

SENATE, No. 4683

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Requires volunteers, employees, and organizers of youth serving organizations obtain annual criminal history record background checks and certain training; requires Commissioner of DCF establish training.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning youth serving organizations and amending and
2 supplementing P.L.1999, c.432.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.1999, c.432 (C.15A:3A-1) is amended to
8 read as follows:

9 1. As used in this act:

10 “Criminal history record background check” means a
11 determination of whether a person has a criminal record by cross-
12 referencing that person's name and fingerprints with those on file
13 with the Federal Bureau of Investigation, Identification Division
14 and the State Bureau of Identification in the Division of State
15 Police.

16 “Department” means the Department of Law and Public Safety.

17 **【“Nonprofit youth”** “Youth serving organization” or
18 “organization” means a sports team, league, an athletic association,
19 any entity that provides private athletic lessons, or any other
20 corporation, private or non-profit association or other organization
21 **【established pursuant to Title 15 of the Revised Statutes, Title 15A**
22 **of the New Jersey Statutes, or other law of this State, but**
23 **excluding】** that provides recreational, cultural, charitable, social, or
24 other activities or services for persons under 18 years of age. The
25 term shall not include public and nonpublic schools **【,** and which
26 provides recreational, cultural, charitable, social or other activities
27 or services for persons younger than 18 years of age, and is exempt
28 from federal income taxes**】** and youth camps licensed pursuant to
29 P.L.1973, c.375 (C.26:12-1 et seq.).

30 (cf: P.L.1999, c.432, s.1)

31
32 2. Section 2 of P.L.1999, c.432 (C.15A:3A-2) is amended to
33 read as follows:

34 2. a. **【A nonprofit youth serving organization may】** Except as
35 provided in subsections f. and g. of this section, a youth serving
36 organization shall request, through the department, that the State
37 Bureau of Identification in the Division of State Police conduct a
38 criminal history record background check on each prospective and
39 current employee **【or】** , volunteer, or organizer of **【the】** a youth
40 serving organization.

41 b. For the purpose of conducting the criminal history record
42 background check, the division shall examine its own files and
43 arrange for a similar examination by federal authorities. The
44 division shall inform the department whether the person's criminal

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.

1 history record background check reveals a conviction of a
2 disqualifying crime or offense as specified in section 3 of this act.

3 c. The division shall conduct a criminal history record
4 background check only upon receipt of the written consent to the
5 check of the prospective or current employee **【or】** , volunteer, or
6 organizer.

7 d. The **【organization or the】** prospective or current employee
8 **【or】** , volunteer , or organizer shall bear the costs associated with
9 conducting criminal history background checks. Notwithstanding
10 any law or regulation to the contrary, the department shall not
11 charge a fee for a criminal history record background check that
12 exceeds the actual cost of conducting that check, as determined by
13 the Attorney General. The Attorney General shall annually certify
14 to the State Treasurer the cost per criminal history background
15 check in the immediately preceding year.

16 e. Each employee, volunteer, or organizer of a youth serving
17 organization shall have a criminal history record background check
18 conducted at least once a year.

19 f. An employee, volunteer, or organizer of a youth serving
20 organization who has received a criminal history record background
21 check pursuant to section 1 of P.L.1986, c.116 (C.18A:6-7.1), or its
22 equivalent, which shall include, but not be limited to, background
23 checks utilized by national and international athletic associations
24 dedicated to youth sports shall not be required to obtain an
25 additional background check during the same calendar year in
26 which the background check was required pursuant to this section.
27 The employee, volunteer, or organizer shall submit proof of
28 completion of the criminal history record background check to the
29 youth serving organization.

30 g. The provisions of this section shall not apply to a county or
31 municipal government that has adopted an ordinance, rule,
32 regulation, resolution, or personnel policy requiring annual criminal
33 history record background checks of all employees, volunteers, and
34 organizers who have contact with persons under 18 years of age
35 through recreation, park, cultural, social, or athletic activities
36 sponsored, operated, or administered by the county or municipality.
37 (cf: P.L.1999, c.432, s.2)

38
39 3. Section 3 of P.L.1999, c.432 (C.15A:3A-3) is amended to
40 read as follows:

41 3. **【Except as provided in】** In addition to the provisions of
42 P.L.2009, c.139 (C.2C:7-22 et al.), a person 【may】 shall be
43 disqualified from serving as an employee 【or】 , volunteer , or
44 organizer of a [nonprofit] youth serving organization if that person's
45 criminal history record background check reveals a record of
46 conviction of any of the following crimes and offenses:

47 a. In New Jersey, any crime or disorderly persons offense:

1 (1) involving danger to the person, meaning those crimes and
2 disorderly persons offenses set forth in N.J.S.2C:11-1 et seq.,
3 N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq.
4 or N.J.S.2C:15-1 et seq.;

5 (2) against the family, children or incompetents, meaning those
6 crimes and disorderly persons offenses set forth in N.J.S.2C:24-1 et
7 seq.;

8 (3) involving theft as set forth in chapter 20 of Title 2C of the
9 New Jersey Statutes; or

10 (4) involving any controlled dangerous substance or controlled
11 substance analog as set forth in chapter 35 of Title 2C of the New
12 Jersey Statutes except paragraph (4) of subsection a. of
13 N.J.S.2C:35-10.

14 b. In any other state or jurisdiction, conduct which, if
15 committed in New Jersey, would constitute any of the crimes or
16 disorderly persons offenses described in subsection a. of this
17 section.

18 c. Nothing herein shall be construed to authorize an excluded
19 sex offender, as defined in section 1 of P.L.2009, c.139 (C.2C:7-
20 22), to serve as an employee **【or】** , volunteer, or organizer in a
21 youth serving organization or any other entity from which the
22 excluded sex offender is otherwise statutorily disqualified.

23 (cf: P.L.2009, c.139, s.3)

24
25 4. (New section) a. The Commissioner of Children and
26 Families shall establish an informational training course to assist
27 youth serving organizations develop safe environments for children
28 and adolescents who participate in their programming. The
29 curriculum shall:

30 (1) recommend models of organizational safety protocols for
31 youth serving organizations;

32 (2) provide guidance to individuals who work with youth on
33 lawful and appropriate behaviors during and after an individual's
34 tenure with a youth serving organization;

35 (3) be based on best practices;

36 (4) be triennially revised, as determined by the commissioner;
37 and

38 (5) be electronically available to youth serving organizations via
39 the Internet website of the Department of Children and Families.

40 b. A youth serving organization shall require each prospective
41 or current employee, volunteer, and organizer to:

42 (1) annually complete the training prescribed in subsection a. of
43 this section; and

44 (2) adhere to organizational safety protocols adopted by the
45 youth serving organization.

46
47 5. (New section) a. A youth serving organization that fails to
48 request a criminal history record background check or maintain

1 records pertaining to informational training required pursuant to this
2 act shall be subject to a civil penalty for each offense of up to \$500
3 for a first offense, up to \$750 for a second offense, and up to \$1,000
4 for a third or subsequent offense. The penalty shall be collected in
5 a civil action by a summary proceeding under the "Penalty
6 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
7 The Superior Court shall have jurisdiction of proceedings for the
8 enforcement of the penalty provided by this section.

9 b. It shall be a crime of the fourth degree for an employee,
10 volunteer, or organizer to participate in a youth serving organization
11 with the knowledge that the employee, volunteer, or organizer is
12 disqualified based on that person's criminal history.

13 c. It shall be a crime of the fourth degree for an organizer,
14 coach, or any other person working in association with a youth
15 serving organization to disregard the results of a criminal history
16 background check or fail to obtain a criminal history background
17 with knowledge that an employee, volunteer, or organizer of the
18 organization is disqualified from participating in the organization
19 based on the criminal history of the employee, volunteer, or
20 organizer.

21
22 6. This act shall take effect the first day of the fourth month
23 next following enactment, except that the Commissioner of the
24 Department of Children and Families may take any anticipatory
25 administrative action as may be necessary to implement the
26 provisions of this act.

27 28 29 STATEMENT

30
31 This bill requires prospective and current employees, volunteers,
32 and organizers of youth serving organizations to annually obtain
33 criminal history record background checks and complete training.

34 The bill defines a "youth serving organization" as sports team,
35 league, an athletic association, any entity that provides private
36 athletic lessons, or any other corporation, private or non-profit
37 association or other organization that provides recreational, cultural,
38 charitable, social, or other activities or services to persons under 18
39 years of age. "Youth serving organization" does not include public
40 and nonpublic schools or certain licensed youth camps. These
41 requirements do not apply to local governments administering youth
42 programming that have adopted measures requiring annual criminal
43 history background checks of individuals similarly involved with
44 youth. Additionally, individuals who have received criminal
45 history background checks in the same calendar year as required by
46 law for their involvement with a facility, center, or other system
47 under the supervision of the Department of Education would only
48 be required to show proof of completion of the criminal history

1 background check in order to serve as an employee, volunteer, or
2 organizer of a youth serving organization.

3 The bill also requires the Commissioner of Children and
4 Families to establish an informational training course to assist youth
5 serving organizations to develop safe environments for children and
6 adolescents who participate in their programming. The bill requires
7 the curriculum to: recommend models of organizational safety
8 protocols for youth serving organization; provide guidance to
9 individuals who work with youth on lawful and appropriate
10 behaviors during and after an individual's tenure with a youth
11 serving organization; be based on best practices; be triennially
12 revised, as determined by the commissioner; and be available to the
13 youth serving organizations from the website of the Department of
14 Children and Families. Under the bill, a youth serving organization
15 would require each prospective or current employee, volunteer, and
16 organizer to annually complete the training and adhere to any
17 organizational safety protocols adopted by the youth serving
18 organization.

19 A youth serving organization that fails to request criminal
20 history record background check or maintain records pertaining to
21 informational training required by the bill would be subject to up to
22 \$500 for a first offense; up to \$750 for a second offense, and up to
23 \$1,000 for any subsequent offense to be collected in a summary
24 proceeding under the "Penalty Enforcement Law of 1999."

25 Under the bill, it would be a crime of the fourth degree: 1)for an
26 individual to participate in a youth serving organization with the
27 knowledge that the individual is disqualified based on the
28 individual's criminal history; 2) an organizer, coach, or any other
29 person to working in association with a youth serving organization
30 to disregard the results of a criminal history background check or to
31 fail to obtain a criminal history background with the knowledge that
32 an employee, volunteer, or organizer of the organization is
33 disqualified from participating in the organization based on the
34 individual's criminal history. A crime of the fourth degree is
35 punishable by up to 18 months imprisonment, a fine of up to
36 \$10,000, or both.