ASSEMBLY, No. 3248

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Assemblyman ERIK PETERSON
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Authorizes the Legislative Counsel in the Office of Legislative Services to accept proper and sufficient service of process on behalf of the State Legislature when either or both Houses are named defendants in any legal proceeding.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the duties of the Legislative Counsel to accept service of process and amending P.L.1979, c.8.

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

1. Section 8 of P.L.1979, c.8 (C.52:11-61) is amended to read as follows:

8. It shall be the duty of the Legislative Counsel:

a. To provide general standards for the office to draft, aid in drafting and redrafting bills, resolutions and amendments thereof, and reviewing the same when drafted elsewhere, proposed for introduction in the Legislature and other legislative documents for and upon the request of any legislative commission or of any member, committee or joint committee of the Legislature;

b. To provide general standards for the office to examine and edit legislative bills, proposed for introduction or introduced from time to time in the Senate and General Assembly so as to assure, whenever possible, their compliance with the form and general classification of the Revised Statutes, when so requested or directed by the Legislature or any committee thereof;

c. To furnish assistance and information to the Legislature or any member or committee thereof or to the departments, officers, institutions and agencies of the State and to the public in legal matters concerning the statutes, when so requested;

d. To receive drafts of legislative bills with suggestions and recommendations from the New Jersey Law Revision Commission for the improvement and modification of the general and permanent statute law of the State, and to examine and edit those bills in the same manner as it would other bills under this section;

e. To furnish to the presiding officer of each House of the Legislature or to the committees, joint committees and members of the Legislature, legal assistance, information and advice when and in relation to such matters as the commission shall from time to time determine, relating to

(1) The subject matter and legal effect of the statutes and of proposals made for statutory enactment, and

(2) Questions of parliamentary law and legislative procedure;

f. Upon the written request of either or both Houses of the Legislature, the presiding officer of either House, the majority or minority leader of either House, a legislative committee or commission, to furnish formal written opinions on legal matters;

g. On behalf of the commission to assign appropriate compilation numbers to newly-enacted laws, edit an annual cumulative table of contents to the laws, and initiate administrative corrections in the text of the laws as authorized and directed by R.S.1:3-1 and R.S.1:3-2;

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 <u>thus</u> is new matter.

h. To provide the prime sponsor or prime sponsors, as the case may be, of a legislative bill, joint resolution or concurrent resolution, or amendment thereto, as well as the prime sponsor or prime sponsors, as the case may be, of an identical legislative bill, joint resolution or concurrent resolution, or amendment thereto, at the same time as provided to the requester of a written opinion under this section, with advice of any legal defects, constitutional, procedural or otherwise, of which the Legislative Counsel is aware, notwithstanding the provisions of section 17 of this act (C.52:11-70); **[**and**]**

i. To accept proper and sufficient service of process on behalf of the Legislature when either or both Houses are named party defendants in any legal proceeding; and

[i.**]** j. To perform such other duties and responsibilities as shall be directed by the commission or provided by law or House rule.

(cf. P.L.1999, c.244)

2. This act shall take effect immediately.

STATEMENT

This bill authorizes the Legislative Counsel in the Office of Legislative Services to accept proper and sufficient service of process on behalf of the State Legislature when either or both Houses are named defendants in any legal proceeding.