

P.L. 2021, CHAPTER 108, *approved June 11, 2021*
Assembly, No. 5725 (*First Reprint*)

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:

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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)

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

2 19:5-3. The members of the county committees of political
3 parties shall be elected at the primary for the general election in the
4 manner provided in this Title for the selection of party candidates to
5 be voted for at the general election by voters of a municipality at
6 such intervals as shall be provided in the bylaws of the county
7 committee. The county committee shall consist of one male and
8 one female member from each unit of representation in the county.
9 The male receiving the highest number of votes among the male
10 candidates and the female receiving the highest number of votes
11 among the female candidates shall be declared elected. Members of
12 the county committee shall actually reside in the districts or units
13 which they respectively represent. The county committee shall
14 determine by its bylaws the units into which the county shall be
15 divided for purpose of representation in the county committee.

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

1 meetings of the committee and shall perform all duties required by
2 law and the constitution and bylaws of such committee.

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

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

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

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

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

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

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

1 person as a member of the county committee of the political party
2 so certified.

3 Any person elected as a member of the county committee of any
4 political party whose name was not printed upon the primary ballot
5 and to whom a certificate of election has been issued, shall before
6 the organization of the county committee file with the secretary
7 thereof a written statement certifying that **【he】** the person is a
8 member of such political party.

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

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

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17 4. This act shall take effect immediately.

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