

CHAPTER 2
FISCAL MANAGEMENT

Authority

N.J.S.A. 2C:14-10, 2C:25-29.4, 2C:35A-1 et seq.,
2C:43-3.7, 30:1B-6 and 30:1B-10.

Source and Effective Date

R.2011 d.140, effective April 20, 2011.
See: 43 N.J.R. 119(a), 43 N.J.R. 1258(a).

Chapter Expiration Date

Chapter 2, Fiscal Management, expires on April 20, 2018.

Chapter Historical Note

Chapter 2, Fiscal Management, was adopted as R.1990 d.75, effective February 5, 1990. See: 21 N.J.R. 3408(b), 22 N.J.R. 355(b).

Subchapter 10, Grants, was adopted as R.1990 d.183, effective April 2, 1990. See: 22 N.J.R. 14(a), 22 N.J.R. 1142(a).

Subchapter 6, Inmate Reimbursement for Lost, Damaged or Destroyed Personal Property, was adopted as R.1990 d.363, effective August 6, 1990. See: 22 N.J.R. 1320(a), 22 N.J.R. 2321(a).

Subchapter 3, Expenditure of Inmate Welfare Funds, was adopted as R.1991 d.188, effective April 1, 1991. See: 23 N.J.R. 155(a), 23 N.J.R. 1008(b).

Subchapter 8, Financial Aid upon Release from Correctional Facilities, was adopted as R.1991 d.372, effective August 5, 1991. See: 23 N.J.R. 1511(a), 23 N.J.R. 2310(b).

Subchapter 5, Reporting Loss of Funds, was adopted as R.1991 d.373, effective August 5, 1991. See: 23 N.J.R. 1510(a), 23 N.J.R. 2310(a).

Subchapter 9, Gifts, was adopted as R.1991 d.449, effective August 19, 1991. See: 23 N.J.R. 1754(a), 23 N.J.R. 2509(a).

Subchapter 2, Inmate Accounts, was adopted as R.1991 d.494, effective October 7, 1991. See: 23 N.J.R. 1992(b), 23 N.J.R. 3031(a).

Pursuant to Executive Order No. 66(1978), Chapter 2, Fiscal Management, was readopted by R.1995 d.21, effective December 9, 1994, and Subchapter 1, Introduction, was adopted by R.1995 d.21, effective January 3, 1995. See: 26 N.J.R. 4299(a), 27 N.J.R. 118(a). Pursuant to Executive Order No. 66(1978), Chapter 2 expired on December 9, 1999.

Chapter 2, Fiscal Management, was adopted as new rules by R.2000 d.375, effective September 18, 2000. See: 32 N.J.R. 2363(a), 32 N.J.R. 3436(a). Chapter 2, Fiscal Management, expired on September 18, 2005.

Chapter 2, Fiscal Management, was adopted as new rules by R.2006 d.113, effective March 20, 2006. As a part of the adoption, Subchapter 8, Financial Aid Upon Release, was repealed. See: 37 N.J.R. 4505(b), 38 N.J.R. 1456(c).

Chapter 2, Fiscal Management, was readopted as R.2011 d.140, effective April 20, 2011. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

10A:2-1.1 Purpose

(a) The purpose of this chapter is to establish provisions for:

1. Controlling and depositing funds held in trust for inmates;
2. Appropriating expenditures of inmate welfare funds;
3. Reporting the loss of funds by, for example, burglary, theft, or embezzlement, when discovered by a correctional facility;
4. Processing inmate claims for lost, damaged or destroyed personal property;
5. Withdrawing authorized deductions from an inmate account;
6. Receiving and giving gifts; and
7. Processing grants.

Amended by R.2006 d.113, effective March 20, 2006.

See: 37 N.J.R. 4505(b), 38 N.J.R. 1456(c).

In introductory paragraph (a), substituted "provisions" for "policies and procedures"; in (a)5, removed "s" from "inmate's".

Amended by R.2011 d.140, effective May 16, 2011.

See: 43 N.J.R. 119(a), 43 N.J.R. 1258(a).

Deleted former (a)6; and recodified former (a)7 and (a)8 as (a)6 and (a)7.

10A:2-1.2 Scope

(a) N.J.A.C. 10A:2-2, 3, 5, 6, and 7 shall be applicable to the Division of Operations, New Jersey Department of Corrections.

(b) N.J.A.C. 10A:2-9 and 10 shall be applicable to all administrative units within the New Jersey Department of Corrections.

Amended by R.2006 d.113, effective March 20, 2006.

See: 37 N.J.R. 4505(b), 38 N.J.R. 1456(c).

In (a), removed reference to N.J.A.C. 10A:2-8 and deleted "and the Division of Parole".

10A:2-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Central Office Revenue Unit" (CORU) means the Department of Corrections unit designated to be responsible for certain revenue collection and disbursements.

"Gift" means money in the form of a money order or certified check or material(s) donated to a correctional facility or administrative unit for a specified or unspecified purpose by a person(s) or organization(s) without an expectation of compensation.

"Grant" means a specific amount of funds or services given to an administrative unit or correctional facility by a funding source to be used over a specific period of time for a specific purpose.

"Loss of funds" means funds received by a correctional facility or an administrative unit, from any source, which are

unaccounted for as a result of, for example, theft, larceny, or embezzlement.

"Restitution" means a disciplinary sanction recommended by a Disciplinary Hearing Officer, Adjustment Committee, or a court ordered indemnification which requires the inmate to compensate the correctional facility or victim(s) of a criminal act for any loss, damage or injury perpetrated by the inmate.

Amended by R.2003 d.207, effective May 19, 2003.

See: 35 N.J.R. 1038(a), 35 N.J.R. 2178(a).

Added "DNA".

Amended by R.2004 d.395, effective October 18, 2004.

See: 36 N.J.R. 3225(b), 36 N.J.R. 4826(a).

Deleted "DNA".

Amended by R.2006 d.113, effective March 20, 2006.

See: 37 N.J.R. 4505(b), 38 N.J.R. 1456(c).

In definition "Inmate personal property", substituted "that" for "which".

Amended by R.2011 d.140, effective May 16, 2011.

See: 43 N.J.R. 119(a), 43 N.J.R. 1258(a).

Deleted definition "Inmate personal property".

10A:2-1.4 Forms

(a) The following forms related to fiscal management are available by accessing the Department of Corrections computer network (DOCNet). Interested individuals who do not have access to DOCNet may obtain copies of forms by contacting the Administrative Rules Unit, New Jersey Department of Corrections:

1. 943-I Inmate Claim for Lost, Damaged or Destroyed Personal Property;
2. 943-II Certification of Inmate Claim;
3. 943-III Review of Inmate Claim;
4. 947-I Monthly Report of Gifts Received;
5. 947-II Annual Report of Gifts Received;
6. 950-I Fiscal Report of Grants Received;
7. 950-II Report of Progress of Projects Funded by Grants.

(b) The following form related to fiscal management shall be obtained from the business office of the correctional facility:

1. State of New Jersey Payment Voucher (Vendor Invoice).

Administrative change.

See: 35 N.J.R. 1137(a).

Amended by R.2006 d.113, effective March 20, 2006.

See: 37 N.J.R. 4505(b), 38 N.J.R. 1456(c).

In (a) and (b), corrected typographic errors; deleted (c).

Amended by R.2006 d.419, effective December 4, 2006.

See: 38 N.J.R. 3226(a), 38 N.J.R. 5161(a).

In the introductory paragraph of (a), deleted "shall be reproduced by each correctional facility from originals that" preceding "are available" and inserted "by accessing the Department of Corrections computer network (DOCNet). Interested individuals who do not have access to DOCNet may obtain copies of forms".