

19:13-20

LEGISLATIVE HISTORY CHECKLIST

NJSA 19:13-20 (Vacancy after primary)

Laws of 1948 Chapter 261, sec. 1

Bill No. S159

Sponsor(s) Hand

Date Introduced Feb. 16, 1948

Committee: Assembly Elections

Senate Elections

Amended during passage Yes ~~No~~ Original bill and Assembly comm. amendments enclosed

Date of passage: Assembly March 31

Senate April 12

Date of approval July 27, 1948

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

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10/4/76

SENATE, No. 159

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 16, 1948

By Mr. HAND

Referred to Committee on Elections

AN ACT concerning elections, and amending section 19:13-20 of the Revised Statutes.

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

1 1. Section 19:13-20 of the Revised Statutes is amended to read as
2 follows:

3 19:13-20. In the event of a vacancy, howsoever caused, among candi-
4 dates nominated at primaries, which vacancy shall occur not later than thirty-
5 seven days before the general election, or in the event of inability to select
6 a candidate because of a tie vote at such primary, a candidate shall be se-
7 lected in the following manner: In case of an office to be filled by the voters
8 of the entire State or a portion thereof involving more than one county, the
9 candidate shall be selected by the State Committee of the political party
10 wherein such vacancy has occurred; in case of an office to be filled by the
11 voters of an entire county or a portion thereof involving more than one mu-
12 nicipality, the candidate shall be selected by the county committee of such
13 political party within the county. When a vacancy occurs in a congressional
14 district lying wholly within a county, the county committee of the political
15 party of such county shall select a candidate to fill such vacancy and shall
16 certify the name of the candidate to the chairman of the State Committee,
17 who shall certify such name to the Secretary of State, and in case of an office

18 to be filled by the voters of less than a county (excepting in the case of a
19 congressional district), such vacancy shall be filled by the members of the
20 county committee representing the territory affected by the vacancy; and
21 except that in case of a tie vote the selection shall be made from among
22 those who have thus received the same number of votes at the primary.
23 [The selection shall be made within three days after the vacancy shall occur
24 and a] A statement of the selection shall be filed as follows: The State
25 Committee, with the Secretary of State, the county committee or subdivision
26 thereof with the county clerk. Such statement shall not be filed later than
27 thirty-four days prior to the general election. It shall state the residence
28 and post-office address of the person so selected, and shall certify that the
29 person so selected is qualified under the laws of this State to be a candidate
30 for such office, and is a member of the political party filling the vacancy.
31 Accompanying the statement the person endorsed therein shall file a certifi-
32 cate stating that he is qualified under the laws of this State to be a candidate
33 for the office mentioned in the statement, that he consents to stand as a
34 candidate at the ensuing general election and that he is a member of the po-
35 litical party named in said statement, and further that he is not a member
36 of, or identified with, any other political party or any political organization
37 espousing the cause of candidates of any other political party, that he has
38 not voted in a primary election of any other political party in the last two
39 primary elections, or contributed to the campaign funds of any other political
40 party within one year prior to the last primary election. The person so
41 selected shall be the candidate of the party for such office at the ensuing
42 general election.

1 2. This act shall take effect immediately.

STATEMENT

Vacancies have occurred by reason of the deaths of primary nominees shortly after the primary elections and the committees charged with the filling of such vacancies were obliged to convene within three days after the vacan-

cies and select other candidates. This is in most cases before the deceased nominees are buried. This shows a lack of proper respect to the deceased and causes embarrassment to all concerned.

Furthermore, three days is not sufficient time to call a meeting of the members of the State, county or municipal committees, as the case may be, to select another candidate.

The purpose of this bill is to grant additional time when circumstances permit.

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14 district lying wholly within a county the county committee of the political
15 party of such county shall select a candidate to fill such vacancy and shall
16 certify the name of the candidate to the chairman of the State Committee,
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 19 congressional district), such vacancy shall be filled by the members of the
 20 county committee representing the territory affected by the vacancy; and
 21 except that in case of a tie vote the selection shall be made from among
 22 those who have thus received the same number of votes at the primary.
 23-24 A statement of the selection shall be filed as follows: The State Com-
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 41 selected shall be the candidate of the party for such office at the ensuing
 42 general election.

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ASSEMBLY COMMITTEE AMENDMENTS TO

SENATE, No. 159

STATE OF NEW JERSEY

ADOPTED MARCH 24, 1948

Page 2, Line 23, strike out the bracket before the word "the".

Page 2, Line 23, strike out the words "within three days after the vacancy shall occur" and insert in lieu thereof "no later than thirty-four days prior to the general election."

Page 2, Line 24, strike out the bracket and the word "A".

[SECOND OFFICIAL COPY REPRINT]

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