

AN ACT concerning executive clemency, and repealing chapters ten and one hundred ninety-seven of Title 2 of the Revised Statutes and "An act relating to the parole of certain former inmates of penal or correctional institutions in New Jersey who, having served in the active military or naval service of the United States, have been discharged or released from such service under conditions other than dishonorable," approved April Thirtieth, one thousand nine hundred and forty-six (P.L.1946, c. 209).

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

1. The Governor may grant pardons and reprieves in all cases other than impeachment and treason and may suspend and remit fines and forfeitures.
2. The Governor may, upon application for the pardon of any person under sentence of death, except for the crime of treason, direct that the sentence of death be commuted to imprisonment at hard labor, for life or for a term of years.
3. Said direction shall be made by order signed by the Governor and shall be delivered to the Principal Keeper of the State Prison and shall be retained and filed in his office.
4. The Principal Keeper of the State Prison, upon receiving such order, shall refrain from executing the sentence of death and shall detain such person for the term for which the sentence was commuted but such term of imprisonment shall not be remitted or commuted except by the Governor.
5. The Governor may, upon application for commutation of sentence of any person sentenced to imprisonment, order that such sentence be commuted upon such terms, conditions and limitations as the Governor, in his discretion, may direct, as conditions precedent to the release of any such person from imprisonment; which terms, conditions and limitations shall be annexed to and form part of said order. Upon the filing of such order signed by the Governor with the officer in whose custody such person may be, and after the acceptance by such person of the terms, conditions and limitations contained in said order, as evidenced by his signature affixed to the duplicate copy of such order to be kept in the files of the State Parole Board, such sentence shall thereupon be commuted in accordance with the terms, conditions and limitations of such order.
6. Any person who has been convicted of a crime and by reason thereof has been deprived of the right of suffrage or of any other of his civil rights or privileges, or upon whom there has been imposed a fine or who has suffered a forfeiture, except disqualification to hold and enjoy any public office of honor, profit or trust in this State under judgment of impeachment, may make application for the restoration of the right of suffrage or of such other rights or privileges or for the suspension or remission of such fine or forfeiture, which application the Governor may grant by order signed by him.
7. Applications for commutation of sentences, other than death sentences, or for the restoration of rights or privileges, or for the suspension or remission of any fine or forfeiture, shall be made upon forms prescribed by the Governor.

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8. The Governor, in his discretion, may, prior to granting or denying any such application, refer the same to the State Parole Board for its investigation, and in such case the board shall make a full and complete investigation and report thereon in writing to the Governor with its recommendation in the case.

9. Chapters ten and one hundred ninety-seven of Title 2 of the Revised Statutes and "An act relating to the parole of certain former inmates of penal or correctional institutions in New Jersey who, having served in the active military or naval service of the United States, have been discharged or released from such service under conditions other than dishonorable," approved April thirtieth, one thousand nine hundred and forty-six, are repealed.

10. This act shall take effect immediately.
Approved May 28, 1948.

