

16:20-1 to 16:20-7

**LEGISLATIVE HISTORY CHECKLIST**  
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(Coptic Orthodox Church--  
management)

**NJSA:** 16:20-1 to 16:20-7

**LAWS OF:** 1993 **CHAPTER:** 148

**BILL NO:** A1926

**SPONSOR(S)** DiGaetano and others

**DATE INTRODUCED:** October 15, 1992

**COMMITTEE:** **ASSEMBLY:** Commerce  
**SENATE:** State Government

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
First reprint enacted dented by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** December 14, 1992  
**SENATE:** May 13, 1993

**DATE OF APPROVAL:** June 24, 1993

**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

KBG:pp

[FIRST REPRINT]  
ASSEMBLY, No. 1926

STATE OF NEW JERSEY

INTRODUCED OCTOBER 15, 1992

By Assemblymen DiGAETANO, ROMA, Kelly, Charles,  
Kenny, Romano, Impoveduto, Doria and Catania

1 AN ACT concerning the incorporation and management of  
2 religious entities belonging to the Coptic Orthodox Church and  
3 supplementing Title 16 of the Revised Statutes.

4

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

7 1. As used in this act:

8 "Bishop of the Coptic Orthodox Diocese" refers to that person  
9 who is serving as bishop for that diocese pursuant to the authority  
10 of and in accordance with the rules and regulations of the  
11 Synodical Committee for the Coptic Churches in Immigration. In  
12 accordance with the laws of the Holy Synod, the Pope of  
13 Alexandria, in Egypt, is the presiding bishop of any new diocese  
14 during the foundation period and until a bishop is ordained for  
15 that diocese. Likewise, and pursuant to such laws, the Pope of  
16 Alexandria, in Egypt, is the presiding bishop of any existing  
17 diocese which has no bishop.

18 "Coptic Orthodox Church" means the Apostolic Church  
19 presided over by His Holiness, the Pope of Alexandria, in Egypt,  
20 and the Patriarch of the See of St. Mark, the legislative body of  
21 which is known as the Holy Synod. The Coptic Orthodox Church  
22 is a hierarchical church.

23 "Holy Synod" means the highest legislative and executive  
24 authority in the Coptic Orthodox Church, presided over by His  
25 Holiness, the Pope of Alexandria and the Patriarch of the See of  
26 St. Mark and is more formally known as "The Holy Synod for the  
27 Coptic Orthodox Church of Alexandria and the See of St. Mark."

28 "Synodical Committee for the Coptic Churches in  
29 Immigration" means, according to the constitution and bylaws of  
30 the Holy Synod, the committee formed and presided over by His  
31 Holiness, the Pope of Alexandria and the Patriarch of the See of  
32 St. Mark from among the members of the Holy Synod, to assist  
33 him in marshalling the affairs of the churches abroad.

34 "Unincorporated church in this State" and a "church heretofore  
35 incorporated in this State" means a church, cathedral, chapel or  
36 other religious organization in this State founded and established  
37 for the purpose of and with the intent of adhering to, and being  
38 subject to the administrative jurisdiction of, the Synodical  
39 Committee for the Coptic Churches in Immigration.

40 2. This act applies to any unincorporated church in this State  
41 1 and any unincorporated diocese or archdiocese located in whole  
42 or in part in this State<sup>1</sup> affiliated with the Coptic Orthodox

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:

<sup>1</sup> Assembly ACP committee amendments adopted November 23, 1992.

1 Church and to any church <sup>1</sup>, diocese or archdiocese<sup>1</sup> heretofore  
2 incorporated in this State which desires to reincorporate pursuant  
3 to this act, except that nothing shall prevent or prohibit any  
4 church <sup>1</sup>, diocese or archdiocese<sup>1</sup> heretofore incorporated in this  
5 State affiliated with the Coptic Orthodox Church from  
6 maintaining and continuing <sup>1</sup>[the relationship with that church]  
7 that affiliation<sup>1</sup> enjoyed at the time of the effective date of this  
8 act should that church <sup>1</sup>, diocese or archdiocese<sup>1</sup> determine not  
9 to reincorporate pursuant to this act.

10 3. An unincorporated church in this State may become  
11 incorporated as a church by executing, acknowledging and filing a  
12 certificate of incorporation, stating the corporate name by which  
13 that church shall be known in the county and municipality where  
14 its principal place of worship is, or is intended to be located. A  
15 certificate of incorporation of an unincorporated church in this  
16 State shall be executed and acknowledged by the Bishop of the  
17 Coptic Orthodox Diocese in which its place of worship is located  
18 and by two or more persons who shall be appointed by the bishop  
19 from among the priests and deacons of that church. Upon filing  
20 that certificate of incorporation, that church shall be a  
21 corporation by the name stated in the certificate.

22 4. Any church heretofore incorporated in this State, with the  
23 consent of the Bishop of the Coptic Orthodox Diocese in which its  
24 place of worship is located, may reincorporate under the  
25 provisions of this act by filing in the office of the Secretary of  
26 State, and a copy thereof in the office of the county clerk in the  
27 county in which its principal place of worship is located, a  
28 certificate, signed by the trustees in office at the time of that  
29 reincorporation, in which the majority of those trustees set forth  
30 that they desire to reincorporate under the provisions of this act.  
31 The certificate shall include the corporate name by which that  
32 church shall be known, the county and municipality where its  
33 principal place of worship is located, and the names of the bishop  
34 and two or more persons appointed by the bishop from among the  
35 priests and deacons of that church, who shall constitute the  
36 initial board of trustees of the church. Immediately upon the  
37 filing of that certificate all the right, title, equity and interest of  
38 that church in any estate, real or personal, together with all  
39 franchise and charter rights, shall be vested in the body corporate  
40 so created under this act and the original incorporation of that  
41 church shall be null and void.

42 <sup>1</sup>5. Any diocese or archdiocese of the Coptic Orthodox Church  
43 located in whole or in part in this State may become incorporated  
44 as a diocese or archdiocese under the provisions of this act by  
45 filing in the Office of the Secretary of State a certificate of  
46 incorporation. A certificate of incorporation of a diocese or  
47 archdiocese shall be executed and acknowledged by the Bishop of  
48 the Coptic Orthodox Church, or the Archbishop of the Coptic  
49 Orthodox archdiocese, and by two or more persons who shall be  
50 appointed by the bishop from among the priests and deacons of  
51 that diocese or archdiocese. Upon filing that certificate of  
52 incorporation, that diocese or archdiocese shall be a corporation  
53 by the name stated in the certificate.<sup>1</sup>

54 <sup>1</sup>[5.] 6.<sup>1</sup> The Bishop of the Coptic Orthodox Diocese in which  
55 the place of worship of an incorporated church in this State is

1 located and his successors in office shall, by virtue of his office,  
2 be a trustee of that church. Two or more persons selected by the  
3 bishop from among the priests and deacons of that church in the  
4 manner provided from time to time by rules and regulations of  
5 the Coptic Orthodox Church adopted by the Synodical Committee  
6 for the Coptic Churches in Immigration shall also be trustees of  
7 that incorporated church. and the bishop and other such persons  
8 shall together constitute the board of trustees thereof. The  
9 bishop and other persons signing the certificate of incorporation  
10 shall be the trustees of that church for the first year or until  
11 their successors are selected according to the rules, statutes,  
12 regulations and usages of the Coptic Orthodox Church adopted by  
13 the Synodical Committee for the Coptic Churches in  
14 Immigration. The trustees of every church in this State shall  
15 have the custody and control of all temporalities and property,  
16 real and personal, belonging to that church and of the revenues  
17 therefrom and shall administer them in accordance with the  
18 rules, statutes, regulations and usages of the Coptic Orthodox  
19 Church adopted by the Synodical Committee for the Coptic  
20 Churches in Immigration, except that no act or proceeding of the  
21 trustees of any such incorporated church shall be valid without  
22 the approval of the bishop of the diocese in which the place of  
23 worship of that church is located. or in case of his absence or  
24 inability to act. without the approval of the vicar of that diocese.

25 <sup>1</sup>[6.] 7.<sup>1</sup> Whenever a Coptic Orthodox parish shall be duly  
26 divided by the Bishop of the Coptic Orthodox Diocese in which  
27 the parish is located into two parishes within that diocese, then  
28 the bishop or his successor shall have the right and power, by  
29 himself and independently of any action or consent on the part of  
30 the trustees of the original church corporation to transfer assets,  
31 with or without valuable consideration, from the original church  
32 corporation to the new or second church corporation. That  
33 transfer shall be made by the bishop or his successor after having  
34 complied with the requirements imposed upon the trustees of any  
35 religious corporation under Title 16 of the Revised Statutes  
36 before making a transfer of church property.

37 <sup>1</sup>[7.] 8.<sup>1</sup> This act shall take effect immediately.

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42 Provides for incorporation and management of religious entities  
43 belonging to the Coptic Orthodox Church.

- 1 the rules, statutes, regulations and usages of the Coptic Orthodox  
2 Church adopted by the Synodical Committee for the Coptic  
3 Churches in Immigration, except that no act or proceeding of the  
4 trustees of any such incorporated church shall be valid without  
5 the approval of the bishop of the diocese in which the place of  
6 worship of that church is located, or in case of his absence or  
7 inability to act, without the approval of the vicar of that diocese.
- 8 6. Whenever a Coptic Orthodox parish shall be duly divided by  
9 the Bishop of the Coptic Orthodox Diocese in which the parish is  
10 located into two parishes within that diocese, then the bishop or  
11 his successor shall have the right and power, by himself and  
12 independently of any action or consent on the part of the trustees  
13 of the original church corporation to transfer assets, with or  
14 without valuable consideration, from the original church  
15 corporation to the new or second church corporation. That  
16 transfer shall be made by the bishop or his successor after having  
17 complied with the requirements imposed upon the trustees of any  
18 religious corporation under Title 16 of the Revised Statutes  
19 before making a transfer of church property.
- 20 7. This act shall take effect immediately.

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23 STATEMENT  
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25 This bill provides for the incorporation, or in some cases the  
26 reincorporation, of churches, cathedrals, chapels or other  
27 religious organizations located in New Jersey that are a part of  
28 the Coptic Orthodox Church. The Coptic Orthodox Church is a  
29 hierarchical church presided over by His Holiness, the Pope of  
30 Alexandria and the Patriarch of the See of St. Mark. The bill also  
31 includes provisions regarding the management of church  
32 properties and their operations in New Jersey.

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37 Provides for incorporation and management of religious entities  
38 belonging to the Coptic Orthodox Church.

ASSEMBLY COMMERCE AND REGULATED  
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1926

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1992

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 1926 with amendments.

As amended, this bill provides for the incorporation, or in some cases the reincorporation, of churches, cathedrals, chapels or other religious organizations located in New Jersey that are a part of the Coptic Orthodox Church. The Coptic Orthodox Church is a hierarchical church presided over by His Holiness, the Pope of Alexandria and the Patriarch of the See of St. Mark. The bill also includes provisions regarding the management of church properties and their operations in New Jersey.

The committee amended the bill so as to provide for the incorporation of a diocese or archdiocese of the Coptic Orthodox Church.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1926

STATE OF NEW JERSEY

DATED: MARCH 11, 1993

The Senate State Government Committee reports favorably Assembly Bill No. 1926 [1R].

This bill provides for the incorporation of any unincorporated church in this State or any unincorporated diocese or archdiocese located in whole or in part in this State which is affiliated with the Coptic Orthodox Church. An unincorporated church may become incorporated by executing, acknowledging and filing a certificate of incorporation in the county and municipality where its principal place of worship is, or is intended to be, located. An incorporated church, diocese or archdiocese may reincorporate by filing a certificate with the Secretary of State and a copy with the office of the county clerk in the county in which its principal place of worship is located. Church trustees shall have control over real and personal property belonging to that church, and the revenues derived from that church, and shall administer properties in accordance with the rules of the Coptic Orthodox Church adopted by the Synodical Committee for the Coptic Churches in Immigration.