

ASSEMBLY, No. 2025

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JON M. BRAMNICK

District 21 (Morris, Somerset and Union)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires fee for filing or recording partnership's statement to be standard and not vary depending on number of partners.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning partnerships and amending P.L.2000, c.161.

2

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

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6 1. Section 6 of P.L.2000, c.161 (C.42:1A-6) is amended to read
7 as follows:

8 6. a. A statement may be filed in the office of the Division of
9 Commercial Recording in the Department of the Treasury. A
10 certified copy of a statement that is filed in an office in another
11 state may be filed in the office of the Division of Commercial
12 Recording in the Department of the Treasury. This statement may
13 indicate the authority of one or more particular partners with respect
14 to any matter or class of matters. In addition, either filing has the
15 effect provided in this act with respect to partnership property
16 located in or transactions that occur in this State.

17 b. A certified copy of a statement that has been filed in the
18 office of the Division of Commercial Recording in the Department
19 of the Treasury and recorded in the office of the county recording
20 officer has the effect provided for recorded statements in this act. A
21 recorded statement that is not a certified copy of a statement filed in
22 the office of the Division of Commercial Recording in the
23 Department of the Treasury does not have the effect provided for
24 recorded statements in this act.

25 c. A statement filed by a partnership shall be executed by at
26 least two partners. Other statements shall be executed by a partner
27 or other person authorized by this act. An individual who executes
28 a statement as, or on behalf of, a partner or other person named as a
29 partner in a statement shall personally declare under penalty of
30 perjury that the contents of the statement are accurate.

31 d. A person authorized by this act to file a statement may
32 amend or cancel the statement by filing an amendment or
33 cancellation that names the partnership, identifies the statement, and
34 states the substance of the amendment or cancellation.

35 e. A person who files a statement pursuant to this section shall
36 promptly send a copy of the statement to every nonfiling partner
37 and to any other person named as a partner in the statement. Failure
38 to send a copy of a statement to a partner or other person does not
39 limit the effectiveness of the statement as to a person not a partner.

40 f. The Division of Commercial Recording in the Department of
41 the Treasury may collect a fee for filing or providing a certified
42 copy of a statement. The county recording officer may collect a fee
43 for recording a statement. A fee charged by the division or any
44 county recording officer for the filing or recording of a statement
45 shall be a standard fee per partnership, and shall not vary depending

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.

1 on the number of partners in the partnership.
2 (cf: P.L.2000, c.161, s.6.)

3

4 2. This act shall take effect on the 60th day next following
5 enactment.

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7

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STATEMENT

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10 This bill requires that a fee charged by the Division of
11 Commercial Recording in the Department of the Treasury or any
12 county recording officer for the filing or recording of a
13 partnership's statement, must be a standard fee per partnership, that
14 may not vary depending on the number of partners in the
15 partnership.