

ASSEMBLY, No. 2602

STATE OF NEW JERSEY

INTRODUCED DECEMBER 16, 1996

By Assemblymen GARRETT and GREGG

1 AN ACT concerning local government ethics and amending P.L.1991,
2 c.29.

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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 6 of P.L.1991, c.29 (C.40A:9-22.6) is amended to read
8 as follows:

9 6. a. Local government officers shall annually file a financial
10 disclosure statement, except that a governing body of a county or
11 municipality, or an independent local authority may, by annual
12 ordinance or resolution, as appropriate, exempt its local government
13 officers from the requirement that financial disclosure statements must
14 be filed. All financial disclosure statements filed pursuant to this act
15 shall include the following information which shall specify, where
16 applicable, the name and address of each source and the local
17 government officer's job title:

18 (1) Each source of income, earned or unearned, exceeding \$2,000
19 received by the local government officer or a member of his immediate
20 family during the preceding calendar year. Individual client fees,
21 customer receipts or commissions on transactions received through a
22 business organization need not be separately reported as sources of
23 income. If a publicly traded security is the source of income, the
24 security need not be reported unless the local government officer or
25 member of his immediate family has an interest in the business
26 organization;

27 (2) Each source of fees and honorariums having an aggregate
28 amount exceeding \$250 from any single source for personal
29 appearances, speeches or writings received by the local government
30 officer or a member of his immediate family during the preceding
31 calendar year;

32 (3) Each source of gifts, reimbursements or prepaid expenses
33 having an aggregate value exceeding \$400 from any single source,
34 excluding relatives, received by the local government officer or a

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 member of his immediate family during the preceding calendar year;

2 (4) The name and address of all business organizations in which the
3 local government officer or a member of his immediate family had an
4 interest during the preceding calendar year; and

5 (5) The address and brief description of all real property in the
6 State in which the local government officer or a member of his
7 immediate family held an interest during the preceding calendar year.

8 b. The Local Finance Board shall prescribe a financial disclosure
9 statement form for filing purposes. For counties and municipalities
10 which have not established ethics boards, the board shall transmit
11 sufficient copies of the forms to the municipal clerk in each
12 municipality and the county clerk in each county for filing in
13 accordance with this act. The municipal clerk shall make the forms
14 available to the local government officers serving the municipality.
15 The county clerk shall make the forms available to the local
16 government officers serving the county.

17 For counties and municipalities which have established ethics
18 boards, the Local Finance Board shall transmit sufficient copies of the
19 forms to the ethics boards for filing in accordance with this act. The
20 ethics boards shall make the forms available to the local government
21 officers within their jurisdiction.

22 For local government officers serving the municipality, the original
23 statement shall be filed with the municipal clerk in the municipality in
24 which the local government officer serves. For local government
25 officers serving the county, the original statement shall be filed with
26 the county clerk in the county in which the local government officer
27 serves. A copy of the statement shall be filed with the board. In
28 counties or municipalities which have established ethics boards a copy
29 of the statement shall also be filed with the ethics board having
30 jurisdiction over the local government officer. Local government
31 officers shall file the initial financial disclosure statement within 90
32 days following the effective date of this act. Thereafter, statements
33 shall be filed on or before April 30th each year.

34 c. All financial disclosure statements filed shall be public records.
35 (cf: P.L.1991, c.29, s.6)

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37 2. This act shall take effect immediately.

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STATEMENT

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42 This bill makes permissive the current requirement of the "Local
43 Government Ethics Law," P.L.1991, c.29 (C.40A:9-22.1 et seq.) that
44 all local government officers must file an annual financial disclosure
45 statement by providing that the governing body of a county or
46 municipality, or an independent local authority, may, by ordinance,

1 annually exempt its local government officers from the annual filing of
2 the financial disclosure statement.

3 Many counties and municipalities have, since the enactment of the
4 "Local Government Ethics Law," experienced difficulty in finding local
5 residents willing to serve in capacities where the filing of an annual
6 financial disclosure statement is required. This bill is intended to
7 ameliorate the concerns of these local residents and encourage their
8 participation in and service to their places of residence.

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14 Makes permissive requirement of annual filing of financial disclosure
statement by local government officers.