

ASSEMBLY, No. 5678

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

SYNOPSIS

Revises membership of Public Health Council and fully restores functions, powers, and duties of council.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the Public Health Council and amending and
2 supplementing P.L.1947, c.177.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 4 of P.L.1947, c.177 (C.26:1A-4) is amended to read
8 as follows:

9 4. There shall be in the department a Public Health Council
10 which shall consist of 10 members, each of whom shall be chosen
11 with due regard to his knowledge of and interest in public health
12 and each of whom shall be a **[citizen]** resident of this State. **[Two**
13 of such members shall be duly licensed physicians, one member
14 shall be a dentist licensed to practice in the State of New Jersey,
15 one member shall be a person knowledgeable by education or
16 professional experience in health-related aspects of terrorism
17 agents that may be used in acts of terrorism, and one member shall
18 be a public health professional. Each member shall be appointed by
19 the Governor, by and with the advice and consent of the Senate, for
20 a term of 7 years and until his successor is appointed and qualified;
21 provided, however, that the first appointments hereunder shall be
22 for terms which shall commence on July 1, 1947, and shall continue
23 1 for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years, 1 for 5 years,
24 1 for 6 years, and 1 for 7 years; and provided further, that the term
25 of the dentist member first appointed shall commence on July 1,
26 1954.]

27 a. The members of the council shall be appointed as follows:

28 (1) four members shall be appointed by the Governor, one of
29 whom is a dentist licensed to practice in New Jersey, one of whom
30 is a person knowledgeable by education or professional experience
31 in health-related aspects of terrorism, one of whom is a dean of a
32 school of public health of a regionally accredited institution of
33 higher education in this State, or his designee, and is a current
34 member of a local board of health;

35 (2) three members shall be appointed by the President of the
36 Senate, one of whom is a physician who specializes in infectious
37 disease, one of whom is a State-licensed public health officer, and
38 one of whom is a representative of a philanthropic foundation in
39 this State that funds research on public health issues; and

40 (3) three members shall be appointed by the Speaker of the
41 General Assembly, one of whom is a pediatrician licensed to
42 practice in New Jersey, one of whom is a person with a
43 demonstrated expertise in maternal and child health, and one of
44 whom is a licensed health care professional with a demonstrated
45 knowledge and interest in public health.

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 b. Each member appointed on or after the effective date of
2 P.L. , c. (pending before the Legislature as this bill) shall serve
3 for a term of four years and until his successor is appointed and
4 qualified. A member of the council is eligible for reappointment.

5 The members of the Public Health Council serving on the
6 effective date of P.L. , c. (pending before the Legislature as this
7 bill) shall continue to serve until the expiration of their respective
8 terms.

9 c. Any member of the Public Health Council may be removed
10 from office by the Governor, for cause.

11 d. Any vacancy occurring in the membership of the council for
12 any cause shall be filled in the same manner as the original
13 appointment but for the unexpired term only.

14 e. The members of the council shall serve without
15 compensation, but shall be reimbursed for necessary expenses
16 incurred in the performance of their duties.

17 (cf: P.L.2004, c.158, s.1)

18
19 2. Section 11 of P.L.1947, c.177 (C.26:1A-11) is amended to
20 read as follows:

21 11. In addition to its powers and duties otherwise provided in
22 **【this act, the】** P.L.1947, c.177 (C.26:1A-1 et seq.),

23 a. The Public Health Council may:

24 **【a.】** (1) request from the commissioner such information,
25 concerning the work of the department, as it may deem necessary;

26 **【b.】** (2) consider any matter relating to the preservation and
27 improvement of public health, and may advise the commissioner
28 thereon; and

29 **【c.】** (3) submit to the commissioner any recommendations which
30 it may deem necessary for the proper conduct of the department **【;**

31 d. Study and investigate the public health activities of the State
32 and report its findings thereon to the Governor and the Legislature **】.**

33 b. The Public Health Council shall identify public and private
34 grants and other sources of funding for public health purposes that
35 may be available to the State and advise the commissioner of its
36 findings.

37 c. The Public Health Council shall report annually to the
38 Governor, and to the Legislature pursuant to section 2 of P.L.1991,
39 c.164 (C.52:14-19.1), on its activities and include in the report such
40 recommendations for legislative or administrative action as it deems
41 appropriate.

42 (cf: P.L.1947, c. 177, s. 11)

43
44 3. (New section) Each public member appointment as specified
45 in section 4 of P.L.1947, c.177 (C.26:1A-4) shall be made upon the
46 expiration of the term of office of a member serving on the effective

1 date of P.L. , c. (pending before the Legislature as this bill) as
2 follows:

3 a. The vacancies of the physician members on the council shall
4 be filled in the order in which they appear in section 4 of P.L.1947,
5 c.177 (C.26:1A-4);

6 b. The vacancies for the dentist member and person with
7 experience in health-related aspects of terrorism agents shall be
8 filled as the respective terms of those members serving on the
9 effective date of P.L. , c. (pending before the Legislature as this
10 bill) expire;

11 c. The licensed public health officer shall be appointed upon the
12 expiration of the term of the public health professional; and

13 d. The person with demonstrated expertise in maternal and child
14 health, the dean of a school of public health, the representative of a
15 philanthropic foundation, the licensed health care professional with
16 demonstrated knowledge and interest in public health, and the
17 current member of a local board of health shall be appointed, in the
18 order listed in this subsection, as the terms of public members
19 serving on the effective date of P.L. , c. (pending before the
20 Legislature as this bill) expire.

21
22 4. Notwithstanding the provisions of Executive Reorganization
23 Plan 003-2005 to the contrary, the Public Health Council shall have
24 the functions, powers, and duties prescribed in P.L.1947, c.177
25 (C.26:1A-1 et seq.).

26
27 5. This act shall take effect on the 45th day following
28 enactment.

29

30

31

STATEMENT

32

33 This bill strengthens the Public Health Council by revising the
34 membership of the council to ensure broader representation of
35 public health interests; revising how the members are appointed;
36 and fully restoring the council's powers and duties as set forth in
37 P.L.1947, c.177 (C.26:1A-1 et seq.).

38 Under this bill the Public Health Council may:

39 (1) request from the commissioner such information, concerning
40 the work of the department, as it may deem necessary;

41 (2) consider any matter relating to the preservation and
42 improvement of public health, and may advise the commissioner
43 thereon; and

44 (3) submit to the commissioner any recommendations which it
45 may deem necessary for the proper conduct of the department.

46 In addition to its other duties prescribed by law, the Public
47 Health Council is directed to identify public and private grants and
48 other sources of funding for public health purposes that may be

1 available to the State and advise the Commissioner of Health of its
2 findings.

3 Under the terms of the Executive Reorganization Plan 003-2005,
4 the functions, powers, and duties of the Public Health Council,
5 other than the council's advisory and consultative functions, were
6 transferred to the Department of Health, effectively reducing the
7 council to an advisory body, rather than a policymaking body. This
8 bill restores the council's original functions, powers, and duties,
9 and broadens the membership of the council to ensure a more
10 effective Public Health Council in this State.

11 The Public Health Council is required to report annually to the
12 Governor and the Legislature on its activities and include in the
13 report such recommendations for legislative or administrative action
14 as it deems appropriate.