

## CHAPTER 285

**AN ACT** concerning part-time employment by assistant prosecutors, repealing P.L.1970, c.6 (C:2A:158-15.1) and P.L.1976, c.15 (C:2A:158-15.1a), and supplementing chapter 158 of Title 2A of the New Jersey Statutes.

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

Repealer.

1. Section 3 of P.L.1970, c.6 (C.2A:158-15.1) is repealed.

Repealer.

2. Section 2 of P.L.1976, c.15 (C.2A:158-15.1a) is repealed.

C.2A:158-15.1b Regulations relative to employment of assistant prosecutors.

3. a. Except as provided in subsection b. of this section, assistant prosecutors shall devote their entire time to the duties of their office and shall not engage in the practice of law or other gainful employment.

b. Notwithstanding the provisions of subsection a. of this section, an assistant prosecutor may engage in limited outside employment or provide services as an independent contractor, under such terms and conditions as the county prosecutor deems appropriate, if:

(1) the county prosecutor has deemed the employment or services as not inconsistent with the duties of the office of assistant prosecutor;

(2) the employment or services do not involve the private practice of law or the provision of other legal services; and

(3) the employment or services do not qualify the assistant prosecutor for membership in any State-administered pension system.

c. Nothing in subsection b. of this section shall be construed to:

(1) limit the discretion of the county prosecutor to disapprove a request from an assistant prosecutor to engage in employment or services or to require an assistant prosecutor to terminate employment or services otherwise authorized under this section; or

(2) create an affirmative right for any assistant prosecutor to engage in employment or services without the approval of the county prosecutor.

4. This act shall take effect immediately.

Approved January 17, 2010.