ASSEMBLY, No. 1926

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman BENJIE E. WIMBERLY
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SYNOPSIS

Requires New Jersey Law Revision Commission to identify statutes containing racially discriminatory language.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 6/11/2020)

AN ACT concerning the duties of the New Jersey Law Revision Commission and amending P.L.1985, c.498.

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

1. Section 8 of P.L.1985, c.498 (C.1:12A-8) is amended to read as follows:

8. The commission shall promote and encourage the clarification and simplification of the law of New Jersey and its better adaption to present social needs, secure the better administration of justice and carry on scholarly legal research and work. It shall further be the duty of the commission to:

a. Conduct a continuous examination of the general and permanent statutory law of this State and the judicial decisions construing it, for the purpose of discovering defects, racially discriminatory language, and anachronisms therein, and to prepare and submit to the Legislature, from time to time, legislative bills designed to:

(1) Remedy the defects,

(2) Reconcile conflicting provisions found in the law, and

(3) Clarify confusing and excise redundant provisions found in the law;

b. Carry on a continuous revision of the general and permanent statute law of the State, in a manner so as to maintain the general and permanent statute law in revised, consolidated and simplified form under the general plan and classification of the Revised Statutes and the New Jersey Statutes;

c. Receive and consider suggestions and recommendations from the American Law Institute, the National Conference of Commissioners on Uniform State Laws, and other learned bodies and from judges, public officials, bar associations, members of the bar and from the public generally, for the improvement and modification of the general and permanent statutory law of the State, and to bring the law of this State, civil and criminal, and the administration thereof, into harmony with modern conceptions and conditions; and

d. Act in cooperation with the Legislative Counsel in the Office of Legislative Services, to effect improvements and modifications in the general and permanent statutory law pursuant to its duties set forth in this section, and submit to the Legislative Counsel and the Division for their examination such drafts of legislative bills as the commission shall deem necessary to effectuate the purposes of this section.

(cf: P.L.1985, c.498, s.8)

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

2. This act shall take effect immediately.

STATEMENT

This bill requires the New Jersey Law Revision Commission (NJLRC) to identify racially discriminatory laws and propose ways in which those laws could be amended or repealed. Currently, the NJLRC is required to undertake a continuous examination of New Jersey statutory law in order to ensure it is properly adapted to present social needs and secures better administration of justice. Specifically, the commission identifies defective, anachronistic, redundant, or conflicting provisions and recommends to the Legislature ways these issues can be remedied. The commission also receives and considers recommendations from the public, government officials, and academic organizations on ways in which the laws of this state can be harmonized with modern concepts and conditions. In light of this preexisting statutory mandate, the commission is uniquely qualified for this new task.

Historically, both northern and southern states passed laws with the purpose and effect of discriminating against people of color. New Jersey was no exception to this phenomenon as it was the first northern state to restrict the vote to white men and became the last northern state to abolish slavery. Although race relations have dramatically improved since the Civil Rights Movement, there is still more that can be done to ensure all citizens are treated equally under the law. While many racially discriminatory laws have been repealed by the Legislature or invalidated by subsequent court decisions, more of these problematic laws may still be a part of New Jersey's statutory code.

For these reasons, a continuous effort to identify and propose ways in which these laws can be amended or repealed is one way historic wrongs can be corrected to ensure a better future for all citizens regardless of their ethnicity.