

ASSEMBLY, No. 2369

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 26, 1996

By Assemblyman O'TOOLE

1 AN ACT concerning residency requirements for State employees and
2 supplementing chapter 14 of Title 52 of the Revised Statutes.

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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. The principal residence of any State employee in the career
8 service, unclassified service or senior executive service shall be in this
9 State. For the purposes of this section, a State employee shall be
10 deemed to have only one principal residence. The state of an
11 employee's principal residence means the state: where the employee
12 spends the majority of the employee's nonworking time; which is most
13 clearly the center of the employee's domestic life; and which is
14 designated as the employee's legal address and legal residence for
15 voting. The fact that a State employee is domiciled in this State shall
16 not by itself satisfy the requirement of principal residency.

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18 2. Any State employee in the career service, unclassified service or
19 senior executive service shall have one year from the effective date of
20 this act, P.L. , c. (C.) (now pending before the Legislature as
21 this bill), or from the time of taking the position or employment,
22 whichever is later, to satisfy the requirement of principal residency.
23 If, thereafter, the State employee fails to satisfy the requirement of
24 principal residency, that employee shall be deemed unqualified for the
25 position or employment and shall be removed by the appointing
26 authority.

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28 3. Nothing in this act shall apply to persons holding an office in this
29 State subject to the provisions of R.S.52:14-7.

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31 4. The Commissioner of the Department of Personnel shall
32 promulgate rules and regulations pursuant to the "Administrative
33 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate
34 the purposes of this act.

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36 5. This act shall take effect immediately.

STATEMENT

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Current law provides that any person holding an office in this State (the Governor, members of the Legislature, the head of each principal department of the Executive Branch of State government, and every Justice of the Supreme Court, judge of the Superior Court and judge of any inferior court) shall have his or her principal residence in the State.

This bill provides that in addition to the above, any State employee in the career service, unclassified service or senior executive service shall have his or her principal residence in this State. For the purposes of this act, a State employee shall be deemed to have only one principal residence. The fact that a State employee is domiciled in this State shall not by itself satisfy the requirement of principal residency.

Any State employee in the career service, unclassified service or senior executive service shall have one year from the effective date of this act or from the time of taking the position or employment, whichever is later, to satisfy the requirement of principal residency. If, thereafter, the State employee fails to satisfy the requirement of principal residency, that employee shall be deemed unqualified for the position or employment and shall be removed by the appointing authority.

The Commissioner of the Department of Personnel shall promulgate rules and regulations to effectuate the purposes of this act.

Provides that State employees shall have their principal residence in this State.