ASSEMBLY CONCURRENT RESOLUTION No. 52

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:
Assemblyman CHRIS A. BROWN
District 2 (Atlantic)

SYNOPSIS
Proposes amendment to State Constitution to limit General Assembly members to five successive terms and Senate members to three successive terms.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel
ACR52 C.A.BROWN

A Concurrent Resolution proposing to amend Article IV, Section II, paragraphs 2 and 4 of the Constitution of the State of New Jersey.

Be It Resolved by the General Assembly of the State of New Jersey (the Senate concurring):

1. The following proposed amendment to the Constitution of the State of New Jersey is agreed to:

PROPOSED AMENDMENT

Amend Article IV, Section II, paragraphs 2 and 4 to read as follows:

a. 2. Each senator shall be elected by the legally qualified voters of the Senate district, except that if the Senate district is composed of two or more counties and two senators are apportioned to the district, one senator shall be elected by the legally qualified voters of each Assembly district. Each senator shall be elected for a term beginning at noon of the second Tuesday in January next following his election and ending at noon of the second Tuesday in January four years thereafter, except that each senator, to be elected for a term beginning in January of the second year following the year in which a decennial census of the United States is taken, shall be elected for a term of two years. No member of the Senate shall be eligible to serve more than three successive terms in the Senate until after at least one intervening Senate term during which the member did not serve. An unexpired term of office in the Senate filled, through election or appointment, by a member shall be included in the term limitation.

Terms of service shall be considered successive unless there is a break in service consisting of one intervening term.

(cf: Art.IV, Sec.II, para.2, amended effective December 8, 1966)

b. 4. Two members of the General Assembly shall be elected by the legally qualified voters of each Assembly district for terms beginning at noon of the second Tuesday in January next following their election and ending at noon of the second Tuesday in January two years thereafter. No member of the General Assembly shall be eligible to serve more than five successive two-year terms in the General Assembly until after at least one intervening General Assembly term during which the member did not serve. An unexpired term of office in the General Assembly filled, through election or appointment, by a member shall be included in the term limitation.

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.
Terms of service shall be considered successive unless there is a break in service consisting of one intervening term.

(cf: Art.IV, Sec.II, para.4, amended effective December 8, 1966)

2. When this proposed amendment to the Constitution is finally agreed to pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted to the people at the next general election occurring more than three months after the final agreement and shall be published at least once in at least one newspaper of each county designated by the President of the Senate, the Speaker of the General Assembly and the Secretary of State, not less than three months prior to the general election.

3. This proposed amendment to the Constitution shall be submitted to the people at that election in the following manner and form:

There shall be printed on each official ballot to be used at the general election, the following:

a. In every municipality in which voting machines are not used, a legend which shall immediately precede the question as follows:

If you favor the proposition printed below make a cross (X), plus (+), or check (☑) in the square opposite the word "Yes." If you are opposed thereto make a cross (X), plus (+) or check (☑) in the square opposite the word "No."

b. In every municipality the following question:
CONSTITUTIONAL AMENDMENT TO LIMIT LEGISLATIVE TERMS
Shall the amendments to the New Jersey Constitution, agreed to by the Legislature, limiting the members of the Senate to serving three successive terms in office and limiting the members of the General Assembly to serving five successive terms in office, with members not eligible to again hold that office until after at least one intervening term of office following the expiration of the successive terms, be approved?

INTERPRETIVE STATEMENT
This amendment to the Constitution of the State of New Jersey, if approved, would limit service as a member of the Senate to three successive terms in office, or a total of ten years, and limit service as a member of the General Assembly to five successive terms, or ten years, in office. Members would not be eligible to again hold that office until after at least one intervening term of office following the expiration of the successive terms. This amendment would be first applicable to members of the Senate and the General Assembly elected at the general election in 2011. This would mean that no term of office prior to the general election in 2011 will be considered in determining an individual’s eligibility to serve as a member of the Senate or General Assembly.

SCHEDULE
This constitutional amendment shall be first applicable to members of the Senate and the General Assembly elected at the general election in 2011.

STATEMENT
Currently, there are no limits on the number of terms of office a member of the Senate or the General Assembly may serve. This amendment to the Constitution, if approved, would limit service as
a member of the Senate to three successive terms in office, or a total
of ten years, and limit service as a member of the General Assembly
to five successive terms in office, or also a total of ten years.
Members would not be eligible to again hold that office until after
at least one intervening term of office following the expiration of
the last successive term. Terms of service will be considered
successive unless there is a break in service consisting of one
intervening term of that House.
The amendment would be applicable to the Senate and General
Assembly members elected at the general election in 2011. This
would mean that no term of office prior to the general election in
2011 will be considered in determining an individual’s eligibility to
serve as a member of the Senate or General Assembly.