New Jersey Office of Administrative Law

Press Release

The Office of Administrative Law (OAL) is publishing a notice of proposal in the March 19, 2018, New Jersey Register at 50 N.J.R. 1015(a) to amend N.J.A.C. 1:30 to implement P.L. 2017, c. 286, pertaining to racial and ethnic community criminal justice and public safety impact statements. The amendments incorporate the statutory requirements and will require every notice of proposal to include a racial and ethnic community criminal justice and public safety impact, which shall set forth whether the rulemaking will have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State. If the rulemaking will have any of the noted impacts, the statement shall indicate how the rulemaking would affect racial and ethnic minorities, whether the rulemaking is likely to have a disproportionate or unique impact on the racial or ethnic communities, the rationale for the rulemaking having an identifiable impact on racial and ethnic persons in the State, and any anticipated impact upon correctional facilities and services for racial and ethnic minorities, the adjudication of criminal and juvenile justice matters involving racial and ethnic communities, and/or the public safety in racial and ethnic communities and the victims and potential victims in those communities. These requirements for the content of the impact statement shall not apply to any proposed rule that the proposing agency finds would impose no impact, either because the scope of the rule is minimal, or there is an extreme unlikelihood that the rule would evoke any of the stated effects. The proposing agency's finding in this regard and an indication of the basis for its finding shall be included in the impact statement.

This notice of proposal also includes technical changes throughout the chapter and changes the time for the public to view documents from the Division of Administrative Rules, clarifies procedures related to the electronic filing of notices, and removes a requirement that hearing requests from third-parties on Executive Branch agencies need not be also submitted to the OAL (this change does not change the public's right to request a hearing, but merely removes a potential burden).

Comments may be submitted by May 18, 2018, to:

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All notices and proposals can also be found on the OAL's website at http://www.state.nj.us/oal/rules/proposals .