

SENATE, No. 4739

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:
Senator CARMEN F. AMATO, JR.
District 9 (Ocean)

SYNOPSIS

Expands definition of terrorist organization; establishes civil action for damages against person that supports terrorism.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning terrorist organizations and amending P.L.2002,
2 c.26.

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

6
7 1. Section 5 of P.L.2002, c.26 (C.2C:38-5) is amended to read
8 as follows:

9 5. Soliciting or Providing Material Support or Resources for
10 Terrorism.

11 a. As used in this section:

12 "Charitable organization" means: (1) any person determined by
13 the federal Internal Revenue Service to be a tax exempt
14 organization pursuant to section 501(c)(3) of the Internal Revenue
15 Code of 1986, 26 U.S.C. s.501(c)(3); or

16 (2) any person who is, or **holds himself out** represents to be,
17 established for any benevolent, philanthropic, humane, social
18 welfare, public health, or other eleemosynary purpose, or for the
19 benefit of law enforcement personnel, firefighters or other persons
20 who protect the public safety, or any person who in any manner
21 employs a charitable appeal as the basis of any solicitation, or an
22 appeal which has a tendency to suggest there is a charitable purpose
23 to any such solicitation.

24 "Charitable purpose" means: (1) any purpose described in section
25 501 (c)(3) of the Internal Revenue Code of 1986, 26 U.S.C.
26 s.501(c)(3); or (2) any benevolent, philanthropic, humane, social
27 welfare, public health, or other eleemosynary objective, or an
28 objective that benefits law enforcement personnel, firefighters, or
29 other persons who protect the public safety.

30 "Material support or resources" means: (1) services or assistance
31 with knowledge or purpose that the services or assistance will be
32 used in preparing for or carrying out an act of terrorism in violation
33 of section 2 of P.L.2002, c.26 (C.2C:38-2); (2) currency, financial
34 securities or other monetary instruments, financial services,
35 lodging, training, safehouses, false documentation or identification,
36 communications equipment, facilities, weapons, lethal substances,
37 explosives, personnel, including but not limited to persons recruited
38 to participate directly or indirectly in a terrorist organization,
39 transportation and other physical assets or anything of value; or (3)
40 any chemical weapon, or any biological agent, toxin, vector or
41 delivery system for use as a weapon, or any nuclear or radiological
42 device, as defined in subsection c. of section 3 of P.L.2002, c.26
43 (C.2C:38-3).

44 "Professional fund raiser" means any person who for
45 compensation performs for a charitable organization any service in

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 connection with which contributions are or will be solicited in this
2 State by that compensated person or by any compensated person
3 **【he】** that the professional fundraiser employs, procures, or engages,
4 directly or indirectly to solicit contributions. A bona fide salaried
5 officer, employee, or volunteer of a charitable organization shall not
6 be deemed to be a professional **【fund raiser】** fundraiser. No
7 attorney, accountant, or banker who advises a person to make a
8 charitable contribution during the course of rendering professional
9 services to that person shall be deemed, as a result of that advice, to
10 be a professional **【fund raiser】** fundraiser.

11 “Terrorism” means the crime of terrorism established pursuant to
12 section 2 of P.L.2002, c.26 (C.2C:38-2).

13 “Terrorist organization” means any organization designated by
14 the United States Secretary of State as a foreign terrorist
15 organization pursuant to 8 U.S.C. s.1189, and shall also include any
16 person, group, association, or organization, whether or not it
17 represents itself as serving a benevolent, philanthropic, humane,
18 social welfare, public health, or other eleemosynary or lawful
19 purpose, that: (1) has participated in the planning or preparation of,
20 conspired to commit, or committed an act of terrorism; (2) has
21 solicited, transported, or otherwise provided material support or
22 resources to knowingly aid, plan, prepare, or carry out an act of
23 terrorism; or (3) through the conduct of its trustees, directors,
24 officers, employees, agents, servants, volunteers, or other
25 representatives, or through its publications, communications,
26 programs, or activities, knowingly engages in a pattern of
27 advocating, encouraging, or inciting persons to commit or
28 participate in acts of terrorism.

29 “Victim” means a person or the representative of a person who
30 suffers personal, physical, or psychological injury or death, or
31 incurs loss of or injury to personal or real property as a result of an
32 act of terrorism.

33 b. (1) It shall be unlawful for any person, charitable organization
34 or professional **【fund raiser】** fundraiser to solicit, transport, or
35 otherwise provide material support or resources with the purpose or
36 knowledge that such material support or resources will be used, in
37 whole or in part, to aid, plan, prepare, or carry out an act of
38 terrorism **【in violation of section 2 of P.L.2002, c.26 (C.2C:38-2)】**
39 or with the purpose or knowledge that such material support or
40 resources are to be given, in whole or in part, to a person or an
41 organization that has committed **【or】**, has the purpose to commit,
42 or has threatened to commit an act of terrorism **【in violation of**
43 **section 2 of P.L.2002, c.26 (C.2C:38-2)】**.

44 (2) It shall be unlawful for any person, charitable organization,
45 or professional **【fund raiser】** fundraiser to solicit, transport, or
46 otherwise provide material support or resources to or on behalf of a
47 **【person or an organization that is designated as a foreign】** terrorist

1 organization **【by the United States Secretary of State pursuant to 8**
2 **U.S.C. s.1189】**. It shall not be a defense to a prosecution for a
3 violation of this **【section】** paragraph involving an organization
4 designated by the United States Secretary of State as a foreign
5 terrorist organization pursuant to 8 U.S.C. s.1189 that the actor did
6 not know **【that】** of the 【person or organization is designated as a
7 foreign terrorist organization】 organization’s designation .

8 c. (1) A person who violates the provisions of subsection b. of
9 this section shall be guilty of a crime of the first degree if the act of
10 terrorism in violation of section 2 of P.L.2002, c.26 (C.2C:38-2)
11 results in death. Otherwise, it is a crime of the second degree.

12 (2) Any person found guilty of violating this section shall be
13 liable in a civil action for damages brought by a victim of terrorism.
14 (cf: P.L.2002, c.26, s.5)

15
16 2. This act shall take effect immediately.
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19 STATEMENT

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21 This bill expands the definition of terrorist organization for the
22 crime of providing resources or material support for terrorism.

23 Under current law, it is a second-degree crime for a person,
24 charitable organization, or professional fundraiser to solicit,
25 transport, or otherwise provide material support or resources to or
26 on behalf of a person or organization designated as a foreign
27 terrorist organization by the United States Secretary of State
28 pursuant to federal law. If the terrorism results in death, it is a first-
29 degree crime. A second-degree crime is punishable by five to 10
30 years' imprisonment and a fine of up to \$150,000, or both. A first-
31 degree crime is punishable by 10 to 20 years' imprisonment and a
32 fine of up to \$200,000, or both. This bill expands the definition of
33 terrorist organization to include persons or groups that engage in
34 certain terrorism-related conduct or activities, regardless of federal
35 designation.

36 The bill defines “terrorist organization” as any organization
37 designated by the United States Secretary of State as a foreign
38 terrorist organization pursuant to 8 U.S.C. s.1189, and any person,
39 group, association, or organization, whether or not it represents
40 itself as serving a benevolent, philanthropic, humane, social
41 welfare, public health, or other eleemosynary or lawful purpose,
42 that: (1) has participated in the planning or preparation of,
43 conspired to commit, or committed an act of terrorism; (2) has
44 solicited, transported, or otherwise provided material support or
45 resources to knowingly aid, plan, prepare, or carry out an act of
46 terrorism; or (3) through the conduct of its trustees, directors,
47 officers, employees, agents, servants, volunteers, or other
48 representatives, or through its publications, communications,

1 programs, or activities, knowingly engages in a pattern of
2 advocating, encouraging, or inciting persons to commit or
3 participate in acts of terrorism.

4 In addition, under the bill, a victim of terrorism would be
5 authorized to bring a civil action for damages against any person or
6 organization found guilty of soliciting or providing material support
7 or resources for terrorism. The bill defines “victim” as a person or
8 the representative of a person who suffers personal, physical, or
9 psychological injury or death, or incurs loss of or injury to personal
10 or real property as a result of an act of terrorism.