



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

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Director

February 2, 2001

TO: ALL COUNTY PROSECUTORS

Re: Codification of Public Laws of 2000

For your reference, enclosed are two charts that reflect the statutory allocation for laws enacted during 2000 that impact the criminal justice system. The first chart lists, in order of Title and statute number, all amended statutes followed by a corresponding Public Law chapter number, effective date and description. The second chart lists, in order of Public Law chapter number, all of the enacted laws followed by statute number and brief description.

I hope this information is useful to you and your staff.

Very truly yours,

Mark Paul Cronin
Deputy Attorney General
Legislation

Enclosures

c: Kathryn Flicker, Director
Debra L. Stone, Chief of Staff & Deputy Director
Wayne S. Fisher, Deputy Director, Education
Don C. Serden, Deputy Director
Anthony J. Zarrillo, Jr., Deputy Director Prosecutions
John Smith, Acting Insurance Fraud Prosecutor
Edward M. Neafsey, Inspector General
All Section Chiefs



CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
<u>Title 2A</u>			
2A:31-3	157	11/17/00 ¹	Eliminates the statute of limitations in wrongful death cases when the death resulted from and the defendant was convicted, acquitted by reason of insanity, or adjudicated delinquent of, murder or manslaughter.
2A:158A-19	120	12/13/00	Permits the Public Defender to utilize the comprehensive enforcement program to collect moneys owed the Public Defender as reimbursement for services rendered.
<u>Title 2B</u>			
2B:7-4	30	7/23/00	Makes the preparation of transcripts subject to the Rules of Court; increases the rate for each original page; allows for inflation by resort to the Consumer Price Index every five years.
2B:19-5	120	12/13/00	Increases the fees levied against a person sentenced to a labor assistance program.
2B:19-6	120	12/13/00	Requires the Clerk of the Superior Court to refer unsatisfied Public Defender liens to the comprehensive enforcement program for collection.
2B:19-11	120	12/13/00	Requires the comprehensive enforcement program to provide for the collection of Public Defender Liens.

¹ This change applies to any wrongful death case filed on or after this date, even when the homicide occurred before then.

CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
2B:25-5	178	4/13/00	Clarifies that municipal prosecutors or special counsel may prosecute zoning violations.
2B:25-11	75	7/24/00	Permits the municipal prosecutor to recommend that the court accept a plea to a lesser or other offense.
2B:25-12	75	7/24/00	Permits the municipal prosecutor to move to amend the original charge before the court.
2B:12-32	108	9/8/00	Requires the record of any person arrested for, charged with, or convicted of violating a municipal ordinance to be automatically purged when a court holds the ordinance unconstitutional or approves a settlement in a civil action contesting the constitutionality of the ordinance, and the ruling is considered final because the time for appeal has elapsed. Requires the municipality to notify any such person that the record has been purged and to refund any fines, penalties or court costs paid by the person, unless the person has received a civil settlement in excess of that amount.
2B:12-33	108	9/8/00	Applies <u>N.J.S.A. 2B:12-32</u> to all rulings of unconstitutionality and all settlements dated on or after January 1, 1999, except that for such rulings or settlements occurring before September 8, 2000, the purging of records is required to occur only upon the ex parte application of any party.

Title 2C

2C:11-3	88	8/22/00	Provides that in a capital case where an aggravating factor is found by the trier of fact but a death sentence is not imposed, the defendant shall be sentenced to life imprisonment without parole.
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This document was prepared by the Division of Criminal Justice, Legislation Section.

CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
2C:12-1.2	174	1/8/01	Makes it a third degree crime to cause bodily injury to a person and then leave the scene knowing that the victim is unable to care for himself.
2C:20-11	16	4/28/00	Establishes a gradation system for shoplifting similar to that of theft; mandates a sentence of community service for all convictions.
2C:20-11.1	16	4/28/00	Requires the Attorney General to promulgate guidelines ensuring uniform prosecutions for shoplifting.
2C:28-8	110	9/8/00	Makes impersonating a law enforcement officer with a purpose to induce another to submit to such pretended authority a crime of the fourth degree.
2C:29-1	18	4/28/00	Clarifies that flight constitutes a means of obstruction.
2C:29-2	18	4/28/00	Upgrades the penalties for resisting arrest.
2C:35-5	55	7/3/00	Grades the manufacturing, distributing or dispensing of Ecstasy (MDMA) the same as heroin and cocaine.
2C:35-5	136	11/1/00	Clarifies that possession of 50 marijuana plants with the intent to distribute constitutes a crime of the first degree.
2C:39-3	46	6/30/00	Allows a person specifically identified in a special deer management permit issued by the Division of Fish and Wildlife pursuant to <u>N.J.S.A.</u> 23:4-42.6 to utilize a firearm silencer in accordance with the provisions of the permit while in the actual performance of the permitted alternative deer control method and while traveling to and from the place where the method is being utilized.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
2C:39-10	145	1/1/01 ²	Prohibits the transfer of a handgun to a person under the age of 21 unless the receiver is authorized to possess a handgun in connection with the performance of official duties pursuant to <u>N.J.S.A. 2C:39-6</u> or the transfer is in accordance with the provisions of <u>N.J.S.A. 2C:58-6.1</u> .
2C:40-19	153	11/13/00	Makes it an offense to place a writing in or on a consumer product without consent.
2C:58-3	145	1/1/01 ³	Prohibits the possession of a handgun by and the sale of a handgun to any person under the age of 21.
2C:58-3.1	145	1/1/01 ³	Expands the list of exempt purposes for temporary transfer of firearms to include instruction and training at any location.
2C:58-6.1	145	1/1/01 ⁴	Prohibits the possession of a handgun by a person under the age of 21 unless the person is authorized to possess a handgun in connection with the performance of official duties pursuant to <u>N.J.S.A. 2C:39-6</u> or the transfer is in accordance with the provisions of this section; makes a violation of this section a crime of the fourth degree; provides for adjudications of delinquency for minors.

² These changes do not apply to persons who are 18 to 21 on this date and have acquired handguns legally before then.

³ These changes do not apply to persons who are 18 to 21 on this date and have acquired handguns legally before then.

³ These changes do not apply to persons who are 18 to 21 on this date and have acquired handguns legally before then.

⁴ These changes do not apply to persons who are 18 to 21 on this date and have acquired handguns legally before then.

CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
<u>Title 4</u>			
4:19-15.16b	17	4/28/00	Prohibits persons who violate animal cruelty statutes from serving as animal control officers.
4:22-17	162	12/7/00	Makes it a disorderly persons offense to leave an animal unattended in a vehicle under inhumane conditions.
4:22-26	162	12/7/00	Provides that a person shall pay a sum not to exceed \$250 in a civil action by any person in the name of the New Jersey Society for the Prevention of Cruelty to Animals, for leaving an animal unattended in a vehicle under inhumane conditions.
 <u>Title 11A</u>			
11A:6-10	130	9/21/00	Expands the list of law enforcement associations whose authorized representatives are required to be given paid leave to attend State and national conventions.
 <u>Title 18A</u>			

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
18A:6-4.12	106	9/8/00	Requires law enforcement agencies other than the State Police to reimburse an educational institution for the cost of training an officer hired from a campus police department of that institution.
18A:71B-53 through 18A:71B-63	163	12/7/01	Establishes the “Tony Pompelio Commemorative Scholarship Fund” in order to award scholarships to children of crime victims who are residents of New Jersey and are enrolled in full-time undergraduate degree programs at public universities or colleges in the State.
<u>Title 23</u>			
23:4-42.5	46	6/30/00	Permits the Fish and Game Council, with the prior written approval of the applicable county prosecutor, to authorize an exemption from <u>N.J.S.A. 2C:39-3c.</u> , concerning the possession of silencers, to the extent necessary and appropriate to implement the alternative control methods set forth in an approved community based deer management plan.
23:4-42.6	46	6/30/00	Prohibits any person from implementing an alternative control method set forth in an approved community based deer management plan except pursuant to a special deer management permit issued by the Division of Fish and Wildlife, which permit is required to identify the time, place and alternative control method authorized, the name of the individual authorized to administer the alternative control method, any special conditions, and any authorized exemption from a law, rule or regulation, including <u>N.J.S.A. 2C:39-3c.</u> , concerning the possession of silencers.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
<u>Title 27</u>			
27:25-15.1b	106	9/8/00	Requires law enforcement agencies other than the State Police to reimburse the New Jersey Transit Corporation for the cost of training an officer hired from the New Jersey Transit Police Department.
<u>Title 30</u>			
30:4-16.3	90	8/29/00	Clarifies that an indigent inmate is required to pay a partial filing fee in order to appeal any administrative decision of the Parole Board or the Department of Corrections.
30:4C-15.1	58	8/6/00	Provides that DYFS shall file a petition for termination of parental rights where the parent voluntarily left the child at a police station or the emergency room of a hospital in New Jersey, and when the child appears to be no more than 30 days old.
30:4C-15.5	58	8/6/00	Creates the “New Jersey Safe Haven Infant Protection Act.”
30:4C-15.6	58	8/6/00	Legislative findings.
30:4C-15.7	58	8/6/00	Creates an affirmative defense to a prosecution for child abandonment for a parent who voluntarily delivers an infant, or arranges for such delivery, to a State, county or municipal police station or the emergency department of a licensed general hospital.
30:4C-15.8	58	8/6/00	Provides that DYFS is not required to attempt to reunify the parent and child, or to place the child with a family member, after assuming the care, custody and control of a “Safe Haven” child from a licensed general hospital.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
30:4C-15.9	58	8/6/00	Provides that a 24-hour, toll free hotline shall be established by the Commissioner of Human Services in conjunction with the Commissioner of Health and Senior Services. Also provides that the Commissioner of Human Services shall establish an educational and public information program, and shall report to the Governor and the Legislature the effects of the New Jersey Safe Haven Infant Protection Act no later than 8/6/02. The amount of \$500,000 is appropriated to establish the educational and public information program and the 24-hour hotline.
30:5B-6.10	77	1/22/01	Provides definitions for “child care center,” “department,” “division,” and “staff member.”
30:5B-6.11	77	1/22/01	Provides that a child care center owner or sponsor must ensure that a criminal history record background check is conducted on all staff members of the center as a condition of securing or maintaining a license or life-safety approval.
30:5B-6.12	77	1/22/01	Provides that the division shall suspend, deny, revoke or refuse to renew a child care center’s license if it refuses to consent to a criminal background check. Also provides that a staff member of a child care center shall be immediately terminated from employment at the center if the staffer refuses to participate in the criminal history background check.
30:5B-6.13	77	1/22/01	Provides time limits for requesting and obtaining criminal history record background check, and restrictions upon employees whose criminal history record background has not been reviewed by the division.
30:5B-6.14	77	1/22/01	Provides a list of those crimes and disorderly persons offenses that disqualify a person from employment at, or ownership of, a child care center. Also provides that a person may challenge the accuracy of the disqualifying criminal history record.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
30:5B-6.15	77	1/22/01	Provides that a person who is convicted of a statutorily specified crime after 1/22/01 shall be terminated from employment at a child care center. Also provides exceptions.
30:5B-6.16	77	1/22/01	Provides that a child care center must notify DYFS if it has knowledge that a staff member has pending criminal charges.
30:5B-6.17	77	1/22/01	Provides immunity from liability for a child care center for acting upon or disclosing information about the disqualification or termination of an applicant or staff member to another center seeking to employ that person if the center has received notice from DYFS that the applicant/staff member has been disqualified by the Division from employment in a child care center.
30:5B-6.18	77	1/22/01	Provides that the provisions of <u>N.J.S.A.</u> 18A:6-7.1, et seq., shall not apply to employees of a child care center under certain circumstances.
30:5B-6.19	77	1/22/01	Provides that the Commissioner of the Department of Human Services shall report to the Governor and Legislature no later than 1/22/04 on the effectiveness of the criminal history record background checks in screening applicants and staff members of child care centers.
30:5B-6.20	77	1/22/01	Provides that the cost of processing and funding all criminal history record background checks shall be borne by the Department of Human Services.
30:5B-6.21	77	1/22/01	Provides that the Commissioner of the Department of Human Services shall adopt rules and regulations necessary to implement the provisions of this act.

Title 33

This document was prepared by the Division of Criminal Justice, Legislation Section.

CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
33:1-1	83	8/14/00	Clarifies that a "limousine" includes a vehicle that is furnished to a patron without fare as an accommodation in connection with other business purposes.
<u>Title 39</u>			
39:3-40.1	83	9/30/00	Requires the revocation of a vehicle registration for a second or subsequent drunk driving conviction if ordered by the court pursuant to <u>N.J.S.A.</u> 39:4-50.
39:3-40.2	83	9/30/00	Provides for the issuance of temporary registration certificate and plates for a motor vehicle for which the registration certificate and plates have been revoked pursuant to <u>N.J.S.A.</u> 39:3-40.1.
39:3-40.6	61	9/11/00	Requires proof of valid motor vehicle insurance prior to the release by a law enforcement agency of an impounded vehicle, except for release to an insurer or lender.
39:4-50	83	9/30/00	Requires the installation of an ignition interlock device or the revocation of a vehicle registration for a period of two years upon a second drunk driving conviction, and 10 years for a third or subsequent conviction.
39:4-50	117	9/13/00	Clarifies that inhalants constitute narcotic, hallucinogenic or habit-producing drugs for purposes of the driving while impaired statute..
39:4-51b	83	8/14/00	Prohibits the possession of an open or unsealed alcoholic beverage container in the passenger compartment of a motor vehicle, other than a charter or special bus or limousine.
39:4-97.2	75	7/24/00	Creates a no-point motor vehicle offense for unsafe driving.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
<u>Title 40</u>			
40:48-1	33	6/28/00	Permits municipalities to enact ordinances prohibiting minors from consuming alcoholic beverages on private property pursuant to <u>N.J.S.A.</u> 40:48-1.2.
40:48-1.2	33	6/28/00	Permits municipalities to enact ordinances prohibiting minors from possessing or consuming alcoholic beverages on private property; provides for fines and license suspensions for violations; exempts possession or consumption in connection with a religious ceremony, employment at a licensed establishment, or in the presence and with the permission of a parent, guardian or relative.
<u>Title 40A</u>			
40A:14-178	106	9/8/00	Requires law enforcement agencies other than the State Police to reimburse a county or municipal law enforcement agency for the cost of training an officer hired from that other agency.
40A:14-181.1	164	2/1/01	Defines “citation” and “quota” for purposes of the statute banning ticket quotas.
40A:14-181.2	164	2/1/01	Prohibits State, county and municipal police departments or forces from establishing ticket quotas for motor vehicle violations.

This document was prepared by the Division of Criminal Justice, Legislation Section.

CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
<u>Title 52</u>			
52:17B-77.6	106	9/8/00	Requires law enforcement agencies other than the State Police to reimburse a State law enforcement agency other than the State Police for the cost of training an officer hired from that agency.
52:17B-88	24	5/11/00	Requires a pediatric pathologist to assist in the performance of autopsies, under the direction of a forensic pathologist, in cases where the suspected cause of death of a child under 1 year old is sudden infant death syndrome or where a child between 1 and 3 years old dies suddenly and unexpectedly.
52:17B-88.10	24	5/11/00	Requires the State Medical Examiner, in consultation with the Commissioner of Health and Senior Services, to develop standardized protocols for autopsies performed in cases where the suspected cause of death of a child under 1 year old is sudden infant death syndrome or where a child between 1 and 3 years old dies suddenly and unexpectedly.
<u>Title 53</u>			
53:1-20.9b	77	1/22/01	Provides that the Commissioner of Human Services is authorized to exchange fingerprint data with and to receive information from the Division of State Police and the FBI, and that upon receipt of this information, shall notify the applicant or staff member and the child care center of the individual's qualification or disqualification for employment.

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CODIFICATION OF PUBLIC LAWS OF 2000

Statute	Chapter No.	Effective Date	Description
53:1-20.20	118	9/13/00	Expands the list of convictions for which a defendant is required to provide a DNA sample to include murder, manslaughter, certain aggravated assaults, kidnaping, luring or enticing a child, certain endangering the welfare of a child offenses, or attempts to commit any of these offenses.

This document was prepared by the Division of Criminal Justice, Legislation Section.

CODIFICATION OF PUBLIC LAWS OF 2000

Chapter No.	Statute	Description
16	2C:20-11 2C:20-11.1	Establishes a gradation system for shoplifting similar to that of theft; mandates a sentence of community service for all convictions; requires the Attorney General to promulgate guidelines ensuring uniform prosecutions.
17	4:19-15.16b	Prohibits persons who violate animal cruelty statutes from serving as animal control officers.
18	2C:29-1 2C:29-2	Clarifies that flight constitutes a means of obstruction; upgrades the penalties for resisting arrest.
24	52:17B-88 52:17B-88.10	Requires a pediatric pathologist to assist in the performance of autopsies, under the direction of a forensic pathologist, in cases where the suspected cause of death of a child under 1 year old is sudden infant death syndrome or where a child between 1 and 3 years old dies suddenly and unexpectedly; requires the State Medical Examiner, in consultation with the Commissioner of Health and Senior Services, to develop standardized protocols for autopsies performed in such cases.
30	2B:7-4	Makes the preparation of transcripts subject to the Rules of Court; increases the rate for each original page; allows for inflation by resort to the Consumer Price Index every five years.
33	40:48-1 40:48-1.2	Permits municipalities to enact ordinances prohibiting minors from possessing or consuming alcoholic beverages on private property; provides for fines and license suspensions for violations; exempts possession or consumption in connection with a religious ceremony or employment at a licensed establishment or in the presence and with the permission of a parent, guardian or relative.
46	2C:39-3 23:4-42.5 23:4-42.6	Permits the Fish and Game Council, with the prior written approval of the applicable county prosecutor, to authorize an exemption from <u>N.J.S.A.</u> 2C:39-3c., concerning the possession of silencers, by issuing special deer management permits to the extent necessary and appropriate to implement the alternative control methods set forth in an approved community based deer management plan.

This document was prepared by the Division of Criminal Justice, Legislation Section.

CODIFICATION OF PUBLIC LAWS OF 2000

Chapter No.	Statute	Description
55	2C:35-5	Grades the manufacturing, distributing or dispensing of Ecstasy (MDMA) the same as heroin and cocaine.
58	30:4C-15.1 30:4C-15.5 30:4C-15.6 30:4C-15.7 30:4C-15.8 30:4C-15.9	Establishes the “New Jersey Safe Haven Infant Protection Act;” creates an affirmative defense to a prosecution for child abandonment for a parent who voluntarily delivers an infant, or arranges for such delivery, to a State, county or municipal police station or the emergency department of a licensed general hospital.
61	39:3-40.6	Requires proof of valid motor vehicle insurance prior to the release by a law enforcement agency of an impounded vehicle, except for release to an insurer or lender.
75	2B:25-11 2B:25-12 39:4-97.2	Creates a no-point motor vehicle offense for unsafe driving; permits the municipal prosecutor to move to amend the original charge and recommend a plea to the new offense.
77	30:5B-6.10 trough 30:5B-6.21 53:1-20.9b	Requires criminal history record background checks for child care center employees.
83	33:1-1 39:3-40.1 39:3-40.2 39:4-50 39:4-51b	Requires the installation of an ignition interlock device or the revocation of a vehicle registration for a period of two years upon a second drunk driving conviction and 10 years for a third or subsequent conviction; prohibits the possession of an open or unsealed alcoholic beverage container in the passenger compartment of a motor vehicle, other than a charter or special bus or limousine.
88	2C:11-3	Provides that in a capital case where an aggravating factor is found but a death sentence is not imposed, the defendant shall be sentenced to life imprisonment without parole.
90	30:4-16.3	Clarifies that an indigent inmate is required to pay a partial filing fee in order to appeal any administrative decision of the Parole Board or the Department of Corrections.

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CODIFICATION OF PUBLIC LAWS OF 2000

Chapter No.	Statute	Description
106	18A:6-4.12 40A:14-178 27:25-15.1b 52:17B-77.6	Requires law enforcement agencies, other than the State Police, to reimburse other law enforcement agencies, other than the State Police, for the cost of training officers hired from those other agencies.
108	2B:12-32 2B:12-33	Requires the record of any person arrested for, charged with, or convicted of violating a municipal ordinance to be automatically purged when a court holds the ordinance unconstitutional or approves a settlement in a civil action contesting the constitutionality of the ordinance, and the ruling is considered final because the time for appeal has elapsed. Requires the municipality to notify any such person that the record has been purged and to refund any fines, penalties or court costs paid by the person, unless the person has received a civil settlement in excess of that amount. Applies to all rulings of unconstitutionality and all settlements dated on or after January 1, 1999, except that for such rulings or settlements occurring before September 8, 2000, the purging of records is required to occur only upon the ex parte application of any party.
110	2C:28-8	Makes impersonating a law enforcement officer with a purpose to induce another to submit to such pretended authority a crime of the fourth degree.
117	39:4-50	Clarifies that inhalants constitute narcotic, hallucinogenic or habit-producing drugs for purposes of driving while impaired.
118	53:1-20.20 53:1-20.29	Expands the list of convictions for which a defendant is required to provide a DNA sample to include murder, manslaughter, certain aggravated assaults, kidnaping, luring or enticing a child, certain endangering the welfare of a child offenses, or attempts to commit any of these offenses.
120	2A:158A-19 2B:19-5 2B:19-6 2B:19-11	Amends the comprehensive enforcement program to provide for collection of Public Defender liens. Increases the fees levied against a person sentenced to a labor assistance program.

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CODIFICATION OF PUBLIC LAWS OF 2000

Chapter No.	Statute	Description
130	11A:6-10	Expands the list of law enforcement associations whose authorized representatives are required to be given paid leave to attend State and national conventions.
136	2C:35-5	Clarifies that possession of 50 marijuana plants with the intent to distribute constitutes a crime of the first degree.
145	2C:39-10 2C:58-3 2C:58-3.1 2C:58-6.1	Prohibits the possession of a handgun by and the sale of a handgun to any person under the age of 21; exempts persons authorized to possess handguns in connection with the performance of official duties pursuant to <u>N.J.S.A. 2C:39-6</u> ; further exempts possession and transfer in accordance with the provisions of <u>N.J.S.A. 2C:58-6.1</u> .
153	2C:40-19	Makes it an offense to place a writing in or on a consumer product without consent.
157	2A:31-3	Eliminates the statute of limitations in wrongful death cases when the death resulted from and the defendant was convicted, acquitted by reason of insanity, or adjudicated delinquent of murder or manslaughter.
162	R.S. 4:22-17 R.S. 4:22-26	Makes it a disorderly persons offense to leave an animal unattended in a vehicle under inhumane conditions.
163	18A:71B-62 18A:71B-63	Establishes the “Tony Pompelio Commemorative Scholarship Fund” in order to award scholarships to children of crime victims who are residents of New Jersey and are enrolled in full-time undergraduate degree programs at public universities or colleges in the State.
164	40A:14-181.1 40A:14-181.2	Prohibits State, county and municipal police departments or forces from establishing ticket quotas for motor vehicle violations.

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CODIFICATION OF PUBLIC LAWS OF 2000

Chapter No.	Statute	Description
174	2C:12-1.2	Makes it a third degree crime to cause bodily injury to a person and then leave the scene knowing that the victim is unable to care for himself.
178	2B:25-5	Clarifies that municipal prosecutors or special counsel may prosecute zoning violations.