

ASSEMBLY, No. 2306

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 16, 1996

By Assemblyman GEIST

1 AN ACT concerning residency requirements for certain county law
2 enforcement officers and amending P.L.1978, c.63.

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

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7 1. Section 1 of P.L.1978, c.63 (C.40A:9-1.3) is amended to read
8 as follows:

9 1. a. Unless otherwise provided by law and except as provided in
10 subsection b. of this section, the governing body of any local unit may
11 by resolution or ordinance, as appropriate, require, subject to the
12 provisions of this act, all officers and employees employed by the local
13 unit after the effective date of this act to be bona fide residents therein.
14 A bona fide resident for the purpose of this act is a person having a
15 permanent domicile within the local unit and one which has not been
16 adopted with the intention of again taking up or claiming a previous
17 residence acquired outside of the local unit's boundaries. Any local
18 unit wherein the provisions of Title [11 (Civil Service) of the Revised]
19 11A, Civil Service, of the New Jersey Statutes are operative, shall
20 transmit a copy of the adopting ordinance or resolution, as the case
21 may be, to the [Civil Service Commission] Merit System Board.

22 b. No county shall pass any ordinance, resolution, rule, regulation,
23 order or directive, making residency therein a condition of employment
24 for the purpose of original appointment, continued employment,
25 promotion, or for any other purpose for any sheriff's officer, sheriff's
26 investigator, chief warrant officer, director of the bureau of narcotics,
27 county juvenile detention officer, county correction officer, county
28 police officer, county park police officer, or court attendant appointed
29 by a sheriff, provided that such person has been certified by the Police
30 Training Commission as having completed a police training course at
31 an approved school, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.).
32 Any such residency ordinance, resolution, rule, regulation, order or
33 directive in existence on the effective date of P.L. , c. (pending

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 before the Legislature as this bill) or passed hereafter shall be void
2 and have no force or effect with respect to those persons.

3 (cf: P.L.1978, c.63, s.1)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill amends section 1 of P.L.1978, c.63 (C.40A:9-1.3) to
11 prohibit residency requirements for certain county law enforcement
12 officers. Currently, a county may adopt a general residency
13 requirement that is applicable to court attendants appointed by a
14 sheriff, sheriff's officers, sheriff's investigators, county correction
15 officers, county police officers, county park police officers, county
16 juvenile detention officers, the chief warrant officer and the director
17 of the county bureau of narcotics. This amendment would ensure that
18 those county law enforcement officers, provided they have been
19 certified by the Police Training Commission as having completed a
20 police training course at an approved school, pursuant to P.L.1961,
21 c.56 (C.52:17B-66 et seq.), are treated similarly to municipal police
22 officers for whom residency requirements are prohibited under section
23 11 of P.L.1972, c.3 (C.40A:14-122.1).

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28 Prohibits residency requirements for certain county law enforcement
29 officers.