

[Second 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 amended by the Senate on June 3, 2021.



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

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

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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

19:5-2. The members of the municipal committees of political parties shall consist of the elected members of the county committee resident in the respective municipalities. The members of the municipal committee shall take office ²~~on~~ ^{by} the ~~first~~ third Saturday following ¹~~the certification of the results of~~ their election as members of the county committee, on which day the terms of all members of such committees theretofore elected shall terminate. The annual meeting of each municipal committee shall be held ²~~on~~ ^{by} the ~~first~~ third ~~Monday~~ Saturday following the ¹~~certification of the results of the~~ primary election for the general election, at an hour and place to be designated in a notice to be given by the ¹~~chairman~~ chairperson to each member and member-elect. The members of each committee shall elect some suitable person who shall be a resident of such municipality as ¹~~chairman~~ chairperson. The municipal committee shall have power to adopt a constitution and bylaws for its proper government. The ¹~~chairman~~ chairperson shall preside at all meetings of the committee, and shall perform all duties required ¹~~of him~~ by law and the constitution and bylaws of such committee.

When a member of a municipal committee ceases to be a resident of the district or unit from which elected, a vacancy on the committee shall exist. A member of a municipal committee of any political party may resign ¹~~his~~ their office to the committee of which ¹~~he is~~ they are a member, and upon acceptance thereof by the committee a vacancy shall exist. A vacancy in the office of a member of a municipal committee of any political party, howsoever caused, shall be filled for the unexpired term by the remaining members of the committee in the municipality in which the vacancy occurs.

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

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

19:5-3. The members of the county committees of political parties shall be elected at the primary for the general election in the 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

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted March 5, 2020.

²Senate floor amendments adopted June 3, 2021.

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 ²[on] ~~by~~² the ~~first~~ third Saturday
14 following ¹the certification of the results of¹ their election, on
15 which day the terms of all members of such committees theretofore
16 elected shall terminate. The annual meeting of each county
17 committee shall be held ²[on] ~~by~~² the ~~first~~ third ¹~~Tuesday~~
18 Saturday¹ following the ¹certification of the results of the¹ primary
19 election, except that when such meeting day falls on a legal holiday
20 then the said meeting shall be held on the day following, and when
21 such meeting day falls on the day of a municipal runoff election
22 within the county then said meeting may be held on the day
23 following, at an hour and place to be designated in a notice in
24 writing to be mailed by the chairperson to each member and
25 member-elect. If the annual meeting coincides with a period of
26 religious observance, the meeting may be held on another date, and
27 under no circumstances shall that date occur later than the third
28 Tuesday following the ¹certification of the results of the¹ primary
29 election. The members of such committee shall elect some suitable
30 person as chairperson who shall be a resident of such county to hold
31 office until a successor is elected. The chairperson of the outgoing
32 county committee shall transmit, with the notice of the annual
33 meeting, a copy of the constitution and bylaws to any newly elected
34 committee member. The members shall also elect a vice-
35 chairperson of the opposite sex of the chairperson to hold office for
36 1 year or until a successor is elected and the vice-chairperson shall
37 perform all duties required by law and the constitution and bylaws
38 of such committee. Any person elected or appointed to
39 membership on the county committee pursuant to R.S.19:5-2 may
40 request, in writing and by certified mail to the county chairperson,
41 such constitution or bylaws currently in effect. The committee
42 member requesting the constitution or bylaws shall receive the
43 constitution or bylaws within 48 hours of the receipt of the request
44 by the chairperson. The chairperson shall preside at all meetings of
45 the committee and shall perform all duties required by law and the
46 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 ¹~~['his or her']~~ their¹ office to the
3 committee of which ¹~~['he or she is']~~ they are¹ a member, and upon
4 acceptance thereof by the committee, a vacancy shall exist. A
5 vacancy in the office of a member of the county committee of any
6 political party, caused by death, resignation, failure to elect, or
7 removal for cause, shall be filled for the unexpired term by the
8 municipal committee of the municipality wherein the vacancy
9 occurs, if there is such committee, and if not, by the remaining
10 members of the county committee of such political party
11 representing the territory in the county in which such vacancy
12 occurs. The chairperson of the outgoing county committee shall
13 provide a copy of the constitution and bylaws to any committee
14 member appointed pursuant to R.S.19:5-2 to fill a vacancy within
15 three business days of the 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 ²**[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, ¹~~['he']~~ the person¹ shall file with the municipal clerk within
41 three days a statement certifying to which political party ¹~~['he']~~ the
42 person¹ 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
48 the organization of the county committee file with the secretary

1 thereof a written statement certifying that '1[he] the person' is a
2 member of such political party.

3 The [municipal] county clerk shall within eight 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: R.S.19:23-54)]²

10

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

12 19:23-54. The municipal clerk shall [forthwith] canvass the
13 statements of the district board, not later than the third day after
14 they are received, as far as they relate to the election of members of
15 the county committee of any political party, and, after counting
16 information on write-in votes, vote by mail ballots, and provisional
17 ballots received from the county clerk or board of elections, as
18 appropriate, shall issue a certificate of election to each person
19 shown by the returns [filed in the office of such municipal clerk] to
20 have been so elected.

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

24 When a person whose name was not printed on a primary ballot
25 as a candidate for member of the county committee has been elected
26 as a member of the county committee of more than one political
27 party, [he] the person shall file with the municipal clerk within
28 three days a statement certifying to which political party [he] the
29 person belongs, and a certificate of election shall be issued to such
30 person as a member of the county committee of the political party
31 so certified.

32 Any person elected as a member of the county committee of any
33 political party whose name was not printed upon the primary ballot
34 and to whom a certificate of election has been issued, shall before
35 the organization of the county committee file with the secretary
36 thereof a written statement certifying that [he] the person is a
37 member of such political party.

38 The [municipal] county clerk shall within thirteen days after the
39 primary election certify [to the county clerk and also] to the county
40 board two copies of the names and post-office addresses of the
41 persons elected as members of the county committee of the several
42 political parties, together with the ward, district or unit which they
43 respectively represent.²

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

45

46 4. This act shall take effect immediately.