

SENATE, No. 1246

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

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 introduced.



(Sponsorship Updated As Of: 3/5/2020)

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

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

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

38

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

40 19:5-3. The members of the county committees of political
 41 parties shall be elected at the primary for the general election in the
 42 manner provided in this Title for the selection of party candidates to
 43 be voted for at the general election by voters of a municipality at
 44 such intervals as shall be provided in the bylaws of the county
 45 committee. The county committee shall consist of one male and

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 one female member from each unit of representation in the county.
2 The male receiving the highest number of votes among the male
3 candidates and the female receiving the highest number of votes
4 among the female candidates shall be declared elected. Members of
5 the county committee shall actually reside in the districts or units
6 which they respectively represent. The county committee shall
7 determine by its bylaws the units into which the county shall be
8 divided for purpose of representation in the county committee.

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

41 When a member of a county committee ceases to be a resident of
42 the district or unit from which elected, a vacancy on the county
43 committee shall exist. A member of a county committee of any
44 political party may resign his or her office to the committee of
45 which he or she is a member, and upon acceptance thereof by the
46 committee, a vacancy shall exist. A vacancy in the office of a
47 member of the county committee of any political party, caused by
48 death, resignation, failure to elect, or removal for cause, shall be

1 filled for the unexpired term by the municipal committee of the
2 municipality wherein the vacancy occurs, if there is such
3 committee, and if not, by the remaining members of the county
4 committee of such political party representing the territory in the
5 county in which such vacancy occurs. The chairperson of the
6 outgoing county committee shall provide a copy of the constitution
7 and bylaws to any committee member appointed pursuant to
8 R.S.19:5-2 to fill a vacancy within three business days of the
9 committee member's selection.

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

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

17

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

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

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

31 When a person whose name was not printed on a primary ballot
32 as a candidate for member of the county committee has been elected
33 as a member of the county committee of more than one political
34 party, he shall file with the municipal clerk within three days a
35 statement certifying to which political party he belongs, and a
36 certificate of election shall be issued to such person as a member of
37 the county committee of the political party so certified.

38 Any person elected as a member of the county committee of any
39 political party whose name was not printed upon the primary ballot
40 and to whom a certificate of election has been issued, shall before
41 the organization of the county committee file with the secretary
42 thereof a written statement certifying that he is a member of such
43 political party.

44 The **【municipal】** county clerk shall within eight days after the
45 primary election certify **【to the county clerk and also】** to the county
46 board two copies of the names and post-office addresses of the
47 persons elected as members of the county committee of the several

1 political parties, together with the ward, district or unit which they
2 respectively represent.

3 (cf: R.S.19:23-54)

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5 4. This act shall take effect immediately.

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STATEMENT

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10 This bill amends existing law to change the date on which
11 members of the municipal committee of a political party take office
12 from the first Saturday to the second Saturday following their
13 election as members of the county committee. The bill also
14 provides that the annual meeting of a municipal committee will be
15 held on the second Monday following the primary election for the
16 general election rather than on the first Monday after that election.

17 Similarly, the members of the county committee of a political
18 party will take office on the second Saturday, rather than the first
19 Saturday, following the primary election. The bill also provides
20 that the annual meeting of a county committee will be held on the
21 second Tuesday, rather than the first Tuesday, following the
22 primary election.

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