

SENATE, No. 666

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Prohibits the use of county and municipal vehicles by part-time elected local government officers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT prohibiting the use of county and municipal vehicles by
2 part-time elected local government officers, and amending
3 P.L.1991, c.29.

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

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8 1. Section 5 of P.L.1991, c.29 (C.40A:9-22.5) is amended to
9 read as follows:

10 5. Local government officers or employees under the
11 jurisdiction of the Local Finance Board shall comply with the
12 following provisions:

13 a. No local government officer or employee or member of his
14 immediate family shall have an interest in a business organization
15 or engage in any business, transaction, or professional activity,
16 which is in substantial conflict with the proper discharge of his
17 duties in the public interest;

18 b. No independent local authority shall, for a period of one year
19 next subsequent to the termination of office of a member of that
20 authority:

21 (1) award any contract which is not publicly bid to a former
22 member of that authority;

23 (2) allow a former member of that authority to represent, appear
24 for or negotiate on behalf of any other party before that authority;
25 or

26 (3) employ for compensation, except pursuant to open
27 competitive examination in accordance with Title 11A of the New
28 Jersey Statutes and the rules and regulations promulgated pursuant
29 thereto, any former member of that authority.

30 The restrictions contained in this subsection shall also apply to
31 any business organization in which the former authority member
32 holds an interest.

33 c. No local government officer or employee shall use or
34 attempt to use his official position to secure unwarranted privileges
35 or advantages for himself or others;

36 d. No local government officer or employee shall act in his
37 official capacity in any matter where he, a member of his immediate
38 family, or a business organization in which he has an interest, has a
39 direct or indirect financial or personal involvement that might
40 reasonably be expected to impair his objectivity or independence of
41 judgment;

42 e. No local government officer or employee shall undertake
43 any employment or service, whether compensated or not, which
44 might reasonably be expected to prejudice his independence of
45 judgment in the exercise of his official duties;

46 f. No local government officer or employee, member of his
47 immediate family, or business organization in which he has an

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 interest, shall solicit or accept any gift, favor, loan, political
2 contribution, service, promise of future employment, or other thing
3 of value based upon an understanding that the gift, favor, loan,
4 contribution, service, promise, or other thing of value was given or
5 offered for the purpose of influencing him, directly or indirectly, in
6 the discharge of his official duties. This provision shall not apply
7 to the solicitation or acceptance of contributions to the campaign of
8 an announced candidate for elective public office, if the local
9 government officer has no knowledge or reason to believe that the
10 campaign contribution, if accepted, was given with the intent to
11 influence the local government officer in the discharge of his
12 official duties;

13 g. No local government officer or employee shall use, or allow
14 to be used, his public office or employment, or any information, not
15 generally available to the members of the public, which he receives
16 or acquires in the course of and by reason of his office or
17 employment, for the purpose of securing financial gain for himself,
18 any member of his immediate family, or any business organization
19 with which he is associated;

20 h. No local government officer or employee or business
21 organization in which he has an interest shall represent any person
22 or party other than the local government in connection with any
23 cause, proceeding, application or other matter pending before any
24 agency in the local government in which he serves. This provision
25 shall not be deemed to prohibit one local government employee
26 from representing another local government employee where the
27 local government agency is the employer and the representation is
28 within the context of official labor union or similar representational
29 responsibilities;

30 i. No local government officer shall be deemed in conflict with
31 these provisions if, by reason of his participation in the enactment
32 of any ordinance, resolution or other matter required to be voted
33 upon or which is subject to executive approval or veto, no material
34 or monetary gain accrues to him as a member of any business,
35 profession, occupation or group, to any greater extent than any gain
36 could reasonably be expected to accrue to any other member of
37 such business, profession, occupation or group;

38 j. No elected local government officer shall be prohibited from
39 making an inquiry for information on behalf of a constituent, if no
40 fee, reward or other thing of value is promised to, given to or
41 accepted by the officer or a member of his immediate family,
42 whether directly or indirectly, in return therefor; **[and]**

43 k. Nothing shall prohibit any local government officer or
44 employee, or members of his immediate family, from representing
45 himself, or themselves, in negotiations or proceedings concerning
46 his, or their, own interests; and

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1 1. No elected, part-time local government officer shall accept
2 the assignment or use of any passenger vehicle purchased with
3 funds appropriated by a municipality, county, or local government
4 agency.

5 (cf: P.L.1991, c.29, s.5)

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7 2. This act shall take effect immediately.

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10 STATEMENT

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12 This bill amends the "Local Government Ethics Law," P.L.1991,
13 c.29 (C.40A:9-22.1 et seq.) to provide that no elected, part-time
14 local government officer shall accept the assignment or use of any
15 passenger vehicle purchased with funds appropriated by a
16 municipality, county, or local government agency.

17 This bill is intended to address problems of unnecessary
18 municipal spending, highlighted by a situation in Atlantic City
19 concerning the purchase of vehicles for the use of elected, part-time
20 council members.