

[First Reprint]

ASSEMBLY, No. 5725

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Senator VIN GOPAL

District 11 (Monmouth)

Senator SHIRLEY K. TURNER

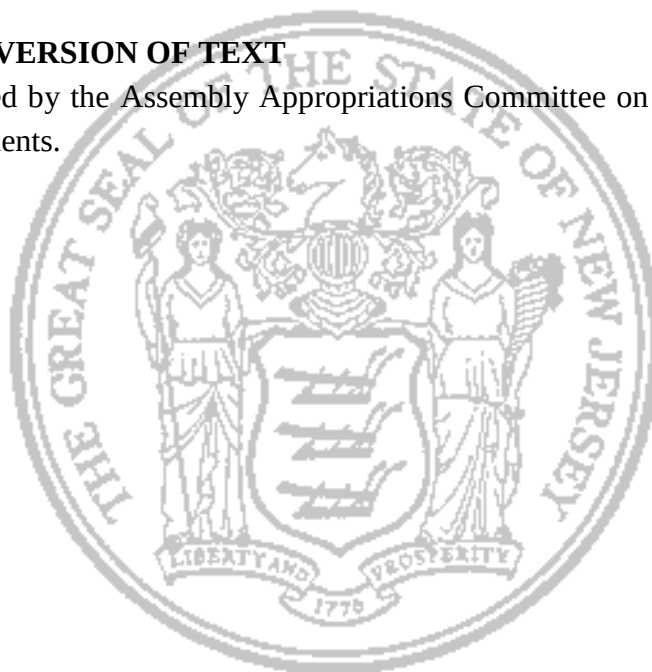
District 15 (Hunterdon and Mercer)

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 reported by the Assembly Appropriations Committee on May 18, 2021, with amendments.



(Sponsorship Updated As Of: 6/3/2021)

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] by**¹ the **[first]**
 15 third Saturday following the certification of the results of their
 16 election as members of the county committee, on which day the
 17 terms of all members of such committees theretofore elected shall
 18 terminate. The annual meeting of each municipal committee shall
 19 be held '**[on] by**¹ the **[first Monday] third Saturday** following the
 20 certification of the results of the primary election for the general
 21 election, at an hour and place to be designated in a notice to be
 22 given by the **[chairman] chairperson** to each member and member-
 23 elect. The members of each committee shall elect some suitable
 24 person who shall be a resident of such municipality as **[chairman]**
 25 chairperson. The municipal committee shall have power to adopt a
 26 constitution and bylaws for its proper government. The **[chairman]**
 27 chairperson shall preside at all meetings of the committee, and shall
 28 perform all duties required **[of him]** by law and the constitution and
 29 bylaws of 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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted May 18, 2021.

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

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

47 When a member of a county committee ceases to be a resident of
48 the district or unit from which elected, a vacancy on the county

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

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

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

23

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

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

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

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

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

1 the organization of the county committee file with the secretary
2 thereof a written statement certifying that **【he】** the person is a
3 member of such political party.

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

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

11

12 4. This act shall take effect immediately.