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# CHERRY HILL PUBLIC SCHOOLS

## HUMAN RESOURCES DEPARTMENT

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### RESIDENCY REQUIREMENT FOR NEW JERSEY PUBLIC-SECTOR EMPLOYEES

This is an excerpt only. Please review the full statute for more details. Each employee hired by the Cherry Hill Board of Education on or after the effective date of this law [May 17, 2011] is advised, by copy of this notice, that s/he is solely responsible for complying with the requirements of the law.

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#### **N.J.S.A. 52:14-7 Residency requirement for State officers, employees; exceptions.**

a. Every person holding an office, employment, or position:

- (1) in the Executive, Legislative, or Judicial Branch of this State, or
- (2) with an authority, board, body, agency, commission, or instrumentality of the State including any State college, university, or other higher educational institution, and, to the extent consistent with law, any interstate agency to which New Jersey is a party, or
- (3) with a county, municipality, or other political subdivision of the State or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality, or subdivision, or
- (4) with a school district or an authority, board, body, agency, commission, or instrumentality of the district,

shall have his or her principal residence in this State and shall execute such office, employment, or position...

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For the purposes of this subsection, a person may have at most one principal residence, and the state of a person's principal residence means the state (1) where the person spends the majority of his or her nonworking time, and (2) which is most clearly the center of his or her domestic life, and (3) which is designated as his or her legal address and legal residence for voting. The fact that a person is domiciled in this State shall not by itself satisfy the requirement of principal residency hereunder...

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A person, regardless of the office, employment, or position, who holds an office, employment, or position in this State on the effective date of P.L.2011, c.70 [May 17, 2011] but does not have his or her principal residence in this State on that effective date shall not be subject to the residency requirement of this subsection while the person continues to hold office, employment, or position without a break in public service of greater than seven days...

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Any person may request an exemption from the provisions of this subsection on the basis of critical need or hardship from a five-member committee hereby established to consider applications for such exemptions...The decision on whether to approve an application from any person shall be made by a majority vote of the members of the committee, and those voting in the affirmative shall so sign the approved application. If the committee fails to act on an application within 30 days after the receipt thereof, no exemption shall be granted and the residency requirement of this subsection shall be operative...

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d. Any person holding or attempting to hold an office, employment, or position in violation of this section shall be considered as illegally holding or attempting to hold the same; provided that a person holding an office, employment, or position in this State shall have one year from the time of taking the office, employment, or position to satisfy the requirement of principal residency, and if thereafter such person fails to satisfy the requirement of principal residency as defined herein with respect to any 365-day period, that person shall be deemed unqualified for holding the office, employment, or position. The Superior Court shall, in a civil action in lieu of prerogative writ, give judgment of ouster against such person, upon the complaint of any officer or citizen of the State, provided that any such complaint shall be brought within one year of the alleged 365-day period of failure to have his or her principal residence in this State.

amended 1953, c.49, s.3; 1987, c.13; 2011, c.70, s.2.



# Cherry Hill Public Schools

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45 Ranoldo Terrace, P.O. Box 5015  
Cherry Hill, New Jersey 08034  
(856) 429-5600  
Fax (856) 354-1864

## Residency Requirements

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

In accordance with the "New Jersey First Act" amending N.J.S.A. 52:14-7:

- I hereby attest that my principal residence\* is in the State of New Jersey.
  
- I understand that I have one year to relocate and establish my principal residence in New Jersey. Failure to do so will result in my being deemed unqualified for holding my position.

I also acknowledge my obligation to notify the Office of Human Resources if and when my principal residence changes.

Signature \_\_\_\_\_

Witness \_\_\_\_\_

Date: \_\_\_\_\_

\*In accordance with statute, "... a person may have only one principal residence, and the state of a person's residence means the state (1) where the person spends the majority of his or her nonworking time, and (2) which is most clearly the center of his or her domestic life and (3) which is designated as his or her legal address and legal residence for voting. The fact that a person is domiciled in this State shall not by itself satisfy the requirement of principal residency."