

ASSEMBLY, No. 3746

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Removes outdated reference to kissing Bible formerly associated with administration and solemnity of oaths in court or any legal proceeding.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning oaths administered in court or any legal
2 proceeding, and amending R.S.41:1-4.

3

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

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7 1. R.S.41:1-4 is amended to read as follows:

8 41:1-4. It shall not be necessary to the solemnity or obligation of
9 an oath administered in any court of justice or any legal proceeding,
10 civil or criminal, in this state, for the person taking the oath to kiss
11 the holy scriptures, but the taking of such oath, while the hand shall
12 be held upon the book, shall answer all the purposes and
13 requirements of the law, any usage or custom to the contrary
14 heretofore notwithstanding. If any persons so sworn shall swear
15 falsely they shall be guilty of perjury **【as though the book had been**
16 **kissed】**.

17 (cf: R.S.41:1-4)

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19 2. This act shall take effect immediately.

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22 STATEMENT

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24 This bill would remove an outdated reference to kissing the
25 Bible, an act formerly associated with the administration of oaths in
26 court or any legal proceeding and the solemnity of such oaths.

27 Under R.S.41:1-4, it states that if a person takes an oath using a
28 Bible, the oath shall bind the person and make the person guilty of
29 perjury for false testimony without the need to kiss the book. The
30 statutory language can be traced back to at least the 19th century,
31 see P.L.1899, c.193, when it would have been more common for
32 oath-taking to be done by placing one's hand on a Bible and then
33 kissing it to demonstrate the solemnity of the oath.

34 The reference to binding an oath-taker "as though the book had
35 been kissed" is now outdated; taking an oath today, even when done
36 with a hand on the Bible, typically does not include kissing the
37 book. As such, the bill would remove the language from the statute.

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.