

Office of the Governor

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NEWS RELEASE

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Gov. Christie Whitman has signed the following pieces of legislation:

A-2790, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and Guy F. Talarico (R-Bergen) and Senators Anthony R. Bucco (R-Morris) and James S. Cafiero (R-Cape May/Atlantic/Cumberland), strengthens requirements for court-ordered counseling of domestic violence offenders. The bill requires a court that orders a domestic violence offender to receive counseling, either as a condition of a defendant's sentence in a criminal matter or as a part of a final restraining order, to direct the defendant to provide documentation of his or her participation in counseling. Previously, courts had the discretion to require a defendant to provide such documentation. The bill also prohibits a court from granting an application by a domestic violence offender to dismiss a final restraining order unless the offender has completed all required attendance at such counseling. The court could, however, dismiss this order at the request of the victim. Previously a court had the discretion whether to grant such an application.

A-2149, sponsored by Assembly Members Carol J. Murphy (R-Essex/Morris /Passaic) and Kenneth C. LeFevre (R-Atlantic) and Senator Diane B. Allen (R-Burlington /Camden), creates a mold lien law designed to protect plastics molders in the event a customer fails to pay for work completed. The bill provides for the ability of a molder to obtain a lien on all dies, molds, forms or patterns used for customers. If the balance due the molder for work completed for a customer remains unpaid for 60 days after it is due, the molder is permitted to sell the mold at public auction in the county where it is being held. At least 30 days prior to the sale, the molder is required to send a notice to the owner of the mold stating the place and time of the sale, a description of the mold and an itemized statement for the amount due. The proceeds of the sale will be used to cover the amount due to the molder and reasonable costs of the sale. Any excess amount is to be paid to any prior lien holder and any remainder to the owner. The bill also provides that an existing perfected security interest takes priority over a lien of a molder, and requires any owner seeking to recover a mold from a molder to post a bond in the amount of the charges still outstanding. Further, the bill provides that the sale of a mold shall not be made under the act if it is in violation of any right of an owner under federal patent or copyright law.

A-66, sponsored by Assembly Member LeRoy J. Jones, Jr. (D-Essex), prohibits a person, including a bank or other depository institution, which cashes a check for a consumer, from recording a charge card or credit card account number on the check. Previous law prohibited the recording of a charge or credit card account number on a check which a person or bank or other depository institution receives for deposit. The bill expands the prohibition to a check which is cashed.

