

ASSEMBLY, No. 4244

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:
Assemblyman ROBERT J. KARABINCHAK
District 18 (Middlesex)

SYNOPSIS

Authorizes religious corporations to hold remote meetings during state of emergency declared by Governor.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning religious corporations and remote meetings and
2 amending R.S.16:1-5 and R.S.16:1-10.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.16:1-5 is amended to read as follows:

8 16:1-5. a. The proceedings, orders and acts of a majority of
9 the members of such corporation present in person at any duly
10 convened annual or special meeting, but not of a less number shall
11 be valid and effectual. During a state of emergency declared by the
12 Governor, a meeting of members may be held by means of remote
13 communication to the extent the trustees authorize and adopt
14 guidelines and procedures governing such a meeting.

15 b. One or more members may participate in a meeting by
16 means of remote communication to the extent the trustees authorize
17 that participation. Meetings conducted in part or solely by means of
18 remote communication and any member's remote participation in
19 those meetings shall be subject to those guidelines and procedures
20 as the trustees adopt and shall be in conformity with subsection c.
21 of this section.

22 c. A member participating in a meeting by means of remote
23 communication, in reliance upon subsection a. of this section, shall
24 be deemed present in person and shall be entitled to vote at the
25 meeting regardless of whether that meeting is held at a designated
26 place or solely by means of remote communication. In any meeting
27 conducted in part or solely by means of remote communication in
28 reliance upon subsection a. of this section, the corporation shall
29 implement reasonable measures to:

30 (1) verify that each person participating remotely is a member;

31 (2) provide each member participating remotely with a
32 reasonable opportunity to participate in the meeting, including an
33 opportunity to vote on matters submitted to the members, and to
34 read or hear the proceedings of the meeting substantially
35 concurrently with those proceedings; and

36 (3) record and maintain a record of any votes or other actions
37 taken by remote communication at the meeting.

38 (cf: P.L.1955, c.124, s.1)

39

40 2. R.S.16:1-10 is amended to read as follows:

41 16:1-10. The annual meetings for the election of trustees and
42 officers shall be called by the board of trustees of such religious
43 society or congregation upon [ten] 10 days' notice, signed by the
44 secretary of the board and posted as required in [section] R.S.16:1-1
45 [of this Title]. If the board has authorized participation by members

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.

1 by means of remote communication pursuant to R.S.16:1-5, the
2 notice to members shall describe the means of remote
3 communication to be used. A meeting held by means of remote
4 communication may occur after a state of emergency has been lifted
5 if notice of the meeting was provided during the state of emergency.
6 The meeting when convened shall select its own officers and
7 determine its own rules of procedure.
8 (cf: P.L.1955, c.124, s.6)

9
10 3. This act shall take effect immediately.

11
12
13 STATEMENT

14
15 This bill allows members of religious corporations to hold, either
16 solely or in part, meetings by means of remote communication
17 during a state of emergency.

18 Pursuant to current law, meetings of members are required to be
19 held at a physical location, with no provision for members to
20 participate by alternative means during a state of emergency. Under
21 this bill, remote communication of meetings will be permitted if a
22 state of emergency is declared by the Governor. During the state of
23 emergency, a meeting of members may be held by means of remote
24 communication to the extent that the board of trustees authorize and
25 adopt guidelines and procedures governing such a meeting.

26 The bill will also provide that members are deemed present if
27 participating in a meeting by means of remote communication,
28 regardless of whether the meeting is held solely by means of remote
29 communication or in part.

30 In times of crisis, remote meetings can offer broader accessibility
31 to members and increase member participation. It also provides
32 religious corporations with the flexibility that they may need to
33 respond to any challenges that may occur because of a state of
34 emergency declaration.