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RWH/JA

P.L.2017, CHAPTER 151, *approved July 21, 2017*

Assembly, No. 555

1 AN ACT concerning the incorporation and governance of Protestant  
2 Episcopal Churches in this State and amending parts of the  
3 statutory law.

4

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

7

8 1. R.S.16:12-1 is amended to read as follows:

9 16:12-1. Any congregation or parish of the Protestant Episcopal  
10 Church in this State, duly organized in accordance with the  
11 constitution and canons of such church, may incorporate in the  
12 following manner:

13 A meeting shall be called by notice, designating the time and  
14 place of such meeting and the object for which it is called, signed  
15 by the minister, if there be one, and **[5 male]** five members of full  
16 age, and read during public service at the usual place of worship, on  
17 the **[2]** two successive Sundays next preceding. At such meeting  
18 only those persons who are qualified in accordance with the  
19 constitution and canons of the Protestant Episcopal Church in the  
20 diocese in which the parish is located shall be entitled to vote or act  
21 as officers. Five qualified voters shall constitute a quorum, and all  
22 questions shall be decided by a majority vote of those present. The  
23 minister shall preside at the meeting, but if **[he]** the minister is  
24 absent, or if there be no minister in charge of the congregation,  
25 another person shall be chosen to act as **[chairman]** chairperson.  
26 The presiding officer shall be the judge of the qualification of  
27 voters, shall receive the votes and declare the result. A secretary  
28 shall be chosen to record the proceedings.

29 The meeting shall determine by ballot whether the congregation  
30 shall become incorporated, and if so determined, the meeting shall  
31 determine further:

32 a. The corporate title, which shall be in the form as follows:

33 "The Rector, Wardens and **[Vestrymen]** Vestry of ..... Church  
34 in .....

35 b. The date of the annual meeting, which shall not be  
36 inconsistent with the constitution, canons or laws of such church;  
37 and

38 c. The number of **[vestrymen]** vestrymembers, which shall be  
39 **[3, 6, 9]** three, six, nine, or 12.

40 The meeting shall then elect, by ballot, **[2]** two wardens, **[1]**  
41 one to hold office until the first annual meeting, and the other to  
42 hold office until the second annual meeting thereafter. The number

**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 of **【vestrymen】** vestrymembers determined upon shall be elected in  
2 like manner, **【1/3】** one-third to hold office until the first annual  
3 meeting, **【1/3】** one-third until the second annual meeting, and **【1/3】**  
4 one-third until the third annual meeting thereafter.

5 (cf: P.L.1961, c.114, s.1)

6  
7 2. R.S.16:12-2 is amended to read as follows:

8 16:12-2. A certificate shall be executed, under the hands and  
9 seals of the **【chairman】** chairperson and secretary of the meeting  
10 and acknowledged or proved in the same manner as deeds of real  
11 estate, setting forth:

12 a. That the meeting was called and organized as provided in  
13 **【section】** R.S.16:12-1 **【of this title】**;

14 b. The name assumed as the corporate title;

15 c. The day fixed for the annual meeting;

16 d. The number of **【vestrymen】** vestrymembers; and

17 e. The names of the persons elected as wardens and  
18 **【vestrymen】** vestrymembers and their terms of office.

19 The certificate shall be filed and recorded forthwith in the office  
20 of the clerk of the county in which the parish is located, whereupon  
21 such wardens and **【vestrymen】** vestrymembers, together with the  
22 rector, shall be a corporation, and shall constitute the trustees and  
23 the vestry of the parish.

24 (cf: R.S.16:12-2)

25  
26 3. R.S.16:12-4 is amended to read as follows:

27 16:12-4. No sale, conveyance or mortgage of any real estate  
28 other than burial lots in churchyards or cemeteries, and no lease for  
29 a longer term than one year shall be made by such corporation  
30 without the previous written consent of the bishop and a majority of  
31 the standing committee of the diocese within which the corporation  
32 is located, or in case of a vacancy in the office of bishop, or of  
33 **【his】** the bishop's absence from the diocese, then of a majority of  
34 the standing committee. Such consent shall be acknowledged or  
35 proved and recorded with the deed, lease, mortgage or instrument of  
36 conveyance. Without such consent the sale, conveyance, mortgage  
37 or lease shall be void.

38 (cf: R.S.16:12-4)

39  
40 4. R.S.16:12-6 is amended to read as follows:

41 16:12-6. The rector shall be a member and the presiding officer  
42 of every such corporation, but if there be no rector, the wardens and  
43 **【vestrymen】** vestrymembers shall constitute the corporation, and  
44 one of the wardens shall be elected the presiding officer. A clerk or  
45 secretary, who shall be one of the **【vestrymen】** vestrymembers, and  
46 a treasurer shall be elected annually by the vestry, in such manner  
47 and subject to such restrictions as may be provided by the by-laws.

48 (cf: R.S.16:12-6)

1       5. R.S.16:12-7 is amended to read as follows:

2       16:12-7. When a vacancy shall occur in the office of rector, in  
3 any manner whatsoever, the wardens and **【vestrymen】**  
4 vestrymembers, two-thirds of them concurring in the choice, may,  
5 subject to the constitution and canons of the Protestant Episcopal  
6 Church in the United States, and of the diocese in which the parish  
7 is located, choose some fit person, duly qualified, to be rector of the  
8 parish.

9 (cf: R.S.16:12-7)

10

11       6. R.S.16:12-9 is amended to read as follows:

12       16:12-9. To constitute a quorum of the vestry there must be  
13 present either:

14       a. The rector, one of the wardens and a majority of the  
15 **【vestrymen】** vestrymembers; or

16       b. The rector, both wardens and one less than a majority of the  
17 **【vestrymen】** vestrymembers; or

18       c. The rector and two-thirds of the **【vestrymen】**  
19 vestrymembers; or

20       d. If the rector is absent from the diocese, or is incapable of  
21 acting, and shall have been so absent or incapable for more than  
22 three calendar months, or if the meeting is called by the rector and  
23 **【he】** the rector is absent therefrom, or if the meeting is called by  
24 the wardens or **【vestrymen】** vestrymembers and the rector is absent  
25 therefrom, one warden and a majority of the **【vestrymen】**  
26 vestrymembers, or both wardens and one less than a majority of the  
27 **【vestrymen】** vestrymembers.

28       If there is a rector called to or settled in the parish, no action  
29 shall be taken in **【his】** the rector's absence, relating to or affecting  
30 the personal or exclusive rights of the rector, or the alienation of the  
31 capital or principal of any investments held by the corporation, or  
32 the sale of its real estate, or the encumbrance thereof, except as may  
33 be necessary for ordinary repairs.

34 (cf: R.S.16:12-9)

35

36       7. R.S.16:12-10 is amended to read as follows:

37       16:12-10. The annual election of any such parish shall be held on  
38 such day as may be designated in its certificate of incorporation, if  
39 consistent with the constitution, canons or laws of such church.  
40 Notice of the time and place of the annual election shall be given by  
41 advertisement set up in open view at the door of the church or usual  
42 place of worship, 10 days prior to the election and shall also be read  
43 by the rector or officiating minister on the **【2】** two Sundays next  
44 preceding the election, in time of public service.

45       The rector shall preside, with the right to vote, or if **【he】** the  
46 rector is absent or if no rector is settled in the parish, the meeting  
47 shall choose **【1】** one of the wardens, or if neither of the wardens is  
48 present, **【1】** one of the **【vestrymen】** vestrymembers, or if no

1 **【vestryman】** vestrymember is present, then some duly qualified  
2 voter to act as **【chairman】** chairperson. The secretary of the vestry,  
3 or in **【his】** the secretary's absence a person appointed by the  
4 **【chairman】** chairperson, shall enter the proceedings in the minute  
5 book of the vestry, and shall sign the same together with the  
6 **【chairman】** chairperson. The qualifications for voters, and for such  
7 officers as may be elected by the meeting, shall be as provided from  
8 time to time by the constitution and canons of the Protestant  
9 Episcopal Church in the diocese in which the parish is located;  
10 provided, however, that, at any annual parish meeting held for the  
11 election of wardens or **【vestrymen】** vestrymembers, a by-law may  
12 be adopted providing that no **【warden】** wardens or **【vestryman】**  
13 vestrymembers who **【has】** have been duly elected at any parish  
14 meeting may succeed **【himself】** themselves, which by-law shall  
15 remain in full force and effect until repealed at a subsequent annual  
16 parish meeting. The **【chairman】** chairperson shall be the judge of  
17 the qualifications of the voters, shall receive the votes and declare  
18 the result. The election shall be by ballot, and the polls shall remain  
19 open for **【1/2】** one-half hour, and for such longer time as may be  
20 required to receive the ballots of the persons present and ready to  
21 vote. Three persons shall constitute a quorum. In case of failure to  
22 elect on the first ballot the required number of wardens or  
23 **【vestrymen】** vestrymembers to be elected at the meeting, **【1】** one  
24 or more further ballots shall be taken in the same manner.  
25 (cf: P.L.1961, c.114, s.2)

26  
27 8. R.S.16:12-11 is amended to read as follows:  
28 16:12-11. At each annual election of any such parish  
29 incorporated after March twentieth, one thousand nine hundred and  
30 one, one warden shall be elected to hold office for two years, or  
31 until **【his】** a successor is chosen, and one-third of the total number  
32 of **【vestrymen】** vestrymembers shall be elected to hold office for  
33 three years, or until their successors are chosen, and of any such  
34 parish incorporated prior to March twentieth, one thousand nine  
35 hundred and one, both wardens and all the **【vestrymen】**  
36 vestrymembers may be elected to hold office for one year, or until  
37 their successors are chosen, or one warden shall be elected to hold  
38 office for two years or until **【his】** a successor is chosen and one-  
39 third of the total number of **【vestrymen】** vestrymembers shall be  
40 elected to hold office for three years, or until their successors are  
41 chosen, notwithstanding any provisions in the charters or  
42 certificates of incorporation of any such parishes, congregations,  
43 societies or churches.  
44 (cf: R.S.16:12-11)

45  
46 9. R.S.16:12-12 is amended to read as follows:

1       16:12-12. In the event of a vacancy in the office of warden or  
2 **【vestryman】** vestrymember caused by the failure of any candidate  
3 to receive a majority of the votes cast, the vacancy shall be filled at  
4 a special meeting of the parish, called forthwith and conducted as  
5 hereinafter provided. In the event of a vacancy caused by the death,  
6 resignation, removal, incapacity, refusal or neglect for six months  
7 of any duly elected warden or **【vestryman】** vestrymember to serve  
8 in such capacity, the vacancy may be filled by the vestry until the  
9 next annual meeting.

10 (cf: R.S.16:12-12)

11  
12       10. R.S.16:12-13 is amended to read as follows:

13       16:12-13. Special meetings of the parish for any of the purposes  
14 provided in this article **【,】** may be called by the rector at any time,  
15 or if there be no rector, by the wardens, upon the same notice as  
16 prescribed in **【section】** R.S.16:12-10 **【of this title】**. The notice  
17 shall specify the object for which the meeting is called, and no vote  
18 shall be taken upon any question not specified in the notice. Special  
19 meetings shall be conducted in the same manner as the meetings for  
20 the annual election, but the votes may be counted and declared  
21 forthwith upon any question except the election of wardens and  
22 **【vestrymen】** vestrymembers.

23 (cf: R.S.16:12-13)

24  
25       11. R.S.16:12-14 is amended to read as follows:

26       16:12-14. Any parish of the Protestant Episcopal Church,  
27 however incorporated, may change its corporate title, the number of  
28 its **【vestrymen】** vestrymembers, the terms of office of its wardens  
29 and **【vestrymen】** vestrymembers, or the date of its annual meeting.  
30 Such changes shall in all respects conform to the requirements of  
31 this article, and shall be made in the following manner:

32       A meeting of the vestry shall be called and held in the manner  
33 provided by **【sections】** R.S.16:12-8 and R.S.16:12-9 **【of this title】**,  
34 except that at least one week's notice, stating the object thereof,  
35 shall be given to each member. If the vestry, by a two-thirds vote of  
36 all the members thereof, shall recommend such change or changes,  
37 a special parish meeting shall be called in the manner provided by  
38 **【section】** R.S.16:12-13 **【of this title】**. If the meeting of the parish  
39 shall ratify the recommendations of the vestry by a two-thirds vote  
40 of those present balloting separately upon each proposed change,  
41 then a certificate shall be executed by the rector and secretary, in  
42 the same manner as provided in **【section】** R.S.16:12-2 **【of this**  
43 **title】** for the execution of the certificate of incorporation, and shall  
44 be immediately filed and recorded in the office of the clerk of the  
45 county in which the parish is located, whereupon the change shall  
46 take effect.

47 (cf: R.S.16:12-14)

1 12. R.S.16:12-15 is amended to read as follows:

2 16:12-15. Two or more incorporated parishes of such church  
3 may consolidate and become **[1] one** parish in the following  
4 manner:

5 A meeting of the vestry of each parish may be called by the  
6 rector or wardens upon **[1] one** week's notice to each member. If  
7 each vestry shall determine by a vote of **[3/4] three-fourths** of all  
8 the members thereof that such consolidation is advisable, a further  
9 resolution shall be adopted by a like vote, requesting the consent of  
10 the bishop and standing committee of the diocese in which the  
11 parishes are located. Such consent shall be given in writing, signed  
12 by the bishop and a majority of the standing committee, and  
13 acknowledged or proved in the same manner as deeds of real estate.

14 A special meeting of the congregation of each parish shall then  
15 be called and conducted in the manner provided in **[section]**  
16 **R.S.16:12-13 [of this Title]**. Each meeting shall determine by a  
17 vote of **[3/4] three-fourths** of those present balloting separately  
18 upon each question:

19 a. Whether such consolidation is advisable, and, if the  
20 determination is favorable; then

21 b. Whether the consolidated parish shall act under the charter  
22 of **[1] one** of the consolidated parishes, or under a new certificate  
23 of organization;

24 c. The corporate title of the consolidated parish, which may be  
25 identical with the name of the parish whose charter has been  
26 adopted. If no such charter is adopted, or if any change is made in  
27 the corporate title, it shall be in the form provided in **[section]**  
28 **R.S.16:12-1 [of this Title]**;

29 d. The date of the annual meeting, which shall not be  
30 inconsistent with the constitution, canons or laws of such church;

31 e. The number of **[vestrymen] vestrymembers**, which shall be  
32 identical with the number fixed by the charter adopted, or if any  
33 change is made, shall be **[3] three**, **[6] six** or **[9] nine**; and

34 f. The wardens and **[vestrymen] vestrymembers**, who shall be  
35 chosen either in accordance with the provisions of the charter  
36 adopted, or as hereinbefore provided for new parishes.

37 A certificate shall then be made by the rector and secretary of  
38 each parish, and executed and acknowledged in accordance with  
39 **[section] R.S.16:12-2 [of this Title]**, setting forth:

40 a. The meeting and action of the vestry;

41 b. That the bishop and a majority of the standing committee  
42 have consented; and

43 c. The meeting of the congregation, and its action upon the  
44 questions required to be determined.

45 All such certificates, and the written consent of the bishop and  
46 standing committee, shall be forthwith filed and recorded together  
47 in the offices of the clerks of the counties in which the parishes are  
48 located. Thereupon the consolidated parish shall immediately

1 become vested with all the temporalities and real and personal  
2 property of the parishes so consolidated.  
3 (cf: P.L.1961, c.114, s.3)

4

5 13. This act shall take effect immediately.

6

7

8

9

10 Revises statutes concerning incorporation and governance of the  
11 Protestant Episcopal Church to remove gender-specific references.

# ASSEMBLY, No. 555

## STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Assemblywoman NANCY J. PINKIN**

**District 18 (Middlesex)**

**Assemblyman PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Assemblyman TIM EUSTACE**

**District 38 (Bergen and Passaic)**

**SYNOPSIS**

Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the incorporation and governance of Protestant  
2 Episcopal Churches in this State and amending parts of the  
3 statutory law.

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

7  
8 1. R.S.16:12-1 is amended to read as follows:

9 16:12-1. Any congregation or parish of the Protestant Episcopal  
10 Church in this State, duly organized in accordance with the  
11 constitution and canons of such church, may incorporate in the  
12 following manner:

13 A meeting shall be called by notice, designating the time and  
14 place of such meeting and the object for which it is called, signed  
15 by the minister, if there be one, and **[5 male]** five members of full  
16 age, and read during public service at the usual place of worship, on  
17 the **[2]** two successive Sundays next preceding. At such meeting  
18 only those persons who are qualified in accordance with the  
19 constitution and canons of the Protestant Episcopal Church in the  
20 diocese in which the parish is located shall be entitled to vote or act  
21 as officers. Five qualified voters shall constitute a quorum, and all  
22 questions shall be decided by a majority vote of those present. The  
23 minister shall preside at the meeting, but if **[he]** the minister is  
24 absent, or if there be no minister in charge of the congregation,  
25 another person shall be chosen to act as **[chairman]** chairperson.  
26 The presiding officer shall be the judge of the qualification of  
27 voters, shall receive the votes and declare the result. A secretary  
28 shall be chosen to record the proceedings.

29 The meeting shall determine by ballot whether the congregation  
30 shall become incorporated, and if so determined, the meeting shall  
31 determine further:

32 a. The corporate title, which shall be in the form as follows:

33 "The Rector, Wardens and **[Vestrymen]** Vestry of ..... Church  
34 in .....

35 b. The date of the annual meeting, which shall not be  
36 inconsistent with the constitution, canons or laws of such church;  
37 and

38 c. The number of **[vestrymen]** vestrymembers, which shall be  
39 **[3, 6, 9]** three, six, nine, or 12.

40 The meeting shall then elect, by ballot, **[2]** two wardens, **[1]**  
41 one to hold office until the first annual meeting, and the other to  
42 hold office until the second annual meeting thereafter. The number  
43 of **[vestrymen]** vestrymembers determined upon shall be elected in  
44 like manner, **[1/3]** one-third to hold office until the first annual

**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 meeting, **[1/3]** one-third until the second annual meeting, and **[1/3]**  
2 one-third until the third annual meeting thereafter.  
3 (cf: P.L.1961, c.114, s.1)

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5 2. R.S.16:12-2 is amended to read as follows:

6 16:12-2. A certificate shall be executed, under the hands and  
7 seals of the **[chairman]** chairperson and secretary of the meeting  
8 and acknowledged or proved in the same manner as deeds of real  
9 estate, setting forth:

10 a. That the meeting was called and organized as provided in  
11 **[section]** R.S.16:12-1 **[of this title]**;

12 b. The name assumed as the corporate title;

13 c. The day fixed for the annual meeting;

14 d. The number of **[vestrymen]** vestrymembers; and

15 e. The names of the persons elected as wardens and  
16 **[vestrymen]** vestrymembers and their terms of office.

17 The certificate shall be filed and recorded forthwith in the office  
18 of the clerk of the county in which the parish is located, whereupon  
19 such wardens and **[vestrymen]** vestrymembers, together with the  
20 rector, shall be a corporation, and shall constitute the trustees and  
21 the vestry of the parish.

22 (cf: R.S.16:12-2)

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24 3. R.S.16:12-4 is amended to read as follows:

25 16:12-4. No sale, conveyance or mortgage of any real estate  
26 other than burial lots in churchyards or cemeteries, and no lease for  
27 a longer term than one year shall be made by such corporation  
28 without the previous written consent of the bishop and a majority of  
29 the standing committee of the diocese within which the corporation  
30 is located, or in case of a vacancy in the office of bishop, or of  
31 **[his]** the bishop's absence from the diocese, then of a majority of  
32 the standing committee. Such consent shall be acknowledged or  
33 proved and recorded with the deed, lease, mortgage or instrument of  
34 conveyance. Without such consent the sale, conveyance, mortgage  
35 or lease shall be void.

36 (cf: R.S.16:12-4)

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38 4. R.S.16:12-6 is amended to read as follows:

39 16:12-6. The rector shall be a member and the presiding officer  
40 of every such corporation, but if there be no rector, the wardens and  
41 **[vestrymen]** vestrymembers shall constitute the corporation, and  
42 one of the wardens shall be elected the presiding officer. A clerk or  
43 secretary, who shall be one of the **[vestrymen]** vestrymembers, and  
44 a treasurer shall be elected annually by the vestry, in such manner  
45 and subject to such restrictions as may be provided by the by-laws.

46 (cf: R.S.16:12-6)

1       5. R.S.16:12-7 is amended to read as follows:

2       16:12-7. When a vacancy shall occur in the office of rector, in  
3 any manner whatsoever, the wardens and **【vestrymen】**  
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5 subject to the constitution and canons of the Protestant Episcopal  
6 Church in the United States, and of the diocese in which the parish  
7 is located, choose some fit person, duly qualified, to be rector of the  
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15 **【vestrymen】** vestrymembers; or

16       b. The rector, both wardens and one less than a majority of the  
17 **【vestrymen】** vestrymembers; or

18       c. The rector and two-thirds of the **【vestrymen】**  
19 vestrymembers; or

20       d. If the rector is absent from the diocese, or is incapable of  
21 acting, and shall have been so absent or incapable for more than  
22 three calendar months, or if the meeting is called by the rector and  
23 **【he】** the rector is absent therefrom, or if the meeting is called by  
24 the wardens or **【vestrymen】** vestrymembers and the rector is absent  
25 therefrom, one warden and a majority of the **【vestrymen】**  
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29 shall be taken in **【his】** the rector's absence, relating to or affecting  
30 the personal or exclusive rights of the rector, or the alienation of the  
31 capital or principal of any investments held by the corporation, or  
32 the sale of its real estate, or the encumbrance thereof, except as may  
33 be necessary for ordinary repairs.

34 (cf: R.S.16:12-9)

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36       7. R.S.16:12-10 is amended to read as follows:

37       16:12-10. The annual election of any such parish shall be held on  
38 such day as may be designated in its certificate of incorporation, if  
39 consistent with the constitution, canons or laws of such church.  
40 Notice of the time and place of the annual election shall be given by  
41 advertisement set up in open view at the door of the church or usual  
42 place of worship, 10 days prior to the election and shall also be read  
43 by the rector or officiating minister on the **【2】** two Sundays next  
44 preceding the election, in time of public service.

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8 time to time by the constitution and canons of the Protestant  
9 Episcopal Church in the diocese in which the parish is located;  
10 provided, however, that, at any annual parish meeting held for the  
11 election of wardens or **【vestrymen】** vestrymembers, a by-law may  
12 be adopted providing that no **【warden】** wardens or **【vestryman】**  
13 vestrymembers who **【has】** have been duly elected at any parish  
14 meeting may succeed **【himself】** themselves, which by-law shall  
15 remain in full force and effect until repealed at a subsequent annual  
16 parish meeting. The **【chairman】** chairperson shall be the judge of  
17 the qualifications of the voters, shall receive the votes and declare  
18 the result. The election shall be by ballot, and the polls shall remain  
19 open for **【1/2】** one-half hour, and for such longer time as may be  
20 required to receive the ballots of the persons present and ready to  
21 vote. Three persons shall constitute a quorum. In case of failure to  
22 elect on the first ballot the required number of wardens or  
23 **【vestrymen】** vestrymembers to be elected at the meeting, **【1】** one  
24 or more further ballots shall be taken in the same manner.  
25 (cf: P.L.1961, c.114, s.2)

26  
27 8. R.S.16:12-11 is amended to read as follows:  
28 16:12-11. At each annual election of any such parish  
29 incorporated after March twentieth, one thousand nine hundred and  
30 one, one warden shall be elected to hold office for two years, or  
31 until **【his】** a successor is chosen, and one-third of the total number  
32 of **【vestrymen】** vestrymembers shall be elected to hold office for  
33 three years, or until their successors are chosen, and of any such  
34 parish incorporated prior to March twentieth, one thousand nine  
35 hundred and one, both wardens and all the **【vestrymen】**  
36 vestrymembers may be elected to hold office for one year, or until  
37 their successors are chosen, or one warden shall be elected to hold  
38 office for two years or until **【his】** a successor is chosen and one-  
39 third of the total number of **【vestrymen】** vestrymembers shall be  
40 elected to hold office for three years, or until their successors are  
41 chosen, notwithstanding any provisions in the charters or  
42 certificates of incorporation of any such parishes, congregations,  
43 societies or churches.  
44 (cf: R.S.16:12-11)

1       9. R.S.16:12-12 is amended to read as follows:  
2       16:12-12. In the event of a vacancy in the office of warden or  
3 **【vestryman】** vestrymember caused by the failure of any candidate  
4 to receive a majority of the votes cast, the vacancy shall be filled at  
5 a special meeting of the parish, called forthwith and conducted as  
6 hereinafter provided. In the event of a vacancy caused by the death,  
7 resignation, removal, incapacity, refusal or neglect for six months  
8 of any duly elected warden or **【vestryman】** vestrymember to serve  
9 in such capacity, the vacancy may be filled by the vestry until the  
10 next annual meeting.

11 (cf: R.S.16:12-12)

12

13       10. R.S.16:12-13 is amended to read as follows:

14       16:12-13. Special meetings of the parish for any of the purposes  
15 provided in this article **【,】** may be called by the rector at any time,  
16 or if there be no rector, by the wardens, upon the same notice as  
17 prescribed in **【section】** R.S.16:12-10 **【of this title】**. The notice  
18 shall specify the object for which the meeting is called, and no vote  
19 shall be taken upon any question not specified in the notice. Special  
20 meetings shall be conducted in the same manner as the meetings for  
21 the annual election, but the votes may be counted and declared  
22 forthwith upon any question except the election of wardens and  
23 **【vestrymen】** vestrymembers.

24 (cf: R.S.16:12-13)

25

26       11. R.S.16:12-14 is amended to read as follows:

27       16:12-14. Any parish of the Protestant Episcopal Church,  
28 however incorporated, may change its corporate title, the number of  
29 its **【vestrymen】** vestrymembers, the terms of office of its wardens  
30 and **【vestrymen】** vestrymembers, or the date of its annual meeting.  
31 Such changes shall in all respects conform to the requirements of  
32 this article, and shall be made in the following manner:

33       A meeting of the vestry shall be called and held in the manner  
34 provided by **【sections】** R.S.16:12-8 and R.S.16:12-9 **【of this title】**,  
35 except that at least one week's notice, stating the object thereof,  
36 shall be given to each member. If the vestry, by a two-thirds vote of  
37 all the members thereof, shall recommend such change or changes,  
38 a special parish meeting shall be called in the manner provided by  
39 **【section】** R.S.16:12-13 **【of this title】**. If the meeting of the parish  
40 shall ratify the recommendations of the vestry by a two-thirds vote  
41 of those present balloting separately upon each proposed change,  
42 then a certificate shall be executed by the rector and secretary, in  
43 the same manner as provided in **【section】** R.S.16:12-2 **【of this**  
44 **title】** for the execution of the certificate of incorporation, and shall  
45 be immediately filed and recorded in the office of the clerk of the  
46 county in which the parish is located, whereupon the change shall  
47 take effect.

48 (cf: R.S.16:12-14)

1 12. R.S.16:12-15 is amended to read as follows:

2 16:12-15. Two or more incorporated parishes of such church  
3 may consolidate and become **[1]** one parish in the following  
4 manner:

5 A meeting of the vestry of each parish may be called by the  
6 rector or wardens upon **[1]** one week's notice to each member. If  
7 each vestry shall determine by a vote of **[3/4]** three-fourths of all  
8 the members thereof that such consolidation is advisable, a further  
9 resolution shall be adopted by a like vote, requesting the consent of  
10 the bishop and standing committee of the diocese in which the  
11 parishes are located. Such consent shall be given in writing, signed  
12 by the bishop and a majority of the standing committee, and  
13 acknowledged or proved in the same manner as deeds of real estate.

14 A special meeting of the congregation of each parish shall then  
15 be called and conducted in the manner provided in **[section]**  
16 R.S.16:12-13 **[of this Title]**. Each meeting shall determine by a  
17 vote of **[3/4]** three-fourths of those present balloting separately  
18 upon each question:

19 a. Whether such consolidation is advisable, and, if the  
20 determination is favorable; then

21 b. Whether the consolidated parish shall act under the charter  
22 of **[1]** one of the consolidated parishes, or under a new certificate  
23 of organization;

24 c. The corporate title of the consolidated parish, which may be  
25 identical with the name of the parish whose charter has been  
26 adopted. If no such charter is adopted, or if any change is made in  
27 the corporate title, it shall be in the form provided in **[section]**  
28 R.S.16:12-1 **[of this Title]**;

29 d. The date of the annual meeting, which shall not be  
30 inconsistent with the constitution, canons or laws of such church;

31 e. The number of **[vestrymen]** vestrymembers, which shall be  
32 identical with the number fixed by the charter adopted, or if any  
33 change is made, shall be **[3]** three, **[6]** six or **[9]** nine; and

34 f. The wardens and **[vestrymen]** vestrymembers, who shall be  
35 chosen either in accordance with the provisions of the charter  
36 adopted, or as hereinbefore provided for new parishes.

37 A certificate shall then be made by the rector and secretary of  
38 each parish, and executed and acknowledged in accordance with  
39 **[section]** R.S.16:12-2 **[of this Title]**, setting forth:

40 a. The meeting and action of the vestry;

41 b. That the bishop and a majority of the standing committee  
42 have consented; and

43 c. The meeting of the congregation, and its action upon the  
44 questions required to be determined.

45 All such certificates, and the written consent of the bishop and  
46 standing committee, shall be forthwith filed and recorded together  
47 in the offices of the clerks of the counties in which the parishes are  
48 located. Thereupon the consolidated parish shall immediately

1 become vested with all the temporalities and real and personal  
2 property of the parishes so consolidated.  
3 (cf: P.L.1961, c.114, s.3)

4  
5 13. This act shall take effect immediately.

6  
7  
8 STATEMENT

9  
10 This bill amends chapter 12 of Title 16 of the Revised Statutes,  
11 concerning the incorporation and governance of congregations and  
12 parishes of the Protestant Episcopal Church in New Jersey, to  
13 change gender-specific language to gender-neutral language.  
14 Among other provisions, the bill changes the term “chairman” to  
15 “chairperson,” changes “vestrymen” to “vestrymembers,” and  
16 eliminates the word “he” from the statute’s references to “minister,”  
17 “bishop,” “rector,” and “secretary.” The bill also makes certain  
18 technical corrections.

19 Title 16 of the Revised Statutes (“Corporations and Associations,  
20 Religious”) concerns the incorporation and governance of specified  
21 religious groups. The enumerated groups include, among others,  
22 the Baptist and Seventh-Day Baptist Churches (R.S.16:2-1 et seq.);  
23 the Church of Christ, Scientist (R.S.16:3-1 et seq.); the United  
24 Presbyterian Church (R.S.16:11-1 et seq.); the Protestant Episcopal  
25 Church (R.S.16:12-1 et seq.); the Roman Catholic Church  
26 (R.S.16:15-1 et seq.); and the New Jersey State Association of  
27 Spiritualists (R.S.16:17-1 et seq.).

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 555

# STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2016

The Assembly Judiciary Committee reports favorably Assembly Bill No. 555.

This bill amends chapter 12 of Title 16 of the Revised Statutes, concerning the incorporation and governance of congregations and parishes of the Protestant Episcopal Church in New Jersey, to change gender-specific language to gender-neutral language. Among other provisions, the bill changes the term “chairman” to “chairperson,” changes “vestrymen” to “vestrymembers,” and eliminates the word “he” from the statute’s references to “minister,” “bishop,” “rector,” and “secretary.” The bill also makes certain technical corrections.

Title 16 of the Revised Statutes (“Corporations and Associations, Religious”) concerns the incorporation and governance of specified religious groups. The enumerated groups include, among others, the Baptist and Seventh-Day Baptist Churches (R.S.16:2-1 et seq.); the Church of Christ, Scientist (R.S.16:3-1 et seq.); the United Presbyterian Church (R.S.16:11-1 et seq.); the Protestant Episcopal Church (R.S.16:12-1 et seq.); the Roman Catholic Church (R.S.16:15-1 et seq.); and the New Jersey State Association of Spiritualists (R.S.16:17-1 et seq.).

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 555**

**STATE OF NEW JERSEY**

DATED: JUNE 26, 2017

The Senate Judiciary Committee reports favorably Assembly Bill No. 555.

This bill amends chapter 12 of Title 16 of the Revised Statutes, concerning the incorporation and governance of congregations and parishes of the Protestant Episcopal Church in New Jersey, to change gender-specific language to gender-neutral language. This includes changing the term “chairman” to “chairperson,” changing “vestrymen” to “vestrymembers,” and eliminating the word “he” from the statutory references to “minister,” “bishop,” “rector,” and “secretary.” The bill also updates certain statutory citations and numerical references to comport with current stylistic preferences.

This bill, as reported, is identical to Senate Bill No. 1847, also reported today by the committee.

**SENATE, No. 1847**

**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

INTRODUCED MARCH 7, 2016

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator PETER J. BARNES, III**

**District 18 (Middlesex)**

**SYNOPSIS**

Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/17/2016)**

1 AN ACT concerning the incorporation and governance of Protestant  
2 Episcopal Churches in this State and amending parts of the  
3 statutory law.

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

7  
8 1. R.S.16:12-1 is amended to read as follows:

9 16:12-1. Any congregation or parish of the Protestant  
10 Episcopal Church in this State, duly organized in accordance with  
11 the constitution and canons of such church, may incorporate in the  
12 following manner:

13 A meeting shall be called by notice, designating the time and  
14 place of such meeting and the object for which it is called, signed  
15 by the minister, if there be one, and **[5 male]** five members of full  
16 age, and read during public service at the usual place of worship, on  
17 the **[2]** two successive Sundays next preceding. At such meeting  
18 only those persons who are qualified in accordance with the  
19 constitution and canons of the Protestant Episcopal Church in the  
20 diocese in which the parish is located shall be entitled to vote or act  
21 as officers. Five qualified voters shall constitute a quorum, and all  
22 questions shall be decided by a majority vote of those present. The  
23 minister shall preside at the meeting, but if **[he]** the minister is  
24 absent, or if there be no minister in charge of the congregation,  
25 another person shall be chosen to act as **[chairman]** chairperson.  
26 The presiding officer shall be the judge of the qualification of  
27 voters, shall receive the votes and declare the result. A secretary  
28 shall be chosen to record the proceedings.

29 The meeting shall determine by ballot whether the congregation  
30 shall become incorporated, and if so determined, the meeting shall  
31 determine further:

32 a. The corporate title, which shall be in the form as follows:

33 "The Rector, Wardens and **[Vestrymen]** Vestry of ..... Church  
34 in .....

35 b. The date of the annual meeting, which shall not be  
36 inconsistent with the constitution, canons or laws of such church;  
37 and

38 c. The number of **[vestrymen]** vestrymembers, which shall be  
39 **[3, 6, 9]** three, six, nine, or 12.

40 The meeting shall then elect, by ballot, **[2]** two wardens, **[1]**  
41 one to hold office until the first annual meeting, and the other to  
42 hold office until the second annual meeting thereafter. The number  
43 of **[vestrymen]** vestrymembers determined upon shall be elected in  
44 like manner, **[1/3]** one-third to hold office until the first annual

**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 meeting, **[1/3]** one-third until the second annual meeting, and **[1/3]**  
2 one-third until the third annual meeting thereafter.

3 (cf: P.L.1961, c.114, s.1)

4

5 2. R.S.16:12-2 is amended to read as follows:

6 16:12-2. A certificate shall be executed, under the hands and  
7 seals of the **[chairman]** chairperson and secretary of the meeting  
8 and acknowledged or proved in the same manner as deeds of real  
9 estate, setting forth:

10 a. That the meeting was called and organized as provided in  
11 **[section]** R.S.16:12-1 **[of this title]**;

12 b. The name assumed as the corporate title;

13 c. The day fixed for the annual meeting;

14 d. The number of **[vestrymen]** vestrymembers; and

15 e. The names of the persons elected as wardens and  
16 **[vestrymen]** vestrymembers and their terms of office.

17 The certificate shall be filed and recorded forthwith in the office  
18 of the clerk of the county in which the parish is located, whereupon  
19 such wardens and **[vestrymen]** vestrymembers, together with the  
20 rector, shall be a corporation, and shall constitute the trustees and  
21 the vestry of the parish.

22 (cf: R.S.16:12-2)

23

24 3. R.S.16:12-4 is amended to read as follows:

25 16:12-4. No sale, conveyance or mortgage of any real estate  
26 other than burial lots in churchyards or cemeteries, and no lease for  
27 a longer term than one year shall be made by such corporation  
28 without the previous written consent of the bishop and a majority of  
29 the standing committee of the diocese within which the corporation  
30 is located, or in case of a vacancy in the office of bishop, or of  
31 **[his]** the bishop's absence from the diocese, then of a majority of  
32 the standing committee. Such consent shall be acknowledged or  
33 proved and recorded with the deed, lease, mortgage or instrument of  
34 conveyance. Without such consent the sale, conveyance, mortgage  
35 or lease shall be void.

36 (cf: R.S.16:12-4)

37

38 4. R.S.16:12-6 is amended to read as follows:

39 16:12-6. The rector shall be a member and the presiding  
40 officer of every such corporation, but if there be no rector, the  
41 wardens and **[vestrymen]** vestrymembers shall constitute the  
42 corporation, and one of the wardens shall be elected the presiding  
43 officer. A clerk or secretary, who shall be one of the **[vestrymen]**  
44 vestrymembers, and a treasurer shall be elected annually by the  
45 vestry, in such manner and subject to such restrictions as may be  
46 provided by the by-laws.

47 (cf: R.S.16:12-6)

1 5. R.S.16:12-7 is amended to read as follows:

2 16:12-7. When a vacancy shall occur in the office of rector, in  
3 any manner whatsoever, the wardens and **【vestrymen】**  
4 vestrymembers, two-thirds of them concurring in the choice, may,  
5 subject to the constitution and canons of the Protestant Episcopal  
6 Church in the United States, and of the diocese in which the parish  
7 is located, choose some fit person, duly qualified, to be rector of the  
8 parish.

9 (cf: R.S.16:12-7)

10

11 6. R.S.16:12-9 is amended to read as follows:

12 16:12-9. To constitute a quorum of the vestry there must be  
13 present either:

14 a. The rector, one of the wardens and a majority of the  
15 **【vestrymen】** vestrymembers; or

16 b. The rector, both wardens and one less than a majority of the  
17 **【vestrymen】** vestrymembers; or

18 c. The rector and two-thirds of the **【vestrymen】**  
19 vestrymembers; or

20 d. If the rector is absent from the diocese, or is incapable of  
21 acting, and shall have been so absent or incapable for more than  
22 three calendar months, or if the meeting is called by the rector and  
23 **【he】** the rector is absent therefrom, or if the meeting is called by  
24 the wardens or **【vestrymen】** vestrymembers and the rector is absent  
25 therefrom, one warden and a majority of the **【vestrymen】**  
26 vestrymembers, or both wardens and one less than a majority of the  
27 **【vestrymen】** vestrymembers.

28 If there is a rector called to or settled in the parish, no action  
29 shall be taken in **【his】** the rector's absence, relating to or affecting  
30 the personal or exclusive rights of the rector, or the alienation of the  
31 capital or principal of any investments held by the corporation, or  
32 the sale of its real estate, or the encumbrance thereof, except as may  
33 be necessary for ordinary repairs.

34 (cf: R.S.16:12-9)

35

36 7. R.S.16:12-10 is amended to read as follows:

37 16:12-10. The annual election of any such parish shall be held  
38 on such day as may be designated in its certificate of incorporation,  
39 if consistent with the constitution, canons or laws of such church.  
40 Notice of the time and place of the annual election shall be given by  
41 advertisement set up in open view at the door of the church or usual  
42 place of worship, 10 days prior to the election and shall also be read  
43 by the rector or officiating minister on the **【2】** two Sundays next  
44 preceding the election, in time of public service.

45 The rector shall preside, with the right to vote, or if **【he】** the  
46 rector is absent or if no rector is settled in the parish, the meeting  
47 shall choose **【1】** one of the wardens, or if neither of the wardens is

1 present, **[1]** one of the **[vestrymen]** vestrymembers, or if no  
2 **[vestryman]** vestrymember is present, then some duly qualified  
3 voter to act as **[chairman]** chairperson. The secretary of the vestry,  
4 or in **[his]** the secretary's absence a person appointed by the  
5 **[chairman]** chairperson, shall enter the proceedings in the minute  
6 book of the vestry, and shall sign the same together with the  
7 **[chairman]** chairperson. The qualifications for voters, and for such  
8 officers as may be elected by the meeting, shall be as provided from  
9 time to time by the constitution and canons of the Protestant  
10 Episcopal Church in the diocese in which the parish is located;  
11 provided, however, that, at any annual parish meeting held for the  
12 election of wardens or **[vestrymen]** vestrymembers, a by-law may  
13 be adopted providing that no **[warden]** wardens or **[vestryman]**  
14 vestrymembers who **[has]** have been duly elected at any parish  
15 meeting may succeed **[himself]** themselves, which by-law shall  
16 remain in full force and effect until repealed at a subsequent annual  
17 parish meeting. The **[chairman]** chairperson shall be the judge of  
18 the qualifications of the voters, shall receive the votes and declare  
19 the result. The election shall be by ballot, and the polls shall remain  
20 open for **[1/2]** one-half hour, and for such longer time as may be  
21 required to receive the ballots of the persons present and ready to  
22 vote. Three persons shall constitute a quorum. In case of failure to  
23 elect on the first ballot the required number of wardens or  
24 **[vestrymen]** vestrymembers to be elected at the meeting, **[1]** one  
25 or more further ballots shall be taken in the same manner.

26 (cf: P.L.1961, c.114, s.2)

27

28 8. R.S.16:12-11 is amended to read as follows:

29 16:12-11. At each annual election of any such parish  
30 incorporated after March twentieth, one thousand nine hundred and  
31 one, one warden shall be elected to hold office for two years, or  
32 until **[his]** a successor is chosen, and one-third of the total number  
33 of **[vestrymen]** vestrymembers shall be elected to hold office for  
34 three years, or until their successors are chosen, and of any such  
35 parish incorporated prior to March twentieth, one thousand nine  
36 hundred and one, both wardens and all the **[vestrymen]**  
37 vestrymembers may be elected to hold office for one year, or until  
38 their successors are chosen, or one warden shall be elected to hold  
39 office for two years or until **[his]** a successor is chosen and one-  
40 third of the total number of **[vestrymen]** vestrymembers shall be  
41 elected to hold office for three years, or until their successors are  
42 chosen, notwithstanding any provisions in the charters or  
43 certificates of incorporation of any such parishes, congregations,  
44 societies or churches.

45 (cf: R.S.16:12-11)

46

47 9. R.S.16:12-12 is amended to read as follows:

1       16:12-12. In the event of a vacancy in the office of warden or  
2 **【vestryman】** vestrymember caused by the failure of any candidate  
3 to receive a majority of the votes cast, the vacancy shall be filled at  
4 a special meeting of the parish, called forthwith and conducted as  
5 hereinafter provided. In the event of a vacancy caused by the death,  
6 resignation, removal, incapacity, refusal or neglect for six months  
7 of any duly elected warden or **【vestryman】** vestrymember to serve  
8 in such capacity, the vacancy may be filled by the vestry until the  
9 next annual meeting.

10 (cf: R.S.16:12-12)

11

12       10. R.S.16:12-13 is amended to read as follows:

13       16:12-13. Special meetings of the parish for any of the purposes  
14 provided in this article **【,】** may be called by the rector at any time,  
15 or if there be no rector, by the wardens, upon the same notice as  
16 prescribed in **【section】** R.S.16:12-10 **【of this title】**. The notice  
17 shall specify the object for which the meeting is called, and no vote  
18 shall be taken upon any question not specified in the notice. Special  
19 meetings shall be conducted in the same manner as the meetings for  
20 the annual election, but the votes may be counted and declared  
21 forthwith upon any question except the election of wardens and  
22 **【vestrymen】** vestrymembers.

23 (cf: R.S.16:12-13)

24

25       11. R.S.16:12-14 is amended to read as follows:

26       16:12-14. Any parish of the Protestant Episcopal Church,  
27 however incorporated, may change its corporate title, the number of  
28 its **【vestrymen】** vestrymembers, the terms of office of its wardens  
29 and **【vestrymen】** vestrymembers, or the date of its annual meeting.  
30 Such changes shall in all respects conform to the requirements of  
31 this article, and shall be made in the following manner:

32       A meeting of the vestry shall be called and held in the manner  
33 provided by **【sections】** R.S.16:12-8 and R.S.16:12-9 **【of this title】**,  
34 except that at least one week's notice, stating the object thereof,  
35 shall be given to each member. If the vestry, by a two-thirds vote of  
36 all the members thereof, shall recommend such change or changes,  
37 a special parish meeting shall be called in the manner provided by  
38 **【section】** R.S.16:12-13 **【of this title】**. If the meeting of the parish  
39 shall ratify the recommendations of the vestry by a two-thirds vote  
40 of those present balloting separately upon each proposed change,  
41 then a certificate shall be executed by the rector and secretary, in  
42 the same manner as provided in **【section】** R.S.16:12-2 **【of this**  
43 **title】** for the execution of the certificate of incorporation, and shall  
44 be immediately filed and recorded in the office of the clerk of the  
45 county in which the parish is located, whereupon the change shall  
46 take effect.

47 (cf: R.S.16:12-14)

1 12. R.S.16:12-15 is amended to read as follows:

2 16:12-15. Two or more incorporated parishes of such church  
3 may consolidate and become **[1] one** parish in the following  
4 manner:

5 A meeting of the vestry of each parish may be called by the  
6 rector or wardens upon **[1] one** week's notice to each member. If  
7 each vestry shall determine by a vote of **[3/4] three-fourths** of all  
8 the members thereof that such consolidation is advisable, a further  
9 resolution shall be adopted by a like vote, requesting the consent of  
10 the bishop and standing committee of the diocese in which the  
11 parishes are located. Such consent shall be given in writing, signed  
12 by the bishop and a majority of the standing committee, and  
13 acknowledged or proved in the same manner as deeds of real estate.

14 A special meeting of the congregation of each parish shall then  
15 be called and conducted in the manner provided in **[section]**  
16 **R.S.16:12-13 [of this Title]**. Each meeting shall determine by a  
17 vote of **[3/4] three-fourths** of those present balloting separately  
18 upon each question:

19 a. Whether such consolidation is advisable, and, if the  
20 determination is favorable; then

21 b. Whether the consolidated parish shall act under the charter  
22 of **[1] one** of the consolidated parishes, or under a new certificate  
23 of organization;

24 c. The corporate title of the consolidated parish, which may be  
25 identical with the name of the parish whose charter has been  
26 adopted. If no such charter is adopted, or if any change is made in  
27 the corporate title, it shall be in the form provided in **[section]**  
28 **R.S.16:12-1 [of this Title]**;

29 d. The date of the annual meeting, which shall not be  
30 inconsistent with the constitution, canons or laws of such church;

31 e. The number of **[vestrymen] vestrymembers**, which shall be  
32 identical with the number fixed by the charter adopted, or if any  
33 change is made, shall be **[3] three**, **[6] six** or **[9] nine**; and

34 f. The wardens and **[vestrymen] vestrymembers**, who shall be  
35 chosen either in accordance with the provisions of the charter  
36 adopted, or as hereinbefore provided for new parishes.

37 A certificate shall then be made by the rector and secretary of  
38 each parish, and executed and acknowledged in accordance with  
39 **[section] R.S.16:12-2 [of this Title]**, setting forth:

40 a. The meeting and action of the vestry;

41 b. That the bishop and a majority of the standing committee  
42 have consented; and

43 c. The meeting of the congregation, and its action upon the  
44 questions required to be determined.

45 All such certificates, and the written consent of the bishop and  
46 standing committee, shall be forthwith filed and recorded together  
47 in the offices of the clerks of the counties in which the parishes are

1 located. Thereupon the consolidated parish shall immediately  
2 become vested with all the temporalities and real and personal  
3 property of the parishes so consolidated.

4 (cf: P.L.1961, c.114, s.3)

5

6 13. This act shall take effect immediately.

7

8

9

#### STATEMENT

10

11 This bill amends chapter 12 of Title 16 of the Revised Statutes,  
12 concerning the incorporation and governance of congregations and  
13 parishes of the Protestant Episcopal Church in New Jersey, to  
14 change gender-specific language to gender-neutral language.  
15 Among other provisions, the bill changes the term “chairman” to  
16 “chairperson,” changes “vestrymen” to “vestrymembers,” and  
17 eliminates the word “he” from the statute’s references to “minister,”  
18 “bishop,” “rector,” and “secretary.” The bill also makes certain  
19 technical corrections.

20 Title 16 of the Revised Statutes (“Corporations and Associations,  
21 Religious”) concerns the incorporation and governance of specified  
22 religious groups. The enumerated groups include, among others,  
23 the Baptist and Seventh-Day Baptist Churches (R.S.16:2-1 et seq.);  
24 the Church of Christ, Scientist (R.S.16:3-1 et seq.); the United  
25 Presbyterian Church (R.S.16:11-1 et seq.); the Protestant Episcopal  
26 Church (R.S.16:12-1 et seq.); the Roman Catholic Church  
27 (R.S.16:15-1 et seq.); and the New Jersey State Association of  
28 Spiritualists (R.S.16:17-1 et seq.).

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 1847**

**STATE OF NEW JERSEY**

DATED: JUNE 26, 2017

The Senate Judiciary Committee reports favorably Senate Bill No. 1847.

This bill amends chapter 12 of Title 16 of the Revised Statutes, concerning the incorporation and governance of congregations and parishes of the Protestant Episcopal Church in New Jersey, to change gender-specific language to gender-neutral language. This includes changing the term “chairman” to “chairperson,” changing “vestrymen” to “vestrymembers,” and eliminating the word “he” from the statutory references to “minister,” “bishop,” “rector,” and “secretary.” The bill also updates certain statutory citations and numerical references to comport with current stylistic preferences.

This bill, as reported, is identical to Assembly Bill No. 555, also reported today by the committee.

## Governor Christie Takes Action on Pending Legislation

Friday, July 21, 2017

Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today took action on dozens of bills, including S-359/A-2320 (Codey, Vitale/Vainieri Huttle, Conaway, Jimenez, Lampitt, Jasey, Sumter), which raises the minimum age from 19 to 21 of a person to whom a vendor may sell, offer for sale, distribute, give or furnish tobacco products in New Jersey. This new law also amends various related statues concerning penalties, fines, signage requirements, non-face-to-face transactions, and enforcement provisions to reflect the increased minimum age.

“By raising the minimum age to purchase tobacco products to 21, we are giving young people more time to develop a maturity and better understanding of how dangerous smoking can be and that it is better to not start smoking in the first place,” Governor Christie said. “My mother died from the effects of smoking, and no one should lose their life due to any addictive substance. Additionally, the less people who develop costly tobacco habits that can cause health problems, such as lung cancer, heart disease and developmental issues, the less strain there will be on our healthcare system.”

Governor Christie also took action on pending legislation related to:

### Further Addressing the Opioid Epidemic

Governor Christie signed four bills that continue New Jersey's leadership role in fighting the national opioid epidemic. The legislation that requires the Department of Human Services develop, maintain, and post on their website daily information about the number of open beds available in facilities in the state for people in need of mental health or substance use disorder treatment; help inform parents of student athletes and cheerleaders about the use and misuse of prescription opioids; allows hospice programs to accept the unused prescription medicines of their hospice patients for safe disposal and implements the use of current-day, sensitive terminology when referring to persons with substance use disorders or certain disabilities.

- **A-1662/S-2466 (Schaer, Vainieri Huttle, Coughlin, McKnight, Mukherji/Vitale, Allen)** - Requires development and maintenance of data dashboard report to advise of open bed availability in residential facilities providing behavioral health services
- **A-3944/S-2402 (Mazzeo, Lagana, Vainieri Huttle, Benson, Caride, Wimberly/Diegnan, Vitale)** - Requires DOE to develop educational fact sheet for distribution to parents of student-athletes and cheerleaders concerning use and misuse of prescription opioids
- **S-2970/A-4522 (Vitale, Diegnan/Lampitt, Vainieri Huttle, Jimenez)** - Allows hospice care programs to accept unused prescription medications for disposal under certain circumstances
- **S-2721/ACS for A-926 (Vitale, Whelan/Vainieri Huttle, Benson, Tucker, Eustace, McKnight, Mosquera)** - Implements person-first language and changes pejorative terminology referring to persons with certain disabilities or substance use disorders

### Protecting and Preserving the Environment

The Governor also signed several bills to protect people and improve the quality of life by strengthening New Jersey's environment.

“These new laws will create more open space preservation opportunities, green energy solutions and safeguards to ensure quality drinking water for all New Jerseyans,” Governor Christie said. “They provide greater flexibility for counties and municipalities to use the roughly \$270 million open space tax dollars they collect each year for the intended mission of protecting New Jersey's environment, improving communities with more recreation and

conservation, and preventing overcrowding of our towns and schools. They also ensure reliable, sustainable and safe environmental infrastructure across the state, by investing nearly \$100 million in critical projects this year."

- **A-1645/S-195 (Schaer, Webber, Dancer, Pintor Marin/Kyrillos, Smith)** - Expands definition of "acquisition," for purposes of county and municipal open space trust funds, to include demolition, removal of debris, and restoration of lands being acquired
- **S-3352/A-5045 (Ruiz, Bateman/Oliver, Chaparro, Singleton, Lagana, Bramnick, Vainieri Huttie, Zwicker)** - Appropriates \$71,700,224 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects
- **S-3353/A-5046 (Greenstein, Thompson/Eustace, Land, Mukherji, Schaer, Bramnick, Vainieri Huttie, Wimberly)** - Appropriates \$12.3 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects
- **S-3354/A-5044 (Gordon, Allen/McKeon, Mazzeo, Muoio, Moriarty, Bramnick, Zwicker, Vainieri Huttie)** - Appropriates \$8,992,898 to DEP from constitutionally dedicated CBT revenues and various Green Acres funds for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes
- **S-3240/A-4996 (Greenstein, Codey/Mukherji, Mazzeo, Schaer, Holley, Land)** - Authorizes NJ Environmental Infrastructure Trust to expend certain sums to make loans for environmental infrastructure projects for FY2018
- **CC for S-3241/A-4998 (Smith, Codey/Eustace, Muoio, Moriarty, Conaway, Andrzejczak)** - Appropriates funds to DEP for environmental infrastructure projects for FY2018
- **S-3242/A-4997 (Gordon, Oroho/McKeon, Prieto)** - Clarifies procedures for approval of environmental and transportation infrastructure projects
- **S-3181/A-4756 (Smith, Diegnan/DeAngelo, Eustace, Gusciora)** - Permits solar electric power generation facility projects not having commenced commercial operation to retain designation through May 31, 2018 as connected to distribution system
- **S-2834/A-4569 (Sweeney, Greenstein, Bateman/Eustace, Karabinchak, McKeon, Vainieri Huttie, Benson, Muoio)** - The "Water Quality Accountability Act"; imposes certain testing, reporting, management, and infrastructure investment requirements on water purveyors

Governor Christie also took action on the following bills:

#### BILL SIGNINGS:

**S-5/A-4925 (Vitale, Sweeney/Conaway, O'Scanlon, Houghtaling, Quijano, Giblin, DeAngelo, Munoz, Mukherji, A.M. Bucco)** - Establishes data reporting requirements for emergency medical services providers and dispatch centers

**SS SCS SCS for S-291, 652, 1954/ACS for A-1464 (Vitale, Whelan, Allen, Turner/Lampitt, Coughlin, Conaway, Vainieri Huttie, Lagana, Mukherji, Moriarty)** - Authorizes health care providers to engage in telemedicine and telehealth

**S-742/A-1205 (Beach/Mosquera, Holley, Wimberly, Jones)** - Requires board of education to enter into agreement with law enforcement authorities regarding access to live video streams of public school buildings

**S-1295/A-3701 (Vitale/Eustace, Munoz)** - Amends and repeals sections of "Respiratory Care Practitioner Licensing Act"

**S-1315/A-1839 (Vitale/Giblin, Wimberly, McKeon, Mukherji, Sumter)** - Revises statutes regarding practice of physical therapy

**S-1840/A-2085 (Ruiz, Gill/Mukherji, Oliver, McKnight)** - Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system

**S-1913/A-2794 (Addiego, Greenstein/Lagana, Moriarty, Mukherji, Downey)** - "Personal Information and Privacy Protection Act"; restricts collection and use of personal information by retail establishments for certain purposes

**S-2058/A-671 (T. Kean, Pou/Munoz, Giblin, Mukherji, Moriarty)** - Adds two nurse educators to the New Jersey Board of Nursing

**S-2331/A-3962 (Codey, Vitale/Jasey, McKeon, Vainieri Huttie, Munoz, Mukherji, Mosquera, Lampitt)** - Establishes tuition reimbursement program for certain psychiatrists who work in underserved areas or psychiatric hospitals in New Jersey

**CC S-2403/A-3717 (Rice, Turner/Sumter, Vainieri Huttie, Lampitt, Downey)** - Establishes Women's Vocational Training Pilot Program to promote economic self-sufficiency of low-income women through increased participation in high-wage, high-demand occupations; authorizes allocation of certain funds therefor

**S-2452/A-4007 (Diegnan, Stack/Houghtaling, Downey, Mosquera, Mazzeo)** - Requires Director of Division of Taxation to promulgate Property Taxpayer Bill of Rights

**S-2577/A-4238 (Cunningham, Ruiz, Gordon/Sumter, Jasey, Muoio, Lagana, Downey, Benson)** - Requires Higher Education Student Assistance Authority to provide annual New Jersey College Loans to Assist State Students Loan Program report to Governor and Legislature and develop student loan comparison information document to increase program transparency

**S-2618/A-4691 (Cunningham, Pou/Caride, McKeon, Jasey, Giblin)** - Requires institutions of higher education to enter into collective Statewide reverse transfer agreement

**S-2819/A-4363 (Sweeney, Ruiz, Lesniak/Taliaferro, Andrzejczak, Lampitt, Mosquera, Holley, Quijano)** - Creates "Nourishing Young Minds Initiative Fund" in Dept. of Agriculture to help pay for child food and nutrition programs

**S-3027/A-4631 (Smith, Greenstein/Lampitt, Quijano, Eustace, Kennedy, Benson, Muoio, Zwicker, Mukherji)** - Establishes State food waste reduction goal of 50 percent by 2030

**S-3067/A-4652 (Ruiz, Vitale/Vainieri Huttie, Caride, Eustace, Jasey, Wimberly, Gusciora)** - Requires Commissioner of Education to develop guidelines for school districts regarding transgender students

**S-3176/A-4898 (Madden/Mukherji, Singleton)** - Changes year used to calculate TDI and FLI employee taxes from most recent calendar year to most recent fiscal year

**S-3191/A-3370 (Sweeney, Bateman/Burzichelli, Jones)** - Extends voting rights of representatives of sending districts on receiving district board of education

**S-3219/A-4859 (Sweeney, T. Kean, Greenstein, Holzapfel/Vainieri Huttie, Prieto, Downey)** - Establishes additional penalties related to child pornography and expands crime to include portrayal of child in sexual manner; establishes crime of leader of child pornography network

**S-3331/A-5039 (Cruz-Perez/Jones)** - Authorizes State Treasurer to sell surplus real property in City of Camden, County of Camden to Camden County Improvement Authority

**SJR-105/AJR-157 (Diegnan, Cruz-Perez, Sweeney/Pinkin, Karabinchak, Coughlin)** - Designates August 29, 2017 as Governor James Florio Day in New Jersey

**SJR-113/AJR-165 (Gordon/Vainieri Huttie, Chiaravalloti)** - Clarifies intent of law subjecting PANYNJ to open public records and freedom of information laws in New Jersey and New York

**A-222/S-2171 (DeAngelo, Giblin, Singleton, Holley, Benson/Bateman, Greenstein, Stack)** - "New Jersey Library Construction Bond Act"; authorizes issuance of \$125,000,000 in general obligation bonds to finance capital projects at public libraries; appropriates \$5,000

**A-373/S-607 (Auth, Vainieri Huttie, McGuckin, Schepisi, Peterson, Jimenez/Addiego, A.R. Bucco)** - Requires life imprisonment without parole for persons convicted of the murder of a minor under the age of 18 in the course of the commission of a sex crime

**A-555/S-1847 (Pinkin, Eustace/Diegnan)** - Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references

**A-621/S-2328 (Lagana, Greenwald, Moriarty, Mosquera, Mukherji/Cruz-Perez, Turner)** - Permits bowling alleys, including alleys licensed to sell alcoholic beverages, to conduct amusement games

**A-1458/S-2449 (Lampitt, Mosquera, Downey, Singleton, Vainieri Huttie/Vitale, Ruiz)** - Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children

**A-1761/S-332 (Eustace, Mukherji, Gusciora/Scutari, Bateman)** - Creates fencing crime involving stolen domestic companion animals

**A-2060/S-2333 (Gusciora, Sumter, Oliver, Jasey, McKnight/Cruz-Perez, Turner)** - Establishes process for consideration of offers from short sale buyers during residential mortgage foreclosures

**A-2221/S-2453 (Benson, Russo, DeAngelo, A.M. Bucco/Diegnan, Greenstein)** - Allows gross income taxpayers to use returns to make voluntary contributions to the Boy Scouts of America Councils in New Jersey

**A-2441/S-2910 (Eustace, Gusciora, Kennedy, Mazzeo, Mukherji/Gordon, Turner)** - Authorizes the Unclaimed Property Administrator to verify certain governmental debts before delivering abandoned property

**A-2926/S-3197 (Greenwald, Vainieri Huttie, Schaer, Mukherji, Holley, Mosquera, Muoio, Sumter, Mazzeo/Cruz-Perez, Cunningham)** - Repeals law suspending certain licenses, registrations and certifications for failure to repay student loans

**A-2993/S-1305 (Conaway, Pinkin, Sumter, Wimberly, McKnight, Mukherji/Vitale, Madden)** - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes

**A-3347/S-2242 (Wolfe, Holley, Jasey, McKnight, Wimberly/Diegnan)** - Establishes New Jersey School Safety Specialist Academy in Department of Education and requires school districts to designate school safety specialist

**A-3438/S-1564 (DeAngelo, Danielsens, Holley, Houghtaling, Downey, Wimberly, Quijano/Turner, Beach)** - Requires initial determination of unemployment benefits to be made within three weeks of filing of claim

**A-3463/S-2038 (Coughlin/Vitale, Codey)** - Updates references to DOC and DHS and refers to persons receiving services from DHS

**A-3686/S-2423 (McKeon, Jasey, Munoz, Vainieri Huttie, A.M. Bucco/Codey, Oroho)** - Establishes new crime of strict liability vehicular homicide; renames existing vehicular homicide as reckless vehicular homicide; designated as Ralph and David's Law

**A-4011/S-2887 (Jones, Barclay, Moriarty, Mosquera, Greenwald, Lampitt, Mazzeo, Chiaravalloti/Cruz-Perez, Beach)** - Designates USS New Jersey as New Jersey State Ship

**A-4081/S-2662 (Lampitt, Vainieri Huttle, Benson, Wimberly, Greenwald/Allen, Sweeney)** - "Charlie's Law"; Establishes civil penalties for persons who interfere with or deny persons with disabilities accompanied by service or guide dogs access to places of public accommodation

**A-4088/S-2567 (Schaer, Jasey, Benson, Wimberly/Cruz-Perez, Singer)** - Establishes "High School to College Readiness Commission" to examine issues and develop recommendations to enhance student preparation for postsecondary education

**A-4175/S-2808 (Caride, McKnight, Holley, Pintor Marin, Wimberly/Ruiz, Turner)** -Requires Commissioner of Education to develop guidance on identifying English language learners for gifted and talented programs

**A-4246/S-3194 (Dancer/Lesniak, Beck)** - Decreases annual thoroughbred race dates to 50 minimum upon written consent from New Jersey Thoroughbred Horsemen's Association

**A-4317/S-3206 (Prieto, Giblin/Diegnan)** - Concerns violations of certain occupational licensing laws

**A-4568/S-3017 (Vainieri Huttle, Eustace, Pinkin, Jasey, Johnson/Vitale, Ruiz)** - Prohibits health insurers, SHBP, SEHBP, certain health care providers, and Medicaid from discriminating in providing coverage and services based on gender identity

**A-4875/S-1996 (Muoio, Gusciora/Beach, Van Drew)** - Requires gubernatorial candidates' statements be posted online

**A-4969/S-3281 (Oliver, Giblin, Jasey, McKnight, Schaer, Wimberly/Gill, Cunningham)** - Establishes Montclair State University as public research university

**ACS for A-4994/S-3314 (McKeon, Burzichelli, Singleton, Caride/Sarlo, Oroho)** - Requires certain State and local government agency employees with access to federal tax information to undergo criminal history background checks

**AJR-37/SJR-67 (Mosquera, Chaparro/Weinberg)** - Designates June 21 of each year as "ASK Day" to promote children's health and gun safety

**ACS for AJR-54/SJR-104 (Benson, Mosquera, Chiaravalloti, Holley, McKnight, Wimberly/Sweeney, Beach)** - Designates April 2nd of each year as "World Autism Awareness Day"

**AJR-72/SJR-31 (Gove, Rumpf, A.M. Bucco, Holley/A.R. Bucco)** - Designates September 17 through September 23 of each year as "Constitution Week"

**AJR-115/SJR-81 (Vainieri Huttle, Lampitt, Giblin, Benson/Diegnan, A.R. Bucco)** - Designates third Friday in September of every year as Concussion Awareness Day

**AJR-126/SJR-85 (Dancer, DeAngelo, Munoz, A.M. Bucco, Mukherji, Houghtaling, Downey/Allen, Madden)** - Commemorates establishment and service of the New Jersey State Police and celebrates 95th anniversary of first graduating class

**AJR-137/SJR-102 (Mazzeo/Whelan)** - Urges United States President Trump, members of his administration, and Congress to oppose measures and actions to prohibit states from authorizing and conducting Internet gaming

#### **BILLS VETOED:**

**SCS for S-1297, 1990/A-3751 (Vitale, Sweeney/Jasey, Coughlin)** - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots

**A-31/S-3315 (Prieto, Muoio, Oliver, Schaer, Holley, Mukherji, Quijano, Wimberly, Pintor Marin/Vitale, Cruz-Perez)** - **ABSOLUTE** - Increases amount of benefits under Work First New Jersey program by 30 percent over three years and according to Social Security cost of living increases thereafter

**A-33/S-3316 (Muoio, Vainieri Huttle, Mukherji, Oliver, Gusciora, Pintor Marin/Vitale, Cruz-Perez)** - **ABSOLUTE** - Repeals family cap in Work First New Jersey program

**A-320/S-1018 (Singleton, Vainieri Huttle, Munoz, Moriarty, Lampitt, Sumter, Mukherji/Weinberg, Cruz-Perez)** - **CONDITIONAL** - Establishes minimum Medicaid reimbursement rate for personal care services

**A-1139/S-2616 (Holley, McKnight, Munoz, Kennedy, Mukherji, Pintor Marin, Wimberly/Ruiz, Vitale)** - **CONDITIONAL** - Prohibits sale of unsafe supplemental mattresses designed for children's products

**A-2297/S-659 (Vainieri Huttle, Sumter, Mukherji, Caride, Downey, Zwicker, Wimberly/Turner, Allen)** - **CONDITIONAL** - Requires health insurance coverage for contraceptives to include prescriptions for 12 months

**A-3338/S-862 (Eustace, Lagana, Vainieri Huttle, Muoio, Mukherji, Benson, Jimenez, Giblin, Moriarty, Lampitt/Stack, Weinberg)** - **CONDITIONAL** - Dedicates one percent of cigarette and other tobacco products tax revenues to anti-smoking initiatives

**ACS for A-3480, 4119/S-2536 (Downey, Lampitt, Schaer, Houghtaling, Benson, Singleton, Muoio, DeAngelo/Gill, Weinberg)** - **ABSOLUTE** - Concerns employer inquiries about worker's wage and salary experience

**A-4253/S-2634 (Quijano, Mukherji, Vainieri Huttle, Eustace, Jones, McKeon/Weinberg, Diegnan) - CONDITIONAL** - Establishes "New Jersey Nonprofit Security Grant Pilot Program"; appropriates \$3,000,000 over next three fiscal years

**A-4453/S-2881 (Downey, Houghtaling/Ruiz) – CONDITIONAL** - Requires pupils who reside on certain federal property to enroll in resident school district in accordance with schedule determined by executive county superintendent of schools

**A-4496/S-2977 (Wimberly, Sumter, Lampitt/Lesniak) – CONDITIONAL** - "Healthy Small Food Retailer Act"; provides funding to small food retailers to sell fresh and nutritious food; appropriates \$1 million

**A-4587/SCS for S-2574 (Quijano, Vainieri Huttle, Mukherji, Giblin/Diegnan, Sarlo) – ABSOLUTE** - Imposes State sales and use tax and hotel and motel occupancy fee on transient accommodations; authorizes various municipal taxes and fees on transient accommodations

**A-4870/S-3226 (Prieto, Oliver, Quijano, Pintor Marin, Schaer, Vainieri Huttle, Eustace/Ruiz, Sweeney, Greenstein) – ABSOLUTE** - "Safe Transportation Jobs and Fair Employment Rules Act"

**ACS for A-4927/SCS for S-3085 (Prieto, Oliver, Gusciora, Jasey/Sweeney, Diegnan, Ruiz) – CONDITIONAL** - Revises law concerning family leave, temporary disability and family temporary disability leave, and domestic or sexual violence safety leave

###

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