

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:2-25

(Local Bond Law - amend - permit deputy clerk to attest to signatures)

LAWS OF: 1983

CHAPTER: 370

Bill No: A3376

Sponsor(s): Smith and others

Date Introduced: April 25, 1983

Committee: Assembly: County

Senate: County and Municipal Government

Amended during passage: NO

Date of Passage: Assembly: June 23, 1983

Senate: August 29, 1983

Date of Approval: October 27, 1983

Following statements are attached if available:

Sponsor statement: YES

Committee statement: Assembly YES

Senate YES

Fiscal Note: NO

Veto Message: NO

Message on Signing: NO

Following were printed:

Reports: NO

Hearings: NO

DO NOT WRITE IN THESE SPACES

ASSEMBLY, No. 3376

STATE OF NEW JERSEY

INTRODUCED APRIL 25, 1983

By Assemblymen SMITH, KAVANAUGH, PALAIA  
and MUZIANI

AN Act concerning the "Local Bond Law" and amending N. J. S.  
40A:2-25.

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

1 1. N. J. S. 40A:2-25 is amended to read as follows:

2 40A:2-25. Obligations shall be executed in the name of the local  
3 unit by the manual or facsimile signatures of such officials, includ-  
4 ing a financial officer, as may be designated by resolution, or if none  
5 be designated, of the director of the board of chosen freeholders  
6 of a county or the mayor, or other executive officer of the mu-  
7 nicipality and of a financial officer of the local unit, and shall be  
8 under the seal of the local unit affixed, imprinted or reproduced  
9 thereon and attested by the manual signature of the clerk *or*  
10 *deputy clerk*. Coupons attached to any obligation shall be authenti-  
11 cated by the facsimile or manual signature of the financial officer  
12 whose manual or facsimile signature appears upon the obligation.

13 Delivery of obligations fully executed by the officers holding  
14 office at the time of such execution shall be valid, notwithstanding  
15 any change in such officers or in the seal occurring after such  
16 execution.

1 2. This act shall take effect immediately.

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STATEMENT

This bill amends the law on execution and delivery of obligations  
of local units under the "Local Bond Law" to allow the deputy

**Matter printed in italics *thus* is new matter.**

clerk to attest to the signatures of the prescribed officials where the clerk is not available.

This is consistent with the provisions of N. J. S. 18A:24-32 which allows assistant secretaries to act similarly on the issuance of bonds of a Type II school district and with the duties of deputy clerks under N. J. S. 40A:9-74 and N. J. S. 40A:9-135.

The bill clarifies the ability of the deputy clerk to act in the place of the clerk in these matters and will avoid undue difficulty where the clerk is not readily available.

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STATE OF NEW JERSEY

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ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3376

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STATE OF NEW JERSEY

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DATED: MAY 26, 1983

Assembly Bill No. 3376 amends the law on execution and delivery of obligations of local units under the "Local Bond Law" (N. J. S. 40A:2-25) to allow the deputy clerk to attest to the signatures of the prescribed officials where the clerk is not available.

This is consistent with the provisions of N. J. S. 18A:24-32, which allows assistant secretaries to act similarly on the issuance of bonds of a Type II school district, and with the duties of deputy clerks under N. J. S. 40A:9-74 and N. J. S. 40A:9-135.

The bill clarifies the ability of the deputy clerk to act in the place of the clerk in these matters, and will avoid undue difficulty where the clerk is not readily available.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3376**

**STATE OF NEW JERSEY**

DATED: JUNE 30, 1983

Assembly Bill No. 3376 amends the provision of the "Local Bond Law" (N. J. S. 40A:2-25) pertaining to the execution and delivery of bonds and other obligations to permit either the clerk or the deputy clerk of the local unit to attest to the signature of local officials.

Currently, under N. J. S. 40A:9-74, the deputy county clerk exercises the powers and duties of the county clerk during the clerk's absence or disability. Under N. J. S. 40A:9-135, the deputy municipal clerk exercises the powers and duties of the municipal clerk during the clerk's absence or disability.

This bill is identical to Senate Bill No. 3019 reported favorably by this committee on June 23, 1983.