

ASSEMBLY, No. 5725

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Changes dates on which members of municipal and county committees of political party take office and hold annual meetings; transfers certain election responsibilities to county clerks.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** changing the dates on which members of the municipal and
2 county committees of a political party take office and hold
3 annual meetings and transferring certain responsibilities to
4 county clerks, and amending R.S.19:5-2, R.S.19:5-3, and
5 R.S.19:23-54.

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

9
10 1. R.S.19:5-2 is amended to read as follows:

11 19:5-2. The members of the municipal committees of political
12 parties shall consist of the elected members of the county
13 committee resident in the respective municipalities. The members
14 of the municipal committee shall take office on the **【first】** third
15 Saturday following the certification of the results of their election
16 as members of the county committee, on which day the terms of all
17 members of such committees theretofore elected shall terminate.
18 The annual meeting of each municipal committee shall be held on
19 the **【first Monday】** third Saturday following the certification of the
20 results of the primary election for the general election, at an hour
21 and place to be designated in a notice to be given by the **【chairman】**
22 chairperson to each member and member-elect. The members of
23 each committee shall elect some suitable person who shall be a
24 resident of such municipality as **【chairman】** chairperson. The
25 municipal committee shall have power to adopt a constitution and
26 bylaws for its proper government. The **【chairman】** chairperson
27 shall preside at all meetings of the committee, and shall perform all
28 duties required **【of him】** by law and the constitution and bylaws of
29 such committee.

30 When a member of a municipal committee ceases to be a resident
31 of the district or unit from which elected, a vacancy on the
32 committee shall exist. A member of a municipal committee of any
33 political party may resign **【his】** their office to the committee of
34 which **【he is】** they are a member, and upon acceptance thereof by
35 the committee a vacancy shall exist. A vacancy in the office of a
36 member of a municipal committee of any political party, howsoever
37 caused, shall be filled for the unexpired term by the remaining
38 members of the committee in the municipality in which the vacancy
39 occurs.

40 (cf: P.L.2009, c.135, s.1)

41

42 2. R.S.19:5-3 is amended to read as follows:

43 19:5-3. The members of the county committees of political
44 parties shall be elected at the primary for the general election in the
45 manner provided in this Title for the selection of party candidates to

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 be voted for at the general election by voters of a municipality at
2 such intervals as shall be provided in the bylaws of the county
3 committee. The county committee shall consist of one male and
4 one female member from each unit of representation in the county.
5 The male receiving the highest number of votes among the male
6 candidates and the female receiving the highest number of votes
7 among the female candidates shall be declared elected. Members of
8 the county committee shall actually reside in the districts or units
9 which they respectively represent. The county committee shall
10 determine by its bylaws the units into which the county shall be
11 divided for purpose of representation in the county committee.

12 The members of the county committee of each of the political
13 parties shall take office on the **【first】** third Saturday following the
14 certification of the results of their election, on which day the terms
15 of all members of such committees theretofore elected shall
16 terminate. The annual meeting of each county committee shall be
17 held on the **【first Tuesday】** third Saturday following the
18 certifications of the results of the primary election, except that when
19 such meeting day falls on a legal holiday then the said meeting shall
20 be held on the day following, and when such meeting day falls on
21 the day of a municipal runoff election within the county then said
22 meeting may be held on the day following, at an hour and place to
23 be designated in a notice in writing to be mailed by the chairperson
24 to each member and member-elect. If the annual meeting coincides
25 with a period of religious observance, the meeting may be held on
26 another date, and under no circumstances shall that date occur later
27 than the third Tuesday following the certification of the results of
28 the primary election. The members of such committee shall elect
29 some suitable person as chairperson who shall be a resident of such
30 county to hold office until a successor is elected. The chairperson
31 of the outgoing county committee shall transmit, with the notice of
32 the annual meeting, a copy of the constitution and bylaws to any
33 newly elected committee member. The members shall also elect a
34 vice-chairperson of the opposite sex of the chairperson to hold
35 office for 1 year or until a successor is elected and the vice-
36 chairperson shall perform all duties required by law and the
37 constitution and bylaws of such committee. Any person elected or
38 appointed to membership on the county committee pursuant to
39 R.S.19:5-2 may request, in writing and by certified mail to the
40 county chairperson, such constitution or bylaws currently in effect.
41 The committee member requesting the constitution or bylaws shall
42 receive the constitution or bylaws within 48 hours of the receipt of
43 the request by the chairperson. The chairperson shall preside at all
44 meetings of the committee and shall perform all duties required by
45 law and the constitution and bylaws of such committee.

46 When a member of a county committee ceases to be a resident of
47 the district or unit from which elected, a vacancy on the county
48 committee shall exist. A member of a county committee of any

1 political party may resign **【his or her】** their office to the committee
2 of which **【he or she is】** they are a member, and upon acceptance
3 thereof by the committee, a vacancy shall exist. A vacancy in the
4 office of a member of the county committee of any political party,
5 caused by death, resignation, failure to elect, or removal for cause,
6 shall be filled for the unexpired term by the municipal committee of
7 the municipality wherein the vacancy occurs, if there is such
8 committee, and if not, by the remaining members of the county
9 committee of such political party representing the territory in the
10 county in which such vacancy occurs. The chairperson of the
11 outgoing county committee shall provide a copy of the constitution
12 and bylaws to any committee member appointed pursuant to
13 R.S.19:5-2 to fill a vacancy within three business days of the
14 committee member's selection.

15 The chairperson of the county committee of the several political
16 parties shall, before April 1 in a year in which county committee
17 members are to be elected, certify to the clerk of each municipality
18 in the county the unit of representation in such municipality,
19 together with the enumeration of the election district or districts
20 embraced within such unit.

21 (cf: P.L.2011, c.180, s.1)

22

23 3. R.S.19:23-54 is amended to read as follows:

24 19:23-54. The municipal clerk shall **【forthwith】** canvass the
25 statements of the district board, not later than the third day after
26 they are received, as far as they relate to the election of members of
27 the county committee of any political party, and, after counting
28 information on write-in votes, vote by mail ballots, and provisional
29 ballots received from the county clerk or board of elections, as
30 appropriate, shall issue a certificate of election to each person
31 shown by the returns **【filed in the office of such municipal clerk】** to
32 have been so elected.

33 No person whose name was printed on a primary ballot as a
34 candidate for the county committee shall receive a certificate of
35 election as a member of any other county committee.

36 When a person whose name was not printed on a primary ballot
37 as a candidate for member of the county committee has been elected
38 as a member of the county committee of more than one political
39 party, **【he】** the person shall file with the municipal clerk within
40 three days a statement certifying to which political party **【he】** the
41 person belongs, and a certificate of election shall be issued to such
42 person as a member of the county committee of the political party
43 so certified.

44 Any person elected as a member of the county committee of any
45 political party whose name was not printed upon the primary ballot
46 and to whom a certificate of election has been issued, shall before
47 the organization of the county committee file with the secretary

1 thereof a written statement certifying that **【he】** the person is a
2 member of such political party.

3 The **【municipal】** county clerk shall within thirteen days after the
4 primary election certify **【to the county clerk and also】** to the county
5 board two copies of the names and post-office addresses of the
6 persons elected as members of the county committee of the several
7 political parties, together with the ward, district or unit which they
8 respectively represent.

9 (cf: P.L.2020, c.71, s.4)

10

11 4. This act shall take effect immediately.

12

13

14

STATEMENT

15

16 This bill amends existing law to change the date on which
17 members of the municipal committee of a political party take office
18 from the first Saturday to the second Saturday following their
19 election as members of the county committee. The bill also
20 provides that the annual meeting of a municipal committee will be
21 held on the second Monday following the primary election for the
22 general election rather than on the first Monday after that election.

23 Similarly, the members of the county committee of a political
24 party will take office on the second Saturday, rather than the first
25 Saturday, following the primary election. The bill also provides
26 that the annual meeting of a county committee will be held on the
27 second Tuesday, rather than the first Tuesday, following the
28 primary election.

29 In addition, the bill amends existing law to transfer responsibility
30 for the issuance of certificates of election to county boards and
31 successful candidates for county committee member from municipal
32 clerks to county clerks. This will help to ensure that write-in votes,
33 vote by mail ballots, and provisional ballots will be included in the
34 vote count before such certificates are issued.