

[Third Reprint]

SENATE, No. 3946

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED MARCH 16, 2026

Sponsored by:

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

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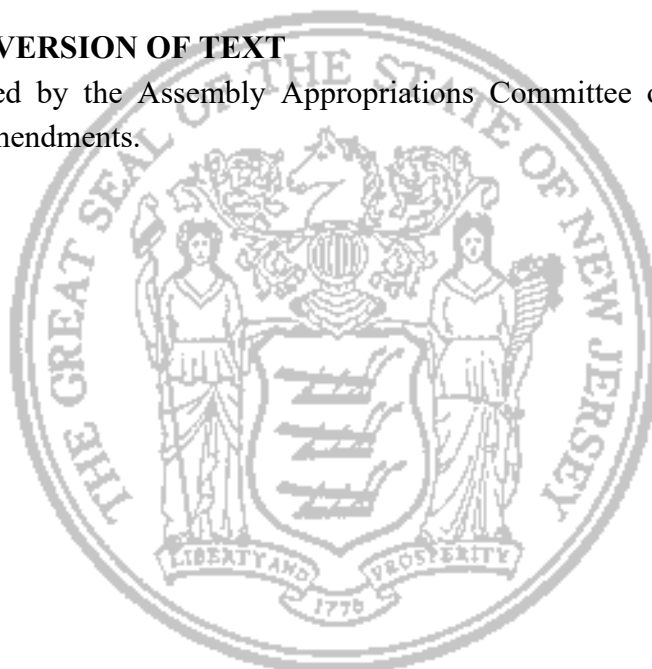
Senators Burgess, Space, Polistina, Amato, Zwicker, Holzapfel, Tiver, Beach, Pennacchio, McKeon, Singleton, Cryan, Mukherji, Bramnick, Steinhardt, Timberlake, Gopal, Greenstein and Stack

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: 6/15/2026)

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 appropriation¹**.
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.

44 c. Nothing in this section shall be deemed to grant immunity
45 to: (1) any nonprofit corporation, society or association organized

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:

¹Senate SBA committee amendments adopted June 28, 2026.

²Assembly AJU committee amendments adopted October 15, 2026.

³Assembly AAP committee amendments adopted October 22, 2026.

1 exclusively for religious, charitable, educational or hospital
2 purposes, or its trustee, director, officer, employee, agent, servant or
3 volunteer, causing damage by a willful, wanton or grossly negligent
4 act of commission or omission, including sexual assault, any other
5 crime of a sexual nature, a prohibited sexual act as defined in
6 section 2 of P.L.1992, c.7 (C.2A:30B-2), **【or】** sexual abuse as
7 defined in section 1 of P.L.1992, c.109 (C.2A:61B-1), a human
8 trafficking offense pursuant to section 1 of P.L.2005, c.77(C.2C:13-
9 8) or section 5 of P.L.2013, c.51 (C.2C:13-9), or advertising
10 commercial sexual abuse of a minor pursuant to subsection b. of
11 section 12 of P.L.2013, c.51 (C.2C:13-10) ;

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

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

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

19

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

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

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

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

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

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

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

1 the presence of spectators, the defendant, the jury, or all of them
2 and shall be based on specific findings relating to the impact of the
3 presence of each.

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

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

9 (2) The prosecutor; **【or】**

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

11 (4) The court on its own motion.

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

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

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

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

40 f. For purposes of this section, "closed circuit television"
41 means any closed-circuit, videoconferencing or other audio-visual
42 electronic technology capable of producing a simultaneous, one-
43 way broadcast from a victim or witness to a defendant in a separate
44 physical location. The technology shall allow for the live
45 observation of the victim or witness by the defendant, jury, and
46 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 and
9 during his actual absence or disability, may authorize, in writing, an ex
10 parte application to a judge designated to receive the same for an order
11 authorizing the interception of a wire, or electronic or oral
12 communication by the investigative or law enforcement officers or
13 agency having responsibility for an investigation when such
14 interception may provide evidence of the commission of the offense of
15 murder, kidnapping, gambling, robbery, bribery, a violation of
16 paragraph (1) or (2) of subsection b. of N.J.S.2C:12-1, ¹[a violation of
17 stalking pursuant to section 1 of P.L.1992, c.209 (C.2C:12-10),]¹
18 luring or enticing a child pursuant to section 1 of P.L.1993, c.291
19 (C.2C:13-6), a human trafficking offense pursuant to section 1 of
20 ¹[L.2005] P.L.2005¹, C.77 (C.2C:13-8) or section 5 of P.L.2013, c.51
21 (C.2C:13-9), advertising commercial sexual abuse of a minor pursuant
22 to section 12 of P.L.2013, c.51 (C.2C:13-10), a violation of section 3
23 of P.L.1997, c.353 (C.2C:21-4.3), a violation of ²¹paragraph (3) of
24 subsection c. of¹] subsection a. of² N.J.S.2C:21-17 ²when charged as
25 a second degree offense², a violation of N.J.S.2C:21-19 punishable by
26 imprisonment for more than one year, a violation of P.L.1994, c.121
27 (C.2C:21-23 et seq.), a violation of sections 1 through 5 of P.L.2002,
28 c.26 (C.2C:38-1 through C.2C:38-5), a violation of N.J.S.2C:33-3, a
29 violation of N.J.S.2C:17-2, a violation of sections 1 through 3 of
30 P.L.1983, c.480 (C.2C:17-7 through 2C:17-9), a violation of
31 N.J.S.2C:12-3 (terroristic threats), ¹[a third or fourth degree crime of
32 cyber-harassment pursuant to subsection b. of section 1 of P.L.2013,
33 c.272 (C.2C:33-4.1),]¹ violations of N.J.S.2C:35-3, N.J.S.2C:35-4 and
34 N.J.S.2C:35-5, violations of sections 112 through 116, inclusive, of the
35 "Casino Control Act," P.L.1977, c.110 (C.5:12-112 through 5:12-116),
36 a violation of section 1 of P.L.2005, c.77 (C.2C:13-8), a violation of
37 N.J.S.2C:34-1 punishable by imprisonment for more than one year,
38 arson, burglary, theft and related offenses punishable by imprisonment
39 for more than one year, [endangering the welfare of a child pursuant
40 to] a violation of N.J.S.2C:24-4, escape, forgery and fraudulent
41 practices punishable by imprisonment for more than one year,
42 alteration of motor vehicle identification numbers, unlawful
43 manufacture, purchase, use, or transfer of firearms, unlawful
44 possession or use of destructive devices or explosives, weapons
45 training for illegal activities pursuant to section 1 of P.L.1983, c.229
46 (C.2C:39-14), racketeering or a violation of subsection g. of

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

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

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

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

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

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

21 (cf: P.L.2007, c.131, s.1)]¹

22
23 ¹[5.] 3.¹ N.J.S.2C:5-4 is amended to read as follows:

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

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

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

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

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

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

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

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

19

20 **¹[6.] 4.¹** Section 1 of P.L.2005, c.77 (C.2C:13-8) is amended
21 to read as follows:

22 1. Human trafficking. a. A person commits the crime of human
23 trafficking if **¹[he] the person¹** :

24 (1) knowingly holds, recruits, lures, entices, harbors, transports,
25 provides or obtains, by any means, another **¹person who is at least**
26 **¹18 years of age¹** , to engage in sexual activity as defined in
27 paragraph (2) of subsection a. of N.J.S.2C:34-1 or to provide labor
28 or services:

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

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

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

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

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

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

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

4 (2) 'knowingly' receives anything of value, including non-
5 monetary items, or benefits financially from participation **【as an**
6 **organizer, supervisor, financier or manager】** in a scheme or course
7 of conduct which 'the person knows or should have known'
8 violates paragraph (1) **['or']**, (3) ', or (4)¹ of this subsection;
9 **['or']**

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

16 (4) knowingly holds, recruits, lures, entices, harbors, transports,
17 provides, or obtains, by any of the means enumerated in
18 subparagraphs (a) through (g) of paragraph (1) of this subsection, a
19 child under 18 years of age to provide labor or services, whether or
20 not the actor mistakenly believed that the child was 18 years of age
21 or older, even if that mistaken belief was reasonable'¹.

22 b. An offense under this section constitutes a crime of the first
23 degree.

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

28 **['(2) With regard to the court's consideration of relevant**
29 **evidence related to the prosecution of a human trafficking offense,**
30 **pursuant to Rule 903 of the Rules of Evidence, authentication of the**
31 **following types of evidence may be made by certification of the**
32 **records custodian or authorized representative of the financial**
33 **institution, remote computing service, print media or electronic**
34 **communication provider, or other provider:**

35 (a) advertisements published or disseminated in electronic or
36 print form;

37 (b) financial institution records; and

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

40 Upon the request of either party, in lieu of a certification, the
41 court may authorize a representative of a financial institution,
42 remote computing service, print media or electronic communication
43 provider, or other provider to testify in a video or remote format
44 concerning the admissibility of evidence pursuant to this
45 paragraph.】¹

1 d. (1) Notwithstanding the provisions of N.J.S.2C:43-6, the
2 term of imprisonment imposed for a crime, or an attempt or
3 conspiracy to commit a crime, of the first degree under [paragraph
4 (2) or (3) of subsection a. of] ¹paragraph (2), (3), or (4) of
5 subsection a. of¹ this section shall be either a term of 20 years
6 during which the actor shall not be eligible for parole, or a specific
7 term between 20 years and life imprisonment, of which the actor
8 shall serve 20 years before being eligible for parole.
9 Notwithstanding the provisions of N.J.S.2C:43-3, the sentence for a
10 conviction for a crime of the first degree under this section shall
11 include a fine in an amount of not less than \$25,000, which shall be
12 collected as provided for the collection of fines and restitutions in
13 section 3 of P.L.1979, c.396 (C.2C:46-4) and forwarded to the
14 Department of the Treasury to be deposited in the "Human
15 Trafficking Survivor's Assistance Fund" established by section 2 of
16 P.L.2013, c.51 (C.52:17B-238).

17 (2) A prosecutor, in consideration of the interests of the victim,
18 may offer a negotiated plea agreement in which the defendant
19 would be sentenced to a specific term of imprisonment that is not
20 less than 10 years, during which the defendant shall not be eligible
21 for parole. In making such an offer, the prosecutor shall provide, in
22 writing, specific reasons explaining the decision to enter into such
23 an agreement. The court may accept a negotiated plea pursuant to
24 this paragraph and, upon conviction, impose the term of
25 imprisonment and period of parole ineligibility provided in the plea
26 agreement. The court shall not impose a sentence that is less than
27 the term provided in the plea agreement.

28 The Attorney General shall develop guidelines to ensure the
29 uniform exercise of discretion in making determinations regarding a
30 negotiated reduction in the term of imprisonment and period of
31 parole ineligibility pursuant to this paragraph.

32 ¹Unless otherwise provided in guidelines established by the
33 Attorney General, nothing contained in this paragraph shall be
34 construed to alter or limit the authority or discretion of the
35 prosecutor to enter into any plea agreement which the prosecutor
36 deems appropriate.¹

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

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

45 (2) the value of the victim's labor or services as determined by
46 the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-
47 56.25 et seq.), the "New Jersey State Wage and Hour Law,"

1 P.L.1966, c.113 (C.34:11-56a et seq.), the Seasonal Farm Labor
2 Act, P.L.1945, c.71 (C.34:9A-1 et seq.), the laws concerning the
3 regulation of child labor in chapter 2 of Title 34 of the Revised
4 Statutes, or any other applicable State law, and the "Fair Labor
5 Standards Act of 1938," 29 U.S.C. s.201 et seq., or any other
6 applicable federal law.

7 ¹f. With regard to the court's consideration of relevant evidence
8 related to the prosecution of a human trafficking offense under
9 section 1 of P.L.2005, c.77 (C.2C:13-8), section 5 of P.L.2013, c.51
10 ³[(2C:13-9)] (C.2C:13-9)³, or section 12 of P.L.2013, c.51
11 (C.2C:13-10), pursuant to ³Rule 803, Rule 902, or³ Rule 903 of the
12 Rules of Evidence, ³as appropriate,³ authentication of the following
13 types of evidence may be made by certification of the records
14 custodian or authorized representative of the financial institution,
15 remote computing service, print media or electronic communication
16 provider, or other provider:

17 (1) advertisements published or disseminated in electronic or
18 print form;

19 (2) financial institution records; and

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

22 Upon the request of either party, in lieu of a certification, the
23 court may authorize a representative of a financial institution,
24 remote computing service, print media or electronic communication
25 provider, or other provider to testify in a video or remote format
26 concerning the admissibility of evidence pursuant to this
27 subsection.¹

28 ³The Court shall also consider expert testimony by a person who
29 possesses a background in or demonstrates a specialized knowledge
30 of the legal, policy, educational, social, or psychological aspects of
31 human trafficking.³

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

33
34 ¹[7.(New section) a. The county prosecutor's office in each
35 county shall establish a Human Trafficking Response Team or shall
36 enter into a collaborative agreement with another county to share
37 the services of that county's response team. The county prosecutor
38 shall ensure that each response team is comprised of the following:

39 (1) a law enforcement officer;

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

42 (3) a person with experience in the investigation of human
43 trafficking violations by the Department of Labor and Workforce
44 Development, the Division of Child Protection and Permanency in
45 the Department of Children and Families, or the Institutional Abuse
46 Investigation Unit in the Department of Children and Families; and

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

5 b. The Attorney General shall:

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

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

12 c. In response to a report of human trafficking at the request of
13 a victim of human trafficking, or a report of suspected human
14 trafficking, in accordance with guidelines established by the
15 Attorney General pursuant to section 23 of P.L. , c. (C.)
16 (pending before the Legislature as this bill), the response team
17 shall:

18 (1) facilitate the investigation, management, and disposition of
19 the report;

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

25 (3) provide appropriate referrals for medical and social service
26 agencies; information regarding the identification and treatment of
27 health care needs associated with human trafficking; and
28 appropriate follow-up care for human trafficking victims and their
29 families.

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

35 e. There is appropriated the sum of \$750,000 from the general
36 fund to the New Jersey Commission on Human Trafficking to
37 disburse these funds in effectuation of formation and maintenance
38 of county-based multi-disciplinary teams. The Legislature, to the
39 extent possible, shall ensure that sufficient appropriations are
40 provided annually to maintain the county Human Trafficking
41 Response Teams, which shall be dedicated to the providing of
42 services pursuant to this section. The disbursement of funds shall
43 not be dependent on whether prosecutions for human trafficking
44 occur.】¹

45
46 ¹【8.】 5.¹ (New section) Notwithstanding the provisions of
47 section 6 of P.L. 2013 c.214 (C:2C:46-4.1), and in addition to any

1 restitution ordered by the court pursuant to section 1 of P.L.2005,
2 c.77 (C.2C:13-8) or any other relevant provisions of law, the court
3 shall order a person convicted of any violation of human trafficking
4 pursuant to section 1 of P.L.2005, c.77 (C.2C:13-8); facilitation of
5 human trafficking pursuant to section 5 of P.L. 2013 (C.2C:13-9);
6 prostitution pursuant to N.J.S.2C:34-1 and related offenses; or
7 liability for another's conduct related any of the foregoing offenses
8 pursuant to N.J.S.2C:2-6 or any other provision of law governing a
9 person's liability for the conduct of another, to pay mandatory
10 restitution to the victim of the offense or the prosecutorial or law
11 enforcement entity responsible for investigating or prosecuting the
12 offense. The proceeds from any property related to the prosecution
13 that is forfeited pursuant to section 1 of P.L. 2019 (C.2C:64-3) shall
14 be applied first toward the payment of any restitution ordered
15 pursuant to this section.

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

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

21 (2) costs of necessary transportation, temporary housing, and
22 child care expenses;

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

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

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

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

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

36
37 ¹9. Section 4 of P.L.2013, c.51 (C.2C:13-8.1) is amended to
38 read as follows:

39 4. a. Any person injured, including injury due to the loss of
40 moneys or property, real or personal, as a result of the commission
41 of a human trafficking offense in violation of section 1 of P.L.2005,
42 c.77 (C.2C:13-8), or section 5 of P.L.2013, c.51 (C.2C:13-9), may
43 bring a civil action in any court of competent jurisdiction against:
44 (1) the offender; (2) all those acting in concert with that offender;
45 (3) all those who, knowingly **【deriving】** or with reckless disregard,
46 derive a direct or indirect pecuniary benefit from the offense,
47 whether or not these parties are acting in concert with the offender;

1 and (4) all those who, knowingly **【maintaining】** or with reckless
2 disregard, maintain any victim of the offense, whether or not these
3 parties are acting in concert with the offender. A civil action
4 brought under this section shall not preclude the application of any
5 other civil, administrative, or criminal remedy under any other
6 provision of law.

7 b. (1) The standard of proof in a civil action brought pursuant to
8 this section is a preponderance of the evidence, and the fact that a
9 prosecution against the offending actor is not instituted or,
10 whenever instituted, terminates without a conviction, shall not
11 preclude a civil action.

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

15 c. In any civil action brought pursuant to this section, the court
16 shall, in addition to any other appropriate legal or equitable relief,
17 including damages for pain and suffering, recovery of reasonable
18 costs for necessary medical, dental, and psychological services and
19 punitive damages, award damages in an amount that is the greater
20 of:

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

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

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

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

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

39 (2) acts in deliberate ignorance of the truth or falsity of the
40 information; or

41 (3) acts in reckless disregard of the truth or falsity of the
42 information.

43 (P.L.2023, c.208, s.1)¹

44
45 ¹**【10.】** 6.¹ Section 5 of P.L.2013, c.51 (C.2C:13-9) is amended
46 to read as follows:

1 5. a. A person commits a crime of the second degree if **'[he] the**
2 **person¹** :

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

7 (a) For purposes of this paragraph, "services, resources, or
8 assistance" shall include financial support, business services,
9 lodging, transportation, the provision of false documentation or
10 identification, equipment, facilities, or any other service or property
11 with a pecuniary value that exceeds \$200, whether or not a person is
12 compensated for the services, resources, or assistance, but shall not
13 include humanitarian or charitable aid or services provided directly
14 to a victim of human trafficking.

15 (b) For purposes of this paragraph, the requisite knowledge that
16 services, resources, or assistance are intended to be used in
17 furtherance of the commission of the crime of human trafficking
18 may be inferred if the defendant was aware that a person to whom
19 the defendant was providing services, resources, or assistance: (i)
20 was subject to or subjected another to restrictions on the person's
21 freedom of movement, so that the person could not leave without
22 accompaniment of another person or was otherwise subjected to
23 obvious restrictions on mobility; or (ii) did not possess or have
24 access to any means of communication, including but not limited to
25 a cellular or other wireless telephone or other electronic
26 communication device, and was not permitted or was otherwise
27 unable to communicate with another person without supervision or
28 permission; or

29 (2) procures or attempts to procure a person to engage in sexual
30 activity as defined in paragraph (2) of subsection a. of N.J.S.2C:34-
31 1, or to provide labor or services, whether for himself or another
32 person, knowing that the person provided or to be provided was a
33 victim of human trafficking, or under circumstances in which a
34 reasonable person would conclude that there was a substantial
35 likelihood that the person was a victim of human trafficking.

36 (a) For purposes of this paragraph, there shall be a rebuttable
37 presumption that the defendant knew, and that a reasonable person
38 would conclude there was a substantial likelihood, that a person was
39 a victim of human trafficking if the person: (i) could not leave the
40 premises where the person provided labor or services without
41 accompaniment of another person or was otherwise subjected to
42 significant restrictions on the person's freedom of movement; or (ii)
43 did not possess or have access to any means of communication,
44 including but not limited to a cellular or other wireless telephone or
45 other electronic communication device, and was not permitted or
46 was otherwise unable to communicate with another person without
47 supervision or permission.

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

(c) With regard to the court's consideration of relevant evidence related to the prosecution of a human trafficking offense ¹under section 1 of P.L.2005, c.77 (C.2C:13-8), section 5 of P.L.2013, c.51 ³[(2C:13-9)] (C.2C:13-9)³, or section 12 of P.L.2013, c.51 (C.2C:13-10)¹, pursuant to ³Rule 803, Rule 902, or³ Rule 903 of the Rules of Evidence, ³as appropriate,³ authentication of the following types of evidence may be made by certification of the records custodian or authorized representative of the financial institution, remote computing service, print media or electronic communication provider, or other provider:

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

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

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

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

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

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

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

c. (1) Notwithstanding any provision of law to the contrary, a person convicted for a violation of this section shall be sentenced to a term of imprisonment, which shall include a period of parole ineligibility of one-third to one-half of the term of imprisonment imposed or three years, whichever is greater. Notwithstanding the provisions of N.J.S.2C:43-3, the sentence for a conviction under this section shall include a fine in an amount of not less than \$15,000, which shall be collected as provided for the collection of

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

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

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

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

22 The Attorney General shall develop guidelines to ensure the
23 uniform exercise of discretion in making determinations regarding a
24 negotiated reduction in the term of imprisonment and period of
25 parole ineligibility pursuant to this paragraph.

26 ¹Unless otherwise provided in guidelines established by the
27 Attorney General, nothing contained in this paragraph shall be
28 construed to alter or limit the authority or discretion of the
29 prosecutor to enter any plea agreement which the prosecutor deems
30 appropriate.¹

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

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

38
39 ¹**[11.] 7.**¹ Section 12 of P.L.2013, c.51 (C.2C:13-10) is
40 amended to read as follows:

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

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

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

1 (3) Advertisements for selling the services of **【girls】 youths** as
2 escorts on Internet websites falsely claim that these **【girls】 youths**
3 are 18 years of age or older, when **【the girls】 they** actually are
4 minors;

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

8 (5) Responding to political and public outcry, the Internet
9 website craigslist.com removed its escort section, but another
10 website with an escort section, backpage.com, has to date refused to
11 do so;

12 (6) The states of Washington and Connecticut recently enacted
13 laws to require Internet websites, such as backpage.com, and the
14 patrons who advertise on websites, to maintain documentation that
15 they have proved the age of the escorts presented in the
16 advertisements;

17 (7) The State of New Jersey criminalized human trafficking in
18 2005; however, despite aggressive efforts by the Legislature to
19 combat human trafficking, victims are routinely exploited, both
20 financially and sexually, primarily through Internet websites,
21 mobile applications, and other electronic means of communication
22 including, but not limited to, advertisements for dating or
23 employment, and sexually-related Internet websites and mobile
24 applications; and

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

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

29 (1) the person knowingly publishes, disseminates, or displays,
30 or causes directly or indirectly, to be published, disseminated, or
31 displayed, any advertisement for a commercial sex act, which is to
32 take place in this State and which includes the depiction of a minor;
33 or

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

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

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

1 e. For the purposes of this section:

2 "Advertisement for a commercial sex act" means any
3 advertisement or offer in electronic or print media, including the
4 Internet, which includes either an explicit or implicit offer for a
5 commercial sex act to occur in this State.

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

10 "Depiction" means any photograph or material containing a
11 photograph or reproduction of a photograph.

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

13 "Photograph" means a print, negative, slide, digital image,
14 motion picture, or videotape, and includes anything tangible or
15 intangible produced by photographing.

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

18 (1) did not know the age of the minor depicted in the
19 advertisement; or

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

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

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

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

37

38 ²~~1~~¹ ~~12.1~~ Section 19 of P.L.2013, c.51 (C.2C:13-12) is
39 amended to read as follows:

40 19. a. The Police Training Commission, in consultation with the
41 Attorney General ~~and~~, the Director of the Division of Criminal
42 Justice in the Department of Law and Public Safety, County
43 Prosecutors' Association of the State of New Jersey, the Assistant
44 Prosecutors' Association of New Jersey, a non-profit organization
45 with demonstrated experience in human trafficking approved by the
46 Attorney General, ~~and~~ the Commission on Human Trafficking,
47 and the Division of Violence Intervention and Victim Assistance

1 established pursuant to section 1 of P.L.2023, c.167 (C. 52:4B-
2 60.4).¹ shall develop and approve, as part of the police training
3 courses required pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.),
4 courses of study on the handling, response procedures,
5 investigation, and prosecution of human trafficking cases. These
6 courses shall be reviewed at least once every two years and
7 modified from time to time as need may require.

8 b. (1) The Department of Community Affairs, in consultation
9 with the Commission on Human Trafficking established by section
10 1 of P.L.2013, c.51 (C.52:17B-237) 'and the Division of Violence
11 Intervention and Victim Assistance established pursuant to section
12 1 of P.L.2023, c.167 (C. 52:4B-60.4)¹, shall develop, approve, and
13 provide for a **【one-time】** training course on the handling and
14 response procedures of suspected human trafficking activities for
15 owners, operators, and staff of hotels and motels as defined in the
16 "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et
17 seq.); or alternatively, the department, in consultation with the
18 commission 'and the division'¹, shall approve a substantially similar
19 **【one-time】** training course for use by hotels and motels in
20 providing training to owners, operators, and staff. The department,
21 in consultation with the commission 'and the division'¹, shall define
22 by regulation which staff positions are required, as a condition of
23 employment, to attend the **【one-time】** training course. Verifiable
24 completion of the training course by required staff shall be a
25 condition of issuance, maintenance, or renewal of any license,
26 permit, certificate, or approval required, permitted to be granted, or
27 issued to owners or operators under the provisions of the "Hotel and
28 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.). The
29 training course shall be reviewed at least every two years and
30 modified by the department, in consultation with the commission
31 'and the division'¹, from time to time as need may require.

32 (2) The Department of Community Affairs, through its oversight
33 and enforcement authority provided under the "Hotel and Multiple
34 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
35 responsible for ensuring that all hotel and motel owners, operators,
36 and **【required】** staff attend the **【one-time】** training course. Owners,
37 operators, and staff of a hotel, as defined in the "Hotel and Multiple
38 Dwelling Law" pursuant to section 3 of P.L.1967, c.76 (C.55:13A-
39 3) shall be required to attend the training course at least once every
40 two years, and within one year of the enactment of this section in
41 the case of all current owners, operators, and **【required】** staff
42 engaging in their respective profession on the effective date of this
43 section, and within six months of the first day of ownership,
44 operation, or employment for all new owners, operators, and
45 **【required】** staff who initially engage in their respective profession
46 on a date that follows the effective date.

1 (3) The Department of Community Affairs shall make available
2 the training materials for the **【one-time】** training course to hotel
3 and motel owners, operators, and required staff in order for the
4 owners, operators, and required staff to fulfill the **【one-time】**
5 training requirement set forth in this subsection.

6 c. (1) The Department of Health, in consultation with the
7 Commission on Human Trafficking established by section 1 of
8 P.L.2013, c.51 (C.52:17B-237) ¹and the Division of Violence
9 Intervention and Victim Assistance established pursuant to section
10 1 of P.L.2023, c.167 (C. 52:4B-60.4)¹, shall develop, approve, and
11 provide for a one-time training course on the handling and response
12 procedures of suspected human trafficking activities for employees
13 of every licensed health care facility as defined in section 2 of
14 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
15 professional practice is regulated pursuant to Title 45 of the Revised
16 Statutes; or alternatively, the department, in consultation with the
17 commission ¹and the division¹, shall approve for use a substantially
18 similar one-time training course provided by a recognized Statewide
19 nonprofit healthcare trade association with demonstrated experience
20 in providing course offerings to health care facility employees on
21 similar workplace matters. The department, in consultation with the
22 commission ¹, the division,¹ and the approved nonprofit course
23 provider, if any, shall define by regulation which employees are
24 required, as a condition of their employment, to attend the one-time
25 training course. Verifiable completion of the training course by
26 required employees shall be a condition of issuance, maintenance,
27 or renewal of any license, permit, certificate, or approval required,
28 permitted to be granted, or issued to licensed health care facilities
29 under the provisions of P.L.1971, c.136 (C.26:2H-1 et al.). The
30 training course shall be reviewed at least every two years and
31 modified by the department, in consultation with the commission ¹,
32 the division,¹ and the approved nonprofit course provider, if any,
33 from time to time as need may require.

34 (2) The Department of Health, through its oversight and
35 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1
36 et al.), shall be responsible for ensuring that all required employees
37 of licensed health care facilities attend the one-time training course
38 within one year of the enactment of this section in the case of all
39 current employees engaging in their respective profession on the
40 effective date of this section, and within six months of the first day
41 of employment for all new employees who initially engage in their
42 respective profession on a date that follows the effective date. If an
43 approved nonprofit course provider is involved in providing the
44 one-time training course to new employees who initially engage in
45 their respective profession on a date that follows the effective date
46 of this section, then the nonprofit course provider shall provide the
47 training course at least once every six months in order for these

1 employees to meet the six-month training deadline established by
2 this paragraph.

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

8 d. (1) The Administrative Office of the Courts shall develop and
9 approve a training course and a curriculum to raise awareness of
10 judges and judicial personnel on the seriousness of the crime of
11 human trafficking, its impact on human rights and the need to
12 adequately implement anti-trafficking laws, including not only the
13 prosecution and sentencing of defendants charged with human
14 trafficking, but the need to respect and restore rights and needs of
15 victims of human trafficking. This training course shall be
16 reviewed at least every two years and modified by the
17 Administrative Office of the Courts from time to time as need may
18 require.

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

24 e. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
25 Attorney General, in consultation with the Commission on Human
26 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
27 237) ¹and the Division of Violence Intervention and Victim
28 Assistance established pursuant to section 1 of P.L.2023, c.167 (C.
29 52:4B-60.4)¹, may provide for the expenditures of monies from the
30 "Human Trafficking Survivor's Assistance Fund" to assist with the
31 development, maintenance, revision, and distribution of training
32 course materials for the courses developed in accordance with this
33 section, and the operation of these training courses.

34 (cf: P.L.2013, c.51, s.19)]²

35

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

38 19. a. The Police Training Commission, in consultation with the
39 Attorney General **【and】**, the Director of the Division of Criminal
40 Justice in the Department of Law and Public Safety, County
41 Prosecutors' Association of the State of New Jersey, the Assistant
42 Prosecutors' Association of New Jersey, a non-profit organization
43 with demonstrated experience in human trafficking approved by the
44 Attorney General, the Commission on Human Trafficking, and the
45 Division of Violence Intervention and Victim Assistance
46 established pursuant to section 1 of P.L.2023, c.167 (C. 52:4B-
47 60.4), shall develop and approve, as part of the police training

1 courses required pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.),
2 courses of study on the handling, response procedures,
3 investigation, and prosecution of human trafficking cases. The
4 courses shall include, at a minimum, a demonstration of and
5 information regarding known signs and signals that may be used or
6 communicated by victims of human trafficking seeking assistance
7 or may be observed by individuals in public spaces. These courses
8 shall be reviewed at least once every two years and modified from
9 time to time as need may require.

10 b. (1) The Department of Community Affairs, in consultation
11 with the Commission on Human Trafficking established by section
12 1 of P.L.2013, c.51 (C.52:17B-237) and the Division of Violence
13 Intervention and Victim Assistance established pursuant to section
14 1 of P.L.2023, c.167 (C. 52:4B-60.4), shall develop, approve, and
15 provide for a **【one-time】** training course on the handling and
16 response procedures of suspected human trafficking activities for
17 owners, operators, and staff of hotels and motels as defined in the
18 "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et
19 seq.); or alternatively, the department, in consultation with the
20 commission and the division, shall approve a substantially similar
21 **【one-time】** training course for use by hotels and motels in
22 providing training to owners, operators, and staff. The department,
23 in consultation with the commission and the division, shall define
24 by regulation which staff positions are required, as a condition of
25 employment, to attend the **【one-time】** training course. Verifiable
26 completion of the training course by required staff shall be a
27 condition of issuance, maintenance, or renewal of any license,
28 permit, certificate, or approval required, permitted to be granted, or
29 issued to owners or operators under the provisions of the "Hotel and
30 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.). The
31 training course shall include, at a minimum, a demonstration of and
32 information regarding known signs and signals that may be used or
33 communicated by victims of human trafficking seeking assistance
34 or may be observed by individuals in public spaces. The training
35 course shall be reviewed at least once every two years and modified
36 by the department, in consultation with the commission and the
37 division, from time to time as need may require.

38 (2) The Department of Community Affairs, through its oversight
39 and enforcement authority provided under the "Hotel and Multiple
40 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
41 responsible for ensuring that all hotel and motel owners, operators,
42 and **【required】** staff attend the **【one-time】** training course. Owners,
43 operators, and staff of a hotel, as defined in the "Hotel and Multiple
44 Dwelling Law" pursuant to section 3 of P.L.1967, c.76 (C.55:13A-
45 3) shall be required to attend the training course at least once every
46 two years, and within one year of the enactment of this section in
47 the case of all current owners, operators, and **【required】** staff

1 engaging in their respective profession on the effective date of this
2 section, and within six months of the first day of ownership,
3 operation, or employment for all new owners, operators, and
4 **【required】** staff who initially engage in their respective profession
5 on a date that follows the effective date.

6 (3) The Department of Community Affairs shall make available
7 the training materials for the **【one-time】** training course to hotel
8 and motel owners, operators, and required staff in order for the
9 owners, operators, and required staff to fulfill the **【one-time】**
10 training requirement set forth in this subsection.

11 c. (1) The Department of Health, in consultation with the
12 Commission on Human Trafficking established by section 1 of
13 P.L.2013, c.51 (C.52:17B-237) and the Division of Violence
14 Intervention and Victim Assistance established pursuant to section
15 1 of P.L.2023, c.167 (C. 52:4B-60.4) , shall develop, approve, and
16 provide for a one-time training course on the handling and response
17 procedures of suspected human trafficking activities for employees
18 of every licensed health care facility as defined in section 2 of
19 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
20 professional practice is regulated pursuant to Title 45 of the Revised
21 Statutes; or alternatively, the department, in consultation with the
22 commission and the division, shall approve for use a substantially
23 similar one-time training course provided by a recognized Statewide
24 nonprofit healthcare trade association with demonstrated experience
25 in providing course offerings to health care facility employees on
26 similar workplace matters. The department, in consultation with the
27 commission , the division, and the approved nonprofit course
28 provider, if any, shall define by regulation which employees are
29 required, as a condition of their employment, to attend the one-time
30 training course. Verifiable completion of the training course by
31 required employees shall be a condition of issuance, maintenance,
32 or renewal of any license, permit, certificate, or approval required,
33 permitted to be granted, or issued to licensed health care facilities
34 under the provisions of P.L.1971, c.136 (C.26:2H-1 et al.). The
35 training course shall include, at a minimum, a demonstration of and
36 information regarding known signs and signals that may be used or
37 communicated by victims of human trafficking seeking assistance
38 or may be observed by individuals in public spaces. The training
39 course shall be reviewed at least once every two years and modified
40 by the department, in consultation with the commission , the
41 division, and the approved nonprofit course provider, if any, from
42 time to time as need may require.

43 (2) The Department of Health, through its oversight and
44 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1
45 et al.), shall be responsible for ensuring that all required employees
46 of licensed health care facilities attend the one-time training course
47 within one year of the enactment of this section in the case of all

1 current employees engaging in their respective profession on the
2 effective date of this section, and within six months of the first day
3 of employment for all new employees who initially engage in their
4 respective profession on a date that follows the effective date. If an
5 approved nonprofit course provider is involved in providing the
6 one-time training course to new employees who initially engage in
7 their respective profession on a date that follows the effective date
8 of this section, then the nonprofit course provider shall provide the
9 training course at least once every six months in order for these
10 employees to meet the six-month training deadline established by
11 this paragraph.

12 (3) The Department of Health shall make available the training
13 materials for the one-time training course to required employees, or
14 to the approved nonprofit course provider, if any, in order for the
15 required employees to fulfill the one-time training requirement set
16 forth in this subsection.

17 d. (1) The Administrative Office of the Courts shall develop and
18 approve a training course and a curriculum to raise awareness of
19 judges and judicial personnel on the seriousness of the crime of
20 human trafficking, its impact on human rights and the need to
21 adequately implement anti-trafficking laws, including not only the
22 prosecution and sentencing of defendants charged with human
23 trafficking, but the need to respect and restore rights and needs of
24 victims of human trafficking. The training course shall include, at a
25 minimum, a demonstration of and information regarding known
26 signs and signals that may be used or communicated by victims of
27 human trafficking seeking assistance or may be observed by
28 individuals in public spaces. This training course shall be reviewed
29 at least once every two years and modified by the Administrative
30 Office of the Courts from time to time as need may require.

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

36 e. (1) The New Jersey Transit Corporation, in consultation
37 with the Commission on Human Trafficking established by section
38 1 of P.L.2013, c.51 (C.52:17B-237), shall develop and provide a
39 one-time training course for public transportation employees and
40 motorbus operators of private entities under contract to the
41 corporation to provide motorbus regular route service on the
42 handling and response procedures for suspected human trafficking
43 activities. Alternatively, the New Jersey Transit Corporation, in
44 consultation with the commission, shall approve a substantially
45 similar one-time training course provided by a recognized nonprofit
46 association with demonstrated experience in providing course
47 offerings to public transportation employees. The New Jersey

1 Transit Corporation, in consultation with the commission and the
2 approved nonprofit course provider, if any, shall establish by
3 regulation which employees and motorbus operators of private
4 entities under contract to the corporation to provide motorbus
5 regular route service are required, as a condition of their
6 employment or as a condition of the contract with the corporation,
7 to attend the one-time training course. The New Jersey Transit
8 Corporation, at the corporation's discretion, may waive the training
9 requirements of this subsection for a private entity under contract to
10 the corporation to provide motorbus regular route service if the
11 private entity requires its motorbus operators to complete an equal
12 or greater training course on the handling and response procedures
13 for suspected human trafficking activities. The training course
14 required pursuant to this subsection shall include, at a minimum, a
15 demonstration of and information regarding known signs and
16 signals that may be used or communicated by victims of human
17 trafficking seeking assistance or may be observed by individuals in
18 public spaces. The training course shall be reviewed at least once
19 every two years and modified as needed by the New Jersey Transit
20 Corporation, in consultation with the commission and the approved
21 nonprofit course provider, as appropriate.

22 (2) The New Jersey Transit Corporation shall be responsible for
23 ensuring that all its required employees attend the one-time training
24 course within two years of the enactment of P.L.2025, c.343 in the
25 case of all current employees engaging in their respective
26 profession on the effective date of P.L.2025, c.343, and within six
27 months of the first day of employment for all new employees who
28 initially engage in their respective profession after the effective date
29 of P.L.2025, c.343. If an approved nonprofit course provider is
30 involved in providing the one-time training course to new
31 employees who initially engage in their respective profession after
32 the effective date of P.L.2025, c.343, then the nonprofit course
33 provider shall provide the training course at least once every six
34 months in order for these employees to meet the six-month training
35 deadline.

36 Each contract entered into after the effective date of P.L.2025,
37 c.343 between the corporation and a private entity to provide
38 motorbus regular route service shall include a requirement that
39 motorbus operators of the private entity that provides motorbus
40 regular route service under such contract shall attend the one-time
41 training course, unless such requirement is waived pursuant to the
42 provisions of this subsection.

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

1 f. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
2 Attorney General, in consultation with the Commission on Human
3 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
4 237) and the Division of Violence Intervention and Victim
5 Assistance established pursuant to section 1 of P.L.2023, c.167 (C.
6 52:4B-60.4), may provide for the expenditures of monies from the
7 "Human Trafficking Survivor's Assistance Fund" to assist with the
8 development, maintenance, revision, and distribution of training
9 course materials for the courses developed in accordance with this
10 section, and the operation of these training courses.²
11 (cf: P.L.2025, c.343, s.1)

12
13 ¹13. (New section) a. A nonprofit organization approved by
14 the Commission on Human Trafficking shall establish a training
15 program to provide mandatory training on human trafficking
16 advocacy and education to all judges and judicial personnel,
17 assistant and deputy attorneys general, county prosecutors, assistant
18 county prosecutors, municipal prosecutors, juvenile justice
19 commission officers and employees, assistant and deputy public
20 defenders and other attorneys appointed by the public defender
21 pursuant to section 9 of P.L.1985, c.133 (C. 30:4-165.14), county
22 board of social services employees, and members of a human
23 trafficking response team established pursuant to section 7 of
24 P.L. , c. (C.) (pending before the Legislature as this bill).
25 The training shall be trauma-informed and shall emphasize:

- 26 (1) the dynamics and manifestations of human trafficking;
27 (2) identification of and communication with human trafficking
28 victims and those at risk of become human trafficking victims;
29 (3) the impact of human trafficking on victims and the
30 community;
31 (4) protocols for reporting known or suspected crimes of human
32 trafficking;
33 (5) information regarding the resources available to victims of
34 human trafficking including but not limited to criminal penalties,
35 civil actions, and the availability of restitution; and
36 (6) where appropriate the training shall also include information
37 regarding best practices in the investigation and prosecution of
38 human trafficking crimes and related offenses.

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

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

- 1 e. The Administrative Office of the Courts shall ensure that all
2 judges and judicial personnel complete the training required
3 pursuant to this section.
- 4 f. The Attorney General shall ensure that all assistant attorneys
5 general; deputy attorneys general, county prosecutors and assistant
6 county prosecutors, and municipal prosecutors complete the training
7 required pursuant to this section.
- 8 g. The Executive Director of the Juvenile Justice Commission
9 shall ensure that all juvenile justice commission officers and
10 employees complete the training required pursuant to this section.
- 11 h. The Public Defender shall ensure that all assistant public
12 defenders, deputy public defenders, and other attorneys appointed
13 by the public defender pursuant to section 9 of P.L.1985, c.133 (C.
14 30:4-165.14) complete the training required pursuant to this section.
- 15 i. The Commissioner of Human Services shall ensure that all
16 employees of a county board of social services complete the
17 training required pursuant to this section.
- 18 j. There is appropriated the sum of \$250,000 from the general
19 fund to the New Jersey Commission on Human Trafficking to for
20 the purposes of developing and administering the training program
21 required pursuant to this section.】¹

22

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

24 “Advertisement for employment” means any advertisement or
25 offer of employment in print media or electronic format, including
26 the Internet, and includes any offer or promise to exchange anything
27 of value in exchange for labor of another person.

28 “Advertisement for dating” means any advertisement or offer in
29 print media or electronic format, including the Internet, for at least
30 two persons to meet with the intention of evaluating each other’s
31 suitability as a partner in a future romantic or sexual relationship.
32 Such advertisement shall include, but not be limited to, print media,
33 Internet websites, mobile applications, and other electronic and
34 print means of communication.

35 “Mobile application” means an application designed to be
36 downloaded onto and used in conjunction with a mobile electronic
37 communication device and available through multiple software
38 platforms.

39 “Mobile electronic communication device” means any mobile
40 device capable of communication or other transmission of
41 information and shall include, but not be limited to, a cellular
42 telephone, wireless tablet, or other device with Internet capability,
43 or other wireless communication device.

44 b. Any person, corporation, unincorporated association, or
45 other entity in this State that publishes a required anti-human
46 trafficking messaging pursuant to this section, or an “advertisement
47 for dating” or “advertisement for employment” as those terms are

1 defined in this section, shall include in the message or
2 advertisement an educational message on human trafficking, to be
3 displayed in a clear, conspicuous, and prominent manner. Any such
4 message or advertisement made through a mobile application or on
5 a mobile electronic communication device shall be made available
6 in a multimedia format including, but not be limited to, in an audio,
7 visual, or interactive format. The educational message required
8 pursuant to this subsection shall be developed by the Commission
9 on Human Trafficking pursuant to section 1 of P.L.2013, c.51
10 (C.52:17B-237).

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

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

25 e. Notwithstanding any other provision of law to the contrary,
26 a person who commits a second or subsequent violation of
27 subsection c. of this section shall be sentenced to an extended term
28 of imprisonment as set forth in N.J.S.2C:43-7.】¹

29

30 ¹【15.】 9.¹ N.J.S.2C:64-3 is amended to read as follows:

31 2C:64-3. Forfeiture procedures. a. Whenever any property other
32 than prima facie contraband is subject to forfeiture under this
33 chapter, the forfeiture may be enforced by a civil action, instituted
34 within 90 days of the seizure and commenced by the State and
35 against the property sought to be forfeited.

36 b. The complaint shall be verified on oath or affirmation. It
37 shall describe with reasonable particularity the property that is the
38 subject matter of the action and shall contain allegations setting
39 forth the reason or reasons the article sought to be or which has
40 been seized is contraband.

41 c. Notice of the action shall be given to any person known to
42 have a property interest in the article. In addition, the notice
43 requirements of the Rules of Court for an in rem action shall be
44 followed.

45 d. The claimant of the property that is the subject of an action
46 under this chapter shall file and serve the claim in the form of an
47 answer in accordance with the Rules of Court. The answer shall be

1 verified on oath or affirmation, and shall state the interest in the
2 property by virtue of which the claimant demands its restitution and
3 the right to defend the action. If the claim is made in behalf of the
4 person entitled to possession by an agent, bailee, or attorney, it shall
5 state that the claimant is duly authorized to make the claim.

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

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

14 g. Any person with a property interest in the seized property,
15 other than a defendant who is being prosecuted in connection with
16 the seizure of property may secure its release pending the forfeiture
17 action unless the article is dangerous to the public health, safety,
18 and welfare or the State can demonstrate that the property will
19 probably be lost or destroyed if released or employed in subsequent
20 criminal activity. Any person with a property interest other than a
21 defendant who is being prosecuted, prior to the release of that
22 property shall post a bond with the court in the amount of the
23 market value of the seized item.

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

38 (2) ¹**[Any]** Unless used by a prosecuting agency as authorized
39 pursuant to paragraph (1) of this subsection, any¹ property seized in
40 connection with a human trafficking offense shall be applied first
41 toward the payment of any restitution ordered pursuant section 4 of
42 P.L.2013, c.51 (C.2C:13-8.1) or ¹**[section 8]** section 5¹ of P.L. ,
43 c. (C.) (pending before the Legislature as this bill). Any
44 remaining property shall then be distributed ¹to a prosecuting
45 agency or other entity¹ pursuant to paragraph (1) of this subsection.

46 For the purpose of this subsection, "human trafficking offense"
47 means human trafficking pursuant to section 1 of P.L.2005, c.77

1 (C.2C:13-8); facilitation of human trafficking pursuant to section 5
2 of P.L. 2013 (C.2C:13-9); prostitution pursuant to N.J.S.2C:34-1
3 and related offenses; or liability for another's conduct related any of
4 the foregoing offenses pursuant to N.J.S.2C:2-6 or any other
5 provision of law governing a person's liability for the conduct of
6 another.

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

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

16 k. Seized property other than prima facie contraband shall not
17 be subject to forfeiture pursuant to the provisions of this chapter if
18 there are no criminal charges arising out of or related to the
19 property seizure or a criminal prosecution arising out of or related
20 to the property seizure terminates with no criminal culpability
21 unless:

22 (1) there is no known owner of the seized property and no
23 person credibly asserts an ownership interest in the seized property;
24 or

25 (2) the State establishes by a preponderance of the evidence, in
26 the case of seized property in the form of cash, negotiable
27 instruments, or other cash equivalents, that the property has a value
28 of greater than \$1,000, or in the case of seized property other than
29 cash, negotiable instruments, or other cash equivalent, that the
30 property has a value of greater than \$10,000.

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

35 (1) an acquittal;

36 (2) a dismissal with prejudice, excluding a dismissal with
37 prejudice in which the defendant was admitted into a program of
38 supervisory treatment pursuant to the provisions of N.J.S.2C:43-12
39 through N.J.S.2C:43-22 or any other law or functionally equivalent
40 program of another state or the United States pursuant to which an
41 offense was dismissed or a felony conviction avoided or eliminated
42 from the record when the defendant successfully completed the
43 program; or

44 (3) a finding of not guilty by reason of insanity.

45 (cf: P.L.2019, c.371, s.1)

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

3 2. For purposes of this act:

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

6 a. Inflicts or allows to be inflicted upon such child physical
7 injury by other than accidental means which causes or creates a
8 substantial risk of death, or serious or protracted disfigurement, or
9 protracted impairment of physical or emotional health or protracted
10 loss or impairment of the function of any bodily organ;

11 b. Creates or allows to be created a substantial or ongoing risk
12 of physical injury to such child by other than accidental means
13 which would be likely to cause death or serious or protracted
14 disfigurement, or protracted loss or impairment of the function of
15 any bodily organ; or

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

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

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

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

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

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

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

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

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

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

28 (cf: P.L.1987, c.341, s.5)]¹

29

30 ¹18.] 11.¹ Section 7 of P.L.1987, c.341 (C.9:6-8.14) is
31 amended to read as follows:

32 7. a. Except as provided in subsection b. of this section any
33 person knowingly violating the provisions of this act including the
34 failure to report an act of child abuse having reasonable cause to
35 believe that an act of child abuse has been committed, is a
36 disorderly person.

37 b. Any person who knowingly fails to report an act of sexual
38 abuse against a child and who has reasonable cause to believe that
39 an act of sexual abuse has been committed is guilty of a crime of
40 the fourth degree.

41 c. Any person who knowingly prevents or attempts to prevent
42 the making of a report of child abuse or sexual abuse shall be guilty
43 of a crime of the third degree, and shall be guilty of any crime or
44 offense resulting from the failure to report the abuse.

45 d. An employer shall be guilty of a crime of the third degree if
46 the employer:

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

4 (2) discharges or suspends from employment, or discriminates
5 against in any manner, an employee or volunteer in response to the
6 employee or volunteer making a report of child abuse or sexual
7 abuse.

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

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

19 (3) The court may award a person:

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

22 (b) punitive damages upon proof of willful or reckless disregard
23 of the law;

24 (c) reasonable attorney's fees and other litigation costs
25 reasonably incurred; and

26 (d) such other equitable relief as the court determines to be
27 appropriate.

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

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

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

1 ³~~1~~**[19.]** 12.¹ Section 3 of P.L.1973, c.147 (C.9:6-8.18) is
2 amended to read as follows:

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

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

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

22 (2) the victim is not imminent danger of further acts of child
23 abuse.

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

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

36 (cf: P.L.2012, c.16, s.28)**1**³

37
38 ¹~~20.~~ ³~~13.~~¹ 12.³ Section 4 of P.L.1985, c.439 (C.40A:14-
39 146.11) is amended to read as follows:

40 4. a. A person shall not commence the duties of a special law
41 enforcement officer unless the person has successfully completed a
42 training course approved by the commission and a special law
43 enforcement officer shall not be issued a firearm unless the officer
44 has successfully completed the basic firearms course approved by
45 the commission for permanent, regularly appointed police and
46 annual requalification examinations as required by subsection b. of
47 section 7 of P.L.1985, c.439 (C.40A:14-146.14). There shall be

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

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

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

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

40 The use of a firearm by an officer of this class shall be
41 authorized pursuant to the provisions of subsection b. of section 7
42 of P.L.1985, c.439 (C.40A:14-146.14). An officer of this class
43 shall not be authorized to carry a firearm while off duty unless the
44 officer complies with the requirements set forth in subsection l. of
45 N.J.S.2C:39-6 authorizing a retired law enforcement officer to carry
46 a handgun.

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

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

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

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

17
18 ¹~~21.1~~ ³~~14.1~~ ^{13.3} Section 7 of P.L.2019, c.120 (C.59:2-1.3) is
19 amended to read as follows:

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

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

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

45 b. Every action at law involving a public entity or public
46 employee as described in subsection a. of this section shall be
47 subject to the statute of limitations set forth in section 2 of

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

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

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

9
 10 ¹[22.] ³[15.¹] 14.³ N.J.S.59:8-3 is amended to read as follows:

11 59:8-3. Claims for damages against public entities. a. Except as
 12 otherwise provided in this section, no action shall be brought
 13 against a public entity or public employee under this act unless the
 14 claim upon which it is based shall have been presented in
 15 accordance with the procedure set forth in this chapter.

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

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

26
 27 ¹[23.] ³[16.¹] 15.³ Section 11 of P.L.2013, c.51 (C.2C:34-1.2)
 28 is repealed.

29
 30 ¹[24.] ³[17.¹] 16.³ (New section) The Attorney General,
 31 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
 32 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate
 33 the purposes of this act. ¹[The Attorney General also shall
 34 establish guidelines governing a county Human Trafficking
 35 Response Team's response to a report of human trafficking pursuant
 36 to the provisions of section 7 of P.L. , c. (C.) (pending before
 37 the Legislature as this bill).]¹

38
 39 ¹[25.] ³[18.¹] 17.³ Section 1 ¹[, section 2,]¹ and
 40 ¹[sections 4 through 25] sections 3 through ³[17¹] 16³ of this act
 41 shall take effect immediately. ¹[Section 3] Section 2¹ of this act
 42 shall take effect immediately and shall be applicable to all offenses
 43 not yet barred from prosecution under the statute of limitations as of
 44 the effective date.