

## CHAPTER 108

**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:

Membership and organization of municipal committees.

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 by the third Saturday following 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 by the third Saturday following the 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 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 chairperson. The municipal committee shall have power to adopt a constitution and bylaws for its proper government. The chairperson shall preside at all meetings of the committee, and shall perform all duties required 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 their office to the committee of which 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.

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

Membership and organization of county committees; vacancies; certification of unit of representation and number of election districts.

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 be voted for at the general election by voters of a municipality at such intervals as shall be provided in the bylaws of the county committee. The county committee shall consist of one male and one female member from each unit of representation in the county. The male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. Members of the county committee shall actually reside in the districts or units which they respectively represent. The county committee shall determine by its bylaws the units into which the county shall be divided for purpose of representation in the county committee.

The members of the county committee of each of the political parties shall take office by the third Saturday following the certification of the results of their election, on which day the terms of all members of such committees theretofore elected shall terminate. The annual meeting of each county committee shall be held by the third Saturday following the

certifications of the results of the primary election, except that when such meeting day falls on a legal holiday then the said meeting shall be held on the day following, and when such meeting day falls on the day of a municipal runoff election within the county then said meeting may be held on the day following, at an hour and place to be designated in a notice in writing to be mailed by the chairperson to each member and member-elect. If the annual meeting coincides with a period of religious observance, the meeting may be held on another date, and under no circumstances shall that date occur later than the third Tuesday following the certification of the results of the primary election. The members of such committee shall elect some suitable person as chairperson who shall be a resident of such county to hold office until a successor is elected. The chairperson of the outgoing county committee shall transmit, with the notice of the annual meeting, a copy of the constitution and bylaws to any newly elected committee member. The members shall also elect a vice-chairperson of the opposite sex of the chairperson to hold office for 1 year or until a successor is elected and the vice-chairperson shall perform all duties required by law and the constitution and bylaws of such committee. Any person elected or appointed to membership on the county committee pursuant to R.S.19:5-2 may request, in writing and by certified mail to the county chairperson, such constitution or bylaws currently in effect. The committee member requesting the constitution or bylaws shall receive the constitution or bylaws within 48 hours of the receipt of the request by the chairperson. The chairperson shall preside at all meetings of the committee and shall perform all duties required by law and the constitution and bylaws of such committee.

When a member of a county committee ceases to be a resident of the district or unit from which elected, a vacancy on the county committee shall exist. A member of a county committee of any political party may resign their office to the committee of which they are a member, and upon acceptance thereof by the committee, a vacancy shall exist. A vacancy in the office of a member of the county committee of any political party, caused by death, resignation, failure to elect, or removal for cause, shall be filled for the unexpired term by the municipal committee of the municipality wherein the vacancy occurs, if there is such committee, and if not, by the remaining members of the county committee of such political party representing the territory in the county in which such vacancy occurs. The chairperson of the outgoing county committee shall provide a copy of the constitution and bylaws to any committee member appointed pursuant to R.S.19:5-2 to fill a vacancy within three business days of the committee member's selection.

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

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

Canvass of votes by municipal clerks; certificates of election to county board.

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

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

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

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

The county clerk shall within thirteen days after the primary election certify to the county board two copies of the names and post-office addresses of the persons elected as members of the county committee of the several political parties, together with the ward, district or unit which they respectively represent.

4. This act shall take effect immediately.

Approved June 11, 2021.