

# ASSEMBLY, No. 328

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblywoman MICHELE MATSIKLOUDIS**

**District 21 (Morris, Somerset and Union)**

**Co-Sponsored by:**

**Assemblywoman Lampitt**

**SYNOPSIS**

Requires all elected or appointed local government officers to receive ethics training.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning local government ethics and supplementing  
2 P.L.1991, c.29 (C.40A:9-22.1 et seq.).

3

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

6

7 1. a. Each local government officer serving in this State shall  
8 complete a training program regarding the requirements of the  
9 "Local Government Ethics Law," P.L.1991, c.29 (C.40A:9-22.1 et  
10 seq.), and any additional requirements of an applicable municipal or  
11 county code of ethics adopted pursuant thereto. A newly elected or  
12 appointed local government officer shall complete the training  
13 program required under this section during the first six months of  
14 the officer's first term, or if first elected or appointed prior to the  
15 promulgation of rules and regulations under section 2 of P.L. , c.  
16 (C. ) (pending before the Legislature as this bill), within six  
17 months following the promulgation of those rules and regulations.  
18 Once a local government officer completes the training program  
19 required by this section, that officer shall not be required to repeat  
20 the training when subsequently elected or appointed to any other  
21 local governing body or local government agency, except for  
22 updates as may be required under subsection b. of this section.

23 b. The Division of Local Government Services in the  
24 Department of Community Affairs shall develop the training  
25 program required pursuant to subsection a. of this section. In  
26 developing the program, the division shall examine similar  
27 programs developed by the various public, non-profit, and private  
28 sector entities currently at the forefront of government ethics issues  
29 and training across the country, and shall survey the available  
30 training resources and methods. The training program that is  
31 developed shall not be limited to live training venues, but may  
32 instead be delivered through online or video technology when  
33 practicable. The training may be provided by employees of the  
34 department or by any person, agency, organization or entity  
35 contracted by the department for that purpose, and shall be offered  
36 on a semi-yearly or more frequent basis at locations easily  
37 accessible to those receiving the training. The training program  
38 may include a requirement that local government officers attend  
39 update sessions when there is a significant change to the ethics laws  
40 or regulations.

41 c. Upon completion of the training required pursuant to this  
42 section, each local government officer shall sign a statement  
43 asserting that the officer has received the training and understands  
44 the requirements of the "Local Government Ethics Law," P.L.1991,  
45 c.29 (C.40A:9-22.1 et seq.), and any additional requirements of an  
46 applicable municipal or county code of ethics adopted pursuant  
47 thereto.

1       2. Within 120 days of the effective date of this act, the  
2 Commissioner of Community Affairs shall, in accordance with the  
3 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
4 seq.), adopt and promulgate the rules and regulations necessary for  
5 the implementation of this act. The rules and regulations shall  
6 include a time frame that shall not exceed 18 months from the  
7 promulgation of the rules and regulations, for the training of each  
8 local government officer in this State serving at that time, and shall  
9 implement in an escalating schedule, from \$1,000 to \$5,000,  
10 personal fines that shall not be paid or reimbursed by the governing  
11 body or local government agency, for the failure of a local  
12 government officer to complete the training within the specified  
13 time frame. Fines imposed pursuant to this subsection shall be  
14 collected in accordance with the "Penalty Enforcement Law of  
15 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

16

17       3. This act shall take effect immediately, except that section 1  
18 shall remain inoperable until the promulgation of rules and  
19 regulations pursuant to section 2.

20

21

22

#### STATEMENT

23

24       This bill would supplement the "Local Government Ethics Law,"  
25 P.L.1991, c.29 (C.40A:9-22.1 et seq.), to require all local  
26 government officers to complete training concerning the  
27 requirements of that law and any applicable municipal or county  
28 code of ethics adopted pursuant thereto. The law currently defines  
29 a "local government officer" as:

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

The training would be developed by the Division of Local  
Government Services in the Department of Community Affairs, and  
would be administered on a semi-annual or more frequent basis by  
employees of that department or by an individual, agency,  
organization or entity contracted by the department to do so. In

**A328 MATSIKOUDIS**

1 developing the training, the bill would require the division to  
2 examine similar programs in this and other states and to survey the  
3 available training resources and methods. The Commissioner of  
4 Community Affairs would develop the program's rules and  
5 regulations, which would include a time frame, not to exceed 18  
6 months from the promulgation of the rules, for the training and an  
7 escalating fine schedule, from \$1,000 to \$5,000, for the failure of a  
8 local government officer to receive the training within the specified  
9 time frame.

10 Recently, the widely publicized violations of law at the local  
11 level underscore the need for legislative measures such as this bill.  
12 The education and training of all local government officers, as this  
13 bill would require, is an important first step towards greater  
14 integrity at all levels of government.