

16:1-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2007 **CHAPTER:** 231

NJSA: 16:1-1 (Clarifies law on incorporation of religious societies or congregations by eliminating outdated references to specific religious groups; lowers age requirement for those electing trustees for purpose of incorporation)

BILL NO: A806 (Substituted for S2630)

SPONSOR(S) Chivukula and Others

DATE INTRODUCED: January 10, 2006

COMMITTEE: **ASSEMBLY:** State Government

SENATE: Commerce

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** July 8, 2006

SENATE: December 17, 2007

DATE OF APPROVAL: January 3, 2008

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Second reprint enacted)

A806

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL NOTE: No

S2630

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: no

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RWH 523/08

P.L. 2007, CHAPTER 231, *approved January 3, 2008*
Assembly, No. 806 (*Second Reprint*)

1 AN ACT concerning the incorporation of religious societies or
2 congregations and amending R.S.16:1-1.

3

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

6

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

8 16:1-1. Every religious society or congregation **[of christians or**
9 **of Israelites, otherwise called Hebrews or Jews]**, entitled to
10 protection in the free use of their religion by the constitution and
11 laws of this state, may assemble at their usual place of meeting for
12 public worship, at any time agreed upon by them, after at least ten
13 days' notice of the time and purpose of assembling, given by an
14 advertisement set up in open view at or near the place of meeting
15 and when so assembled a plurality of votes of the members of such
16 society or congregation ¹**[over]**¹ **[twenty-one]** ¹**[18 years of age]**¹
17 ²over 18 years of age² who regularly contribute to its support and
18 who are present at such meeting, may elect any number of such
19 society or congregation to be its trustees for the purpose of
20 incorporating such society or congregation as provided in section
21 16:1-2 of this title.

22 (cf: R.S. 16:1-1)

23

24 2. This act shall take effect immediately.

25

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28

29 Clarifies law on incorporation of religious societies or
30 congregations by eliminating outdated references to specific
31 religious groups; lowers age requirement for those electing trustees
32 for purpose of incorporation.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASG committee amendments adopted March 9, 2006.

²Assembly floor amendments adopted June 26, 2006.

ASSEMBLY, No. 806

STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

SYNOPSIS

Clarifies law on incorporation of religious societies by eliminating reference to specific religious societies; lowers age of voting members thereof.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the incorporation of religious societies or
2 congregations and amending R.S.16:1-1.

3

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

6

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

8 16:1-1. Every religious society or congregation [of christians or
9 of Israelites, otherwise called Hebrews or Jews], entitled to
10 protection in the free use of their religion by the constitution and
11 laws of this state, may assemble at their usual place of meeting for
12 public worship, at any time agreed upon by them, after at least ten
13 days' notice of the time and purpose of assembling, given by an
14 advertisement set up in open view at or near the place of meeting
15 and when so assembled a plurality of votes of the members of such
16 society or congregation over [twenty-one] 18 years of age who
17 regularly contribute to its support and who are present at such
18 meeting, may elect any number of such society or congregation to
19 be its trustees for the purpose of incorporating such society or
20 congregation as provided in section 16:1-2 of this title.

21 (cf: R.S. 16:1-1)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 Under current law, every religious society may elect to
29 incorporate as a religious corporation in this State. However, the
30 current language of the law specifically refers to Jewish and
31 Christian religious societies or congregations and may be
32 misinterpreted to limit incorporation to those religions. This bill
33 eliminates the reference to Jewish and Christian religious societies
34 or congregations to clarify that the law applies to all religious
35 societies and congregations.

36 This bill also lowers the age of voting members of a religious
37 society or congregation from 21 years of age to 18 years of age in
38 order to be more consistent with the current age of voting.

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.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 806

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 9, 2006

The Assembly State Government Committee reports favorably and with committee amendments Assembly Bill No. 806.

Currently, every religious society may elect to incorporate as a religious corporation in this State. The current language of the law, however, specifically refers to Jewish and Christian religious societies or congregations and may be misinterpreted to limit incorporation to those religions.

As amended, this bill removes the reference to Jewish and Christian religious societies or congregations to clarify that the law applies to all religious societies and congregations. The bill also eliminates the requirement that members of a religious society or congregation be of a particular age in order to elect some of its members to be trustees for the purpose of incorporating the society or congregation.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended the bill to eliminate the requirement that members of a religious society or congregation be of a particular age in order to elect some members of the society or congregation to be trustees for the purpose of incorporation.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 806

STATE OF NEW JERSEY

DATED: MAY 14, 2007

The Senate Commerce Committee reports favorably Assembly Bill No. 806 (2R).

Under current law, every religious society may elect to incorporate as a religious corporation in this State. However, the current language of the law specifically refers to Jewish and Christian religious societies or congregations and may be misinterpreted to limit incorporation to those religions. This bill eliminates the reference to Jewish and Christian religious societies or congregations to clarify that the law applies to all religious societies and congregations.

The bill also lowers the age requirement, from 21 years of age to 18 years of age, for members of a religious society or congregation to be eligible to vote to elect fellow members as trustees for the purpose of incorporating such society or congregation.

This bill is identical to the provisions of Senate Bill No. 2630, as reported by the committee.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 806

with Assembly Floor Amendments
(Proposed By Assemblyman CHIVUKULA)

ADOPTED: JUNE 26, 2006

These floor amendments provide that over 18 years will be the age at which members of a religious society or congregation may vote to elect members to be trustees for the purpose of incorporating the society or congregation.

SENATE, No. 2630

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED MAY 10, 2007

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Mercer, Monmouth and Ocean)

Senator PAUL A. SARLO

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Clarifies law on incorporation of religious societies or congregations by eliminating outdated references to specific religious groups; lowers age requirement for those electing trustees for purpose of incorporation.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/18/2007)

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2 congregations and amending R.S.16:1-1.

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15 and when so assembled a plurality of votes of the members of such
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SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2630

STATE OF NEW JERSEY

DATED: MAY 14, 2007

The Senate Commerce Committee reports favorably Senate Bill No. 2630.

Under current law, every religious society may elect to incorporate as a religious corporation in this State. However, the current language of the law specifically refers to Jewish and Christian religious societies or congregations and may be misinterpreted to limit incorporation to those religions. This bill eliminates the reference to Jewish and Christian religious societies or congregations to clarify that the law applies to all religious societies and congregations.

The bill also lowers the age requirement, from 21 years of age to 18 years of age, for members of a religious society or congregation to be eligible to vote to elect fellow members as trustees for the purpose of incorporating such society or congregation.

This bill is identical to the provisions of Assembly Bill No. 806 (2R), as reported by the committee.