

ASSEMBLY, No. 4147

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 11, 2020

Sponsored by:

Assemblyman BRIAN BERGEN

District 25 (Morris and Somerset)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

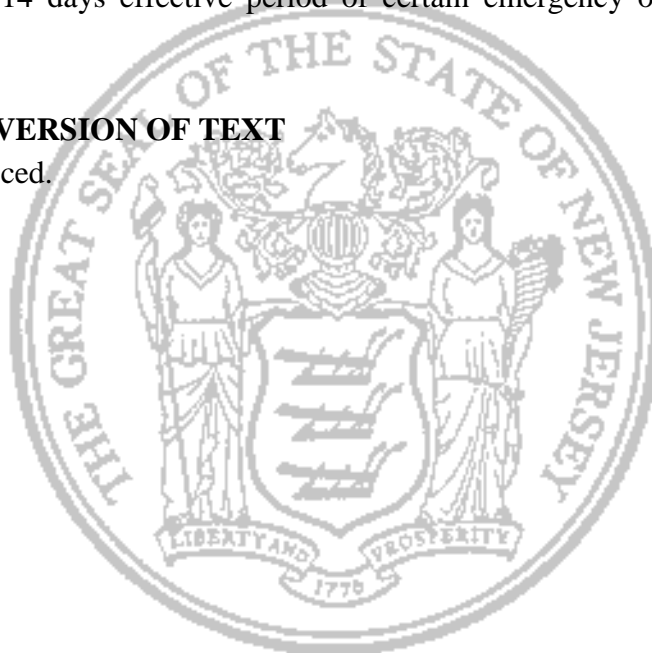
Assemblymen DePhillips, DiMaio, Assemblywomen Dunn, Gove, Assemblymen Rumpf, S.Kean, Scharfenberger, Assemblywoman Stanfield, Assemblymen Space, Thomson, Rooney, Webber, Wirths, McGuckin, Catalano, Bramnick, Peterson, Assemblywoman DiMaso, Assemblyman Clifton and Assemblywoman N.Munoz

SYNOPSIS

Limits to 14 days effective period of certain emergency orders, rules, or regulations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/12/2021)

1 AN ACT concerning the issuance of certain orders, rules, and
2 regulations during a state of emergency and supplementing
3 P.L.1942, c.251 (C.App.A.9-33 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. Any order, rule, or regulation issued by the Governor
9 pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.) shall terminate
10 on the 15th day after issuance, unless approved for a greater period
11 by the Legislature pursuant to concurrent resolution. The Governor
12 shall not issue, for the same emergency, an order, rule, or regulation
13 to the same or substantially same effect as one terminated pursuant
14 to this subsection.

15 b. This section shall not apply to any order, rule, or regulation:

16 (1) rescinding an order, rule, or regulation issued pursuant to
17 P.L.1942, c.251 (C.App.A:9-33 et seq.);

18 (2) issued pursuant to direction by or agreement with the federal
19 government, in compliance with federal law, or such that
20 application of this section would jeopardize the receipt of federal
21 funds by this State;

22 (3) applying exclusively to any or all of the executive and
23 administrative offices, departments, and instrumentalities of the
24 State government;

25 (4) issued under the authority of the Governor as the
26 Commander-in-Chief of all the military and naval forces of the
27 State; or

28 (5) issued pursuant to any other provision of law providing for a
29 greater period, notwithstanding that such order, rule, or regulation
30 invokes any authority under the provisions of P.L.1942, c.251
31 (C.App.A:9-33 et seq.).
32

33 2. This act shall take effect immediately.
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36 STATEMENT
37

38 This bill provides that any order, rule, or regulation issued by the
39 Governor pursuant to the "Civil Defense and Disaster Control Act"
40 will terminate on the 15th day after issuance, unless the Legislature
41 approves a greater period of time by way of concurrent resolution.
42 The bill prohibits the Governor from issuing an order, rule, or
43 regulation to the same or substantially same effect as one
44 terminated pursuant to the bill for the same emergency.

45 The bill does not apply to orders, rules, or regulations:

46 (1) rescinding an order, rule, or regulation issued pursuant to the
47 "Civil Defense and Disaster Control Act";

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- 1 (2) issued pursuant to direction by or agreement with the federal
2 government, in compliance with federal law, or to the extent that
3 application of the bill would jeopardize the receipt of federal funds
4 by the State;
- 5 (3) applying exclusively to the executive branch;
- 6 (4) issued under the Governor's authority as the Commander-in-
7 Chief of the military and naval forces of the State; or
- 8 (5) issued pursuant to a provision of law providing for a greater
9 period, notwithstanding that the order, rule, or regulation may also
10 cite to an authority provided under the "Civil Defense and Disaster
11 Control Act."