

CHAPTER 108

AN ACT establishing an Organized Retail Theft Task Force.

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

1. There is established an Organized Retail Theft Task Force. The task force shall consist of nine members, to be appointed as follows:

a. Seven members by the Governor, as follows:

- (1) A representative from the New Jersey Food Council;
- (2) A representative from the New Jersey Retail Merchants Association;
- (3) A representative from the New Jersey State Association of Chiefs of Police;
- (4) A member with experience as a flea market vendor;
- (5) A member representing an e-commerce website;
- (6) A representative of the International Council of Shopping Centers; and
- (7) A county prosecutor; and

b. The Attorney General or his designee; and

c. The Director of Consumer Affairs or his designee.

2. The public members shall be appointed within three months of enactment and shall, to the greatest extent practicable, have, by education or experience, knowledge of organized retail theft, and the possible effects of measures implemented to counter losses from such theft. Any vacancy in the public membership of the task force shall be filled by appointment in the same manner as the original appointment was made.

The task force shall organize as soon as possible after the appointments of its members. The Attorney General, or his designee, shall serve as the chair of the task force and shall appoint a secretary, who need not be a member of the task force. The members shall select a vice chair from among themselves.

3. The task force shall focus on organized retail theft, and shall examine the advantages and drawbacks of instituting various measures to counter losses from such theft in New Jersey. In conducting its inquiry, the task force shall study initiatives which have been adopted or considered in other states and countries and determine their effect on businesses and economic development. The task force shall compare these various initiatives and establish an opinion on which components of the policies would provide the most benefit if adopted in New Jersey.

4. The task force shall be entitled to call to its assistance and shall avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission or agency as it may require and as may be available to it for its purposes. The task force shall further be entitled to employ counsel and stenographic and clerical assistance and incur traveling and other miscellaneous expenses as it may deem necessary to perform its duties, within the limits of funds appropriated or otherwise made available for its purposes.

5. The task force may conduct public hearings in furtherance of its general purposes at such place or places as it shall designate, at which it may request the appearance of officials of any federal, State, or interstate department, board, bureau, commission, agency, or authority and solicit the testimony of interested groups and the general public.

6. The task force shall report its progress to the Governor and Legislature annually, with the first report no later than 12 months after its organization, and shall issue a final proposal to the Governor and Legislature no later than three years after its organization. The final proposal shall outline the findings of the task force, including, but not limited to:

a. The advantages and drawbacks of implementing the various measures intended to counter losses from organized retail theft, in general;

b. Guidelines outlining specific components that any measures concerning organized retail theft should include, if any were to be adopted in New Jersey, to ensure the most successful implementation possible; and

c. A recommendation as to what, if any, legislation New Jersey should adopt to help combat organized retail theft in this State.

7. The members of the task force shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties. Any reimbursement of members shall be within the limits of funds appropriated or otherwise made available to the task force for its purposes.

8. This act shall take effect immediately, and shall expire upon the filing of the task force's final proposal to the Governor and Legislature in accordance with the provisions of section 6 of this act.

Approved December 4, 2008.