SENATE, No. 2667

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JULY 6, 2020

Sponsored by:
Senator NILSA I. CRUZ-PEREZ
District 5 (Camden and Gloucester)

SYNOPSIS

Permits municipalities having population under 2,500 to withdraw from civil service by ordinance.

CURRENT VERSION OF TEXT

As introduced.

AN ACT permitting certain municipalities to rescind, by ordinance, the adoption of Title 11A, Civil Service, and supplementing Title 11A of the New Jersey Statutes.

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

1. a. As used in this section, "municipality" means a municipality having a population of fewer than 2,500 persons, according to the most recent federal decennial census.

b. The governing body of a municipality operating under the provisions of Title 11A of the New Jersey Statutes may, by ordinance, rescind the adoption of Title 11A, Civil Service, of the New Jersey Statutes.

c. If the governing body of a municipality rescinds the adoption of Title 11A of the New Jersey Statutes by ordinance, the ordinance shall be certified by the clerk of the municipality to the New Jersey Civil Service Commission. The rescission shall take effect six months following final adoption of the ordinance. If a governing body rejects an ordinance to rescind the adoption of Title 11A of the New Jersey Statutes, a new vote by the governing body on an ordinance to rescind shall not be held for a period of at least five years following the rejection of rescission.

d. A municipality which rescinds the adoption of the provisions of Title 11A of the New Jersey Statutes shall not readopt the provisions of that title for a period of at least five years from the effective date of the rescission. Readoption of the provisions of Title 11A of the New Jersey Statutes may be exercised only once. A readoption of the provisions of Title 11A, pursuant to this section, shall be conducted in the same manner provided for the adoption thereof contained in N.J.S.11A:9-1 et seq.

e. The commission shall promulgate regulations pursuant to the "Administrative Procedure Act, P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the provisions of this section.

2. This act shall take effect immediately.

STATEMENT

This bill permits the governing body of a municipality having fewer than 2,500 persons, according to the latest federal decennial census, that operates under the provisions of Title 11A, Civil Service, of the New Jersey Statutes to rescind the adoption of Title 11A by ordinance.

If the governing body of a municipality rescinds the adoption of Title 11A by ordinance, the rescission will take effect six months following the passage of the ordinance.

If a governing body rejects an ordinance to rescind the adoption of Title 11A of the New Jersey Statutes, a new vote by the governing body on an ordinance to rescind will not be held for a period of at least five years following the rejection of rescission.

A municipality which rescinds the adoption of the provisions of Title 11A of the New Jersey Statutes cannot readopt the provisions of that title for a period of at least five years from the effective date of the rescission and will be permitted to readopt the provisions of Title 11A only once.