

# ASSEMBLY, No. 1335

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Permits municipalities having population under 2,500 to withdraw from civil service by ordinance.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT permitting certain municipalities to rescind, by ordinance,  
2 the adoption of Title 11A, Civil Service, and supplementing Title  
3 11A of the New Jersey Statutes.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. a. As used in this section, “municipality” means a  
9 municipality having a population of fewer than 2,500 persons,  
10 according to the most recent federal decennial census.

11 b. The governing body of a municipality operating under the  
12 provisions of Title 11A of the New Jersey Statutes may, by  
13 ordinance, rescind the adoption of Title 11A, Civil Service, of the  
14 New Jersey Statutes.

15 c. If the governing body of a municipality rescinds the  
16 adoption of Title 11A of the New Jersey Statutes by ordinance, the  
17 ordinance shall be certified by the clerk of the municipality to the  
18 New Jersey Civil Service Commission. The rescission shall take  
19 effect six months following final adoption of the ordinance. If a  
20 governing body rejects an ordinance to rescind the adoption of Title  
21 11A of the New Jersey Statutes, a new vote by the governing body  
22 on an ordinance to rescind shall not be held for a period of at least  
23 five years following the rejection of rescission.

24 d. A municipality which rescinds the adoption of the provisions  
25 of Title 11A of the New Jersey Statutes shall not readopt the  
26 provisions of that title for a period of at least five years from the  
27 effective date of the rescission. Readoption of the provisions of  
28 Title 11A of the New Jersey Statutes may be exercised only once.  
29 A readoption of the provisions of Title 11A, pursuant to this  
30 section, shall be conducted in the same manner provided for the  
31 adoption thereof contained in N.J.S.11A:9-1 et seq.

32 e. The commission shall promulgate regulations pursuant to the  
33 “Administrative Procedure Act, P.L.1968, c.410 (C.52:14B-  
34 1 et seq.) to effectuate the provisions of this section.  
35

36 2. This act shall take effect immediately.  
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38

39 STATEMENT  
40

41 This bill permits the governing body of a municipality having  
42 fewer than 2,500 persons, according to the latest federal decennial  
43 census, that operates under the provisions of Title 11A, Civil  
44 Service, of the New Jersey Statutes to rescind the adoption of Title  
45 11A by ordinance.

46 If the governing body of a municipality rescinds the adoption of  
47 Title 11A by ordinance, the rescission will take effect six months  
48 following the passage of the ordinance.

**A1335 MOSQUERA, SPEARMAN**

1       If a governing body rejects an ordinance to rescind the adoption  
2 of Title 11A of the New Jersey Statutes, a new vote by the  
3 governing body on an ordinance to rescind will not be held for a  
4 period of at least five years following the rejection of rescission.

5       A municipality which rescinds the adoption of the provisions of  
6 Title 11A of the New Jersey Statutes cannot readopt the provisions  
7 of that title for a period of at least five years from the effective date  
8 of the rescission and will be permitted to readopt the provisions of  
9 Title 11A only once.