the effective date of this
18 section, and within six months of the first day of ownership,
19 operation, or employment for all new owners, operators, and
20 **[required]** staff who initially engage in their respective profession
21 on a date that follows the effective date.

22 (3) The Department of Community Affairs shall make available
23 the training materials for the **[one-time]** training course to hotel
24 and motel owners, operators, and required staff in order for the
25 owners, operators, and required staff to fulfill the **[one-time]**
26 training requirement set forth in this subsection.

27 c. (1) The Department of Health, in consultation with the
28 Commission on Human Trafficking established by section 1 of
29 P.L.2013, c.51 (C.52:17B-237) and the Division of Violence
30 Intervention and Victim Assistance established pursuant to section
31 1 of P.L.2023, c.167 (C. 52:4B-60.4) , shall develop, approve, and
32 provide for a one-time training course on the handling and response
33 procedures of suspected human trafficking activities for employees
34 of every licensed health care facility as defined in section 2 of
35 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
36 professional practice is regulated pursuant to Title 45 of the Revised
37 Statutes; or alternatively, the department, in consultation with the
38 commission and the division, shall approve for use a substantially
39 similar one-time training course provided by a recognized Statewide
40 nonprofit healthcare trade association with demonstrated experience
41 in providing course offerings to health care facility employees on
42 similar workplace matters. The department, in consultation with the
43 commission , the division, and the approved nonprofit course
44 provider, if any, shall define by regulation which employees are
45 required, as a condition of their employment, to attend the one-time
46 training course. Verifiable completion of the training course by
47 required employees shall be a condition of issuance, maintenance,
48 or renewal of any license, permit, certificate, or approval required,

1 permitted to be granted, or issued to licensed health care facilities
2 under the provisions of P.L.1971, c.136 (C.26:2H-1 et al.). The
3 training course shall include, at a minimum, a demonstration of and
4 information regarding known signs and signals that may be used or
5 communicated by victims of human trafficking seeking assistance
6 or may be observed by individuals in public spaces. The training
7 course shall be reviewed at least once every two years and modified
8 by the department, in consultation with the commission, the
9 division, and the approved nonprofit course provider, if any, from
10 time to time as need may require.

11 (2) The Department of Health, through its oversight and
12 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1
13 et al.), shall be responsible for ensuring that all required employees
14 of licensed health care facilities attend the one-time training course
15 within one year of the enactment of this section in the case of all
16 current employees engaging in their respective profession on the
17 effective date of this section, and within six months of the first day
18 of employment for all new employees who initially engage in their
19 respective profession on a date that follows the effective date. If an
20 approved nonprofit course provider is involved in providing the
21 one-time training course to new employees who initially engage in
22 their respective profession on a date that follows the effective date
23 of this section, then the nonprofit course provider shall provide the
24 training course at least once every six months in order for these
25 employees to meet the six-month training deadline established by
26 this paragraph.

27 (3) The Department of Health shall make available the training
28 materials for the one-time training course to required employees, or
29 to the approved nonprofit course provider, if any, in order for the
30 required employees to fulfill the one-time training requirement set
31 forth in this subsection.

32 d. (1) The Administrative Office of the Courts shall develop and
33 approve a training course and a curriculum to raise awareness of
34 judges and judicial personnel on the seriousness of the crime of
35 human trafficking, its impact on human rights and the need to
36 adequately implement anti-trafficking laws, including not only the
37 prosecution and sentencing of defendants charged with human
38 trafficking, but the need to respect and restore rights and needs of
39 victims of human trafficking. The training course shall include, at a
40 minimum, a demonstration of and information regarding known
41 signs and signals that may be used or communicated by victims of
42 human trafficking seeking assistance or may be observed by
43 individuals in public spaces. This training course shall be reviewed
44 at least once every two years and modified by the Administrative
45 Office of the Courts from time to time as need may require.

46 (2) The Administrative Office of the Courts shall make the
47 training course, curriculum, and supporting materials available to
48 appropriate judges and judicial personnel who may be involved

1 with the court-related aspects of human trafficking prosecutions
2 through annual in-service judicial training programs or other means.

3 e. (1) The New Jersey Transit Corporation, in consultation
4 with the Commission on Human Trafficking established by section
5 1 of P.L.2013, c.51 (C.52:17B-237), shall develop and provide a
6 one-time training course for public transportation employees and
7 motorbus operators of private entities under contract to the
8 corporation to provide motorbus regular route service on the
9 handling and response procedures for suspected human trafficking
10 activities. Alternatively, the New Jersey Transit Corporation, in
11 consultation with the commission, shall approve a substantially
12 similar one-time training course provided by a recognized nonprofit
13 association with demonstrated experience in providing course
14 offerings to public transportation employees. The New Jersey
15 Transit Corporation, in consultation with the commission and the
16 approved nonprofit course provider, if any, shall establish by
17 regulation which employees and motorbus operators of private
18 entities under contract to the corporation to provide motorbus
19 regular route service are required, as a condition of their
20 employment or as a condition of the contract with the corporation,
21 to attend the one-time training course. The New Jersey Transit
22 Corporation, at the corporation's discretion, may waive the training
23 requirements of this subsection for a private entity under contract to
24 the corporation to provide motorbus regular route service if the
25 private entity requires its motorbus operators to complete an equal
26 or greater training course on the handling and response procedures
27 for suspected human trafficking activities. The training course
28 required pursuant to this subsection shall include, at a minimum, a
29 demonstration of and information regarding known signs and
30 signals that may be used or communicated by victims of human
31 trafficking seeking assistance or may be observed by individuals in
32 public spaces. The training course shall be reviewed at least once
33 every two years and modified as needed by the New Jersey Transit
34 Corporation, in consultation with the commission and the approved
35 nonprofit course provider, as appropriate.

36 (2) The New Jersey Transit Corporation shall be responsible for
37 ensuring that all its required employees attend the one-time training
38 course within two years of the enactment of P.L.2025, c.343 in the
39 case of all current employees engaging in their respective
40 profession on the effective date of P.L.2025, c.343, and within six
41 months of the first day of employment for all new employees who
42 initially engage in their respective profession after the effective date
43 of P.L.2025, c.343. If an approved nonprofit course provider is
44 involved in providing the one-time training course to new
45 employees who initially engage in their respective profession after
46 the effective date of P.L.2025, c.343, then the nonprofit course
47 provider shall provide the training course at least once every six

1 months in order for these employees to meet the six-month training
2 deadline.

3 Each contract entered into after the effective date of P.L.2025,
4 c.343 between the corporation and a private entity to provide
5 motorbus regular route service shall include a requirement that
6 motorbus operators of the private entity that provides motorbus
7 regular route service under such contract shall attend the one-time
8 training course, unless such requirement is waived pursuant to the
9 provisions of this subsection.

10 (3) The New Jersey Transit Corporation shall make available to
11 public transportation employees and private entities under contract
12 to the corporation to provide motorbus regular route service the
13 training materials for the one-time training course.

14 f. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
15 Attorney General, in consultation with the Commission on Human
16 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
17 237) and the Division of Violence Intervention and Victim
18 Assistance established pursuant to section 1 of P.L.2023, c.167 (C.
19 52:4B-60.4), may provide for the expenditures of monies from the
20 "Human Trafficking Survivor's Assistance Fund" to assist with the
21 development, maintenance, revision, and distribution of training
22 course materials for the courses developed in accordance with this
23 section, and the operation of these training courses.¹

24 (cf: P.L.2025, c.343, s.1)

25

26 ¹§13. (New section) a. A nonprofit organization approved by
27 the Commission on Human Trafficking shall establish a training
28 program to provide mandatory training on human trafficking
29 advocacy and education to all judges and judicial personnel,
30 assistant and deputy attorneys general, county prosecutors, assistant
31 county prosecutors, municipal prosecutors, juvenile justice
32 commission officers and employees, assistant and deputy public
33 defenders and other attorneys appointed by the public defender
34 pursuant to section 9 of P.L.1985, c.133 (C. 30:4-165.14), county
35 board of social services employees, and members of a human
36 trafficking response team established pursuant to section 7 of
37 P.L. , c. (C.) (pending before the Legislature as this bill).
38 The training shall be trauma-informed and shall emphasize:

39 (1) the dynamics and manifestations of human trafficking;

40 (2) identification of and communication with human trafficking
41 victims and those at risk of become human trafficking victims;

42 (3) the impact of human trafficking on victims and the
43 community;

44 (4) protocols for reporting known or suspected crimes of human
45 trafficking;

46 (5) information regarding the resources available to victims of
47 human trafficking including but not limited to criminal penalties,
48 civil actions, and the availability of restitution; and

1 (6) where appropriate the training shall also include information
2 regarding best practices in the investigation and prosecution of
3 human trafficking crimes and related offenses.

4 c. The course may be composed of live instruction,
5 telecommunication, video or other medium, or any combination of
6 methods and shall consist of a minimum of one hour of instruction.

7 d. The training required pursuant to this section shall be
8 completed within one year of the date of enactment of
9 P.L. , c. (C.) (pending before the Legislature as this bill), and
10 once during every subsequent two year period.

11 e. The Administrative Office of the Courts shall ensure that all
12 judges and judicial personnel complete the training required
13 pursuant to this section.

14 f. The Attorney General shall ensure that all assistant attorneys
15 general; deputy attorneys general, county prosecutors and assistant
16 county prosecutors, and municipal prosecutors complete the training
17 required pursuant to this section.

18 g. The Executive Director of the Juvenile Justice Commission
19 shall ensure that all juvenile justice commission officers and
20 employees complete the training required pursuant to this section.

21 h. The Public Defender shall ensure that all assistant public
22 defenders, deputy public defenders, and other attorneys appointed
23 by the public defender pursuant to section 9 of P.L.1985, c.133 (C.
24 30:4-165.14) complete the training required pursuant to this section.

25 i. The Commissioner of Human Services shall ensure that all
26 employees of a county board of social services complete the
27 training required pursuant to this section.

28 j. There is appropriated the sum of \$250,000 from the general
29 fund to the New Jersey Commission on Human Trafficking to for
30 the purposes of developing and administering the training program
31 required pursuant to this section.】¹

32
33 ¹【14. (New section) a. As used in this section:

34 “Advertisement for employment” means any advertisement or
35 offer of employment in print media or electronic format, including
36 the Internet, and includes any offer or promise to exchange anything
37 of value in exchange for labor of another person.

38 “Advertisement for dating” means any advertisement or offer in
39 print media or electronic format, including the Internet, for at least
40 two persons to meet with the intention of evaluating each other’s
41 suitability as a partner in a future romantic or sexual relationship.
42 Such advertisement shall include, but not be limited to, print media,
43 Internet websites, mobile applications, and other electronic and
44 print means of communication.

45 “Mobile application” means an application designed to be
46 downloaded onto and used in conjunction with a mobile electronic
47 communication device and available through multiple software
48 platforms.

1 “Mobile electronic communication device” means any mobile
2 device capable of communication or other transmission of
3 information and shall include, but not be limited to, a cellular
4 telephone, wireless tablet, or other device with Internet capability,
5 or other wireless communication device.

6 b. Any person, corporation, unincorporated association, or
7 other entity in this State that publishes a required anti-human
8 trafficking messaging pursuant to this section, or an “advertisement
9 for dating” or “advertisement for employment” as those terms are
10 defined in this section, shall include in the message or
11 advertisement an educational message on human trafficking, to be
12 displayed in a clear, conspicuous, and prominent manner. Any such
13 message or advertisement made through a mobile application or on
14 a mobile electronic communication device shall be made available
15 in a multimedia format including, but not be limited to, in an audio,
16 visual, or interactive format. The educational message required
17 pursuant to this subsection shall be developed by the Commission
18 on Human Trafficking pursuant to section 1 of P.L.2013, c.51
19 (C.52:17B-237).

20 c. Any person, corporation, unincorporated association, or other
21 entity in this State that fails to comply with the provisions of this
22 section shall be guilty of a crime of the third degree and shall be
23 subject to a civil penalty of not less than \$250,000 for each
24 violation. A civil penalty imposed pursuant to this section may be
25 collected, with costs, in a summary proceeding pursuant to the
26 “Penalty Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10
27 et seq.). The Superior Court and the municipal court shall have
28 jurisdiction to enforce the provisions of the “Penalty Enforcement
29 Law of 1999” in connection with this section.

30 d. Nothing in this section shall be construed to prevent or limit a
31 private cause of action by an aggrieved party against a person,
32 corporation, unincorporated association, or entity that has violated
33 or is alleged to have violated the provisions of this section.

34 e. Notwithstanding any other provision of law to the contrary,
35 a person who commits a second or subsequent violation of
36 subsection c. of this section shall be sentenced to an extended term
37 of imprisonment as set forth in N.J.S.2C:43-7.¹

38
39 ¹ **[15.] 9.**¹ N.J.S.2C:64-3 is amended to read as follows:

40 2C:64-3. Forfeiture procedures. a. Whenever any property other
41 than prima facie contraband is subject to forfeiture under this
42 chapter, the forfeiture may be enforced by a civil action, instituted
43 within 90 days of the seizure and commenced by the State and
44 against the property sought to be forfeited.

45 b. The complaint shall be verified on oath or affirmation. It
46 shall describe with reasonable particularity the property that is the
47 subject matter of the action and shall contain allegations setting

1 forth the reason or reasons the article sought to be or which has
2 been seized is contraband.

3 c. Notice of the action shall be given to any person known to
4 have a property interest in the article. In addition, the notice
5 requirements of the Rules of Court for an in rem action shall be
6 followed.

7 d. The claimant of the property that is the subject of an action
8 under this chapter shall file and serve the claim in the form of an
9 answer in accordance with the Rules of Court. The answer shall be
10 verified on oath or affirmation, and shall state the interest in the
11 property by virtue of which the claimant demands its restitution and
12 the right to defend the action. If the claim is made in behalf of the
13 person entitled to possession by an agent, bailee, or attorney, it shall
14 state that the claimant is duly authorized to make the claim.

15 e. If no answer is filed and served within the applicable time,
16 the property seized shall be disposed of pursuant to N.J.S.2C:64-6.

17 f. If an answer is filed, the Superior court shall set the matter
18 down for a summary hearing as soon as practicable. Upon
19 application of the State or claimant, if the claimant is a defendant in
20 a criminal proceeding arising out of the seizure, the Superior court
21 may stay proceedings in the forfeiture action until the criminal
22 proceedings have been concluded by an entry of final judgment.

23 g. Any person with a property interest in the seized property,
24 other than a defendant who is being prosecuted in connection with
25 the seizure of property may secure its release pending the forfeiture
26 action unless the article is dangerous to the public health, safety,
27 and welfare or the State can demonstrate that the property will
28 probably be lost or destroyed if released or employed in subsequent
29 criminal activity. Any person with a property interest other than a
30 defendant who is being prosecuted, prior to the release of that
31 property shall post a bond with the court in the amount of the
32 market value of the seized item.

33 h. ¹(1)¹ The prosecuting agency ¹,¹ with approval of the entity
34 funding the agency, or any other entity, with the approval of the
35 prosecuting agency, where the other entity's law enforcement
36 agency participated in the surveillance, investigation or arrest which
37 is the subject of the forfeiture action, may apply to the Superior
38 Court for an order permitting use of seized property, pending the
39 disposition of the forfeiture action provided, however, that the
40 property shall be used solely for law enforcement purposes.
41 Approval shall be liberally granted but shall be conditioned upon
42 the filing of a bond in an amount equal to the market value of the
43 item seized or a written guarantee of payment for property which
44 may be subject to return, replacement or compensation as to
45 reasonable value in the event that the forfeiture is refused or only
46 partial extinguishment of property rights is ordered by the court.

47 (2) ¹**[Any]** Unless used by a prosecuting agency as authorized
48 pursuant to paragraph (1) of this subsection, any¹ property seized in

1 connection with a human trafficking offense shall be applied first
2 toward the payment of any restitution ordered pursuant section 4 of
3 P.L.2013, c.51 (C.2C:13-8.1) or ¹ ~~section 8~~ section 5¹ of P.L. ,
4 c. (C.) (pending before the Legislature as this bill). Any
5 remaining property shall then be distributed ¹to a prosecuting
6 agency or other entity¹ pursuant to paragraph (1) of this subsection.

7 For the purpose of this subsection, “human trafficking offense”
8 means human trafficking pursuant to section 1 of P.L.2005, c.77
9 (C.2C:13-8); facilitation of human trafficking pursuant to section 5
10 of P.L. 2013 (C.2C:13-9); prostitution pursuant to N.J.S.2C:34-1
11 and related offenses; or liability for another’s conduct related any of
12 the foregoing offenses pursuant to N.J.S.2C:2-6 or any other
13 provision of law governing a person’s liability for the conduct of
14 another.

15 i. If the property is of the nature that substantial difficulty may
16 result in preserving its value during the pendency of the forfeiture
17 action, the Superior court may appoint a trustee to protect the
18 interests of all parties involved in the action.

19 j. Evidence of a conviction of a criminal offense in which
20 seized property was either used or provided an integral part of the
21 State's proofs in the prosecution shall be considered in the forfeiture
22 proceeding as creating a rebuttable presumption that the property
23 was utilized in furtherance of an unlawful activity.

24 k. Seized property other than prima facie contraband shall not
25 be subject to forfeiture pursuant to the provisions of this chapter if
26 there are no criminal charges arising out of or related to the
27 property seizure or a criminal prosecution arising out of or related
28 to the property seizure terminates with no criminal culpability
29 unless:

30 (1) there is no known owner of the seized property and no
31 person credibly asserts an ownership interest in the seized property;
32 or

33 (2) the State establishes by a preponderance of the evidence, in
34 the case of seized property in the form of cash, negotiable
35 instruments, or other cash equivalents, that the property has a value
36 of greater than \$1,000, or in the case of seized property other than
37 cash, negotiable instruments, or other cash equivalent, that the
38 property has a value of greater than \$10,000.

39 l. For the purposes of this section, a criminal prosecution
40 arising out of or related to the property seizure terminates with no
41 criminal culpability if, with respect to all criminal charges
42 involving the seized property, the prosecution resulted in:

43 (1) an acquittal;

44 (2) a dismissal with prejudice, excluding a dismissal with
45 prejudice in which the defendant was admitted into a program of
46 supervisory treatment pursuant to the provisions of N.J.S.2C:43-12
47 through N.J.S.2C:43-22 or any other law or functionally equivalent
48 program of another state or the United States pursuant to which an

1 offense was dismissed or a felony conviction avoided or eliminated
2 from the record when the defendant successfully completed the
3 program; or

4 (3) a finding of not guilty by reason of insanity.
5 (cf: P.L.2019, c.371, s.1)

6
7 ¹**[16.] 10.**¹ Section 2 of P.L.1971, c.437 (C.9:6-8.9) is amended
8 to read as follows:

9 2. For purposes of this act:

10 "Abused child" means a child under the age of 18 years whose
11 parent, guardian, or other person having his custody and control:

12 a. Inflicts or allows to be inflicted upon such child physical
13 injury by other than accidental means which causes or creates a
14 substantial risk of death, or serious or protracted disfigurement, or
15 protracted impairment of physical or emotional health or protracted
16 loss or impairment of the function of any bodily organ;

17 b. Creates or allows to be created a substantial or ongoing risk
18 of physical injury to such child by other than accidental means
19 which would be likely to cause death or serious or protracted
20 disfigurement, or protracted loss or impairment of the function of
21 any bodily organ; or

22 c. Commits or allows to be committed an act of sexual abuse or
23 human trafficking against the child;

24 d. Or a child whose physical, mental, or emotional condition has
25 been impaired or is in imminent danger of becoming impaired as
26 the result of the failure of his parent or guardian, or such other
27 person having his custody and control, to exercise a minimum
28 degree of care (1) in supplying the child with adequate food,
29 clothing, shelter, education, medical or surgical care though
30 financially able to do so or though offered financial or other
31 reasonable means to do so, or (2) in providing the child with proper
32 supervision or guardianship, by unreasonably inflicting or allowing
33 to be inflicted harm, or substantial risk thereof, including the
34 infliction of excessive corporal punishment or using excessive
35 physical restraint under circumstances which do not indicate that
36 the child's behavior is harmful to himself, others or property; or by
37 any other act of a similarly serious nature requiring the aid of the
38 court;

39 e. Or a child who has been willfully abandoned by his parent or
40 guardian, or such other person having his custody and control;

41 f. Or a child who is in an institution as defined in section 1 of
42 P.L.1974, c. 119 (C. 9:6-8.21) and (1) has been so placed
43 inappropriately for a continued period of time with the knowledge
44 that the placement has resulted and may continue to result in harm
45 to the child's mental or physical well-being or (2) has been willfully
46 isolated from ordinary social contact under circumstances which
47 indicate emotional or social deprivation.

1 A child shall not be considered abused pursuant to subsection f.
2 of this section if the acts or omissions described therein occur in a
3 day school as defined in section 1 of P.L.1974, c. 119 (C. 9:6-8.21).
4 (cf: P.L.1987,c.341,s.3)

5
6 ¹¶17. Section 6 of P.L.1971, c.437 (C.9:6-8.13) is amended
7 to read as follows:

8 6. Anyone acting pursuant to this act in the making of a report
9 under this act shall have immunity from any liability, civil or
10 criminal, that might otherwise be incurred or imposed. Any such
11 person shall have the same immunity with respect to testimony
12 given in any judicial proceeding resulting from such report.

13 A person who reports or causes to report in good faith an
14 allegation of child abuse or neglect pursuant to section 3 of
15 P.L.1971, c. 437 (C. 9:6-8.10) and as a result thereof is discharged
16 from employment or in any manner discriminated against with
17 respect to compensation, hire, tenure or terms, conditions or
18 privileges of employment, may file a cause of action for appropriate
19 relief in the family part of the Chancery Division of the Superior
20 Court in the county in which the discharge or alleged discrimination
21 occurred or in the county of the person's primary residence.

22 If the court finds that the person was discharged or discriminated
23 against as a result of the person's reporting an allegation of child
24 abuse or neglect, the court may grant reinstatement of employment
25 with back pay or other legal or equitable relief.

26 Monetary damages imposed in a civil action on a representative
27 or agent of a corporation, unincorporated association, or other entity
28 who, in a timely manner and in good faith, reports or causes to
29 report an allegation of child abuse or neglect pursuant to section 3
30 of P.L.1971, c. 437 (C. 9:6-8.10) shall not exceed the amount of the
31 policy limits of any applicable insurance policy held by the
32 corporation, unincorporated association, or entity.

33 (cf: P.L.1987, c.341, s.5)]¹
34

35 ¹¶18. 11.¹ Section 7 of P.L.1987, c.341 (C.9:6-8.14) is amended
36 to read as follows:

37 7. a. Except as provided in subsection b. of this section any
38 person knowingly violating the provisions of this act including the
39 failure to report an act of child abuse having reasonable cause to
40 believe that an act of child abuse has been committed, is a
41 disorderly person.

42 b. Any person who knowingly fails to report an act of sexual
43 abuse against a child and who has reasonable cause to believe that
44 an act of sexual abuse has been committed is guilty of a crime of
45 the fourth degree.

46 c. Any person who knowingly prevents or attempts to prevent
47 the making of a report of child abuse or sexual abuse shall be guilty

1 of a crime of the third degree, and shall be guilty of any crime or
2 offense resulting from the failure to report the abuse.

3 d. An employer shall be guilty of a crime of the third degree if
4 the employer:

5 (1) knowingly prevents or attempts to prevent the making of a
6 report of child abuse or sexual abuse by an employee or volunteer;
7 or

8 (2) discharges or suspends from employment, or discriminates
9 against in any manner, an employee or volunteer in response to the
10 employee or volunteer making a report of child abuse or sexual
11 abuse.

12 e. (1) In addition to relief available pursuant to this section or
13 any other relevant provision of law, a person who suffers harm as a
14 result of a violation of subsection a., b., c., or d. of this section may
15 bring a civil action in any court of competent jurisdiction including,
16 but not limited to, an action for an injury due to the loss of moneys
17 or property, real or personal, as a result of the violation.

18 (2) The standard of proof in a civil action brought pursuant to
19 this subsection is a preponderance of the evidence, and the fact that
20 a prosecution against a defendant pursuant to this section is not
21 instituted or, whenever instituted, terminates without a conviction,
22 shall not preclude a civil action.

23 (3) The court may award a person:

24 (a) actual damages, but not less than liquidated damages
25 computed at the rate of \$50,000 for each violation;

26 (b) punitive damages upon proof of willful or reckless disregard
27 of the law;

28 (c) reasonable attorney's fees and other litigation costs
29 reasonably incurred; and

30 (d) such other equitable relief as the court determines to be
31 appropriate.

32 f. Nothing in this section shall be construed to preclude or
33 limit a prosecution or conviction for a violation of any offense
34 arising from the act of child abuse or sexual abuse pursuant to
35 N.J.S.2C:2-6 or any other provision of law governing a person's
36 liability for the conduct of another and, notwithstanding the
37 provisions of N.J.S.2C:1-8 or any other provision of law, a
38 conviction arising under this section shall not merge with a
39 conviction for sexual assault, any other crime of a sexual nature, a
40 prohibited sexual act as defined in section 2 of P.L.1992, c.7
41 (C.2A:30B-2), sexual abuse as defined in section 1 of P.L.1992,
42 c.109 (C.2A:61B-1), a human trafficking offense pursuant to
43 section 1 of L.2005, C.77(C.2C:13-8) or section 5 of P.L.2013, c.51
44 (C.2C:13-9), advertising commercial sexual abuse of a minor
45 pursuant to section 12 of P.L.2013, c.51 (C.2C:13-10), or
46 endangering the welfare of a child pursuant to N.J.S.2C:24-4.

47 g. Notwithstanding any other provision of law to the contrary,
48 a person who commits a second or subsequent violation of

1 subsection c. or d. of this section shall be sentenced to an extended
2 term of imprisonment as set forth in N.J.S.2C:43-7.

3 (cf: P.L.2019, c.40, s.2)

4
5 ²**[19.] 12.**¹ Section 3 of P.L.1973, c.147 (C.9:6-8.18) is
6 amended to read as follows:

7 3. a. The Division of Child Protection and Permanency, shall
8 upon receipt of such report, take action to insure the safety of the
9 child under section 4 of P.L.1971, c.437 (C.9:6-8.11). The report
10 shall be deemed an oral complaint under section 12 of P.L.1951,
11 c.138 (C.30:4C-12), and the Division of Child Protection and
12 Permanency, shall investigate the circumstances under which the
13 child was injured and may, after such investigation has been
14 completed, apply for a court order placing the child under its care
15 and supervision, pursuant to section 12 of P.L.1951, c.138
16 (C.30:4C-12).

17 b. Any action taken by the Division of Child Protection and
18 Permanency pursuant to subsection a. of this section may be stayed
19 upon the request of the Commissioner of the Department of Health,
20 through the department's oversight and enforcement authority
21 provided under P.L.1971, c.136 (C.26:2H-1 et al.), if a health care
22 provider attests to the commissioner by affidavit or certification
23 that:

24 (1) the action may impair the ongoing assessment and treatment
25 of a victim of an act of child abuse; and

26 (2) the victim is not imminent danger of further acts of child
27 abuse.

28 c. The Commissioner of Health shall provide quarterly reports
29 to the Commissioner of Children and Families regarding the status
30 of victim's assessment treatment and shall immediately notify the
31 Commissioner of Children and Families when, based on an
32 attestation or affidavit by a health care provider, an action taken by
33 the division shall no longer be stayed pursuant to subsection b. of
34 this section because the victim's assessment and treatment will no
35 longer be impaired by the action.

36 As used in this subsection, "health care provider" means a health
37 care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et
38 seq.) or a health care professional whose practice is regulated
39 pursuant to Title 45 of the Revised Statutes.

40 (cf: P.L.2012, c.16, s.28)**】**²

41
42 ¹**[20.]** ²**[13.1] 12.**² Section 4 of P.L.1985, c.439 (C.40A:14-
43 146.11) is amended to read as follows:

44 4. a. A person shall not commence the duties of a special law
45 enforcement officer unless the person has successfully completed a
46 training course approved by the commission and a special law
47 enforcement officer shall not be issued a firearm unless the officer
48 has successfully completed the basic firearms course approved by

1 the commission for permanent, regularly appointed police and
2 annual requalification examinations as required by subsection b. of
3 section 7 of P.L.1985, c.439 (C.40A:14-146.14). There shall be
4 three classifications for special police officers. The commission
5 shall prescribe by rule or regulation the training standards to be
6 established for each classification which shall include, but not be
7 limited to, training on the handling, response procedures for,
8 investigation, and prosecution of human trafficking cases developed
9 by the commission pursuant to section 19 of P.L.2013, c.51
10 (C.2C:13-12). Training may be in a commission approved academy
11 or in any other training program which the commission may
12 determine appropriate. The classifications shall be based upon the
13 duties to be performed by the special law enforcement officer as
14 follows:

15 (1) Class One. Officers of this class shall be authorized to
16 perform routine traffic detail, spectator control, and similar duties.
17 If authorized by ordinance or resolution, as appropriate, Class One
18 officers shall have the power to issue summonses for disorderly
19 persons and petty disorderly persons offenses, violations of
20 municipal ordinances, and violations of Title 39 of the Revised
21 Statutes. The use of a firearm by an officer of this class shall be
22 strictly prohibited and a Class One officer shall not be assigned any
23 duties which may require the carrying or use of a firearm.

24 (2) Class Two. Officers of this class shall be authorized to
25 exercise full powers and duties similar to those of a permanent,
26 regularly appointed full-time police officer. The use of a firearm by
27 an officer of this class may be authorized only after the officer has
28 been fully certified as successfully completing training as
29 prescribed by the commission.

30 (3) Class Three. Officers of this class shall be authorized to
31 exercise full powers and duties similar to those of a permanent,
32 regularly appointed full-time police officer while providing security
33 at a public or nonpublic school or a county college on the school or
34 college premises during hours when the public or nonpublic school
35 or county college is normally in session or when it is occupied by
36 public or nonpublic school or county college students or their
37 teachers or professors. While on duty in the jurisdiction of
38 employment, an officer may respond to offenses or emergencies off
39 school or college grounds if they occur in the officer's presence
40 while traveling to a school facility or county college, but an officer
41 shall not otherwise be dispatched or dedicated to any assignment off
42 school or college property.

43 The use of a firearm by an officer of this class shall be
44 authorized pursuant to the provisions of subsection b. of section 7
45 of P.L.1985, c.439 (C.40A:14-146.14). An officer of this class
46 shall not be authorized to carry a firearm while off duty unless the
47 officer complies with the requirements set forth in subsection 1. of

1 N.J.S.2C:39-6 authorizing a retired law enforcement officer to carry
2 a handgun.

3 b. The commission may, in its discretion, except from the
4 requirements of this section any person who demonstrates to the
5 commission's satisfaction that the person has successfully
6 completed a police training course conducted by any federal, state
7 or other public or private agency, the requirements of which are
8 substantially equivalent to the requirements of this act.

9 c. The commission shall certify officers who have satisfactorily
10 completed training programs and issue appropriate certificates to
11 those officers. The certificate shall clearly state the category of
12 certification for which the officer has been certified by the
13 commission.

14 d. All special law enforcement officers appointed and in
15 service on the effective date of this act may continue in service if
16 within 24 months of the effective date of this act they will have
17 completed all training and certification requirements of this act.

18 (cf: P.L.2016, c.68, s.2)

19

20 ¹[21.] ²[14.1] 13.² Section 7 of P.L.2019, c.120 (C.59:2-
21 1.3) is amended to read as follows:

22 7. a. Notwithstanding any provision of the "New Jersey Tort
23 Claims Act," N.J.S.59:1-1 et seq., to the contrary:

24 (1) immunity from civil liability granted by that act to a public
25 entity or public employee shall not apply to an action at law for
26 damages as a result of a sexual assault, any other crime of a sexual
27 nature, a prohibited sexual act as defined in section 2 of P.L.1992,
28 c.7 (C.2A:30B-2), **[or]** sexual abuse as defined in section 1 of
29 P.L.1992, c.109 (C.2A:61B-1), a human trafficking offense
30 pursuant to section 1 of L.2005, C.77(C.2C:13-8) or section 5 of
31 P.L.2013, c.51 (C.2C:13-9), or advertising commercial sexual abuse
32 of a minor pursuant to section 12 of P.L.2013, c.51 (C.2C:13-10)
33 being committed against a person, which was caused by a willful,
34 wanton, or grossly negligent act of the public entity or public
35 employee; and

36 (2) immunity from civil liability granted by that act to a public
37 entity shall not apply to an action at law for damages as a result of a
38 sexual assault, any other crime of a sexual nature, a prohibited
39 sexual act as defined in section 2 of P.L.1992, c.7 (C.2A:30B-2),
40 **[or]** sexual abuse as defined in section 1 of P.L.1992, c.109
41 (C.2A:61B-1), a human trafficking offense pursuant to section 1 of
42 L.2005, C.77(C.2C:13-8) or section 5 of P.L.2013, c.51 (C.2C:13-
43 9), or advertising commercial sexual abuse of a minor pursuant to
44 section 12 of P.L.2013, c.51 (C.2C:13-10) being committed against
45 a minor under the age of 18, which was caused by the negligent
46 hiring, supervision, or retention of any public employee.

47 b. Every action at law involving a public entity or public
48 employee as described in subsection a. of this section shall be

subject to the statute of limitations set forth in section 2 of P.L.2019, c.120 (C.2A:14-2a), and may be brought during the two-year period set forth in subsection a. of section 9 of P.L.2019, c.120 (C.2A:14-2b), notwithstanding that the action would otherwise be barred through application of the statute of limitations.

c. The recovery limits set forth under subparagraph (a) of paragraph (2) of subsection d. of N.J.S.59:9-2 shall not apply to an action at law filed pursuant to this section.

(cf: P.L.2025, c.29, s.1)

¹[22.] ²[15.¹] 14.² N.J.S.59:8-3 is amended to read as follows:

59:8-3. Claims for damages against public entities. a. Except as otherwise provided in this section, no action shall be brought against a public entity or public employee under this act unless the claim upon which it is based shall have been presented in accordance with the procedure set forth in this chapter.

b. The procedural requirements of this chapter shall not apply to an action at law for an injury resulting from the commission of sexual assault, any other crime of a sexual nature, a prohibited sexual act as defined in section 2 of P.L.1992, c.7 (C.2A:30B-2), **[or]** sexual abuse as defined in section 1 of P.L.1992, c.109 (C.2A:61B-1), a human trafficking offense pursuant to section 1 of L.2005, C.77(C.2C:13-8) or section 5 of P.L.2013, c.51 (C.2C:13-9), or advertising commercial sexual abuse of a minor pursuant to section 12 of P.L.2013, c.51 (C.2C:13-10) .

(cf: P.L.2019, c.120, s.8)

¹[23.] ²[16.¹] 15.² Section 11 of P.L.2013, c.51 (C.2C:34-1.2) is repealed.

¹[24.] ²[17.¹] 16.² (New section) The Attorney General, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of this act. ¹[The Attorney General also shall establish guidelines governing a county Human Trafficking Response Team's response to a report of human trafficking pursuant to the provisions of section 7 of P.L. , c. (C.) (pending before the Legislature as this bill).]¹

¹[25.] ²[18.¹] 17.² Section 1 ¹[, section 2,]¹ and ¹[sections 4 through 25] sections 3 through ²[17¹] 16.² of this act shall take effect immediately. ¹[Section 3] Section 2¹ of this act shall take effect immediately and shall be applicable to all offenses not yet barred from prosecution under the statute of limitations as of the effective date.