

[First Reprint]

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 reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on March 5, 2020, with amendments.



(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 ¹the certification of the results of¹ 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]** third ¹**[Monday]** Saturday¹ following the ¹certification
 20 of the results of the¹ primary election for the general election, at an
 21 hour and place to be designated in a notice to be given by the
 22 ¹**[chairman]** chairperson¹ to each member and member-elect. The
 23 members of each committee shall elect some suitable person who
 24 shall be a resident of such municipality as ¹**[chairman]**
 25 chairperson¹. The municipal committee shall have power to adopt a
 26 constitution and bylaws for its proper government. The
 27 ¹**[chairman]** chairperson¹ shall preside at all meetings of the
 28 committee, and shall perform all duties required ¹**[of him]**¹ by law
 29 and the constitution and 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 ¹**[his]** their¹ office to the committee of
 34 which ¹**[he is]** they are¹ 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:

¹Senate SSG committee amendments adopted March 5, 2020.

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

1 When a member of a county committee ceases to be a resident of
2 the district or unit from which elected, a vacancy on the county
3 committee shall exist. A member of a county committee of any
4 political party may resign ¹~~his or her~~ their¹ office to the
5 committee of which ¹~~he or she is~~ they are¹ a member, and upon
6 acceptance thereof by the committee, a vacancy shall exist. A
7 vacancy in the office of a member of the county committee of any
8 political party, caused by death, resignation, failure to elect, or
9 removal for cause, shall be filled for the unexpired term by the
10 municipal committee of the municipality wherein the vacancy
11 occurs, if there is such committee, and if not, by the remaining
12 members of the county committee of such political party
13 representing the territory in the county in which such vacancy
14 occurs. The chairperson of the outgoing county committee shall
15 provide a copy of the constitution and bylaws to any committee
16 member appointed pursuant to R.S.19:5-2 to fill a vacancy within
17 three business days of the committee member's selection.

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

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

25

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

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

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

39 When a person whose name was not printed on a primary ballot
40 as a candidate for member of the county committee has been elected
41 as a member of the county committee of more than one political
42 party, ¹~~he~~ the person¹ shall file with the municipal clerk within
43 three days a statement certifying to which political party ¹~~he~~ the
44 person¹ belongs, and a certificate of election shall be issued to such
45 person as a member of the county committee of the political party
46 so certified.

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

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

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

14

15 4. This act shall take effect immediately.