

## CHAPTER 269

**AN ACT** concerning expungement eligibility and procedures, amending and supplementing various parts of the statutory law and making an appropriation.

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

1. N.J.S.2C:52-1 is amended to read as follows:

Definitions of expungement.

2C:52-1. Definition of Expungement. a. Except as otherwise provided in this chapter, expungement shall mean the extraction, sealing, impounding, or isolation of all records on file within any court, detention or correctional facility, law enforcement or criminal justice agency concerning a person's detection, apprehension, arrest, detention, trial or disposition of an offense within the criminal justice system.

b. Expunged records shall include complaints, warrants, arrests, commitments, processing records, fingerprints, photographs, index cards, "rap sheets" and judicial docket records.

2. N.J.S.2C:52-2 is amended to read as follows:

Indictable offenses.

2C:52-2. Indictable Offenses.

a. In all cases, except as herein provided, a person may present an expungement application to the Superior Court pursuant to this section if:

the person has been convicted of one crime under the laws of this State, and does not otherwise have any subsequent conviction for another crime, whether within this State or any other jurisdiction. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another crime shall not bar presenting an application seeking expungement relief for the criminal conviction that is the subject of the application; or

the person has been convicted of one crime and no more than three disorderly persons or petty disorderly persons offenses under the laws of this State, and does not otherwise have any subsequent conviction for another crime, or any subsequent conviction for another disorderly persons or petty disorderly persons offense such that the total number of convictions for disorderly persons and petty disorderly persons offenses would exceed three, whether any such crime or offense conviction was within this State or any other jurisdiction. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another crime, disorderly persons offense, or petty disorderly persons offense shall not bar presenting an application seeking expungement relief for the one criminal conviction and no more than three convictions for disorderly persons or petty disorderly persons offenses that are the subject of the application; or

the person has been convicted of multiple crimes or a combination of one or more crimes and one or more disorderly persons or petty disorderly persons offenses under the laws of this State, all of which are listed in a single judgment of conviction, and does not otherwise have any subsequent conviction for another crime or offense in addition to those convictions included in the expungement application, whether any such conviction was within this State or any other jurisdiction. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal

conviction expunged, a prior conviction for another crime, disorderly persons offense, or petty disorderly persons offense that is not listed in a single judgment of conviction shall not bar presenting an application seeking expungement relief for the convictions listed in a single judgment of conviction that are the subject of the application; or

the person has been convicted of multiple crimes or a combination of one or more crimes and one or more disorderly persons or petty disorderly persons offenses under the laws of this State, which crimes or combination of crimes and offenses were interdependent or closely related in circumstances and were committed as part of a sequence of events that took place within a comparatively short period of time, regardless of the date of conviction or sentencing for each individual crime or offense, and the person does not otherwise have any subsequent conviction for another crime or offense in addition to those convictions included in the expungement application, whether any such conviction was within this State or any other jurisdiction. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another crime, disorderly persons offense, or petty disorderly persons offense that was not interdependent or closely related in circumstances and was not committed within a comparatively short period of time as described above shall not bar presenting an application seeking expungement relief for the convictions of crimes or crimes and offenses that were interdependent or closely related and committed within a comparatively short period of time, and that are the subject of the application.

For purposes of determining eligibility to present an expungement application to the Superior Court pursuant to this section, a conviction for unlawful distribution of, or possessing or having under control with intent to distribute, marijuana or hashish in violation of paragraph (11) of subsection b. of N.J.S.2C:35-5, or a lesser amount of marijuana or hashish in violation of paragraph (12) of subsection b. of that section, or a violation of either of those paragraphs and a violation of subsection a. of section 1 of P.L.1987, c.101 (C.2C:35-7) or subsection a. of section 1 of P.L.1997, c.327 (C.2C:35-7.1), for distributing, or possessing or having under control with intent to distribute, on or within 1,000 feet of any school property, or on or within 500 feet of the real property comprising a public housing facility, public park, or public building, or for obtaining or possessing marijuana or hashish in violation of paragraph (3) of subsection a. of N.J.S.2C:35-10, or for an equivalent crime in another jurisdiction, regardless of when the conviction occurred, shall not be considered a conviction of a crime within this State or any other jurisdiction but shall instead be considered a conviction of a disorderly persons offense within this State or an equivalent category of offense within the other jurisdiction, and a conviction for obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of marijuana or hashish in violation of paragraph (4) of subsection a., or subsection b., or subsection c. of N.J.S.2C:35-10, or a violation involving marijuana or hashish as described herein and using or possessing with intent to use drug paraphernalia with that marijuana or hashish in violation of N.J.S.2C:36-2, or for an equivalent crime or offense in another jurisdiction, regardless of when the conviction occurred, shall not be considered a conviction within this State or any other jurisdiction.

The person, if eligible, may present the expungement application after the expiration of a period of five years from the date of his most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later. The term "court-ordered financial assessment" as used herein and throughout this section means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the application, for which payment of

restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. The person shall submit the expungement application to the Superior Court in the county in which the most recent conviction for a crime was adjudged, which includes a duly verified petition as provided in N.J.S.2C:52-7 praying that the conviction, or convictions if applicable, and all records and information pertaining thereto be expunged. The petition appended to an application shall comply with the requirements set forth in N.J.S.2C:52-1 et seq.

Notwithstanding the provisions concerning the five-year time requirement, if, at the time of application, a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.) is not yet satisfied due to reasons other than willful noncompliance, but the time requirement of five years is otherwise satisfied, the person may submit the expungement application and the court may grant an expungement; provided, however, that if expungement is granted the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collections and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52-23.1). The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment.

Additionally, an application may be filed and presented, and the court may grant an expungement pursuant to this section, although less than five years have expired in accordance with the time requirements when the court finds:

(1) the court-ordered financial assessment is satisfied but less than five years have expired from the date of satisfaction, and the time requirement of five years is otherwise satisfied, and the court finds that the person substantially complied with any payment plan ordered pursuant to N.J.S.2C:46-1 et seq., or could not do so due to compelling circumstances affecting his ability to satisfy the assessment; or

(2) at least four but less than five years have expired from the date of the most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later; and

the person has not been otherwise convicted of a crime, disorderly persons offense, or petty disorderly persons offense since the time of the most recent conviction; and the court finds in its discretion that compelling circumstances exist to grant the expungement. The prosecutor may object pursuant to section 11 of P.L.2019, c.269 (C.2C:52-10.1), N.J.S.2C:52-11, N.J.S.2C:52-14, or N.J.S.2C:52-24.

In determining whether compelling circumstances exist for the purposes of paragraph (1) of this subsection, a court may consider the amount of any court-ordered financial assessment imposed, the person's age at the time of the offense or offenses, the person's financial condition and other relevant circumstances regarding the person's ability to pay.

b. Records of conviction pursuant to statutes repealed by this Code for the crimes of murder, manslaughter, treason, anarchy, kidnapping, rape, forcible sodomy, arson, perjury, false swearing, robbery, embracery, or a conspiracy or any attempt to commit any of the foregoing, or aiding, assisting or concealing persons accused of the foregoing crimes, shall not be expunged.

Records of conviction for the following crimes specified in the New Jersey Code of Criminal Justice shall not be subject to expungement: N.J.S.2C:11-1 et seq. (Criminal Homicide), except death by auto as specified in N.J.S.2C:11-5 and strict liability vehicular

homicide as specified in section 1 of P.L.2017, c.165 (C.2C:11-5.3); N.J.S.2C:13-1 (Kidnapping); section 1 of P.L.1993, c.291 (C.2C:13-6) (Luring or Enticing); section 1 of P.L.2005, c.77 (C.2C:13-8) (Human Trafficking); N.J.S.2C:14-2 (Sexual Assault or Aggravated Sexual Assault); subsection a. of N.J.S.2C:14-3 (Aggravated Criminal Sexual Contact); if the victim is a minor, subsection b. of N.J.S.2C:14-3 (Criminal Sexual Contact); if the victim is a minor and the offender is not the parent of the victim, N.J.S.2C:13-2 (Criminal Restraint) or N.J.S.2C:13-3 (False Imprisonment); N.J.S.2C:15-1 (Robbery); N.J.S.2C:17-1 (Arson and Related Offenses); subsection a. of N.J.S.2C:24-4 (Endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child, or causing the child other harm); paragraph (4) of subsection b. of N.J.S.2C:24-4 (Photographing or filming a child in a prohibited sexual act or for portrayal in a sexually suggestive manner); paragraph (3) of subsection b. of N.J.S.2C:24-4 (Causing or permitting a child to engage in a prohibited sexual act or the simulation of an act, or to be portrayed in a sexually suggestive manner); subparagraph (a) of paragraph (5) of subsection b. of N.J.S.2C:24-4 (Distributing, possessing with intent to distribute or using a file-sharing program to store items depicting the sexual exploitation or abuse of a child); subparagraph (b) of paragraph (5) of subsection b. of N.J.S.2C:24-4 (Possessing or viewing items depicting the sexual exploitation or abuse of a child); section 8 of P.L.2017, c.141 (C.2C:24-4.1) (Leader of a child pornography network); N.J.S.2C:28-1 (Perjury); N.J.S.2C:28-2 (False Swearing); paragraph (4) of subsection b. of N.J.S.2C:34-1 (Knowingly promoting the prostitution of the actor's child); section 2 of P.L.2002, c.26 (C.2C:38-2) (Terrorism); subsection a. of section 3 of P.L.2002, c.26 (C.2C:38-3) (Producing or Possessing Chemical Weapons, Biological Agents or Nuclear or Radiological Devices); and conspiracies or attempts to commit such crimes.

Records of conviction for any crime committed by a person holding any public office, position or employment, elective or appointive, under the government of this State or any agency or political subdivision thereof and any conspiracy or attempt to commit such a crime shall not be subject to expungement if the crime involved or touched such office, position or employment.

c. In the case of conviction for the sale or distribution of a controlled dangerous substance or possession thereof with intent to sell, expungement shall be denied except where the crimes involve:

- (1) Marijuana, where the total quantity sold, distributed or possessed with intent to sell was less than one ounce;
- (2) Hashish, where the total quantity sold, distributed or possessed with intent to sell was less than five grams; or
- (3) Any controlled dangerous substance provided that the conviction is of the third or fourth degree, where the court finds that compelling circumstances exist to grant the expungement. The prosecutor may object pursuant to section 11 of P.L.2019, c.269 (C.2C:52-10.1), N.J.S.2C:52-11, N.J.S.2C:52-14, or N.J.S.2C:52-24.

d. In the case of a State licensed physician or podiatrist convicted of an offense involving drugs or alcohol or pursuant to section 14 or 15 of P.L.1989, c.300 (C.2C:21-20 or 2C:21-4.1), the petitioner shall notify the State Board of Medical Examiners upon filing an application for expungement and provide the board with a copy thereof. The petitioner shall also provide to the court a certification attesting that the requirements of this subsection were satisfied. Failure to satisfy the requirements of this subsection shall be grounds for denial of the expungement application and, if applicable, administrative discipline by the board.

3. N.J.S.2C:52-3 is amended to read as follows:

Disorderly persons offenses and petty disorderly persons offenses.

2C:52-3. Disorderly persons offenses and petty disorderly persons offenses.

a. Any person who has been convicted of one or more disorderly persons or petty disorderly persons offenses under the laws of this State who has not been convicted of any crime, whether within this State or any other jurisdiction, may present an expungement application to a court pursuant to this section. Any person who has been convicted of one or more disorderly persons or petty disorderly persons offenses under the laws of this State who has also been convicted of one or more crimes shall not be eligible to apply for an expungement pursuant to this section, but may present an expungement application to the Superior Court pursuant to N.J.S.2C:52-2.

b. Any person who has been convicted of one or more disorderly persons or petty disorderly persons offenses under the laws of this State who has not been convicted of any crime, whether within this State or any other jurisdiction, may present an expungement application pursuant to this section to any court designated by the Rules of Court if:

the person has been convicted, under the laws of this State, on the same or separate occasions of no more than five disorderly persons offenses, no more than five petty disorderly persons offenses, or a combination of no more than five disorderly persons and petty disorderly persons offenses, and the person does not otherwise have any subsequent conviction for a disorderly persons or petty disorderly persons offense, whether within this State or any other jurisdiction, such that the total number of convictions for disorderly persons and petty disorderly persons offenses would exceed five. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another disorderly persons offense or petty disorderly persons offense shall not bar presenting an application seeking expungement relief for the convictions that are the subject of the application, which may include convictions for no more than five disorderly persons or petty disorderly persons offenses, or combination thereof; or

the person has been convicted of multiple disorderly persons offenses or multiple petty disorderly persons offenses under the laws of this State, or a combination of multiple disorderly persons and petty disorderly persons offenses under the laws of this State, which convictions were entered on the same day, and does not otherwise have any subsequent conviction for another offense in addition to those convictions included in the expungement application, whether any such conviction was within this State or any other jurisdiction. Subject to the provision of subsection e. of N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another disorderly persons or petty disorderly persons offense that was not entered on the same day shall not bar presenting an application seeking expungement relief for the convictions entered on the same day that are the subject of the application; or

the person has been convicted of multiple disorderly persons offenses or multiple petty disorderly persons offenses under the laws of this State, or a combination of multiple disorderly persons and petty disorderly persons offenses under the laws of this State, which offenses or combination of offenses were interdependent or closely related in circumstances and were committed as part of a sequence of events that took place within a comparatively short period of time, regardless of the date of conviction or sentencing for each individual offense, and the person does not otherwise have any subsequent conviction for another offense in addition to those convictions included in the expungement application, whether within this State or any other jurisdiction. Subject to the provision of subsection e. of

N.J.S.2C:52-14 requiring denial of an expungement petition when a person has had a previous criminal conviction expunged, a prior conviction for another disorderly persons offense or petty disorderly persons offense that was not interdependent or closely related in circumstances and was not committed within a comparatively short period of time as described above shall not bar presenting an application seeking expungement relief for the convictions of offenses that were interdependent or closely related and committed within a comparatively short period of time, and that are the subject of the application.

For purposes of determining eligibility to present an expungement application to the court pursuant to this section, a conviction for unlawful distribution of, or possessing or having under control with intent to distribute, marijuana or hashish in violation of paragraph (11) of subsection b. of N.J.S.2C:35-5, or a lesser amount of marijuana or hashish in violation of paragraph (12) of subsection b. of that section, or a violation of either of those paragraphs and a violation of subsection a. of section 1 of P.L.1987, c.101 (C.2C:35-7) or subsection a. of section 1 of P.L.1997, c.327 (C.2C:35-7.1), for distributing, or possessing or having under control with intent to distribute, on or within 1,000 feet of any school property, or on or within 500 feet of the real property comprising a public housing facility, public park, or public building, or for obtaining or possessing marijuana or hashish in violation of paragraph (3) of subsection a. of N.J.S.2C:35-10, or for an equivalent crime in another jurisdiction, regardless of when the conviction occurred, shall not be considered a conviction of a crime within this State or any other jurisdiction but shall instead be considered a conviction of a disorderly persons offense within this State or an equivalent category of offense within the other jurisdiction, and a conviction for obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of marijuana or hashish in violation of paragraph (4) of subsection a., or subsection b., or subsection c. of N.J.S.2C:35-10, or a violation involving marijuana or hashish as described herein and using or possessing with intent to use drug paraphernalia with that marijuana or hashish in violation of N.J.S.2C:36-2, or for an equivalent crime or offense in another jurisdiction, regardless of when the conviction occurred, shall not be considered a conviction within this State or any other jurisdiction.

The person, if eligible, may present the expungement application after the expiration of a period of five years from the date of his most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later. The term "court-ordered financial assessment" as used herein and throughout this section means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the application, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. The person shall submit the expungement application to a court in the county in which the most recent conviction for a disorderly persons or petty disorderly persons offense was adjudged, which includes a duly verified petition as provided in N.J.S.2C:52-7 praying that the conviction, or convictions if applicable, and all records and information pertaining thereto be expunged. The petition appended to an application shall comply with the requirements of N.J.S.2C:52-1 et seq.

Notwithstanding the provisions of the five-year time requirement, if, at the time of application, a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.) is not yet satisfied due to reasons other than willful noncompliance, but the time requirement of five years is otherwise satisfied, the person may submit the expungement application and the court may grant an expungement; provided, however, that the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the

Treasurer, State of New Jersey and transfer collections and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52-23.1). The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment. Additionally, an application may be filed and presented, and the court may grant an expungement pursuant to this section, although less than five years have expired in accordance with the time requirements when the court finds:

- (1) the court-ordered financial assessment is satisfied but less than five years have expired from the date of satisfaction, and the five-year time requirement is otherwise satisfied, and the court finds that the person substantially complied with any payment plan ordered pursuant to N.J.S.2C:46-1 et seq., or could not do so due to compelling circumstances affecting his ability to satisfy the assessment; or
- (2) at least three but less than five years have expired from the date of the most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later; and

the person has not been otherwise convicted of a crime, disorderly persons offense, or petty disorderly persons offense since the time of the most recent conviction; and the court finds in its discretion that compelling circumstances exist to grant the expungement. The prosecutor may object pursuant to section 11 of P.L.2019, c.269 (C.2C:52-10.1), N.J.S.2C:52-11, N.J.S.2C:52-14, or N.J.S.2C:52-24.

In determining whether compelling circumstances exist for the purposes of paragraph (1) of this subsection, a court may consider the amount of any court-ordered financial assessment imposed, the person's age at the time of the offense or offenses, the person's financial condition and other relevant circumstances regarding the person's ability to pay.

4. N.J.S.2C:52-6 is amended to read as follows:

Arrests not resulting in conviction.

2C:52-6. Arrests not resulting in conviction.

a. When a person has been arrested or held to answer for a crime, disorderly persons offense, petty disorderly persons offense, or municipal ordinance violation under the laws of this State or of any governmental entity thereof and proceedings against the person were dismissed, the person was acquitted, or the person was discharged without a conviction or finding of guilt, the Superior Court shall, at the time of dismissal, acquittal, or discharge, or, in any case set forth in paragraph (1) of this subsection, order the expungement of all records and information relating to the arrest.

(1) If proceedings took place in municipal court, the municipal court shall follow procedures developed by the Administrative Director of the Courts.

(2) The provisions of N.J.S.2C:52-7 through N.J.S.2C:52-14 shall not apply to an expungement pursuant to this subsection.

(3) An expungement under this subsection shall not be ordered where the dismissal, acquittal, or discharge resulted from a plea bargaining agreement involving the conviction of other charges. This bar, however, shall not apply once the conviction is itself expunged.

(4) The court shall forward a copy of the expungement order to the county prosecutor. The county prosecutor shall promptly distribute copies of the expungement order to appropriate law enforcement agencies and correctional institutions who have custody and

control of the records specified in the order so that they may comply with the requirements of N.J.S.2C:52-15.

(5) An expungement related to a dismissal, acquittal, or discharge ordered pursuant to this subsection shall not bar any future expungement.

(6) Where a dismissal of an offense is based on an eligible servicemember's successful participation in a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.), the county prosecutor, on behalf of the eligible servicemember, may move before the court for the expungement of all records and information relating to the arrest and the diversion at the time of dismissal pursuant to this section.

b. When a person did not apply or a prosecutor did not move on behalf of an eligible servicemember for an expungement of an arrest not resulting in a conviction pursuant to subsection a. of this section, the person may at any time following the disposition of proceedings, present a duly verified petition as provided in N.J.S.2C:52-7 to the Superior Court in the county in which the disposition occurred praying that records of such arrest and all records and information pertaining thereto be expunged.

c. (1) Any person who has had charges dismissed against him pursuant to a program of supervisory treatment pursuant to N.J.S.2C:43-12, or conditional discharge pursuant to N.J.S.2C:36A-1, or conditional dismissal pursuant to P.L.2013, c.158 (C.2C:43-13.1 et al.), shall be barred from the relief provided in this section until six months after the entry of the order of dismissal.

(2) A servicemember who has successfully participated in a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.) may apply for expungement pursuant to this section at any time following the order of dismissal if an expungement was not granted at the time of dismissal.

d. Any person who has been arrested or held to answer for a crime shall be barred from the relief provided in this section where the dismissal, discharge, or acquittal resulted from a determination that the person was insane or lacked the mental capacity to commit the crime charged.

#### C.2C:52-5.1 Eligibility to file petition for expungement.

5. a. (1) Notwithstanding the requirements of N.J.S.2C:52-2 and N.J.S.2C:52-3 or any other provision of law to the contrary, beginning on the effective date of this section, the following persons may file a petition for an expungement with any court designated by the Rules of Court at any time, provided they have satisfied, except as otherwise set forth in this subsection, payment of any court-ordered financial assessment as defined in section 8 of P.L.2017, c.244 (C.2C:52-23.1), satisfactorily completed probation or parole, been released from incarceration, or been discharged from legal custody or supervision at the time of application:

(a) any person who, prior to the development of a system for sealing records from the public pursuant to section 6 of P.L.2019, c.269 (C.2C:52-5.2), was charged with, convicted of, or adjudicated delinquent for, any number of offenses for, or delinquent acts which if committed by an adult would constitute, unlawful distribution of, or possessing or having under control with intent to distribute, marijuana or hashish in violation of paragraph (12) of subsection b. of N.J.S.2C:35-5, or a violation of that paragraph and a violation of subsection a. of section 1 of P.L.1987, c.101 (C.2C:35-7) or subsection a. of section 1 of P.L.1997, c.327 (C.2C:35-7.1) for distributing, or possessing or having under control with intent to distribute, on or within 1,000 feet of any school property, or on or within 500 feet of the real property comprising a public housing facility, public park, or public building; or

(b) any person who, prior to the development of a system for sealing records from the public pursuant to section 6 of P.L.2019, c.269 (C.2C:52-5.2), was charged with, convicted of, or adjudicated delinquent for, any number of offenses for, or delinquent acts which if committed by an adult would constitute, obtaining, possessing, using, being under the influence of, or failing to make lawful disposition of marijuana or hashish in violation of paragraph (3) or (4) of subsection a., or subsection b., or subsection c. of N.J.S.2C:35-10; or

(c) any person who, prior to the development of a system for sealing records from the public pursuant to section 6 of P.L.2019, c.269 (C.2C:52-5.2), was charged with, convicted of, or adjudicated delinquent for, any number of offenses for, or delinquent acts which if committed by an adult would constitute, a violation involving marijuana or hashish as described in subparagraph (a) or (b) of this paragraph and using or possessing with intent to use drug paraphernalia with that marijuana or hashish in violation of N.J.S.2C:36-2.

(2) If, at the time of application, a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.) is not yet satisfied due to reasons other than willful noncompliance, but the provisions of paragraph (1) of this subsection are otherwise satisfied, the person may submit the expungement application and the court shall grant an expungement in accordance with subsection c. of this section; provided, however, that at the time the expungement is granted the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collection and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52:23.1). The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment.

b. (1) Notwithstanding the requirements of N.J.S.2C:52-2 and N.J.S.2C:52-3 or any other provision of law to the contrary, beginning on the effective date of this section, a person who, prior, on, or after that effective date is charged with, convicted of, or adjudicated delinquent for, any number of offenses for, or delinquent acts which if committed by an adult would constitute, unlawful distribution of, or possessing or having under control with intent to distribute, marijuana or hashish in violation of paragraph (11) of subsection b. of N.J.S.2C:35-5, may file a petition for an expungement with a court after the expiration of three years from the date of the most recent conviction, payment of any court-ordered financial assessment as defined in section 8 of P.L.2017, c.244 (C.2C:52-23.1), satisfactory completion of probation or parole, release from incarceration, or discharge from legal custody or supervision, whichever is later.

(2) (a) Notwithstanding the provisions concerning the three-year time requirement set forth in paragraph (1) of this subsection, if, at the time of application, a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.) is not yet satisfied due to reasons other than willful noncompliance, but the time requirement is otherwise satisfied, the person may submit the expungement application and the court shall grant an expungement in accordance with subsection c. of this section; provided, however, that at the time the expungement is granted the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collection and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52:23.1). The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and

informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment.

(b) Additionally, an application may be filed and presented, and an expungement granted pursuant to subsection c. of this section, although less than three years have expired in accordance with the time requirement set forth in paragraph (1) of this subsection, when the court finds that the court-ordered financial assessment is satisfied but less than three years have expired from the date of satisfaction, and the time requirement of three years is otherwise satisfied, and the court finds that the person substantially complied with any payment plan ordered pursuant to N.J.S.2C:46-1 et seq., or could not do so due to compelling circumstances affecting the person's ability to satisfy the financial assessment.

c. (1) The provisions of N.J.S.2C:52-8 through N.J.S.2C:52-14 shall not apply to an expungement as set forth in this section.

(2) Upon review of the petition, the court shall immediately grant an expungement for each arrest, conviction, or adjudication of delinquency as described in subsection a. or b. of this section, as applicable. The court shall provide copies of the expungement order to the person who is the subject of the petition or that person's representative.

(3) A court order vacating an expungement that is granted to a person pursuant to this subsection may be issued upon an action filed by a county prosecutor with the court that granted the expungement, if filed no later than 30 days after the expungement order was issued, with notice to the person, and a hearing is scheduled at which the county prosecutor shows proof that the expungement was granted in error due to a statutory disqualification to expungement that existed at the time the relief was initially granted.

d. Any public employee or public agency that provides information or records pursuant to this section shall be immune from criminal and civil liability as a result of an act of commission or omission by that person or entity arising out of and in the course of participation in, or assistance with, in good faith, an expungement. The immunity shall be in addition to and not in limitation of any other immunity provided by law.

#### C.2C:52-5.2 System for sealing records from the public.

6. a. (1) No later than three months after the effective date of this section, the Administrative Office of the Courts shall develop and maintain a system for sealing records from the public, upon order of a court, pertaining to offenses or delinquent acts involving marijuana or hashish as described in this section. Once the system is developed, unless otherwise provided by law, a court shall order the nondisclosure to the public of the records of the court and probation services, and records of law enforcement agencies with respect to any arrest, conviction, or adjudication of delinquency, and any proceedings related thereto, upon disposition of any case occurring on or after the development of the system for sealing records that solely includes the following convictions or adjudications of delinquency:

(a) any number of offenses for, or delinquent acts which if committed by an adult would constitute, unlawful distribution of, or possessing or having under control with intent to distribute, marijuana or hashish in violation of paragraph (12) of subsection b. of N.J.S.2C:35-5, or a violation of that paragraph and a violation of subsection a. of section 1 of P.L.1987, c.101 (C.2C:35-7) or subsection a. of section 1 of P.L.1997, c.327 (C.2C:35-7.1) for distributing, or possessing or having under control with intent to distribute, on or within 1,000 feet of any school property, or on or within 500 feet of the real property comprising a public housing facility, public park, or public building;

(b) any number of offenses for, or delinquent acts which if committed by an adult would constitute, obtaining, possessing, using, being under the influence of, or failing to make

lawful disposition of marijuana or hashish in violation of paragraph (3) or (4) of subsection a., or subsection b., or subsection c. of N.J.S.2C:35-10; or

(c) any number of offenses for, or delinquent acts which if committed by an adult would constitute, a violation involving marijuana or hashish as described in subparagraph (a) or (b) of this paragraph and using or possessing with intent to use drug paraphernalia with that marijuana or hashish in violation of N.J.S.2C:36-2.

(2) If the disposition of the case includes a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.), then at the time of issuing the sealing order, the court shall also enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collections and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52-23.1). The term “court-ordered financial assessment” as used herein means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the sealing order, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment.

b. Notice of the sealing order issued pursuant to subsection a. of this section shall be provided to:

(1) The Attorney General, county prosecutor, or municipal prosecutor handling the case; and

(2) The State Police and any local law enforcement agency having custody of the files and records.

c. Upon the entry of a sealing order issued pursuant to subsection a. of this section, the proceedings in the case shall be sealed and all index references shall be marked “not available” or “no record.” Law enforcement agencies shall reply to requests for information or records of a person subject to a sealing order that there is no information or records. The person may also reply to any inquiry that there is no information or record, except that information subject to a sealing order shall be revealed by that person if seeking employment within the judicial branch or with a law enforcement or corrections agency, and the information shall continue to provide a disability to the extent provided by law.

d. Records subject to a sealing order issued pursuant to subsection a. of this section may be maintained for purposes of prior offender status, identification, and law enforcement purposes, provided that the records shall not be considered whenever the Pretrial Services Program established by the Administrative Office of the Courts pursuant to section 11 of P.L.2014, c.31 (C.2A:162-25) conducts a risk assessment on an eligible defendant for the purpose of making recommendations to the court concerning an appropriate pretrial release decision in accordance with sections 1 through 11 of P.L.2014, c.31 (C.2A:162-15 et seq.) or used for sentencing purposes in any other case.

#### C.2C:52-5.3 “Clean slate” expungement by petition.

7. “Clean slate” expungement by petition. a. A person, who is not otherwise eligible to present an expungement application pursuant to any other section of chapter 52 of Title 2C of the New Jersey Statutes or other section of law, may present an expungement application to the Superior Court pursuant to this section if the person has been convicted of one or more

crimes, one or more disorderly persons or petty disorderly persons offenses, or a combination of one or more crimes and offenses under the laws of this State, unless the person has a conviction for a crime which is not subject to expungement pursuant to subsection b. or c. of N.J.S.2C:52-2. The person may present an application pursuant to this section regardless of whether the person would otherwise be ineligible pursuant to subsection e. of N.J.S.2C:52-14 for having had a previous criminal conviction expunged, or due to having been granted an expungement pursuant to this or any other provision of law.

b. The person, if eligible, may present the expungement application after the expiration of a period of ten years from the date of the person's most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later. The term "court-ordered financial assessment" as used herein and throughout this section means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the application, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. The person shall submit the expungement application to the Superior Court in the county in which the most recent conviction for a crime or offense was adjudged, which includes a duly verified petition as provided in N.J.S.2C:52-7 praying that all the person's convictions, and all records and information pertaining thereto, be expunged. The petition appended to an application shall comply with the requirements set forth in N.J.S.2C:52-1 et seq.

c. Notwithstanding the provisions concerning the ten-year time requirement, if, at the time of application, a court-ordered financial assessment subject to collection under the comprehensive enforcement program established pursuant to P.L.1995, c.9 (C.2B:19-1 et al.) is not yet satisfied due to reasons other than willful noncompliance, but the time requirement of ten years is otherwise satisfied, the person may submit the expungement application and the court shall grant an expungement in accordance with this section; provided, however, that at the time of the expungement the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collection and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with section 8 of P.L.2017, c.244 (C.2C:52-23.1). The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole discretion to amend the judgment.

d. No expungement applications may be filed pursuant to this section after the establishment of the automated "clean slate" process pursuant to subsection a. of section 8 of P.L.2019, c.269 (C.2C:52-5.4).

#### C.2C:52-5.4 Automated "clean slate" process.

8. Automated "clean slate" process. a. (1) The State shall develop and implement an automated process, based, to the greatest extent practicable, on the recommendations of the task force established pursuant to subsection b. of this section, by which all convictions, and all records and information pertaining thereto, shall be rendered inaccessible to the public, through sealing, expungement, or some equivalent process, for any person who has been convicted of one or more crimes, one or more disorderly persons or petty disorderly persons offenses, or a combination of one or more crimes and offenses under the laws of this State, unless the person has a conviction for a crime which is not subject to expungement pursuant to subsection b. or c. of N.J.S.2C:52-2, upon the expiration of a period of ten years from the

date of the person's most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later. The term "court-ordered financial assessment" as used herein means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are subject to being rendered inaccessible to the public, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes.

(2) The automated process shall be designed to restore a person's convictions and other information contained in the person's criminal history record information files if the person is subsequently convicted of a crime, for which the conviction is not subject to expungement pursuant to subsection b. or c. of N.J.S.2C:52-2. A prosecutor may submit the restored criminal history record information to the court for consideration at sentencing for the subsequent conviction.

(3) Upon establishment of the automated process pursuant to this subsection, any pending "clean slate" expungement petitions filed pursuant to section 7 of P.L.2019, c.269 (C.2C:52-5.3) shall be rendered moot and shall be withdrawn or dismissed in accordance with procedures established by the Supreme Court.

b. (1) (a) There is established a task force for the purpose of examining, evaluating, and making recommendations regarding the development and implementation of the automated process described in subsection a. of this section, by which all of a person's convictions, and all records and information pertaining thereto, shall be rendered inaccessible to the public.

(b) The task force shall consist of at least the following members:

The Chief Technology Officer of the Office of Information Technology, or a designee or designees;

The Attorney General, or a designee or designees, one or more of whom may be members of the State Bureau of Identification and the Information Technology Bureau in the Division of State Police designated by the Superintendent of the State Police;

The Administrative Director of the Courts, or a designee or designees;

The Director of Information Technology for the Administrative Office of the Courts, or a designee or designees;

The Commissioner of the Department of Corrections, or a designee or designees;

The President of the New Jersey County Jail Wardens Association, or a designee or designees;

The President of the New Jersey State Association of Chiefs of Police, or a designee or designees;

Two members of the Senate, who shall each be of different political parties, appointed by the Governor upon the recommendation of the Senate President;

Two members of the General Assembly, who shall each be of different political parties, appointed by the Governor upon the recommendation of the Speaker of the General Assembly;

Two members of academic institutions or non-profit entities appointed by the Governor who each have a background in, or special knowledge of, computer technology, database management, or recordkeeping processes; and

Four members of the public appointed by the Governor who each have a background in, or special knowledge of, the technological, criminal record or legal processes of expungement, or criminal history recordkeeping, of which two of whom shall be appointed by the Governor upon recommendation of the Senate President and two of whom shall be appointed by the Governor upon recommendation of the Speaker of the General Assembly.

(c) Appointments to the task force shall be made within 30 days of the effective date of this section. Vacancies in the membership of the task force shall be filled in the same manner as the original appointments were made.

(d) Members of the task force shall serve without compensation, but shall be reimbursed for necessary expenditures incurred in the performance of their duties as members of the task force within the limits of funds appropriated or otherwise made available to the task force for its purposes.

(e) The task force shall organize as soon as practicable, but no later than 30 days following the appointment of its members. The task force shall choose a chairperson from among its members and shall appoint a secretary who need not be a member of the task force.

(f) The Department of Law and Public Safety shall provide such stenographic, clerical, and other administrative assistants, and such professional staff as the task force requires to carry out its work. The task force shall also be entitled to call to its assistance and 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 for its purposes.

(2) It shall be the duty of the task force to identify, analyze and recommend solutions to any technological, fiscal, resource, and practical issues that may arise in the development and implementation of the automated process described in subsection a. of this section. In carrying out these responsibilities, the task force shall to the extent feasible:

(a) examine and evaluate the effectiveness of the design and implementation of automated processes in Pennsylvania and California and other jurisdictions that have implemented similar programs, and consult with officials in those jurisdictions concerning their processes and any technological, fiscal, resource, and practical issues that they may have encountered, contemplated, or addressed in developing and implementing those systems; and

(b) consult with non-profit computer programming organizations such as "Code for America" with expertise in assisting in the implementation of automated processes and expungement processing generally, to the extent those organizations make themselves available for this purpose; and

(c) identify the necessary systemic changes, required technology, cost estimates, and possible sources of funding for developing and implementing the automated process described in subsection a. of this section.

(3) (a) The task force shall issue a final report of its findings and recommendations to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than 180 days after the task force organizes.

(b) The task force shall expire 30 days after the issuance of its report.

9. N.J.S.2C:52-8 is amended to read as follows:

Statements to accompany petition.

2C:52-8. Statements to accompany petition. There shall be attached to a petition for expungement:

a. A statement with the affidavit or verification that there are no disorderly persons, petty disorderly persons or criminal charges pending against the petitioner at the time of filing of the petition for expungement.

b. In those instances where the petitioner is seeking the expungement of a criminal conviction pursuant to N.J.S.2C:52-2, a statement with affidavit or verification that he has never been granted expungement, sealing or similar relief regarding a criminal conviction by

any court in this State or other state or by any Federal court. "Sealing" refers to the relief previously granted pursuant to P.L.1973, c.191 (C.2A:85-15 et seq.).

c. In those instances where a person has received a dismissal of a criminal charge because of acceptance into a supervisory treatment or any other diversion program, a statement with affidavit or verification setting forth the nature of the original charge, the court of disposition and date of disposition.

d. A statement as to whether the petitioner has legally changed the petitioner's name, the date of judgment of name change, and the previous legal name. If applicable, the petitioner shall provide a copy of the order for name change.

10. N.J.S.2C:52-10 is amended to read as follows:

Service of petition and documents.

2C:52-10. a. Until the date that the e-filing system is established by the Administrative Office of the Courts pursuant to section 11 of P.L.2019, c.269 (C.2C:52-10.1), a copy of each petition, together with a copy of all supporting documents, shall be served pursuant to the rules of court upon the Superintendent of State Police; the Attorney General; the county prosecutor of the county wherein the court is located; the chief of police or other executive head of the police department of the municipality wherein the offense was committed; the chief law enforcement officer of any other law enforcement agency of this State which participated in the arrest of the individual; the superintendent or warden of any institution in which the petitioner was confined; and, if a disposition was made by a municipal court, upon the magistrate of that court. Service shall be made within 5 days from the date of the order setting the date for the hearing upon the matter.

b. On and after the date that the e-filing system is established pursuant to section 11 of P.L.2019, c.269 (C.2C:52-10.1), a copy of each petition, together with a copy of all supporting documents, shall, upon their filing, be served electronically pursuant to the rules of court upon the Superintendent of State Police, the Attorney General, the county prosecutor of the county wherein the court is located, and the county prosecutor of any county in which the petitioner was convicted, using the e-filing system.

C.2C:52-10.1 System to electronically file expungement applications.

11. a. (1) No later than twelve months after the effective date of this section, the Administrative Office of the Courts shall develop and maintain a system for petitioners to electronically file expungement applications pursuant to N.J.S.2C:52-1 et seq. The e-filing system shall be available Statewide and include electronic filing, electronic service of process, and electronic document management.

(2) The system shall, in accordance with N.J.S.2C:52-10, electronically notify and serve copies of the petition and all supporting documents upon the Superintendent of State Police, the Attorney General, and each county prosecutor as described in that section.

(3) The system shall electronically compile a listing of all possibly relevant Judiciary records for an expungement petitioner and transmit this information to all parties served with copies of the petition and all supporting documents in accordance with paragraph (2) of this subsection.

b. Upon receipt of the information from the court pursuant to paragraphs (2) and (3) of subsection a. of this section, the Superintendent of State Police, the Attorney General, and the county prosecutor of any county in which the person was convicted shall, within 60 days, review and confirm, as appropriate, the information against the person's criminal history record information files and notify the court of any inaccurate or incomplete data contained

in the information files, or of any other basis for ineligibility, if applicable, pursuant to N.J.S.2C:52-14.

c. The court shall provide copies of an expungement order to the person who is the subject of the petition and electronically transmit the order to the law enforcement and criminal justice agencies which, at the time of the hearing on the petition, possess any records specified in the order in accordance with N.J.S.2C:52-15.

12. N.J.S.2C:52-14 is amended to read as follows:

Grounds for denial of relief.

2C:52-14. A petition for expungement filed pursuant to this chapter shall be denied when:

a. Any statutory prerequisite, including any provision of this chapter, is not fulfilled or there is any other statutory basis for denying relief.

b. The need for the availability of the records outweighs the desirability of having a person freed from any disabilities as otherwise provided in this chapter. An application may be denied under this subsection only following objection of a party given notice pursuant to N.J.S.2C:52-10 and the burden of asserting such grounds shall be on the objector.

c. In connection with a petition under N.J.S.2C:52-6, the acquittal, discharge or dismissal of charges resulted from a plea bargaining agreement involving the conviction of other charges. This bar, however, shall not apply once the conviction is itself expunged.

d. The arrest or conviction sought to be expunged is, at the time of hearing, the subject matter of civil litigation between the petitioner or his legal representative and the State, any governmental entity thereof or any State agency and the representatives or employees of any such body.

e. Except as set forth in subsection a. of section 7 of P.L.2019, c.269 (C.2C:52-5.3) concerning a “clean slate” expungement petition, the person has had a previous criminal conviction expunged regardless of the lapse of time between the prior expungement, or sealing under prior law, and the present petition. This provision shall not apply:

- (1) When the person is seeking the expungement of a municipal ordinance violation or,
- (2) When the person is seeking the expungement of records pursuant to N.J.S.2C:52-6.

f. (Deleted by amendment, P.L.2017, c.244)

13. N.J.S.2C:52-15 is amended to read as follows:

Disposition of records.

2C:52-15. a. Except as provided in subsection b. of this section, if an order of expungement of records of arrest or conviction under this chapter is granted by the court, all the records specified in said order shall be removed from the files of the law enforcement and criminal justice agencies which, at the time of the hearing of the petition, possess the records and shall be placed in the control of a person who has been designated by the head of each such agency. That designated person shall, except as otherwise provided in this chapter, ensure that such records or the information contained therein are not released for any reason and are not utilized or referred to for any purpose. In response to requests for information or records of the person who was arrested or convicted, all officers, departments and agencies shall reply, with respect to the arrest, conviction or related proceedings which are the subject of the order, that there is no record information. The court shall provide proof of expungement to the person whose records have been expunged or to that person’s representative.

b. Records of the Probation Division of the Superior Court related to any court-ordered financial assessment that remains due at the time the court grants an expungement or sealing of records shall be transferred to the New Jersey Department of Treasury for the collection and disbursement of future payments and satisfaction of judgments in accordance with section 8 of P.L.2017, c.244 (C.2C:52-23.1). The term “court-ordered financial assessment” as used herein and throughout this section means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the expungement or sealing order, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. The Treasurer may specify, and the Administrative Office of the Courts shall collaborate with, the technical and informational standards required to effectuate the transfer of the collection and disbursement responsibilities. Notwithstanding any provision in this law or any other law to the contrary, the court shall have sole authority to amend the judgment concerning the amount of any court-ordered financial assessment that remains due at the time the court grants an expungement or sealing of records.

14 Section 8 of P.L.2017, c.244 (C.2C:52-23.1) is amended to read as follows:

**C.2C:52-23.1 Use of expunged, sealed records.**

8. a. Notwithstanding any provision in this act to the contrary, expunged or sealed records may be used to facilitate the State Treasurer’s collection of any court-ordered financial assessments that remain due at the time an expungement or sealing of records is granted by the court. The term “court-ordered financial assessment” as used herein and throughout this section means and includes any fine, fee, penalty, restitution, and other form of financial assessment imposed by the court as part of the sentence for the conviction or convictions that are the subject of the expungement or sealing order, for which payment of restitution takes precedence in accordance with chapter 46 of Title 2C of the New Jersey Statutes. Information regarding the nature of such financial assessments or their derivation from expunged or sealed records shall not be disclosed to the public. Any record of a civil judgment for the unpaid portion of any court-ordered financial assessment that may be docketed after the court has granted an expungement or sealing of records shall be entered in the name of the Treasurer, State of New Jersey. The State Treasurer shall thereafter administer such judgments without disclosure of any information related to the underlying nature of the assessments.

b. (Deleted by amendment, P.L.2019, c.269)

15. N.J.S.22A:2-25 is amended to read as follows:

**Law division filing fees.**

**22A:2-25. Law Division filing fees**

Upon the filing, entering or docketing with the deputy clerk of the Superior Court in the various counties of the herein-mentioned papers or documents by either party to any action or proceeding in the Law Division of the Superior Court, other than a civil action in which a summons or writ must be issued, he shall pay the deputy clerk of the court the following fees:

Entering of complaint or first paper of any action or proceeding ...	\$ 9.00
Filing complaint.....	\$ 3.00
Filing answer or appearance.....	\$ 6.00

Filing any other pleading, any amended pleading or any amendment to a pleading .....	\$ 3.00
Filing and entering each order or judgment of court, including order to show cause.....	\$ 6.00
Filing and entering a voluntary dismissal, either by stipulation or order of court.....	\$ 7.50
Filing notice of appeal.....	\$15.00
Filing proceedings or papers on appeal.....	\$ 6.00
Filing any other paper or document not herein stated .....	\$ 4.50
Signing and sealing habeas corpus.....	\$ 7.50
Signing and issuing subpoena.....	\$ 1.50

16. N.J.S.2C:52-29 is amended to read as follows:

**Fees waived for certain applications.**

2C:52-29. Any person who files an application pursuant to this chapter shall not be charged a fee for applying for an expungement, and any fee set forth in the Rules of Court, which was, based on the Supreme Court's temporary authority pursuant to sections 12 through 15, and 17 through 19 of P.L.2014, c.31 (C.2B:1-7 through C.2B:1-13), a revision or supplement by the Supreme Court to the fee charged pursuant to this section prior to its amendment by P.L.2019, c.269 (C.2C:52-5.1 et al.), is void.

17. There is appropriated from the General Fund to the Department of Law and Public Safety the sum of \$15,000,000 to implement the provisions of this act.

18. Section 8 of this act, concerning the automated "clean slate" process and the task force assisting with its development and implementation, sections 15 and 16 of this act, eliminating expungement filings fees, and section 17 of this act, making an appropriation, shall take effect immediately, and the remaining sections of this act shall take effect on the 180th day following enactment. Concerning those sections which do not take effect immediately, the Attorney General and the Administrative Director of the Courts may take any anticipatory administrative action as may be necessary to effectuate those provisions.

Approved December 18, 2019.