ASSEMBLY, No. 5660

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:
Assemblyman LARRY WAINSTEIN
District 33 (Hudson)

SYNOPSIS

Eliminates statute of limitations for certain forgery and fraud crimes when parties involved have history of domestic violence.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning certain forgery prosecutions and amending N.J.S.2C:1-6.

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

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

2C:1-6. Time Limitations. a. (1) A prosecution for any offense set forth in N.J.S.2C:11-3, N.J.S.2C:11-4, N.J.S.2C:14-2 or sections 1 through 5 of P.L.2002, c.26 (C.2C:38-1 through C.2C:38-5) may be commenced at any time.

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

<u>(3) A prosecution for any offense set forth in chapter 21 of Title 2C of the New Jersey statutes may be commenced at any time if:</u>

<u>(a) the actor is the subject of or has had a temporary or final domestic violence restraining order entered against the actor and the victim of the crime is the victim of domestic violence for which the order was entered; or</u>

<u>(b) at the time of the commission of the offense, the actor is or previously was the subject of a judicial order or protective order entered pursuant to section 1 of P.L.1985, c.250 (C.2C:28-5.1) prohibiting contact with the victim of the offense.</u>

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

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

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

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

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

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

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 <u>thus</u> is new matter.

c. An offense is committed either when every element occurs or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed, except that when the prosecution is supported by physical evidence that identifies the actor by means of DNA testing or fingerprint analysis, time does not start to run until the State is in possession of both the physical evidence and the DNA or fingerprint evidence necessary to establish the identification of the actor by means of comparison to the physical evidence.

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

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

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

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

(cf: P.L.2007, c.131)

2. This act shall take effect immediately and shall be applicable to all offenses occurring on or after the effective date of this act. A prosecution for an offense committed prior to the effective date of P.L. , c. (pending before the Legislature as this bill) shall be governed by the five-year statute of limitations as it was set forth in N.J.S.2C:1-6 prior to the effective date of P.L. , c. (pending before the Legislature as this bill).

STATEMENT

This bill would eliminate the statute of limitations for certain crimes of forgery and other fraudulent practices for which the parties involved have a history of domestic violence.

Under current law, crimes of forgery and other fraudulent practices are set forth in chapter 21 of Title 2C of the New Jersey Statutes. These crimes include, but are not limited to: forgery, frauds related to public records and recordable instruments, falsifying or tampering with records, destruction or falsification of records, and identity theft. Generally, a prosecution for these

crimes is required to be commenced within five years after the crime is committed.

Under the bill, there is no time limit for initiating a prosecution for these crimes if the actor is the subject of or has had a temporary or final domestic violence restraining order entered against the actor, and the victim of the crime is the victim of domestic violence for which the order was entered; or at the time of the offense, the actor is or previously was the subject of a judicial order or protective order entered pursuant to N.J.S.A.2C:28-5.1 prohibiting contact with the victim of the offense.