Sponsored by:
Senator STEPHEN M. SWEENEY
District 3 (Cumberland, Gloucester and Salem)
Senator JOSEPH PENNACCHIO
District 26 (Essex, Morris and Passaic)
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District 11 (Monmouth)

SYNOPSIS
Renames “board of chosen freeholders” to “board of county commissioners” and “freeholder” and “chosen freeholder” to “county commissioner”; requires counties to update materials to reflect this title change.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 7/14/2020)

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

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

1:1-2. Unless it be otherwise expressly provided or there is something in the subject or context repugnant to such construction, the following words and phrases, when used in any statute and in the Revised Statutes, shall have the meaning herein given to them.

Affirmation; affirmed. See "Oath; sworn," infra, this section.

Assessor. The word "assessor," when used in relation to the assessment of taxes or water rents or other public assessments, includes all officers, boards or commissions charged with the duty of making such assessments, unless a particular officer, board or commission is specified.

Census. When used with reference to the population of this State, or of any subdivision thereof, the word "census" means the latest Federal census effective within this State.

Certified mail. The words "certified mail" include private express carrier service, provided that the private express carrier service provides confirmation of mailing. For purposes of this definition, confirmation of mailing may be by electronic means, and shall include, at a minimum, confirmation of fact of mail, time of mailing, date and time of delivery, attempted delivery, signature, or other similar information for confirmation or proof associated with the delivery service.

Collector. The word "collector," when used in relation to the collection of taxes or water rents or other public assessments, includes all officers charged with the duty of collecting such taxes, water rents or assessments, unless a particular officer is specified.

Folio; sheet. A sheet or folio shall consist of 100 words, and in all cases where an entry of any writing or copy is to be paid for, the sheet or folio shall consist of 100 words.

Freeholder; chosen freeholder. The words “freeholder” and “chosen freeholder,” when used in relation to county government, mean a member of the board which manages, controls, and governs the property, finances, and affairs of a county, and in which the executive and legislative powers of the county are vested, and designated as a “county commissioner.”

Gender. See "Number; gender," infra, this section.

General election. The words "general election" shall be taken to mean the annual election to be held on the first Tuesday after the first Monday in November and in any statute in which it is provided

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.
that any public officer shall be elected, or any public question shall
be voted upon, at an election at which members of the General
Assembly are to be voted for or elected, or words to that effect,
shall be taken to mean, and shall be construed to be the equivalent
of a provision, that said public officers shall be elected, or that said
public question shall be voted upon, "at a general election."
He. "Number; gender," infra, this section.
Inhabitants. See "Population; inhabitants," infra, this section.
It. See "Number; gender," infra, this section.
Magistrate. The word "magistrate" includes any judge, municipal
magistrate or officer or other person having the powers of a
committing magistrate.
Masculine. See "Number; gender," infra, this section.
Month; year. The word "month" means a calendar month, and
the word "year" means a calendar year.
Municipality; municipal corporation. The words "municipality"
and "municipal corporation" include cities, towns, townships,
villages and boroughs, and any municipality governed by a board of
commissioners or an improvement commission.
Neuter. See "Number; gender," infra, this section.
Number; gender. Whenever, in describing or referring to any
person, party, matter or thing, any word importing the singular
number or masculine gender is used, the same shall be understood
to include and to apply to several persons or parties as well as to
one person or party and to females as well as males, and to bodies
corporate as well as individuals, and to several matters and things as
well as one matter or thing.
Oath; sworn. The word "oath" includes "affirmation;" and the
word "sworn" includes "affirmed."
Other property. See "Property; other property," infra, this
section.
Person. The word "person" includes corporations, companies,
associations, societies, firms, partnerships and joint stock
companies as well as individuals, unless restricted by the context to
an individual as distinguished from a corporate entity or specifically
restricted to one or some of the above enumerated synonyms and,
when used to designate the owner of property which may be the
subject of an offense, includes this State, the United States, any
other State of the United States as defined infra and any foreign
country or government lawfully owning or possessing property
within this State.
Personal property. "Personal property" includes goods and
chattels, rights and credits, moneys and effects, evidences of debt,
chooses in action and all written instruments by which any right to,
interest in, or lien or encumbrance upon, property or any debt or
financial obligation is created, acknowledged, evidenced,
transferred, discharged or defeated, in whole or in part, and
everything except real property as herein defined which may be the
subject of ownership.

         Plural. See "Number; gender," supra, this section.

         Population; inhabitants. The word "population," when used in
any statute, shall be taken to mean the population as shown by the
latest Federal census effective within this State, and shall be
construed as synonymous with "inhabitants."

         Property; other property. The words "property" and "other
property," unless restricted or limited by the context to either real or
personal property, includes both real and personal property.

         Real estate; real property. The words "real estate" and "real
property," include lands, tenements and hereditaments and all rights
thereto and interests therein.

         Registered mail. The words "registered mail" include "certified
mail".

         Revised Statutes. The words "Revised Statutes" mean the
Revised Statutes of 1937, unless some other revision is expressly
indicated or referred to.

         Revision law. The words "Revision law" mean any statute which
is expressed in its title or body to be a revision of any part of the
statutory law.

         She. See "Number; gender," supra, this section.

         Sheet. See "Folio," supra, this section.

         Ship. The word "Ship" includes vessels, steamers, canal boats
and every boat or structure adapted to navigation or movement from
place to place, upon the ocean, lakes, rivers or artificial waterways,
either by its own power or otherwise.

         Singular. See "Number; gender," supra, this section.

         State. The word "State" extends to and includes any State,
territory or possession of the United States, the District of Columbia
and the Canal Zone.

         Sworn. See "Oath; sworn," supra, this section.

         Taxing district. The words "taxing district," when used in a law
relating to the assessment or collection of taxes, assessments or
water rates or water rents, include every political division of the
State, less than a county, whose inhabitants, governing body or
officers have the power to levy taxes, assessments or rates.

         Territory. The word "territory" extends to and includes any
territory or possession of the United States, the District of Columbia
and the Canal Zone.

         United States. The words "United States" extend to and include
every State, territory and possession of the United States, the
District of Columbia and the Canal Zone.

         Year. See "Month; year," supra, this section.

(cf: P.L.2015, c.251, s.1)

2. R.S.40:20-1 is amended to read as follows:
40:20-1. The property, finances, and affairs of every county shall be managed, controlled, and governed by a board elected therein, to be known as "the board of [chosen freeholders] county commissioners of the county of ..................... (specifying name of county)", and the executive and legislative powers of the county shall be vested in that board of [chosen freeholders] county commissioners, except where by law any specific powers or duties are imposed or vested in a Constitutional officer.

The board of [chosen freeholders] county commissioners of any county which has created the office of county administrator, pursuant to the provisions of N.J.S.40A:9-42, may, by resolution, delegate to that office such executive and administrative powers, duties, functions, and responsibilities as the board may deem appropriate.

Within one year of the effective date of P.L. , c. (pending before the Legislature as this bill), all county letterheads, stationary, and other writings, and the Internet website of a county, shall bear the title of board of county commissioners; provided, however, that any county signs or other writings bearing the former title of board of chosen freeholders, which would require the expenditure of county funds to update or replace, shall be changed to bear the title of board of county commissioners upon the next update or replacement made in the ordinary course of business.

(cf: P.L.1987, c.236, s.1)

3. This act shall take effect on January 1, 2019.

STATEMENT

This bill would require that the title of “chosen freeholder” be changed to “county commissioner.” Accordingly, all “boards of chosen freeholders” would be known as “boards of county commissioners” and all individual “freeholders” and “chosen freeholders” would be known as “county commissioners.” The bill creates a definition for freeholder to clarify that any reference in the statutes to a “freeholder” or “chosen freeholder” means a “county commissioner.”

The bill would also require counties to update their letterheads, stationary, and other writings, as well as their Internet websites, to bear the title of county commissioners in place of freeholders or chosen freeholders within one year of the bill’s effective date. The bill would not require counties to update or replace signs or other writings to reflect this title change within this timeframe if doing so would require the expenditure of county funds. In such a case, the title would have to be changed whenever the writing is next updated or replaced in the ordinary course of business.

The bill would take effect on January 1, 2019.