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CL/JA

P.L. 2023, CHAPTER 124, *approved July 20, 2023*
Assembly, No. 5175 (*Fifth Reprint*)

1 AN ACT concerning certain General Election deadlines and
2 amending various parts of the statutory law and supplementing
3 Title 19 of the Revised Statutes.

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

7
8 1. R.S.19:13-16 is amended to read as follows:

9 19:13-16. When a person nominated as herein provided by direct
10 petition or State convention for election to public office at the
11 general election shall, at least **[70]** 81 days before the day of the
12 general election, in a writing signed by him and duly acknowledged,
13 notify the officer with whom the original petition or certificate of
14 nomination was filed that he declines the nomination, the
15 nomination shall be void.
16 (cf: P.L.2013, c.172, s.4)

17
18 2. R.S.19:13-19 is amended to read as follows:

19 19:13-19. If the candidate vacating the nomination was
20 nominated directly by petition his successor shall be nominated in
21 the same manner by direct petition, which new petition of
22 nomination must be filed with the Secretary of State or county
23 clerk, as the case may require, not later than **[64]** 75 days before
24 the day of election whereat such candidate is to be voted for.
25 (cf: P.L.2011, c.37, s.3)

26
27 3. R.S.19:13-20 is amended to read as follows:

28 19:13-20. In the event of a vacancy, howsoever caused, among
29 candidates nominated at a primary election for the general election,
30 which vacancy shall occur not later than the **[56th]** 70th day before
31 the general election, or in the event of inability to select a candidate
32 because of a tie vote at such primary, a candidate shall be selected
33 in the following manner:

34 a. (1) In the case of an office to be filled by the voters of the
35 entire State, the candidate shall be selected by the State committee
36 of the political party wherein such vacancy has occurred.

37 (2) In the case of an office to be filled by the voters of a single
38 and entire county, the candidate shall be selected by the county

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 ASL committee amendments adopted February 16, 2023.

²Assembly AAP committee amendments adopted February 23, 2023.

³Assembly ASL committee amendments adopted May 11, 2023.

⁴Senate SSG committee amendments adopted June 12, 2023.

⁵Assembly floor amendments adopted June 30, 2023.

1 committee in such county of the political party wherein such
2 vacancy has occurred.

3 (3) In the case of an office to be filled by the voters of a portion
4 of the State comprising all or part of two or more counties, the
5 candidate shall be selected by those members of the county
6 committees of the party wherein the vacancy has occurred who
7 represent those portions of the respective counties which are
8 comprised in the district from which the candidate is to be elected.

9 (4) In the case of an office to be filled by the voters of a portion
10 of a single county, the candidate shall be selected by those members
11 of the county committee of the party wherein the vacancy has
12 occurred who represent those portions of the county which are
13 comprised in the district from which the candidate is to be elected.

14 At any meeting held for the selection of a candidate under this
15 subsection, a majority of the persons eligible to vote thereat shall be
16 required to be present for the conduct of any business, and no
17 person shall be entitled to vote at that meeting who is appointed to
18 the State committee or county committee after the seventh day
19 preceding the date of the meeting.

20 Within 20 days after the meeting of each county committee that
21 is held on the first Tuesday following the primary election at which
22 committee members are elected, the municipal clerk shall certify to
23 the county clerk an official list of the duly elected county
24 committee members and an official list of the municipal committee
25 chairs. The county party chairperson shall have a continuing duty
26 to report to the county clerk any vacancies, resignations, and
27 committee positions filled pursuant to R.S.19:5-2 or 19:5-3. A
28 report of a resignation shall be accompanied by a notarized letter of
29 resignation signed by the resigning committee member or, if the
30 resigning committee member fails to provide such a letter, by a
31 notarized letter stating that the resignation has occurred signed by
32 the chair of the relevant municipal committee who shall also
33 provide a copy thereof to the resigning member. Notice of
34 vacancies in the membership of a county committee that are filled
35 pursuant to R.S.19:5-2 or 19:5-3 shall be accompanied by a
36 certificate of acceptance signed by the newly selected member. The
37 official list of the county committee members and of the municipal
38 committee chairs maintained by the county clerk shall be deemed to
39 be a government record and only those county committee members
40 listed thereon seven days prior to a selection to fill a vacancy and
41 otherwise qualified to vote on the vacancy shall be entitled to vote
42 on filling a vacancy pursuant to this section.

43 In addition, every person appointed to the county committee
44 shall file with the county clerk a certificate of acceptance which
45 shall be preserved by the county clerk as a government record.

46 In the case of a meeting held to select a candidate for other than
47 a Statewide office, the chairperson of the meeting shall be chosen
48 by majority vote of the persons present and entitled to vote thereat.

1 The chairperson so chosen may propose rules to govern the
2 determination of credentials and the procedures under which the
3 meeting shall be conducted, and those rules shall be adopted upon a
4 majority vote of the persons entitled to vote upon the selection. If a
5 majority vote is not obtained for those rules, the delegates shall
6 determine credentials and conduct the business of the meeting under
7 such other rules as may be adopted by a majority vote. All
8 contested votes taken at the selection meeting, as referenced in
9 subsections a. and b. of this section, shall be by secret ballot in a
10 location or manner that protects the anonymity of the person's vote.

11 b. (1) Whenever in accordance with subsection a. of this section
12 members of two or more county committees are empowered to
13 select a candidate to fill a vacancy, it shall be the responsibility of
14 the chairpersons of said county committees, acting jointly not later
15 in any case than the seventh day following the occurrence of the
16 vacancy, to give notice to each of the members of their respective
17 committees, as certified by the county clerk, who are so empowered
18 of the date, time and place of the meeting at which the selection will
19 be made, that meeting to be held at least one day following the date
20 on which the notice is given.

21 (2) Whenever in accordance with the provisions of subsection a.
22 of this section members of a county committee are empowered to
23 select a candidate to fill a vacancy, it shall be the responsibility of
24 the chairperson of such county committee, not later in any case than
25 the seventh day following the occurrence of the vacancy, to give
26 notice to each of the members of the committee, as certified by the
27 county clerk, who are so empowered of the date, time and place of
28 the meeting at which the selection will be made, that meeting to be
29 held at least one day following the date on which the notice is
30 given.

31 (3) A county committee chairperson or chairpersons who call a
32 meeting pursuant to paragraph (1) or (2) of this subsection shall not
33 be entitled to vote upon the selection of a candidate at such meeting
34 unless he or she or they are so entitled pursuant to subsection a.

35 (4) Whenever in accordance with the provisions of subsection a.
36 of this section the State committee of a political party is empowered
37 to select a candidate to fill a vacancy, it shall be the responsibility
38 of the chairperson of that State committee to give notice to each of
39 the members of the committee of the date, time and place of the
40 meeting at which the selection will be made, that meeting to be held
41 at least one day following the date on which the notice is given.

42 c. Whenever a selection is to be made pursuant to this section
43 to fill a vacancy resulting from inability to select a candidate
44 because of a tie vote at a primary election for the general election,
45 the selection shall be made from among those who have thus
46 received the same number of votes at the primary.

47 d. A selection made pursuant to this section shall be made not
48 later than the ~~54th~~ 68th day preceding the date of the general

1 election, and a statement of such selection shall be filed with the
2 Secretary of State or the appropriate county clerk, as the case may
3 be, not later than that day, and in the following manner:

4 (1) A selection made by a State committee of a political party
5 shall be certified to the Secretary of State by the State chairperson
6 of the political party.

7 (2) A selection made by a county committee of a political party,
8 or a portion of the members thereof, shall be certified to the county
9 clerk of the county by the county chairperson of such political
10 party; except that when such selection is of a candidate for the
11 Senate or General Assembly or the United States House of
12 Representatives the county chairperson shall certify the selection to
13 the State chairperson of such political party, who shall certify the
14 same to the Secretary of State.

15 (3) A selection made by members of two or more county
16 committees of a political party acting jointly shall be certified by
17 the chairpersons of said committees, acting jointly, to the State
18 chairperson of such political party, who shall certify the same to the
19 Secretary of State.

20 e. A statement filed pursuant to subsection d. of this section
21 shall state the residence and post office address of the person so
22 selected, and shall certify that the person so selected is qualified
23 under the laws of this State to be a candidate for such office, and is
24 a member of the political party filling the vacancy. Accompanying
25 the statement, the person endorsed therein shall file a certificate
26 stating that he or she is qualified under the laws of this State to be a
27 candidate for the office mentioned in the statement, that he or she
28 consents to stand as a candidate at the ensuing general election and
29 that he or she is a member of the political party named in said
30 statement, and further that he or she is not a member of, or
31 identified with, any other political party or any political
32 organization espousing the cause of candidates of any other
33 political party, to which shall be annexed the oath of allegiance
34 prescribed in R.S.41:1-1 duly taken and subscribed by him or her
35 before an officer authorized to take oaths in this State. The person
36 so selected shall be the candidate of the party for such office at the
37 ensuing general election. Each candidate for the office of Governor
38 or the office of member of the Senate or General Assembly filing a
39 certification shall annex thereto a statement signed by the candidate
40 that he or she:

41 (1) has not been convicted of any offense graded by Title 2C of
42 the New Jersey Statutes as a crime of the first, second, third or
43 fourth degree, or any offense in any other jurisdiction which, if
44 committed in this State, would constitute such a crime; or

45 (2) has been so convicted, in which case, the candidate shall
46 disclose on the statement the crime for which convicted, the date
47 and place of the conviction and the penalties imposed for the
48 conviction. Such a candidate may, as an alternative, submit with

1 the statement a copy of an official document that provides such
2 information. If the candidate has been convicted of more than one
3 criminal offense, such information about each conviction shall be
4 provided. Records expunged pursuant to chapter 52 of Title 2C of
5 the New Jersey Statutes shall not be subject to disclosure.
6 (cf: P.L.2011, c.37, s.4)

7
8 ¹**[4.** R.S.19:14-1 is amended to read as follows:

9 19:14-1. Every county clerk shall have ready for the printer on
10 or before the 45th day prior to the primary election a copy of the
11 contents of official ballots as hereinafter required to be printed for
12 use at such election, except that every county clerk shall have ready
13 for the printer on or before the **[50th]** 64th day prior to a federal
14 primary election or any general election in this State a copy of the
15 contents of the official ballots for use in such election. The county
16 clerk shall also on or before that time place another copy of such
17 contents on file in the county clerk's office and keep the same open
18 to public inspection until the sample ballots hereinafter provided to
19 be printed shall have been distributed.

20 Nothing in this section, as amended by P.L.2022, c.70, shall be
21 construed to hinder, limit, or interfere with the ability of a county
22 clerk to comply with the federal "Uniformed and Overseas Citizens
23 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).
24 (cf: P.L.2022, c.70, s.1)¹

25
26 ¹**[5.]** 4.¹ R.S.19:19-1 is amended to read as follows:

27 19:19-1. The board of county canvassers of each county shall
28 meet on the **[thirteenth]** 15th day, after any such election, at 12
29 o'clock noon, at the courthouse of the county, for the purpose of
30 checking the canvass which shall have been made by the county
31 clerk from the statements of the district boards filed in his office as
32 hereinbefore provided. For such purpose the county clerk shall
33 have prepared a compilation in tabulated form of such statements
34 and the combined results shown thereby for the use of the board of
35 canvassers.

36 (cf: P.L.2020, c.71, s.3)

37
38 ¹**[6.]** 5.¹ R.S.19:28-1 is amended to read as follows:

39 19:28-1. When any candidate at any election shall have reason
40 to believe that an error has been made in counting the votes of that
41 election, the candidate may, within a period of ¹**[17]** ³**[7]** 3³ days
42 ³**[following such]** after the certification of the results of the³
43 election, apply to a judge of the Superior Court assigned to the
44 county wherein such district or districts are located, for a recount of
45 the votes cast at the election in any district or districts. ⁴**[If a**
46 voting machine chosen for audit pursuant to section 1 of P.L.2007,
47 c.349 (C.19:61-9) following the general election is selected for a

1 recount under this section, the candidate may request that the votes
 2 be recounted within]⁴ ¹[13] ⁴[3¹ days of the election.]⁴

3 When ten voters at any election shall have reason to believe that
 4 an error has been so made in counting the votes upon any public
 5 question at any election, such voters may, within a period of ¹[17]
 6 ³[7¹] 3³ days ³[following such] after the certification of the results
 7 of the³ election, apply to a judge of the Superior Court assigned to
 8 the county wherein such district or districts are located, for a
 9 recount of the votes cast at the election in any district or districts on
 10 such public question. ⁴[If a voting machine chosen for audit
 11 pursuant to section 1 of P.L.2007, c.349 (C.19:61-9) following the
 12 general election is selected for a recount under this section, the
 13 voters may request that the votes be recounted within]⁴ ¹[13]
 14 ⁴[3¹ days of the election.]⁴
 15 (cf: P.L.2018, c.72, s.12)

16
 17 ¹[7.] 6.¹ R.S.19:37-1 is amended to read as follows:

18 19:37-1. When the governing body of any municipality or of any
 19 county desires to ascertain the sentiment of the legal voters of the
 20 municipality or county upon any question or policy pertaining to the
 21 government or internal affairs thereof, and there is no other statute
 22 by which the sentiment can be ascertained by the submission of
 23 such question to a vote of the electors in the municipality or county
 24 at any election to be held therein, the governing body may adopt at
 25 any regular meeting an ordinance or a resolution requesting the
 26 clerk of the county to print upon the official ballots to be used at the
 27 next ensuing general election a certain proposition to be formulated
 28 and expressed in the ordinance or resolution in concise form. Such
 29 request shall be filed with the clerk of the county not later than
 30 **[81] 88** days previous to the election.
 31 (cf: P.L.2011, c.37, s.22)

32
 33 ¹[8.] 7.¹ Section 2 of P.L.1967, c.101 (C.19:37-1.1) is
 34 amended to read as follows:

35 2. Whenever a governing body of a municipality has adopted
 36 an ordinance or resolution pursuant to section 19:37-1 of the
 37 Revised Statutes, upon the presentation to the governing body of
 38 such municipality of a petition signed by 10% or more of the voters
 39 registered and qualified to vote at the last general election in such
 40 municipality, requesting the governing body of such municipality to
 41 ascertain the sentiment of the legal voters of the municipality upon
 42 any question or policy pertaining to the government or internal
 43 affairs thereof that is reasonably related to any proposition
 44 formulated and expressed in such ordinance or resolution, such
 45 governing body of the municipality shall thereupon adopt at its next
 46 regular meeting following the presentation of such petition a
 47 resolution requesting the clerk of the county to print upon the

1 official ballots to be used at the next ensuing general election a
2 certain proposition as formulated and expressed in the petition.
3 Such request shall be filed with the clerk of the county not later
4 than the ~~67th~~ 74th day previous to the election.

5 (cf: P.L.2011, c.37, s.23)

6
7 ¹8. R.S.19:37-2 is amended to read as follows:

8 19:37-2. If a copy of the ordinance or resolution certified by the
9 clerk or secretary of the governing body of any such municipality or
10 county is delivered to the county clerk not less than ~~65~~ 74 days
11 before any such general election, he shall cause it to be printed on
12 each sample ballot and official ballot to be printed for or used in
13 such municipality or county, as the case may be, at the next ensuing
14 general election.¹

15 (cf: P.L.2011, c.37, s.24)

16
17 ¹9. R.S.19:52-6 is amended to read as follows:

18 19:52-6. ⁴~~4~~**【The】** For voting machines that are exempted by
19 paragraph (2) of subsection b. of R.S.19:48-1, the⁴ district election
20 officers shall, as soon as the count is completed and fully
21 ascertained, as by this subtitle required, lock the counter
22 compartment and it shall so remain for a period of ~~15~~ ³~~7~~ 13³
23 days, except it be opened by order of a judge of the Superior Court
24 assigned to the county. Within such period and upon written
25 request of any defeated candidate, or in the case where a public
26 question is involved upon petition of any 10 qualified voters of a
27 county or municipality using machines who voted in the election in
28 question, the judge shall, at a cost of \$2.00 per district to the
29 candidate or petitioners, order the machines in question opened and
30 the registering counters rechecked against the election officers'
31 returns. Any candidate or petitioners requesting such recheck, shall
32 deposit with the county clerk, the amount necessary for all the
33 districts requested. The county clerk, if it appears that an error or
34 errors have occurred as a result of which the election is changed or
35 the difference between the negative and affirmative of any public
36 question is altered so as to change the results of the election, shall
37 upon the warrant of such judge of the Superior Court, pay to such
38 candidate or petitioners the cost of such recheck. In the event it
39 shall appear after such recheck that the results of the election
40 remain unchanged, the county clerk shall, upon the warrant of such
41 judge, pay the funds so deposited into the county treasury. Such
42 recheck shall be made under the supervision of the county election
43 officials and in co-operation with the parties at interest or their
44 representatives. When irregular ballots of whatever description
45 have been voted, the district election officers shall return all such
46 ballots in a properly secured package indorsed "irregular ballots"
47 and return and file such package with the municipal clerk at the
48 same time the original statement of the results of the election made

1 by them is filed. Such package shall be preserved for 6 months
2 next succeeding such election, and it shall not be opened or its
3 contents examined during that time except by the order of a judge
4 of a court lawfully empowered to direct the same to be opened and
5 examined. At the end of the 6 months, such packages may be
6 opened and the ballots disposed of at the discretion of the official
7 having charge thereof.¹

8 (cf: P.L.1955, c.260, s.1)

9
10 ¹**[9.] 10.**¹ Section 1 of P.L.2005, c.152 (C.19:53B-21) is
11 amended to read as follows:

12 1. Within 15 calendar days after an election other than a
13 general election or three days after the certification of the results of
14 that election, whichever occurs later, or in the case of a general
15 election on the day of the certification of the results of the general
16 election, the county board of election in each county shall prepare a
17 report which lists by election district, and includes a county wide
18 total by category for, the number of emergency ballots, including
19 any spoiled, void, or invalid emergency ballots, used in the election.
20 The report shall be a government record that is available for public
21 inspection and copying pursuant to the provisions of P.L.1963, c.73
22 (C.47:1A-1 et seq.).

23 (cf: P.L.2005, c.152, s.1)

24
25 ¹**[10.] 11.**¹ Section 2 of P.L.2005, c.152 (C.19:53C-21) is
26 amended to read as follows:

27 2. Within 15 calendar days after an election other than the
28 general election or three days after the certification of the results of
29 that election, whichever occurs later, or in the case of a general
30 election on the day of the certification of the results of the general
31 election, the county board of election in each county shall prepare a
32 report which lists by election district, and includes a county wide
33 total by category for, the number of provisional ballots, including
34 any spoiled, void, or invalid provisional ballots, used in the
35 election. The report shall be a government record that is available
36 for public inspection and copying pursuant to the provisions of
37 P.L.1963, c.73 (C.47:1A-1 et seq.).

38 (cf: P.L.2005, c.152, s.2)

39
40 ¹**[11.] 12.**¹ Section 2 of P.L.1995, c.278 (C.19:60-2) is amended
41 to read as follows:

42 2. a. Except as otherwise provided pursuant to subsection c. of
43 this section, the board of education of a type II district may call a
44 special election of the legal voters of the district on only the fourth
45 Tuesday in January, the second Tuesday in March, the ⁴**[last]**
46 ⁵**[third⁴]** last⁵ Tuesday in September, or ⁴**[the second Tuesday in**
47 **December]** ⁵**[concurrently with the general election⁴]** the second
48 Tuesday in December⁵ when in its judgment the interests of the

1 schools require such an election. The board of education shall give
 2 the municipal clerk or clerks, as the case may be, and the county
 3 board of elections no less than 60 days' notice, in writing, of its
 4 intention to hold a special election.

5 b. No business shall be transacted at any special election except
 6 such as shall have been set forth in the notices by which the election
 7 was called.

8 c. The Commissioner of Education may change in any school
 9 year any date authorized for a special school election pursuant to
 10 subsection a. of this section if that date coincides with a period of
 11 religious observance that limits significantly the usual activities of
 12 the followers of a particular religion or that would result in
 13 significant religious consequences for such followers or if the date
 14 authorized for a special school election falls within 45 days of the
 15 primary election or the General Election. The commissioner shall
 16 inform local school boards, county clerks, and boards of election of
 17 the adjustment no later than the first working day in January of the
 18 year in which the adjustments are to occur.

19 As used in this section "a period of religious observance" means
 20 any day or portion thereof on which a religious observance imposes
 21 a substantial burden on an individual's ability to vote.

22 (cf: P.L.2011, c.134, s.48)

23

24 ¹~~12.~~ 13.¹ Section 4 of P.L.1995, c.278 (C.19:60-4) is amended
 25 to read as follows:

26 4. The secretary of each board of education shall, not later than 10
 27 o'clock a.m. of the ²~~18th~~ ⁴~~60th~~² 18th⁴ day preceding the annual
 28 April school election or ⁴the 60th day preceding⁴ a special school
 29 election, make and certify and forward to the clerk of the county in
 30 which the school district is located a statement designating the public
 31 question to be voted upon by the voters of the district which may be
 32 required pursuant to the provisions of P.L.1995, c.278 (C.19:60-1 et
 33 al.) or Title 18A of the New Jersey Statutes.

34 The secretary of each board of education of a school district in
 35 which the annual school election has been moved to November
 36 pursuant to subsection a. of section 1 of P.L.2011, c.202 (C.19:60-1.1),
 37 not later than 10 o'clock a.m. of the ~~60th~~ 74th day preceding the
 38 November school election, shall make and certify and forward to the
 39 clerk of the county in which the school district is located a statement
 40 designating any public question to be voted upon by the voters of the
 41 district which may be required pursuant to the provisions of P.L.1995,
 42 c.278 (C.19:60-1 et al.) or Title 18A of the New Jersey Statutes.

43 (cf: P.L.2011, c.202, s.35)

44

45 ¹~~13.~~ 14.¹ Section 7 of P.L.1995, c.278 (C.19:60-7) is amended
 46 to read as follows:

47 7. Each candidate to be voted upon at a school election shall be
 48 nominated directly by petition, and the procedures for such

1 nomination shall, to the extent not inconsistent with the provisions
2 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
3 nominating candidates by direct petition under chapter 13 of Title
4 19 of the Revised Statutes. Notwithstanding the provisions of
5 R.S.19:13-5, however, a petition of nomination for such office shall
6 be signed by at least 10 persons, one of whom may be the
7 candidate, and filed with the secretary of the board of education on
8 or before four p.m. of the 50th day preceding the date of the April
9 school election, or with the county clerk on or before four p.m. of
10 the last Monday in July preceding the November school election, as
11 applicable. The signatures need not all appear upon a single petition
12 and any number of petitions may be filed on behalf of any candidate
13 or on behalf of two or more candidates filing a joint petition. A
14 petition for one or more candidates may include a designation in not
15 more than three words that conveys the principles which the
16 candidate or candidates therein named represent, but such
17 designation shall not contain the name, or a derivative thereof, as a
18 noun or an adjective of any political party entitled to participate in a
19 primary election. The petitions of a candidate for member of a
20 board of education shall also include a functioning e-mail address
21 for the candidate.

22 Any candidate may withdraw as a candidate in a school election
23 by filing a notice in writing, signed by the candidate, of such
24 withdrawal with the secretary of the board of education before the
25 44th day before the date of the April election or with the county
26 clerk on the **[70th]** 81st day before the date of the November
27 election, as applicable, and thereupon the name of that candidate
28 shall be withdrawn by the secretary of the board of education and
29 shall not be printed on the ballot.

30 A vacancy created by a declination of nomination or withdrawal
31 by, or death of, a nominee, or in any other manner, shall be filled
32 under the provisions of R.S.19:13-19.

33 Whenever written objection to a petition of nomination
34 hereunder shall have been made and timely filed with the secretary
35 of the board of education or with the county clerk, as may be
36 appropriate, the board of education shall file its determination of the
37 objection on or before the 44th day preceding the April school
38 election or the county clerk shall file the clerk's determination of
39 the objection on or before the 10th day after the last day for the
40 filing of petitions for candidates seeking election as a member of a
41 board of education at the November school election, as applicable.
42 The last day upon which a candidate may file with the Superior
43 Court a verified complaint setting forth any invasion or threatened
44 invasion of the candidate's rights under the candidate's petition of
45 nomination shall be the 46th day before the April election or the
46 12th day after the last day for the filing of petitions for candidates
47 seeking election as a member of a board of education at the
48 November election, as applicable. The last day upon which a

1 candidate whose petition of nomination or any affidavit thereto is
2 defective may amend such petition or affidavit shall be the 44th day
3 before the April election or the 10th day after the last day for the
4 filing of petitions for candidates seeking election as a member of a
5 board of education at the November election, as applicable.

6 In each school district in which candidates for the office of
7 member of a board of education will seek election at the November
8 school election, the school business administrator thereof shall
9 certify to the county clerk no later than the day of the holding of the
10 primary election for the general election next occurring a statement
11 designating the public offices to be filled at such election, and the
12 number of such offices to be filled.

13 (cf: P.L.2018, c.66, s.3)

14

15 ¹~~14.~~ ^{15.} Section 1 of P.L.2007, c.349 (C.19:61-9) is amended
16 to read as follows:

17 1. a. Notwithstanding any law, rule or regulation to the
18 contrary, the ⁴~~Attorney General~~ Secretary of State⁴ shall appoint
19 each year an independent, professional audit team. It shall oversee,
20 in each county, random hand-to-eye counts of the voter-verifiable
21 paper records that are to be conducted by appropriate county
22 election officials. Audits shall be conducted for each election held
23 for federal or State office, including the offices of Governor,
24 Lieutenant Governor and member of the Legislature, and for county
25 and municipal offices selected by the ⁴~~Attorney General~~ Secretary
26 of State⁴. In each county, the audit shall be conducted in at least
27 two percent of the election districts in which each audited election
28 appears on the ballot. County and municipal elections held in fewer
29 than 100 election districts are exempt from this requirement.
30 Election districts that are randomly selected for auditing for either
31 the Congressional or State legislative elections in alternating years
32 may be used to audit any other election that appears on the ballot in
33 such districts. Ballot batches, as provided for in subsection c. of
34 this section, shall also be audited subject to the provisions of this
35 section. In the case of a general election, audits shall begin ¹~~13~~
36 ³~~3~~ 13³ days after the election and shall be completed prior to the
37 certification of the results of that election. Extensions may be
38 provided by the Secretary of State if necessary.

39 b. The membership and composition of the audit team shall be
40 at the discretion of the ⁴~~Attorney General~~ Secretary of State⁴ but
41 shall be not less than four, and at least one member shall have
42 verifiable expertise in the field of statistics and another member
43 shall have verifiable expertise in the field of auditing. No member
44 of the audit team shall include any person who:

45 (1) is serving in any position on any political campaign
46 committee of any candidate for political office in the elections that
47 are subject to the manual audit;

1 (2) is an employee of, or reports to, the ⁴**[Attorney General]**
2 Secretary of State⁴; or

3 (3) is serving as an officer or an employee of any entity that
4 designs, manufactures, or services a voting system used in the State.

5 c. The independent audit team shall oversee, supervise, and
6 require county election officials to conduct an audit of the results of
7 an election in accordance with the following procedures:

8 (1) Any procedure designed, adopted, and implemented by the
9 audit team shall be implemented to ensure with at least 99%
10 statistical power that for each federal, gubernatorial or other
11 Statewide election held in the State, a 100% manual recount of the
12 voter-verifiable paper records would not alter the electoral outcome
13 reported by the audit. For each election held for State office, other
14 than Governor and Lieutenant Governor, and for county and
15 municipal elections held in 100 or more election districts, any
16 procedure designed, adopted, and implemented by the audit team
17 shall be implemented to ensure with at least 90% statistical power
18 that a 100% manual recount of the voter-verifiable paper records
19 would not alter the electoral outcome reported by the audit. Such
20 procedures designed, adopted, and implemented by the audit team
21 to achieve statistical power shall be based upon scientifically
22 reasonable assumptions, with respect to each audited election,
23 including but not limited to: the possibility that within any election
24 district up to 20% of the total votes cast may have been counted for
25 a candidate or ballot position other than the one intended by the
26 voters; and that the number of votes cast per election district will
27 vary. Such procedures and assumptions shall be published prior to
28 any given election, and the public shall have the opportunity to
29 comment thereon.

30 (2) Any procedure designed, adopted, and implemented by the
31 audit team for each county and municipal election held in fewer
32 than 100 election districts, but more than a single election district,
33 shall be conducted in at least two election districts.

34 (3) Within a reasonable period of time after the final vote count
35 after an election, the ⁴**[Attorney General]** Secretary of State⁴, with
36 the audit team, shall determine and then announce publicly the
37 election districts in the State in which audits shall be conducted,
38 and within 24 hours of that announcement, the audit shall be
39 commenced.

40 (4) With respect to votes cast at the election district on the date
41 of an election other than by emergency or provisional ballot, the
42 independent audit team shall oversee and supervise a hand-to-eye
43 count of the voter-verifiable paper records and compare those
44 records with the count of such votes announced by the county
45 boards of elections.

46 (5) With respect to the votes cast other than at the election
47 district on the date of the election, or any other votes counted
48 electronically by the county board of elections on or after the date

1 of the election, including votes cast by military service voters and
2 overseas federal election voters, the independent audit team shall
3 oversee and supervise a count by hand of the voter-verifiable paper
4 records as follows. To maintain voter privacy, prior to each
5 election, the audit team shall direct the appropriate county election
6 official to divide the ballots into batches, hereinafter referred to as
7 audit units. Each audit unit shall contain approximately the average
8 number of ballots cast in the election districts within the county, or
9 fewer, but shall not be associated with any particular election
10 district. As the ballots comprising each audit unit are counted
11 electronically, each audit unit shall be assigned a unique
12 identification number. Immediately after counting the ballots
13 comprising each audit unit, a cumulative summary vote tally report
14 bearing the audit unit's unique identification number and containing
15 the sum of the vote totals of the audit unit and all previously
16 counted audit units in the election shall be printed and affixed to the
17 audit unit. The reports shall be subject to the same secure chain of
18 custody as the ballots comprising the audit units and shall be used
19 by the audit team to determine the electronic vote tally for each
20 audit unit. The audit team shall first compare the vote tallies in the
21 final cumulative report to the official results announced by the
22 county and resolve any discrepancies, and then include all the audit
23 units from each county in the random selection process and if
24 selected, cause them to be audited in the same manner provided
25 herein for election districts, except that the hand-to-eye count shall
26 be compared to the electronic vote tally derived from the
27 cumulative reports.

28 (6) The selection of the election districts, audit units, and county
29 and municipal elections to be audited shall be made by the
30 ⁴**[Attorney General]** Secretary of State⁴ on a random basis by lot, at
31 a public meeting, using a uniform distribution in which all election
32 districts in which an election is held, and county and municipal
33 elections have an equal chance of being selected, in accordance
34 with such procedures as the ⁴**[Attorney General]** Secretary of State⁴,
35 upon the recommendation of a majority of the audit team, deems
36 appropriate. Selection of election districts or audit units for county
37 and municipal elections held in less than 100 election districts may
38 be made randomly using a non-uniform distribution to be
39 determined by the ⁴**[Attorney General]** Secretary of State⁴, upon the
40 recommendation of a majority of the audit team. Such procedures
41 shall be published prior to use in any given election, and the public
42 shall have the opportunity to comment thereon. Notwithstanding
43 the requirements set forth in this paragraph, the audit team shall
44 have the authority to cause audits to be conducted of any election
45 district or audit unit which has not been randomly selected for
46 auditing in which a majority of the audit team determines from the
47 un-audited election results, past election results, or other data that
48 the votes are likely to have been miscounted. The ⁴**[Attorney**

1 General] Secretary of State⁴ shall allow members of the public,
2 including but not limited to those permitted to observe recounts, to
3 observe the audits.

4 (7) As soon as practicable after the completion of an audit
5 conducted pursuant to this section, the ⁴[Attorney General]
6 Secretary of State⁴ shall announce publicly and publish the results of
7 the audit and shall include in the announcement a comparison of the
8 results of the election in the districts, as determined by the
9 independent audit team performing the audit, and the final vote
10 count in the districts as announced by the county boards of
11 elections, including a list, by election district and audit unit, of any
12 discrepancies between the initial vote count and any subsequent
13 manual counts of the voter-verifiable paper record; explanations for
14 such discrepancies, if any; and tallies of all overvotes, undervotes
15 or their equivalents, blank ballots, spoiled ballots, and cancellations
16 recorded on the voter-verifiable paper record. If the audit under
17 this section results in a change in the number of votes counted for
18 any candidate, the revised vote totals shall be incorporated in the
19 official result from the relevant election districts or audit units.

20 (8) No county shall certify the results of any election that is
21 subject to an audit performed pursuant to this section prior to the
22 completion of the audit and the announcement and publication of
23 the results thereof as required by paragraph (7) of this subsection.
24 The audit and publication of the results thereof shall be completed
25 prior to the time the State shall make a final determination with
26 respect to any controversy or contest concerning the appointment of
27 its electors for President or Vice President of the United States prior
28 to the deadline established in section 6 of Pub.L.80-644
29 (3 U.S.C.s.6).

30 (9) If the ⁴[Attorney General] Secretary of State⁴, based on a
31 recommendation of a majority of the professional audit team,
32 determines that any of the hand-to-eye counts conducted under this
33 section show cause for concern about the accuracy of the results of
34 any election in the State, or in a county or a municipality, or with
35 respect to a particular election, the independent audit team shall
36 oversee, supervise, and cause to be conducted hand-to-eye counts
37 under this section in such additional election districts or audit units
38 as the ⁴[Attorney General] Secretary of State⁴ considers appropriate
39 to resolve any such concerns. The ⁴[Attorney General] Secretary of
40 State⁴ shall issue previous to any election the criteria to be
41 employed to determine whether the hand-to-eye counts show
42 concern about the accuracy of the election results in order to trigger
43 further hand-to-eye counts. Such criteria shall be published prior to
44 use in any given election, and the public shall have the opportunity
45 to comment thereon. Notwithstanding the requirements previously
46 set forth in this paragraph, additional hand-to-eye counts shall be
47 conducted if in the initial audit conducted pursuant to the
48 procedures set forth in this subsection, any discrepancy or

1 discrepancies attributable to the electronic counting system would
2 alter the vote share of any candidate or ballot position by one tenth
3 of one percent or more of the hand counted votes in the sample.
4 Under such circumstances, the audit of the election shall be
5 expanded using the same number of election districts and when
6 possible, audit units, as the initial audit and shall be conducted
7 under the same procedures used to conduct the initial audit,
8 provided, however, that if the initial audit comprises more than one
9 half the total number of election districts and audit units in the
10 election, the expanded audit shall be a full hand-to-eye count of the
11 remaining un-audited election districts and audit units. Further
12 hand-to-eye counts shall be conducted if any discrepancy or
13 discrepancies attributable to the electronic counting system detected
14 by the initial or subsequent expanded audit indicates a substantial
15 possibility that a complete hand-to-eye recount would alter the
16 outcome of the audited election.

17 (10) If the voter-verifiable paper records in any machine are
18 found to be unusable for an audit for any reason whatsoever,
19 another machine used in the same election shall be selected at
20 random by the audit team to replace the original machine in the
21 audit sample. All such selections shall be made randomly in the
22 presence of those observing the audit using a method approved by
23 the ⁴~~Attorney General~~ Secretary of State⁴. An investigation to
24 determine the reason the voter-verifiable paper records were
25 compromised and unusable shall begin immediately, and the results
26 of the investigation shall be made public upon completion.

27 d. Nothing in this section shall be construed to prevent a
28 candidate or other applicant from requesting a recount pursuant to
29 R.S.19:28-1 et seq. or any other law. In the event that such a
30 recount is held in any election district that has been audited
31 pursuant to this section, the official result from such election
32 district shall be applied to the recount in lieu of conducting a
33 subsequent hand count of the audited election district unless a court,
34 at the request of a candidate or other applicant who requested the
35 recount, so orders.

36 (cf: P.L.2007, c.349, s.1)

37

38 ¹~~15.~~ 16.¹ Section 17 of P.L.2009, c.79 (C.19:63-17) is amended
39 to read as follows:

40 17. a. The county board of elections shall, promptly after
41 receiving each mail-in ballot, remove the inner envelope containing
42 the ballot from the outer envelope and shall compare the signature and
43 the information contained on the flap of the inner envelope with the
44 signature and information contained in the respective requests for
45 mail-in ballots and the signature and information contained in the
46 Statewide voter registration system. In addition, as to mail-in ballots
47 issued less than seven days prior to an election, the county board of
48 elections shall also check to establish that the mail-in voter did not

1 vote in person. The county board shall reject such a ballot if it is not
2 satisfied, pursuant to a comparison with the Statewide voter
3 registration system, that the voter is legally entitled to vote and that the
4 ballot conforms with the requirements of this act. The county board of
5 elections shall conduct the determination of qualification of each voter
6 in accordance with the requirements of the Certificate of Mail-in Voter
7 pursuant to section 13 of P.L.2009, c.79 (C.19:63-13).

8 In the case of a mail-in ballot to be voted at a primary election for
9 the general election, the ballot shall be rejected if the mail-in voter has
10 indicated in the certificate the voter's intention to vote in a primary
11 election of any political party in which the voter is not entitled to vote
12 according to the Statewide voter registration system, and if it shall
13 appear from the record that the voter is not entitled to vote in a primary
14 election of the political party which has been so indicated.

15 Any mail-in ballot which is received by a county board of elections
16 shall be rejected if the inner envelope is unsealed or if either the inner
17 or outer envelope has a seal that has been tampered with. Mail-in
18 ballots shall not be rejected due to any defect arising out of or relating
19 to the preparation or mailing of the ballot or envelope that was not
20 reasonably caused by the voters, such as a torn envelope and missing
21 or insufficient glue to allow the ballot to be sealed.

22 Disputes about the qualifications of a mail-in voter to vote or about
23 whether or not or how any mail-in ballot shall be counted in such
24 election shall be referred to the Superior Court for determination, as
25 provided under section 4 of P.L.2020, c.70 (C.19:63-17.1).

26 After such investigation, the county board of elections shall detach
27 or separate the certificate from the inner envelope containing the mail-
28 in ballot, unless it has been rejected by it or by the Superior Court,
29 marking the envelope so as to identify the election district in which the
30 ballot contained therein is to be voted as indicated by the voter's home
31 address appearing on the certificate attached to or accompanying the
32 inner envelope and, in the case of ballots to be voted at a primary
33 election for a general election, so as to identify the political party in
34 the primary election of which it is to be voted.

35 The location at which a county board of elections determines
36 whether a mail-in ballot shall be accepted or rejected shall be
37 considered an election district for the purposes of appointment of
38 challengers.

39 b. The county board of elections shall, promptly after receiving
40 each mail-in ballot, undertake the following procedures and
41 requirements concerning the acceptance or rejection of each mail-in
42 ballot:

43 (1) within 24 hours after the decision has been made to reject a
44 voter's mail-in or provisional ballot on the basis of a missing signature
45 or discrepant signature, issue a "Cure Letter" by mail or email to the
46 voter whose ballot was rejected, which shall inform the voter of that
47 fact and provide the reasoning for rejection, and attempt to contact the
48 voter by telephone, if a telephone number is available. The cure letter

1 shall include a "Cure Form" and the form shall include the voter's
2 name and instruct the voter on how to cure the alleged or actual
3 deficiency. Cure forms shall not be referred to as affidavits or
4 certifications and shall not be required to be sworn;

5 (2) when the alleged or actual deficiency involves the signature of
6 the voter, instruct the voter that they may cure the deficiency by
7 completing the cure form and returning it to the county board of
8 elections in person, by fax, or by email, not later than 48 hours prior to
9 the final certification of the results of the election other than the
10 general election, or in the case of a general election ²[not later than 96
11 hours prior to the final certification of the results of] within 11 days
12 after² the general election, or by returning it to the county board of
13 elections by mail, and that the completed cure form must be received
14 by the county board of elections not later than 48 hours prior to the
15 final certification of the results of the election other than the general
16 election, or in the case of a general election ²[not later than 96 hours
17 prior to the final certification of the results of] within 11 days after²
18 the general election;

19 (3) include, with the cure letter, when sent by mail, a pre-printed
20 cure form and a postage-paid return envelope addressed to the county
21 board of elections which the voter may use to return the cure form; and

22 (4) inform voters that they shall not be required to submit any form
23 of hard-copy identification document or copy thereof in order to cure a
24 signature deficiency, but may do so by declaring that they submitted
25 their provisional ballot or mail-in ballot, and verifying their identity by
26 either: (a) providing a valid New Jersey driver's license number or
27 Motor Vehicle Commission non-driver identification number; or (b) if
28 the voter does not have a valid New Jersey driver's license number or
29 Motor Vehicle Commission non-driver identification number, then by
30 providing the last four digits of their Social Security Number; or (c) if
31 the voter does not have the identification in (a) or (b), then attaching a
32 legible copy of a New Jersey State-accepted form of identification,
33 including either a sample ballot which lists the voter's name and
34 address, an official federal, State, county, or municipal document
35 which lists the voter's name and address, or a utility bill, telephone bill,
36 or tax or rent receipt which lists the voter's name and address; and (d)
37 signing and dating the cure form prior to returning it.

38 c. If a voter returns a completed cure form in a timely manner
39 and the information provided verifies the voter's identity, pursuant to
40 this section, their otherwise valid mail-in or provisional ballot shall be
41 counted in the final election results irrespective of any signature
42 deficiency previously identified and, under those circumstances, the
43 cure form may not be verified or authenticated using signature
44 matching.

45 d. In accordance with this section, variations in voter signatures
46 caused by the substitution of initials for the first name, middle name,
47 or both, shall not be grounds for the county board of elections to
48 determine that the signatures are non-conforming or do not match.

1 e. In cases of rejected ballots, the county board of elections shall
2 retain the voter's outer envelope, inner envelope, self-certification
3 certificate, and mail-in ballot in a bundle unique to each voter for a
4 period of two years in accordance with section 24 of P.L.2009, c.79
5 (C.19:63-24).

6 f. County boards of elections shall be required to meet at least
7 once each week during the three-week period preceding each election
8 to conduct the ballot processing and curing provisions specified in this
9 section, and shall meet more frequently as may be required by the
10 Secretary of State to ensure the timely processing of ballots.

11 The Secretary of State shall prepare educational materials
12 regarding this section that all employed county boards of elections
13 employees handling ballots shall read and have available for review.
14 The materials shall provide clear information regarding the standards
15 for acceptance and rejection of mail-in ballots and the safe-keeping of
16 all materials in the case of rejection. The materials shall serve an
17 educational purpose for the county board of elections and shall not
18 replace, supersede, or void the authority of the county board or a judge
19 of the Superior Court to accept or reject a mail-in ballot.

20 (cf: P.L.2020, c.71, s.12)

21

22 ¹~~16.~~ 17.¹ Section 4 of P.L.1981, c.379 (C.40:45-8) is amended
23 to read as follows:

24 4. On or before the ~~64th~~ 75th day prior to a regular
25 municipal election, the names of candidates for all elective offices
26 shall be filed with the municipal clerk, in the following manner and
27 form and subject to the following conditions:

28 a. The petition of nomination shall consist of individual
29 certificates, equal in number to at least 1%, but in no event less than
30 25, of the registered voters of the municipality or the ward, as the
31 case may be, and shall read substantially as follows:

32 "I, the undersigned, a registered voter of the municipality of
33, residing at certify that I do
34 hereby join in a petition of the nomination of
35 whose residence is at for the office
36 of mayor (or councilman-at-large, or ward councilman of the
37 ward, or commissioner, or village trustee, as the case may
38 be) to be voted for at the election to be held in the municipality on
39 the, 20....., and I further certify that I know this candidate
40 to be a registered voter, for the period required by law, of the
41 municipality (and the ward, in the case of ward councilman) and a
42 person of good moral character, and qualified, in my judgment, to
43 perform the duties of the office, and I further certify that I have not
44 signed more petitions or certificates of nomination than there are
45 places to be filled for the above office.

46 Signed"

47 The petition of nomination shall also include a functioning e-
48 mail address for the candidate.

1 Any such petition of nomination which is provided to candidates
2 by the municipal clerk shall contain the following notice: "Notice:
3 All candidates are required by law to comply with the provisions of
4 the 'New Jersey Campaign Contributions and Expenditures
5 Reporting Act.' For further information, please call (insert phone
6 number of the Election Law Enforcement Commission)."

7 b. Each petition signature shall be on a separate sheet of paper
8 and shall bear the name and address of the petitioner. The
9 candidate for office and his campaign manager shall make an oath
10 before an officer competent to administer oaths that the statements
11 made therein are true, and that each signature to the papers
12 appended thereto is the genuine signature of the person whose name
13 it purports to be, to their best knowledge and belief. The oath,
14 signed by the candidate, shall constitute his acceptance of
15 nomination and shall be annexed to the petition, together with the
16 oath of his campaign manager, at the time the petition is submitted.

17 c. The municipal clerk shall immediately provide the Election
18 Law Enforcement Commission with official certification of the
19 filing or withdrawal of a petition of nomination.

20 d. A candidate shall be permitted to sign or circulate, or both
21 sign and circulate, the petition required to nominate that candidate
22 for elective public office in any municipality holding regular
23 municipal elections.

24 (cf: P.L.2018, c.66, s.4)

25
26 ³18. Section 5 of P.L.1981, c.379 (C.40:45-9) is amended to
27 read as follows:

28 5. a. The municipal clerk shall furnish, upon request, a
29 reasonable number of forms of individual certificates of
30 nomination.

31 b. Each certificate shall contain the name of one candidate, and
32 no more. Each signer must not, at the time of signing the
33 certificate, have signed more certificates for candidates for that
34 office than there are places to be filled for the office. Where ward
35 councilmen are to be elected, no petitioner shall sign more than one
36 certificate for ward council, and the candidate named in the petition
37 shall reside in the same ward as the signer. All certificates not
38 complying substantially with this act shall be rejected.

39 c. When a petition of nomination is presented for filing to the
40 municipal clerk, he shall examine it and ascertain whether or not it
41 conforms to the provisions of this act and, where applicable, the
42 provisions of the general election laws. If it does not conform, he
43 shall retain the petition and notify the person nominated of the
44 defect, by written notice delivered to him personally or by certified
45 mail to his place of residence stated in the petition.

46 d. Where the nominating petition, or any affidavit or affidavits
47 thereto is found defective, the candidate named therein may file
48 such amendment or amendments as may be necessary to eliminate

1 the defect, whether of matters of substance or form, and when so
 2 amended the effect shall be as if the petition had been originally
 3 filed in the amended form. After the last day for the filing of the
 4 original petition, no amendment may be made for the purpose of
 5 adding the name of any person who did not sign the original
 6 petition, nor shall any amendment be made at any time for the
 7 purpose of changing the name of the candidate or the office for
 8 which he was to be nominated. No amendment to a nominating
 9 petition shall be made and filed less than ~~61~~ 72 days before the
 10 election.³

11 (cf: P.L.2011, c.37, s.33)

12

13 ~~17~~¹ ~~18~~¹ ~~19~~³ Section 13 of P.L.1981, c.379 (C.40:45-17)
 14 is amended to read as follows:

15 13. At the regular municipal election in any municipality which
 16 has adopted this act, the candidates receiving the greatest number of
 17 votes cast shall be elected to the respective offices. Except as
 18 otherwise provided by law, the term of office of any officer elected
 19 pursuant to this act shall begin on July 1 next following election. If
 20 a regular municipal election is held on the day of the general
 21 election in November pursuant to subsection a. of section 1 of
 22 P.L.2009, c.196 (C.40:45-7.1), the term of office of any officer
 23 elected shall begin on January ~~1~~ 15 next following election.

24 (cf: P.L.2009, c.196, s.7)

25

26 ~~18~~¹ ~~19~~¹ ~~20~~³ Section 1 of P.L.1956, c.176 (C.40:45A-1) is
 27 amended to read as follows:

28 1. a. Notwithstanding any other provision of law, the governing
 29 body of a municipality in which any of the members of the
 30 governing body are elected for terms commencing January 1 may,
 31 by resolution, fix the date and time of its annual organization or
 32 reorganization meeting at 12 o'clock noon on January ~~1~~¹, or at
 33 some other hour on any day during the first week in January.

34 b. The governing body of a municipality in which any of the
 35 members of the governing body are elected for terms commencing
 36 January 15 may, by resolution, fix the date and time of its annual
 37 organization or reorganization meeting at 12 o'clock noon on
 38 January 15, or at some other hour on any day during ~~the second~~¹
 39 week or thereafter in January] a seven-day period beginning on
 40 January 15¹ .

41 (cf: P.L.2000, c.126, s.12)

42

43 ~~19~~¹ ~~20~~¹ ~~21~~³ Section 192 of P.L.1950, c.210
 44 (C.40:69A-192) is amended to read as follows:

45 17-43. a. Any ordinance to be voted on by the voters in
 46 accordance with section 17-36 or section 17-42 of this act
 47 (C.40:69A-185 or C.40:69A-191) shall be submitted at the next

1 general or regular municipal election occurring not less than 40
 2 days after the final date for withdrawal of the petition as provided
 3 for in section 17-42 of this act (C.40:69A-191), provided that if no
 4 such election is to be held within 90 days the council shall provide
 5 for a special election to be held not less than 40 nor more than 60
 6 days from the final date for withdrawal of the petition as provided
 7 for in section 17-42 (C.40:69A-191) of this act.

8 b. In the case of an initiated petition signed by not less than 10%
 9 nor more than 15% of the legal voters, the ordinance shall be
 10 submitted at the next general or regular municipal election
 11 occurring not less than 40 days after the final date of withdrawal of
 12 the petition as provided for in section 17-42 (C.40:69A-191) of this
 13 act.

14 c. In any instance where a referendum election is to be held as
 15 a result of an ordinance of the council which by its terms or by law
 16 cannot become effective in the municipality unless submitted to the
 17 voters, or which by its terms authorizes a referendum in the
 18 municipality concerning the subject matter thereof, the time for
 19 submission of the question to the voters shall be at the next general
 20 or regular municipal election occurring not less than 40 days from
 21 the date of final passage and approval of the ordinance. Referenda
 22 held on ordinances adopted pursuant to sections 7 through 11 of
 23 P.L.1981, c.465 (C.40:69A-25.1 through 40:69A-25.5) shall be
 24 governed by this subsection, except that if the referendum is held
 25 pursuant to those sections as the result of the report of a charter
 26 study commission, the time for submission of the question shall be
 27 calculated from the date of that report.

28 d. Nothing in this section shall be interpreted to waive the
 29 requirement for the ballot question to be submitted to the county
 30 clerk 74 days prior to the general election as required by section
 31 ¹[21] ²²¹ of P.L. , c. (C.)(pending before the Legislature as
 32 this bill).

33 (cf: P.L.1991, c.430, s.5)

34
 35 ¹[20.] ³[21.¹] ^{22.}³ N.J.S.40A:14-72 is amended to read as
 36 follows:

37 40A:14-72. a. An election shall be held annually either on the
 38 third Saturday in February or at the time of the general election on
 39 the first Tuesday after the first Monday in November in each
 40 established fire district for the election of members of the board
 41 according to the expiration of terms. The initial election for a
 42 newly created fire district may take place on another date as a
 43 governing body may specify under N.J.S.40A:14-70, but the annual
 44 election thereafter shall be held either on the third Saturday in
 45 February or at the time of the general election on the first Tuesday
 46 after the first Monday in November.

1 b. For an election held at a time other than at the time of the
2 general election, the place of the election shall be determined by the
3 board and a notice thereof, and of the closing date for the filing
4 with the clerk of the board of petitions of nomination for
5 membership on the board, shall be published at least once in a
6 newspaper circulating in the district, at least six weeks prior to the
7 date fixed for the election.

8 c. For an election held at the time of the general election, the
9 place of the election shall be determined pursuant to R.S.19:8-1 et
10 seq. and notice thereof shall be published pursuant to R.S.19:12-7.
11 Notice of the closing date for the filing, with the county clerk, of
12 nominations by petition for direct nomination for membership on
13 the board shall be published by the board at least once in a
14 newspaper circulating in the district, at least 21 days prior to the
15 date by which such nominations are required to be filed with the
16 county clerk.

17 d. Fire districts located in the same municipality may combine
18 the publication of their notices of election. For the purpose of this
19 section, "notices of election" shall include the notices required to be
20 published under section 6 of P.L.2009, c.79 (C.19:63-6).

21 e. The legal voters at an annual election held on the third
22 Saturday in February shall determine the amount of money to be
23 raised for the ensuing year and determine such other matters as may
24 be required. If the amount of money to be raised for the ensuing
25 year exceeds the permissible property tax levy increase as
26 determined pursuant to section 10 of P.L.2007, c.62
27 (C.40A:4-45.45), a public question shall be submitted to the legal
28 voters to increase the amount to be raised by taxation by more than
29 the allowable adjusted tax levy.

30 f. If a fire district holds its annual election at the time of the
31 general election, then the legal voters shall determine the amount of
32 money to be raised for the ensuing year only by such amount that
33 exceeds the permissible property tax levy increase as determined
34 pursuant to section 10 of P.L.2007, c.62 (C.40A:4-45.45). The
35 legal voters shall determine whether to increase the amount to be
36 raised by taxation by more than the allowable adjusted tax levy for
37 the ensuing year through the submission of a public question. The
38 board of fire commissioners of the fire district shall notify the
39 county or municipal clerk, as appropriate, of the need to conduct a
40 referendum pursuant to this subsection at least 60 days before the
41 date of the referendum. A referendum conducted pursuant to this
42 subsection shall be held on the third Saturday in February of the
43 budget year in which the levy increase would apply.

44 g. No fire district election shall be held between the period of
45 45 days prior to the primary or general election to the certification
46 of the results of the primary or general election.

47 (cf: P.L.2017, c.206, s.11)

1 ¹[21.] ³[22.1] 23.³ (New section) Any question to be submitted
2 to the voters pursuant to section 192 of P.L.1950, c.210 (C.40:69A-
3 192) shall be submitted to the county clerk not later than the 74th
4 day preceding the election.

5
6 ¹[22.] ³[23.1] 24.³ This act shall take effect immediately.

7
8
9 _____

10
11 Changes certain General Election deadlines.

ASSEMBLY, No. 5175

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 9, 2023

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Changes certain General Election deadlines.

CURRENT VERSION OF TEXT

As introduced.



A5175 VERRELLI, MCKNIGHT

2

1 AN ACT concerning certain General Election deadlines and
2 amending various parts of the statutory law and supplementing
3 Title 19 of the Revised Statutes.

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

7
8 1. R.S.19:13-16 is amended to read as follows:

9 19:13-16. When a person nominated as herein provided by direct
10 petition or State convention for election to public office at the
11 general election shall, at least **[70]** 81 days before the day of the
12 general election, in a writing signed by him and duly acknowledged,
13 notify the officer with whom the original petition or certificate of
14 nomination was filed that he declines the nomination, the
15 nomination shall be void.

16 (cf: P.L.2013, c.172, s.4)

17

18 2. R.S.19:13-19 is amended to read as follows:

19 19:13-19. If the candidate vacating the nomination was
20 nominated directly by petition his successor shall be nominated in
21 the same manner by direct petition, which new petition of
22 nomination must be filed with the Secretary of State or county
23 clerk, as the case may require, not later than **[64]** 75 days before
24 the day of election whereat such candidate is to be voted for.

25 (cf: P.L.2011, c.37, s.3)

26

27 3. R.S.19:13-20 is amended to read as follows:

28 19:13-20. In the event of a vacancy, howsoever caused, among
29 candidates nominated at a primary election for the general election,
30 which vacancy shall occur not later than the **[56th]** 70th day before
31 the general election, or in the event of inability to select a candidate
32 because of a tie vote at such primary, a candidate shall be selected
33 in the following manner:

34 a. (1) In the case of an office to be filled by the voters of the
35 entire State, the candidate shall be selected by the State committee
36 of the political party wherein such vacancy has occurred.

37 (2) In the case of an office to be filled by the voters of a single
38 and entire county, the candidate shall be selected by the county
39 committee in such county of the political party wherein such
40 vacancy has occurred.

41 (3) In the case of an office to be filled by the voters of a portion
42 of the State comprising all or part of two or more counties, the
43 candidate shall be selected by those members of the county
44 committees of the party wherein the vacancy has occurred who

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 represent those portions of the respective counties which are
2 comprised in the district from which the candidate is to be elected.

3 (4) In the case of an office to be filled by the voters of a portion
4 of a single county, the candidate shall be selected by those members
5 of the county committee of the party wherein the vacancy has
6 occurred who represent those portions of the county which are
7 comprised in the district from which the candidate is to be elected.

8 At any meeting held for the selection of a candidate under this
9 subsection, a majority of the persons eligible to vote thereat shall be
10 required to be present for the conduct of any business, and no
11 person shall be entitled to vote at that meeting who is appointed to
12 the State committee or county committee after the seventh day
13 preceding the date of the meeting.

14 Within 20 days after the meeting of each county committee that
15 is held on the first Tuesday following the primary election at which
16 committee members are elected, the municipal clerk shall certify to
17 the county clerk an official list of the duly elected county
18 committee members and an official list of the municipal committee
19 chairs. The county party chairperson shall have a continuing duty
20 to report to the county clerk any vacancies, resignations, and
21 committee positions filled pursuant to R.S.19:5-2 or 19:5-3. A
22 report of a resignation shall be accompanied by a notarized letter of
23 resignation signed by the resigning committee member or, if the
24 resigning committee member fails to provide such a letter, by a
25 notarized letter stating that the resignation has occurred signed by
26 the chair of the relevant municipal committee who shall also
27 provide a copy thereof to the resigning member. Notice of
28 vacancies in the membership of a county committee that are filled
29 pursuant to R.S.19:5-2 or 19:5-3 shall be accompanied by a
30 certificate of acceptance signed by the newly selected member. The
31 official list of the county committee members and of the municipal
32 committee chairs maintained by the county clerk shall be deemed to
33 be a government record and only those county committee members
34 listed thereon seven days prior to a selection to fill a vacancy and
35 otherwise qualified to vote on the vacancy shall be entitled to vote
36 on filling a vacancy pursuant to this section.

37 In addition, every person appointed to the county committee
38 shall file with the county clerk a certificate of acceptance which
39 shall be preserved by the county clerk as a government record.

40 In the case of a meeting held to select a candidate for other than
41 a Statewide office, the chairperson of the meeting shall be chosen
42 by majority vote of the persons present and entitled to vote thereat.
43 The chairperson so chosen may propose rules to govern the
44 determination of credentials and the procedures under which the
45 meeting shall be conducted, and those rules shall be adopted upon a
46 majority vote of the persons entitled to vote upon the selection. If a
47 majority vote is not obtained for those rules, the delegates shall
48 determine credentials and conduct the business of the meeting under

1 such other rules as may be adopted by a majority vote. All
2 contested votes taken at the selection meeting, as referenced in
3 subsections a. and b. of this section, shall be by secret ballot in a
4 location or manner that protects the anonymity of the person's vote.

5 b. (1) Whenever in accordance with subsection a. of this section
6 members of two or more county committees are empowered to
7 select a candidate to fill a vacancy, it shall be the responsibility of
8 the chairpersons of said county committees, acting jointly not later
9 in any case than the seventh day following the occurrence of the
10 vacancy, to give notice to each of the members of their respective
11 committees, as certified by the county clerk, who are so empowered
12 of the date, time and place of the meeting at which the selection will
13 be made, that meeting to be held at least one day following the date
14 on which the notice is given.

15 (2) Whenever in accordance with the provisions of subsection a.
16 of this section members of a county committee are empowered to
17 select a candidate to fill a vacancy, it shall be the responsibility of
18 the chairperson of such county committee, not later in any case than
19 the seventh day following the occurrence of the vacancy, to give
20 notice to each of the members of the committee, as certified by the
21 county clerk, who are so empowered of the date, time and place of
22 the meeting at which the selection will be made, that meeting to be
23 held at least one day following the date on which the notice is
24 given.

25 (3) A county committee chairperson or chairpersons who call a
26 meeting pursuant to paragraph (1) or (2) of this subsection shall not
27 be entitled to vote upon the selection of a candidate at such meeting
28 unless he or she or they are so entitled pursuant to subsection a.

29 (4) Whenever in accordance with the provisions of subsection a.
30 of this section the State committee of a political party is empowered
31 to select a candidate to fill a vacancy, it shall be the responsibility
32 of the chairperson of that State committee to give notice to each of
33 the members of the committee of the date, time and place of the
34 meeting at which the selection will be made, that meeting to be held
35 at least one day following the date on which the notice is given.

36 c. Whenever a selection is to be made pursuant to this section
37 to fill a vacancy resulting from inability to select a candidate
38 because of a tie vote at a primary election for the general election,
39 the selection shall be made from among those who have thus
40 received the same number of votes at the primary.

41 d. A selection made pursuant to this section shall be made not
42 later than the ~~54th~~ 68th day preceding the date of the general
43 election, and a statement of such selection shall be filed with the
44 Secretary of State or the appropriate county clerk, as the case may
45 be, not later than that day, and in the following manner:

46 (1) A selection made by a State committee of a political party
47 shall be certified to the Secretary of State by the State chairperson
48 of the political party.

1 (2) A selection made by a county committee of a political party,
2 or a portion of the members thereof, shall be certified to the county
3 clerk of the county by the county chairperson of such political
4 party; except that when such selection is of a candidate for the
5 Senate or General Assembly or the United States House of
6 Representatives the county chairperson shall certify the selection to
7 the State chairperson of such political party, who shall certify the
8 same to the Secretary of State.

9 (3) A selection made by members of two or more county
10 committees of a political party acting jointly shall be certified by
11 the chairpersons of said committees, acting jointly, to the State
12 chairperson of such political party, who shall certify the same to the
13 Secretary of State.

14 e. A statement filed pursuant to subsection d. of this section
15 shall state the residence and post office address of the person so
16 selected, and shall certify that the person so selected is qualified
17 under the laws of this State to be a candidate for such office, and is
18 a member of the political party filling the vacancy. Accompanying
19 the statement, the person endorsed therein shall file a certificate
20 stating that he or she is qualified under the laws of this State to be a
21 candidate for the office mentioned in the statement, that he or she
22 consents to stand as a candidate at the ensuing general election and
23 that he or she is a member of the political party named in said
24 statement, and further that he or she is not a member of, or
25 identified with, any other political party or any political
26 organization espousing the cause of candidates of any other
27 political party, to which shall be annexed the oath of allegiance
28 prescribed in R.S.41:1-1 duly taken and subscribed by him or her
29 before an officer authorized to take oaths in this State. The person
30 so selected shall be the candidate of the party for such office at the
31 ensuing general election. Each candidate for the office of Governor
32 or the office of member of the Senate or General Assembly filing a
33 certification shall annex thereto a statement signed by the candidate
34 that he or she:

35 (1) has not been convicted of any offense graded by Title 2C of
36 the New Jersey Statutes as a crime of the first, second, third or
37 fourth degree, or any offense in any other jurisdiction which, if
38 committed in this State, would constitute such a crime; or

39 (2) has been so convicted, in which case, the candidate shall
40 disclose on the statement the crime for which convicted, the date
41 and place of the conviction and the penalties imposed for the
42 conviction. Such a candidate may, as an alternative, submit with
43 the statement a copy of an official document that provides such
44 information. If the candidate has been convicted of more than one
45 criminal offense, such information about each conviction shall be
46 provided. Records expunged pursuant to chapter 52 of Title 2C of
47 the New Jersey Statutes shall not be subject to disclosure.

48 (cf: P.L.2011, c.37, s.4)

1 4. R.S.19:14-1 is amended to read as follows:

2 19:14-1. Every county clerk shall have ready for the printer on
3 or before the 45th day prior to the primary election a copy of the
4 contents of official ballots as hereinafter required to be printed for
5 use at such election, except that every county clerk shall have ready
6 for the printer on or before the **【50th】** 64th day prior to a federal
7 primary election or any general election in this State a copy of the
8 contents of the official ballots for use in such election. The county
9 clerk shall also on or before that time place another copy of such
10 contents on file in the county clerk's office and keep the same open
11 to public inspection until the sample ballots hereinafter provided to
12 be printed shall have been distributed.

13 Nothing in this section, as amended by P.L.2022, c.70, shall be
14 construed to hinder, limit, or interfere with the ability of a county
15 clerk to comply with the federal "Uniformed and Overseas Citizens
16 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).
17 (cf: P.L.2022, c.70, s.1)

18

19 5. R.S.19:19-1 is amended to read as follows:

20 19:19-1. The board of county canvassers of each county shall
21 meet on the **【thirteenth】** 15th day, after any such election, at 12
22 o'clock noon, at the courthouse of the county, for the purpose of
23 checking the canvass which shall have been made by the county
24 clerk from the statements of the district boards filed in his office as
25 hereinbefore provided. For such purpose the county clerk shall
26 have prepared a compilation in tabulated form of such statements
27 and the combined results shown thereby for the use of the board of
28 canvassers.

29 (cf: P.L.2020, c.71, s.3)

30

31 6. R.S.19:28-1 is amended to read as follows:

32 19:28-1. When any candidate at any election shall have reason to
33 believe that an error has been made in counting the votes of that
34 election, the candidate may, within a period of 17 days following
35 such election, apply to a judge of the Superior Court assigned to the
36 county wherein such district or districts are located, for a recount of
37 the votes cast at the election in any district or districts. If a voting
38 machine chosen for audit pursuant to section 1 of P.L.2007, c.349
39 (C.19:61-9) following the general election is selected for a recount
40 under this section, the candidate may request that the votes be
41 recounted within 13 days of the election.

42 When ten voters at any election shall have reason to believe that
43 an error has been so made in counting the votes upon any public
44 question at any election, such voters may, within a period of 17
45 days following such election, apply to a judge of the Superior Court
46 assigned to the county wherein such district or districts are located,
47 for a recount of the votes cast at the election in any district or
48 districts on such public question. If a voting machine chosen for

1 audit pursuant to section 1 of P.L.2007, c.349 (C.19:61-9) following
2 the general election is selected for a recount under this section, the
3 voters may request that the votes be recounted within 13 days of the
4 election.

5 (cf: P.L.2018, c.72, s.12)

6

7 7. R.S.19:37-1 is amended to read as follows:

8 19:37-1. When the governing body of any municipality or of any
9 county desires to ascertain the sentiment of the legal voters of the
10 municipality or county upon any question or policy pertaining to the
11 government or internal affairs thereof, and there is no other statute
12 by which the sentiment can be ascertained by the submission of
13 such question to a vote of the electors in the municipality or county
14 at any election to be held therein, the governing body may adopt at
15 any regular meeting an ordinance or a resolution requesting the
16 clerk of the county to print upon the official ballots to be used at the
17 next ensuing general election a certain proposition to be formulated
18 and expressed in the ordinance or resolution in concise form. Such
19 request shall be filed with the clerk of the county not later than
20 **[81]** 88 days previous to the election.

21 (cf: P.L.2011, c.37, s.22)

22

23 8. Section 2 of P.L.1967, c.101 (C.19:37-1.1) is amended to
24 read as follows:

25 2. Whenever a governing body of a municipality has adopted
26 an ordinance or resolution pursuant to section 19:37-1 of the
27 Revised Statutes, upon the presentation to the governing body of
28 such municipality of a petition signed by 10% or more of the voters
29 registered and qualified to vote at the last general election in such
30 municipality, requesting the governing body of such municipality to
31 ascertain the sentiment of the legal voters of the municipality upon
32 any question or policy pertaining to the government or internal
33 affairs thereof that is reasonably related to any proposition
34 formulated and expressed in such ordinance or resolution, such
35 governing body of the municipality shall thereupon adopt at its next
36 regular meeting following the presentation of such petition a
37 resolution requesting the clerk of the county to print upon the
38 official ballots to be used at the next ensuing general election a
39 certain proposition as formulated and expressed in the petition.
40 Such request shall be filed with the clerk of the county not later
41 than the **[67th]** 74th day previous to the election.

42 (cf: P.L.2011, c.37, s.23)

43

44 9. Section 1 of P.L.2005, c.152 (C.19:53B-21) is amended to
45 read as follows:

46 1. Within 15 calendar days after an election other than a
47 general election or three days after the certification of the results of
48 that election, whichever occurs later, or in the case of a general

1 election on the day of the certification of the results of the general
2 election, the county board of election in each county shall prepare a
3 report which lists by election district, and includes a county wide
4 total by category for, the number of emergency ballots, including
5 any spoiled, void, or invalid emergency ballots, used in the election.
6 The report shall be a government record that is available for public
7 inspection and copying pursuant to the provisions of P.L.1963, c.73
8 (C.47:1A-1 et seq.).
9 (cf: P.L.2005, c.152, s.1)

10

11 10. Section 2 of P.L.2005, c.152 (C.19:53C-21) is amended to
12 read as follows:

13 2. Within 15 calendar days after an election other than the
14 general election or three days after the certification of the results of
15 that election, whichever occurs later, or in the case of a general
16 election on the day of the certification of the results of the general
17 election, the county board of election in each county shall prepare a
18 report which lists by election district, and includes a county wide
19 total by category for, the number of provisional ballots, including
20 any spoiled, void, or invalid provisional ballots, used in the
21 election. The report shall be a government record that is available
22 for public inspection and copying pursuant to the provisions of
23 P.L.1963, c.73 (C.47:1A-1 et seq.).
24 (cf: P.L.2005, c.152, s.2)

25

26 11. Section 2 of P.L.1995, c.278 (C.19:60-2) is amended to read
27 as follows:

28 2. a. Except as otherwise provided pursuant to subsection c. of
29 this section, the board of education of a type II district may call a
30 special election of the legal voters of the district on only the fourth
31 Tuesday in January, the second Tuesday in March, the last Tuesday
32 in September, or the second Tuesday in December when in its
33 judgment the interests of the schools require such an election. The
34 board of education shall give the municipal clerk or clerks, as the
35 case may be, and the county board of elections no less than 60 days'
36 notice, in writing, of its intention to hold a special election.

37 b. No business shall be transacted at any special election except
38 such as shall have been set forth in the notices by which the election
39 was called.

40 c. The Commissioner of Education may change in any school
41 year any date authorized for a special school election pursuant to
42 subsection a. of this section if that date coincides with a period of
43 religious observance that limits significantly the usual activities of
44 the followers of a particular religion or that would result in
45 significant religious consequences for such followers or if the date
46 authorized for a special school election falls within 45 days of the
47 General Election. The commissioner shall inform local school
48 boards, county clerks, and boards of election of the adjustment no

1 later than the first working day in January of the year in which the
2 adjustments are to occur.

3 As used in this section "a period of religious observance" means
4 any day or portion thereof on which a religious observance imposes
5 a substantial burden on an individual's ability to vote.

6 (cf: P.L.2011, c.134, s.48)

7

8 12. Section 4 of P.L.1995, c.278 (C.19:60-4) is amended to read
9 as follows:

10 4. The secretary of each board of education shall, not later than
11 10 o'clock a.m. of the 18th day preceding the annual April school
12 election or a special school election, make and certify and forward
13 to the clerk of the county in which the school district is located a
14 statement designating the public question to be voted upon by the
15 voters of the district which may be required pursuant to the
16 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
17 New Jersey Statutes.

18 The secretary of each board of education of a school district in
19 which the annual school election has been moved to November
20 pursuant to subsection a. of section 1 of P.L.2011, c.202 (C.19:60-
21 1.1), not later than 10 o'clock a.m. of the ~~60th~~ 74th day preceding
22 the November school election, shall make and certify and forward
23 to the clerk of the county in which the school district is located a
24 statement designating any public question to be voted upon by the
25 voters of the district which may be required pursuant to the
26 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
27 New Jersey Statutes.

28 (cf: P.L.2011, c.202, s.35)

29

30 13. Section 7 of P.L.1995, c.278 (C.19:60-7) is amended to read
31 as follows:

32 7. Each candidate to be voted upon at a school election shall be
33 nominated directly by petition, and the procedures for such
34 nomination shall, to the extent not inconsistent with the provisions
35 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
36 nominating candidates by direct petition under chapter 13 of Title
37 19 of the Revised Statutes. Notwithstanding the provisions of
38 R.S.19:13-5, however, a petition of nomination for such office shall
39 be signed by at least 10 persons, one of whom may be the
40 candidate, and filed with the secretary of the board of education on
41 or before four p.m. of the 50th day preceding the date of the April
42 school election, or with the county clerk on or before four p.m. of
43 the last Monday in July preceding the November school election, as
44 applicable. The signatures need not all appear upon a single petition
45 and any number of petitions may be filed on behalf of any candidate
46 or on behalf of two or more candidates filing a joint petition. A
47 petition for one or more candidates may include a designation in not
48 more than three words that conveys the principles which the

1 candidate or candidates therein named represent, but such
2 designation shall not contain the name, or a derivative thereof, as a
3 noun or an adjective of any political party entitled to participate in a
4 primary election. The petitions of a candidate for member of a
5 board of education shall also include a functioning e-mail address
6 for the candidate.

7 Any candidate may withdraw as a candidate in a school election
8 by filing a notice in writing, signed by the candidate, of such
9 withdrawal with the secretary of the board of education before the
10 44th day before the date of the April election or with the county
11 clerk on the ~~70th~~ 81st day before the date of the November
12 election, as applicable, and thereupon the name of that candidate
13 shall be withdrawn by the secretary of the board of education and
14 shall not be printed on the ballot.

15 A vacancy created by a declination of nomination or withdrawal
16 by, or death of, a nominee, or in any other manner, shall be filled
17 under the provisions of R.S.19:13-19.

18 Whenever written objection to a petition of nomination
19 hereunder shall have been made and timely filed with the secretary
20 of the board of education or with the county clerk, as may be
21 appropriate, the board of education shall file its determination of the
22 objection on or before the 44th day preceding the April school
23 election or the county clerk shall file the clerk's determination of
24 the objection on or before the 10th day after the last day for the
25 filing of petitions for candidates seeking election as a member of a
26 board of education at the November school election, as applicable.
27 The last day upon which a candidate may file with the Superior
28 Court a verified complaint setting forth any invasion or threatened
29 invasion of the candidate's rights under the candidate's petition of
30 nomination shall be the 46th day before the April election or the
31 12th day after the last day for the filing of petitions for candidates
32 seeking election as a member of a board of education at the
33 November election, as applicable. The last day upon which a
34 candidate whose petition of nomination or any affidavit thereto is
35 defective may amend such petition or affidavit shall be the 44th day
36 before the April election or the 10th day after the last day for the
37 filing of petitions for candidates seeking election as a member of a
38 board of education at the November election, as applicable.

39 In each school district in which candidates for the office of
40 member of a board of education will seek election at the November
41 school election, the school business administrator thereof shall
42 certify to the county clerk no later than the day of the holding of the
43 primary election for the general election next occurring a statement
44 designating the public offices to be filled at such election, and the
45 number of such offices to be filled.

46 (cf: P.L.2018, c.66, s.3)

1 14. Section 1 of P.L.2007, c.349 (C.19:61-9) is amended to read
2 as follows:

3 1. a. Notwithstanding any law, rule or regulation to the
4 contrary, the Attorney General shall appoint each year an
5 independent, professional audit team. It shall oversee, in each
6 county, random hand-to-eye counts of the voter-verifiable paper
7 records that are to be conducted by appropriate county election
8 officials. Audits shall be conducted for each election held for
9 federal or State office, including the offices of Governor,
10 Lieutenant Governor and member of the Legislature, and for county
11 and municipal offices selected by the Attorney General. In each
12 county, the audit shall be conducted in at least two percent of the
13 election districts in which each audited election appears on the
14 ballot. County and municipal elections held in fewer than 100
15 election districts are exempt from this requirement. Election
16 districts that are randomly selected for auditing for either the
17 Congressional or State legislative elections in alternating years may
18 be used to audit any other election that appears on the ballot in such
19 districts. Ballot batches, as provided for in subsection c. of this
20 section, shall also be audited subject to the provisions of this
21 section. In the case of a general election, audits shall begin 13 days
22 after the election and shall be completed prior to the certification of
23 the results of that election. Extensions may be provided by the
24 Secretary of State if necessary.

25 b. The membership and composition of the audit team shall be
26 at the discretion of the Attorney General but shall be not less than
27 four, and at least one member shall have verifiable expertise in the
28 field of statistics and another member shall have verifiable expertise
29 in the field of auditing. No member of the audit team shall include
30 any person who:

31 (1) is serving in any position on any political campaign
32 committee of any candidate for political office in the elections that
33 are subject to the manual audit;

34 (2) is an employee of, or reports to, the Attorney General; or

35 (3) is serving as an officer or an employee of any entity that
36 designs, manufactures, or services a voting system used in the State.

37 c. The independent audit team shall oversee, supervise, and
38 require county election officials to conduct an audit of the results of
39 an election in accordance with the following procedures:

40 (1) Any procedure designed, adopted, and implemented by the
41 audit team shall be implemented to ensure with at least 99%
42 statistical power that for each federal, gubernatorial or other
43 Statewide election held in the State, a 100% manual recount of the
44 voter-verifiable paper records would not alter the electoral outcome
45 reported by the audit. For each election held for State office, other
46 than Governor and Lieutenant Governor, and for county and
47 municipal elections held in 100 or more election districts, any
48 procedure designed, adopted, and implemented by the audit team

1 shall be implemented to ensure with at least 90% statistical power
2 that a 100% manual recount of the voter-verifiable paper records
3 would not alter the electoral outcome reported by the audit. Such
4 procedures designed, adopted, and implemented by the audit team
5 to achieve statistical power shall be based upon scientifically
6 reasonable assumptions, with respect to each audited election,
7 including but not limited to: the possibility that within any election
8 district up to 20% of the total votes cast may have been counted for
9 a candidate or ballot position other than the one intended by the
10 voters; and that the number of votes cast per election district will
11 vary. Such procedures and assumptions shall be published prior to
12 any given election, and the public shall have the opportunity to
13 comment thereon.

14 (2) Any procedure designed, adopted, and implemented by the
15 audit team for each county and municipal election held in fewer
16 than 100 election districts, but more than a single election district,
17 shall be conducted in at least two election districts.

18 (3) Within a reasonable period of time after the final vote count
19 after an election, the Attorney General, with the audit team, shall
20 determine and then announce publicly the election districts in the
21 State in which audits shall be conducted, and within 24 hours of
22 that announcement, the audit shall be commenced.

23 (4) With respect to votes cast at the election district on the date
24 of an election other than by emergency or provisional ballot, the
25 independent audit team shall oversee and supervise a hand-to-eye
26 count of the voter-verifiable paper records and compare those
27 records with the count of such votes announced by the county
28 boards of elections.

29 (5) With respect to the votes cast other than at the election
30 district on the date of the election, or any other votes counted
31 electronically by the county board of elections on or after the date
32 of the election, including votes cast by military service voters and
33 overseas federal election voters, the independent audit team shall
34 oversee and supervise a count by hand of the voter-verifiable paper
35 records as follows. To maintain voter privacy, prior to each
36 election, the audit team shall direct the appropriate county election
37 official to divide the ballots into batches, hereinafter referred to as
38 audit units. Each audit unit shall contain approximately the average
39 number of ballots cast in the election districts within the county, or
40 fewer, but shall not be associated with any particular election
41 district. As the ballots comprising each audit unit are counted
42 electronically, each audit unit shall be assigned a unique
43 identification number. Immediately after counting the ballots
44 comprising each audit unit, a cumulative summary vote tally report
45 bearing the audit unit's unique identification number and containing
46 the sum of the vote totals of the audit unit and all previously
47 counted audit units in the election shall be printed and affixed to the
48 audit unit. The reports shall be subject to the same secure chain of

1 custody as the ballots comprising the audit units and shall be used
2 by the audit team to determine the electronic vote tally for each
3 audit unit. The audit team shall first compare the vote tallies in the
4 final cumulative report to the official results announced by the
5 county and resolve any discrepancies, and then include all the audit
6 units from each county in the random selection process and if
7 selected, cause them to be audited in the same manner provided
8 herein for election districts, except that the hand-to-eye count shall
9 be compared to the electronic vote tally derived from the
10 cumulative reports.

11 (6) The selection of the election districts, audit units, and county
12 and municipal elections to be audited shall be made by the Attorney
13 General on a random basis by lot, at a public meeting, using a
14 uniform distribution in which all election districts in which an
15 election is held, and county and municipal elections have an equal
16 chance of being selected, in accordance with such procedures as the
17 Attorney General, upon the recommendation of a majority of the
18 audit team, deems appropriate. Selection of election districts or
19 audit units for county and municipal elections held in less than 100
20 election districts may be made randomly using a non-uniform
21 distribution to be determined by the Attorney General, upon the
22 recommendation of a majority of the audit team. Such procedures
23 shall be published prior to use in any given election, and the public
24 shall have the opportunity to comment thereon. Notwithstanding
25 the requirements set forth in this paragraph, the audit team shall
26 have the authority to cause audits to be conducted of any election
27 district or audit unit which has not been randomly selected for
28 auditing in which a majority of the audit team determines from the
29 un-audited election results, past election results, or other data that
30 the votes are likely to have been miscounted. The Attorney General
31 shall allow members of the public, including but not limited to
32 those permitted to observe recounts, to observe the audits.

33 (7) As soon as practicable after the completion of an audit
34 conducted pursuant to this section, the Attorney General shall
35 announce publicly and publish the results of the audit and shall
36 include in the announcement a comparison of the results of the
37 election in the districts, as determined by the independent audit
38 team performing the audit, and the final vote count in the districts
39 as announced by the county boards of elections, including a list, by
40 election district and audit unit, of any discrepancies between the
41 initial vote count and any subsequent manual counts of the voter-
42 verifiable paper record; explanations for such discrepancies, if any;
43 and tallies of all overvotes, undervotes or their equivalents, blank
44 ballots, spoiled ballots, and cancellations recorded on the voter-
45 verifiable paper record. If the audit under this section results in a
46 change in the number of votes counted for any candidate, the
47 revised vote totals shall be incorporated in the official result from
48 the relevant election districts or audit units.

1 (8) No county shall certify the results of any election that is
2 subject to an audit performed pursuant to this section prior to the
3 completion of the audit and the announcement and publication of
4 the results thereof as required by paragraph (7) of this subsection.
5 The audit and publication of the results thereof shall be completed
6 prior to the time the State shall make a final determination with
7 respect to any controversy or contest concerning the appointment of
8 its electors for President or Vice President of the United States prior
9 to the deadline established in section 6 of Pub.L.80-644 (3
10 U.S.C.s.6).

11 (9) If the Attorney General, based on a recommendation of a
12 majority of the professional audit team, determines that any of the
13 hand-to-eye counts conducted under this section show cause for
14 concern about the accuracy of the results of any election in the
15 State, or in a county or a municipality, or with respect to a
16 particular election, the independent audit team shall oversee,
17 supervise, and cause to be conducted hand-to-eye counts under this
18 section in such additional election districts or audit units as the
19 Attorney General considers appropriate to resolve any such
20 concerns. The Attorney General shall issue previous to any election
21 the criteria to be employed to determine whether the hand-to-eye
22 counts show concern about the accuracy of the election results in
23 order to trigger further hand-to-eye counts. Such criteria shall be
24 published prior to use in any given election, and the public shall
25 have the opportunity to comment thereon. Notwithstanding the
26 requirements previously set forth in this paragraph, additional hand-
27 to-eye counts shall be conducted if in the initial audit conducted
28 pursuant to the procedures set forth in this subsection, any
29 discrepancy or discrepancies attributable to the electronic counting
30 system would alter the vote share of any candidate or ballot position
31 by one tenth of one percent or more of the hand counted votes in the
32 sample. Under such circumstances, the audit of the election shall
33 be expanded using the same number of election districts and when
34 possible, audit units, as the initial audit and shall be conducted
35 under the same procedures used to conduct the initial audit,
36 provided, however, that if the initial audit comprises more than one
37 half the total number of election districts and audit units in the
38 election, the expanded audit shall be a full hand-to-eye count of the
39 remaining un-audited election districts and audit units. Further
40 hand-to-eye counts shall be conducted if any discrepancy or
41 discrepancies attributable to the electronic counting system detected
42 by the initial or subsequent expanded audit indicates a substantial
43 possibility that a complete hand-to-eye recount would alter the
44 outcome of the audited election.

45 (10) If the voter-verifiable paper records in any machine are
46 found to be unusable for an audit for any reason whatsoever,
47 another machine used in the same election shall be selected at
48 random by the audit team to replace the original machine in the

1 audit sample. All such selections shall be made randomly in the
2 presence of those observing the audit using a method approved by
3 the Attorney General. An investigation to determine the reason the
4 voter-verifiable paper records were compromised and unusable
5 shall begin immediately, and the results of the investigation shall be
6 made public upon completion.

7 d. Nothing in this section shall be construed to prevent a
8 candidate or other applicant from requesting a recount pursuant to
9 R.S.19:28-1 et seq. or any other law. In the event that such a
10 recount is held in any election district that has been audited
11 pursuant to this section, the official result from such election
12 district shall be applied to the recount in lieu of conducting a
13 subsequent hand count of the audited election district unless a court,
14 at the request of a candidate or other applicant who requested the
15 recount, so orders.

16 (cf: P.L.2007, c.349, s.1)

17

18 15. Section 17 of P.L.2009, c.79 (C.19:63-17) is amended to
19 read as follows:

20 17. a. The county board of elections shall, promptly after
21 receiving each mail-in ballot, remove the inner envelope containing
22 the ballot from the outer envelope and shall compare the signature
23 and the information contained on the flap of the inner envelope with
24 the signature and information contained in the respective requests
25 for mail-in ballots and the signature and information contained in
26 the Statewide voter registration system. In addition, as to mail-in
27 ballots issued less than seven days prior to an election, the county
28 board of elections shall also check to establish that the mail-in voter
29 did not vote in person. The county board shall reject such a ballot if
30 it is not satisfied, pursuant to a comparison with the Statewide voter
31 registration system, that the voter is legally entitled to vote and that
32 the ballot conforms with the requirements of this act. The county
33 board of elections shall conduct the determination of qualification
34 of each voter in accordance with the requirements of the Certificate
35 of Mail-in Voter pursuant to section 13 of P.L.2009, c.79 (C.19:63-
36 13).

37 In the case of a mail-in ballot to be voted at a primary election
38 for the general election, the ballot shall be rejected if the mail-in
39 voter has indicated in the certificate the voter's intention to vote in a
40 primary election of any political party in which the voter is not
41 entitled to vote according to the Statewide voter registration system,
42 and if it shall appear from the record that the voter is not entitled to
43 vote in a primary election of the political party which has been so
44 indicated.

45 Any mail-in ballot which is received by a county board of
46 elections shall be rejected if the inner envelope is unsealed or if
47 either the inner or outer envelope has a seal that has been tampered
48 with. Mail-in ballots shall not be rejected due to any defect arising

1 out of or relating to the preparation or mailing of the ballot or
2 envelope that was not reasonably caused by the voters, such as a
3 torn envelope and missing or insufficient glue to allow the ballot to
4 be sealed.

5 Disputes about the qualifications of a mail-in voter to vote or
6 about whether or not or how any mail-in ballot shall be counted in
7 such election shall be referred to the Superior Court for
8 determination, as provided under section 4 of P.L.2020, c.70
9 (C.19:63-17.1).

10 After such investigation, the county board of elections shall
11 detach or separate the certificate from the inner envelope containing
12 the mail-in ballot, unless it has been rejected by it or by the
13 Superior Court, marking the envelope so as to identify the election
14 district in which the ballot contained therein is to be voted as
15 indicated by the voter's home address appearing on the certificate
16 attached to or accompanying the inner envelope and, in the case of
17 ballots to be voted at a primary election for a general election, so as
18 to identify the political party in the primary election of which it is
19 to be voted.

20 The location at which a county board of elections determines
21 whether a mail-in ballot shall be accepted or rejected shall be
22 considered an election district for the purposes of appointment of
23 challengers.

24 b. The county board of elections shall, promptly after receiving
25 each mail-in ballot, undertake the following procedures and
26 requirements concerning the acceptance or rejection of each mail-in
27 ballot:

28 (1) within 24 hours after the decision has been made to reject a
29 voter's mail-in or provisional ballot on the basis of a missing
30 signature or discrepant signature, issue a "Cure Letter" by mail or
31 email to the voter whose ballot was rejected, which shall inform the
32 voter of that fact and provide the reasoning for rejection, and
33 attempt to contact the voter by telephone, if a telephone number is
34 available. The cure letter shall include a "Cure Form" and the form
35 shall include the voter's name and instruct the voter on how to cure
36 the alleged or actual deficiency. Cure forms shall not be referred to
37 as affidavits or certifications and shall not be required to be sworn;

38 (2) when the alleged or actual deficiency involves the signature
39 of the voter, instruct the voter that they may cure the deficiency by
40 completing the cure form and returning it to the county board of
41 elections in person, by fax, or by email, not later than 48 hours prior
42 to the final certification of the results of the election other than the
43 general election, or in the case of a general election not later than
44 96 hours prior to the final certification of the results of the general
45 election, or by returning it to the county board of elections by mail,
46 and that the completed cure form must be received by the county
47 board of elections not later than 48 hours prior to the final
48 certification of the results of the election other than the general

1 election, or in the case of a general election not later than 96 hours
2 prior to the final certification of the results of the general election;

3 (3) include, with the cure letter, when sent by mail, a pre-printed
4 cure form and a postage-paid return envelope addressed to the
5 county board of elections which the voter may use to return the cure
6 form; and

7 (4) inform voters that they shall not be required to submit any
8 form of hard-copy identification document or copy thereof in order
9 to cure a signature deficiency, but may do so by declaring that they
10 submitted their provisional ballot or mail-in ballot, and verifying
11 their identity by either: (a) providing a valid New Jersey driver's
12 license number or Motor Vehicle Commission non-driver
13 identification number; or (b) if the voter does not have a valid New
14 Jersey driver's license number or Motor Vehicle Commission non-
15 driver identification number, then by providing the last four digits
16 of their Social Security Number; or (c) if the voter does not have
17 the identification in (a) or (b), then attaching a legible copy of a
18 New Jersey State-accepted form of identification, including either a
19 sample ballot which lists the voter's name and address, an official
20 federal, State, county, or municipal document which lists the voter's
21 name and address, or a utility bill, telephone bill, or tax or rent
22 receipt which lists the voter's name and address; and (d) signing and
23 dating the cure form prior to returning it.

24 c. If a voter returns a completed cure form in a timely manner
25 and the information provided verifies the voter's identity, pursuant
26 to this section, their otherwise valid mail-in or provisional ballot
27 shall be counted in the final election results irrespective of any
28 signature deficiency previously identified and, under those
29 circumstances, the cure form may not be verified or authenticated
30 using signature matching.

31 d. In accordance with this section, variations in voter
32 signatures caused by the substitution of initials for the first name,
33 middle name, or both, shall not be grounds for the county board of
34 elections to determine that the signatures are non-conforming or do
35 not match.

36 e. In cases of rejected ballots, the county board of elections
37 shall retain the voter's outer envelope, inner envelope, self-
38 certification certificate, and mail-in ballot in a bundle unique to
39 each voter for a period of two years in accordance with section 24
40 of P.L.2009, c.79 (C.19:63-24).

41 f. County boards of elections shall be required to meet at least
42 once each week during the three-week period preceding each
43 election to conduct the ballot processing and curing provisions
44 specified in this section, and shall meet more frequently as may be
45 required by the Secretary of State to ensure the timely processing of
46 ballots.

47 The Secretary of State shall prepare educational materials
48 regarding this section that all employed county boards of elections

1 employees handling ballots shall read and have available for
2 review. The materials shall provide clear information regarding the
3 standards for acceptance and rejection of mail-in ballots and the
4 safe-keeping of all materials in the case of rejection. The materials
5 shall serve an educational purpose for the county board of elections
6 and shall not replace, supersede, or void the authority of the county
7 board or a judge of the Superior Court to accept or reject a mail-in
8 ballot.

9 (cf: P.L.2020, c.71, s.12)

10

11 16. Section 4 of P.L.1981, c.379 (C.40:45-8) is amended to read
12 as follows:

13 4. On or before the **【64th】** 75th day prior to a regular
14 municipal election, the names of candidates for all elective offices
15 shall be filed with the municipal clerk, in the following manner and
16 form and subject to the following conditions:

17 a. The petition of nomination shall consist of individual
18 certificates, equal in number to at least 1%, but in no event less than
19 25, of the registered voters of the municipality or the ward, as the
20 case may be, and shall read substantially as follows:

21 "I, the undersigned, a registered voter of the municipality of
22, residing at certify that I do
23 hereby join in a petition of the nomination of
24 whose residence is at for the office
25 of mayor (or councilman-at-large, or ward councilman of the
26 ward, or commissioner, or village trustee, as the case may
27 be) to be voted for at the election to be held in the municipality on
28 the, 20....., and I further certify that I know this candidate
29 to be a registered voter, for the period required by law, of the
30 municipality (and the ward, in the case of ward councilman) and a
31 person of good moral character, and qualified, in my judgment, to
32 perform the duties of the office, and I further certify that I have not
33 signed more petitions or certificates of nomination than there are
34 places to be filled for the above office.

35 Signed"

36 The petition of nomination shall also include a functioning e-
37 mail address for the candidate.

38 Any such petition of nomination which is provided to candidates
39 by the municipal clerk shall contain the following notice: "Notice:
40 All candidates are required by law to comply with the provisions of
41 the 'New Jersey Campaign Contributions and Expenditures
42 Reporting Act.' For further information, please call (insert phone
43 number of the Election Law Enforcement Commission)."

44 b. Each petition signature shall be on a separate sheet of paper
45 and shall bear the name and address of the petitioner. The
46 candidate for office and his campaign manager shall make an oath
47 before an officer competent to administer oaths that the statements
48 made therein are true, and that each signature to the papers

1 appended thereto is the genuine signature of the person whose name
2 it purports to be, to their best knowledge and belief. The oath,
3 signed by the candidate, shall constitute his acceptance of
4 nomination and shall be annexed to the petition, together with the
5 oath of his campaign manager, at the time the petition is submitted.

6 c. The municipal clerk shall immediately provide the Election
7 Law Enforcement Commission with official certification of the
8 filing or withdrawal of a petition of nomination.

9 d. A candidate shall be permitted to sign or circulate, or both
10 sign and circulate, the petition required to nominate that candidate
11 for elective public office in any municipality holding regular
12 municipal elections.

13 (cf: P.L.2018, c.66, s.4)

14

15 17. Section 13 of P.L.1981, c.379 (C.40:45-17) is amended to
16 read as follows:

17 13. At the regular municipal election in any municipality which
18 has adopted this act, the candidates receiving the greatest number of
19 votes cast shall be elected to the respective offices. Except as
20 otherwise provided by law, the term of office of any officer elected
21 pursuant to this act shall begin on July 1 next following election. If
22 a regular municipal election is held on the day of the general
23 election in November pursuant to subsection a. of section 1 of
24 P.L.2009, c.196 (C.40:45-7.1), the term of office of any officer
25 elected shall begin on January **1** 15 next following election.

26 (cf: P.L.2009, c.196, s.7)

27

28 18. Section 1 of P.L.1956, c.176 (C.40:45A-1) is amended to
29 read as follows:

30 1. a. Notwithstanding any other provision of law, the governing
31 body of a municipality in which any of the members of the
32 governing body are elected for terms commencing January 1 may,
33 by resolution, fix the date and time of its annual organization or
34 reorganization meeting at 12 o'clock noon on January , or at some
35 other hour on any day during the first week in January.

36 b. The governing body of a municipality in which any of the
37 members of the governing body are elected for terms commencing
38 January 15 may, by resolution, fix the date and time of its annual
39 organization or reorganization meeting at 12 o'clock noon on
40 January 15, or at some other hour on any day during the second
41 week or thereafter in January.

42 (cf: P.L.2000, c.126, s.12)

43

44 19. Section 192 of P.L.1950, c.210 (C.40:69A-192) is amended
45 to read as follows:

46 17-43. a. Any ordinance to be voted on by the voters in
47 accordance with section 17-36 or section 17-42 of this act
48 (C.40:69A-185 or C.40:69A-191) shall be submitted at the next

1 general or regular municipal election occurring not less than 40
2 days after the final date for withdrawal of the petition as provided
3 for in section 17-42 of this act (C.40:69A-191), provided that if no
4 such election is to be held within 90 days the council shall provide
5 for a special election to be held not less than 40 nor more than 60
6 days from the final date for withdrawal of the petition as provided
7 for in section 17-42 (C.40:69A-191) of this act.

8 b. In the case of an initiated petition signed by not less than
9 10% nor more than 15% of the legal voters, the ordinance shall be
10 submitted at the next general or regular municipal election
11 occurring not less than 40 days after the final date of withdrawal of
12 the petition as provided for in section 17-42 (C.40:69A-191) of this
13 act.

14 c. In any instance where a referendum election is to be held as
15 a result of an ordinance of the council which by its terms or by law
16 cannot become effective in the municipality unless submitted to the
17 voters, or which by its terms authorizes a referendum in the
18 municipality concerning the subject matter thereof, the time for
19 submission of the question to the voters shall be at the next general
20 or regular municipal election occurring not less than 40 days from
21 the date of final passage and approval of the ordinance. Referenda
22 held on ordinances adopted pursuant to sections 7 through 11 of
23 P.L.1981, c.465 (C.40:69A-25.1 through 40:69A-25.5) shall be
24 governed by this subsection, except that if the referendum is held
25 pursuant to those sections as the result of the report of a charter
26 study commission, the time for submission of the question shall be
27 calculated from the date of that report.

28 d. Nothing in this section shall be interpreted to waive the
29 requirement for the ballot question to be submitted to the county
30 clerk 74 days prior to the general election as required by section 21
31 of P.L. , c. (C.)(pending before the Legislature as this bill).
32 (cf: P.L.1991, c.430, s.5)

33

34 20. N.J.S.40A:14-72 is amended to read as follows:

35 40A:14-72. a. An election shall be held annually either on the
36 third Saturday in February or at the time of the general election on
37 the first Tuesday after the first Monday in November in each
38 established fire district for the election of members of the board
39 according to the expiration of terms. The initial election for a
40 newly created fire district may take place on another date as a
41 governing body may specify under N.J.S.40A:14-70, but the annual
42 election thereafter shall be held either on the third Saturday in
43 February or at the time of the general election on the first Tuesday
44 after the first Monday in November.

45 b. For an election held at a time other than at the time of the
46 general election, the place of the election shall be determined by the
47 board and a notice thereof, and of the closing date for the filing
48 with the clerk of the board of petitions of nomination for

1 membership on the board, shall be published at least once in a
2 newspaper circulating in the district, at least six weeks prior to the
3 date fixed for the election.

4 c. For an election held at the time of the general election, the
5 place of the election shall be determined pursuant to R.S.19:8-1 et
6 seq. and notice thereof shall be published pursuant to R.S.19:12-7.
7 Notice of the closing date for the filing, with the county clerk, of
8 nominations by petition for direct nomination for membership on
9 the board shall be published by the board at least once in a
10 newspaper circulating in the district, at least 21 days prior to the
11 date by which such nominations are required to be filed with the
12 county clerk.

13 d. Fire districts located in the same municipality may combine
14 the publication of their notices of election. For the purpose of this
15 section, "notices of election" shall include the notices required to be
16 published under section 6 of P.L.2009, c.79 (C.19:63-6).

17 e. The legal voters at an annual election held on the third
18 Saturday in February shall determine the amount of money to be
19 raised for the ensuing year and determine such other matters as may
20 be required. If the amount of money to be raised for the ensuing
21 year exceeds the permissible property tax levy increase as
22 determined pursuant to section 10 of P.L.2007, c.62 (C.40A:4-
23 45.45), a public question shall be submitted to the legal voters to
24 increase the amount to be raised by taxation by more than the
25 allowable adjusted tax levy.

26 f. If a fire district holds its annual election at the time of the
27 general election, then the legal voters shall determine the amount of
28 money to be raised for the ensuing year only by such amount that
29 exceeds the permissible property tax levy increase as determined
30 pursuant to section 10 of P.L.2007, c.62 (C.40A:4-45.45). The
31 legal voters shall determine whether to increase the amount to be
32 raised by taxation by more than the allowable adjusted tax levy for
33 the ensuing year through the submission of a public question. The
34 board of fire commissioners of the fire district shall notify the
35 county or municipal clerk, as appropriate, of the need to conduct a
36 referendum pursuant to this subsection at least 60 days before the
37 date of the referendum. A referendum conducted pursuant to this
38 subsection shall be held on the third Saturday in February of the
39 budget year in which the levy increase would apply.

40 g. No fire district election shall be held between the period of
41 45 days prior to the primary or general election to the certification
42 of the results of the primary or general election.

43 (cf: P.L.2017, c.206, s.11)

44

45 21. (New section) Any question to be submitted to the voters
46 pursuant to section 192 of P.L.1950, c.210 (C.40:69A-192) shall be
47 submitted to the county clerk not later than the 74th day preceding
48 the election.

1 22. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill changes the dates of certain general election deadlines.
7 Under current law, the deadline for independent candidates to
8 decline nomination for the general election is 70 days before the
9 general election. The bill would change the deadline for
10 independent candidates to decline nomination for the general
11 election to 81 days before the general election. The nomination
12 petition filing deadline for new nomination petitions to fill a
13 vacancy for independent candidates, school election candidates, and
14 fire district candidates for the general election is 64 days before the
15 general election. The bill would change the nomination petition
16 filing deadline for new nomination petitions to fill a vacancy for
17 independent candidates, school election candidates, and fire district
18 candidates for the general election to 75 days before the general
19 election. The last day a vacancy can occur for primary election
20 nominees for the general election is 56 days before the general
21 election. The bill changes the last day a vacancy can occur for
22 primary election nominees for the general election to 70 days before
23 the general election.

24 The deadline for filling a primary nominee vacancy for the
25 general election is 54 days before the general election. The bill
26 would change the deadline for filling a primary nominee vacancy
27 for the general election to 68 days before the general election. The
28 deadline for the preparation of official general election ballots for
29 printing is 50 days before the general election. The bill would
30 change the deadline for the preparation of official general election
31 ballots for printing to 64 days before the general election. The
32 meeting of the county board of canvassers for the general election is
33 13 days after the election. The bill would require the meeting of the
34 county board of canvassers for the general election to be 15 days
35 after the election.

36 Under current law, the impoundment period for voting machines
37 used in the general election is 17 days following the general
38 election. In current law, there is no deadline to complete the audits
39 required for certification of the general election results by counties.
40 The bill requires that the audit begins 13 days after the general
41 election, and will be complete before certification with necessary
42 extensions given by the Secretary of State. The bill would require
43 the current law audits of voting machines used in the general
44 election to begin 13 days following the general election. The bill
45 also provides for the ability of a candidate or voter who requests a
46 recount to request the judge to require the recount to be completed
47 within 13 days of the general election, if the voting machine in
48 question is to be audited. The deadline for submission of non-

1 binding county and municipality public questions to the county
2 clerks for printing on the general election ballot is 81 days before
3 the general election. The bill would change the deadline for
4 submission of non-binding county and municipal public questions
5 to the county clerks for printing on the general election ballot to 88
6 days before the general election. The deadline for submission to the
7 county clerk of municipal non-binding public questions adopted by
8 the municipal governing body upon the filing of a qualified petition
9 by the local electorate is 67 days before the general election. The
10 bill would change the deadline for submission to the county clerk of
11 municipal non-binding public questions adopted by the municipal
12 governing body upon the filing of a qualified petition by the local
13 electorate to 74 days before the general election.

14 The deadline for preparation of emergency and provisional ballot
15 reports by each county board of election for the general election is
16 within 17 days after the election or within 3 days of the certification
17 of the results of the election. The bill changes the deadline for
18 preparation of emergency and provisional ballot reports by each
19 county board of election for the general election to certification day
20 for the general election. Under current law, there is no restriction
21 on the dates a special school election is held relative to a general
22 election. The bill prohibits any special school election from being
23 held within 45 days of a general election. The deadline to submit
24 public questions for a November school board election to the county
25 clerk by the school board secretary is 60 days before the general
26 election. The bill changes the deadline to submit public questions
27 for a November school board election to the county clerk by the
28 school board secretary to 74 days before the general election.

29 The deadline for withdrawal of school board and fire district
30 candidates is 70 days before the general election. The bill changes
31 the deadline for withdrawal of school board and fire district
32 candidates to 81 days before the general election. Under current
33 law, the deadline for receipt of cure forms to the county board of
34 elections is currently no later than 48 hours prior to the final
35 certification of the results of the election. In the case of the general
36 election, the bill changes that deadline for receipt of cure forms to
37 the county board of elections to 96 hours for the general election.

38 The deadline for nomination petitions for municipal non-partisan
39 candidates to be voted on at the November general election is 64
40 days. The bill changes the deadline for nomination petitions for
41 municipal non-partisan candidates to be voted on at the November
42 general election to 75 days. Under current law, the terms of local
43 elected officials in municipalities with runoff elections expire and
44 reorganize on January 1. The bill changes the terms of local elected
45 officials in municipalities with runoff elections expire and
46 reorganize to January 15. Under current law, there is no deadline
47 for submission of initiative and referendum public questions to the
48 county clerk for printing on the general election ballot. The bill

A5175 VERRELLI, MCKNIGHT

24

- 1 establishes a deadline of 74 days prior to the general election. This
- 2 bill prohibits fire district elections from being held between the
- 3 period of 45 days prior to a primary or general election to the
- 4 certification of the primary or general election.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5175

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 16, 2023

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 5175 with committee amendments.

As amended, this bill changes the dates of certain general election deadlines. Under current law, the deadline for independent candidates to decline nomination for the general election is 70 days before the general election. The bill would change the deadline for independent candidates to decline nomination for the general election to 81 days before the general election.

The nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election is 64 days before the general election. The bill would change the nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election to 75 days before the general election.

The last day a vacancy can occur for primary election nominees for the general election is 56 days before the general election. The bill changes the last day a vacancy can occur for primary election nominees for the general election to 70 days before the general election.

The deadline for filling a primary nominee vacancy for the general election is 54 days before the general election. The bill would change the deadline for filling a primary nominee vacancy for the general election to 68 days before the general election.

The deadline for the preparation of official general election ballots for printing is 50 days before the general election. The bill would change the deadline for the preparation of official general election ballots for printing to 64 days before the general election.

The meeting of the county board of canvassers for the general election is 13 days after the election. The bill would require the meeting of the county board of canvassers for the general election to be 15 days after the election.

Under current law, the impoundment period for voting machines used in the general election is 17 days following the general election. The bill would change the impoundment period for voting machines used in the general election to 7 days.

In current law, the candidate requesting a recount of the votes may do so within a period of 17 days following such election. The bill changes the recount period to be 7 days.

In current law, there is no deadline to complete the audits required for certification of the general election results by counties. The bill requires that the audit begins 3 days after the general election, and will be complete before certification with necessary extensions given by the Secretary of State. The bill would require the current law audits of voting machines used in the general election to begin 3 days following the general election. The bill also provides for the ability of a candidate or voter who requests a recount to request the judge to require the recount to be completed within 3 days of the general election, if the voting machine in question is to be audited.

The deadline for submission of non-binding county and municipality public questions to the county clerks for printing on the general election ballot is 81 days before the general election. The bill would change the deadline for submission of non-binding county and municipal public questions to the county clerks for printing on the general election ballot to 88 days before the general election.

In current law, a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is delivered to the county clerk shall be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election, not less than 65 days before any such general election. The bill changes the deadline to not less than 74 days.

The deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate is 67 days before the general election. The bill would change the deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate to 74 days before the general election.

The deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election is within 15 days after the election or within 3 days of the certification of the results of the election. The bill changes the deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election to certification day for the general election.

Under current law, there is no restriction on the dates a special school election is held relative to a general election. The bill prohibits

any special school election from being held within 45 days of a general election.

The deadline to submit public questions for a November school board election to the county clerk by the school board secretary is 60 days before the general election. The bill changes the deadline to submit public questions for a November school board election to the county clerk by the school board secretary to 74 days before the general election.

The deadline for withdrawal of school board and fire district candidates is 70 days before the general election. The bill changes the deadline for withdrawal of school board and fire district candidates to 81 days before the general election.

Under current law, the deadline for receipt of cure forms to the county board of elections is currently no later than 48 hours prior to the final certification of the results of the election. In the case of the general election, the bill changes that deadline for receipt of cure forms to the county board of elections to 96 hours for the general election.

The deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election is 64 days. The bill changes the deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election to 75 days.

Under current law, the terms of local elected officials in municipalities with runoff elections expire and reorganize on January 1. The bill changes the terms of local elected officials in municipalities with runoff elections expire and reorganize to January 15. The bill changes also provide for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January.

Under current law, there is no deadline for submission of initiative and referendum public questions to the county clerk for printing on the general election ballot. The bill establishes a deadline of 74 days prior to the general election.

This bill prohibits fire district elections from being held between the period of 45 days prior to a primary or general election to the certification of the primary or general election.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) change the voting machine impoundment period from 17 days to 7 days;
- (2) change the recount period from 17 to 7 days;

(3) provides that if a voting machine undergoing a recount is selected for an audit, the recount may be conducted within 3 days, rather than 13;

(4) requires audits of the results of a general election to begin 3 days after the election, instead of 13;

(5) changes from 65 days to 74 days before the general election the date for the delivery of certain municipal ordinances or resolutions to the county clerk for printing on the ballots;

(6) provides for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January; and

(7) change a cross reference to a renumbered section of the bill, and also make a technical correction to reflect current law.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5175

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 2023

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5175 (1R) with committee amendments.

As amended, this bill changes the dates of certain general election deadlines. Under current law, the deadline for independent candidates to decline nomination for the general election is 70 days before the general election. The bill would change the deadline for independent candidates to decline nomination for the general election to 81 days before the general election.

The nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election is 64 days before the general election. The bill would change the nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election to 75 days before the general election.

The last day a vacancy can occur for primary election nominees for the general election is 56 days before the general election. The bill changes the last day a vacancy can occur for primary election nominees for the general election to 70 days before the general election.

The deadline for filling a primary nominee vacancy for the general election is 54 days before the general election. The bill would change the deadline for filling a primary nominee vacancy for the general election to 68 days before the general election.

The deadline for the preparation of official general election ballots for printing is 50 days before the general election. The bill would change the deadline for the preparation of official general election ballots for printing to 64 days before the general election.

The meeting of the county board of canvassers for the general election is 13 days after the election. The bill would require the meeting of the county board of canvassers for the general election to be 15 days after the election.

Under current law, the impoundment period for voting machines used in the general election is 17 days following the general election.

The bill would change the impoundment period for voting machines used in the general election to 7 days.

In current law, the candidate requesting a recount of the votes may do so within a period of 17 days following such election. The bill changes the recount period to be 7 days.

In current law, there is no deadline to complete the audits required for certification of the general election results by counties. The bill requires that the audit begins 3 days after the general election, and will be complete before certification with necessary extensions given by the Secretary of State. The bill would require the current law audits of voting machines used in the general election to begin 3 days following the general election. The bill also provides for the ability of a candidate or voter who requests a recount to request the judge to require the recount to be completed within 3 days of the general election, if the voting machine in question is to be audited.

The deadline for submission of non-binding county and municipality public questions to the county clerks for printing on the general election ballot is 81 days before the general election. The bill would change the deadline for submission of non-binding county and municipal public questions to the county clerks for printing on the general election ballot to 88 days before the general election.

In current law, a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is delivered to the county clerk shall be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election, not less than 65 days before any such general election. The bill changes the deadline to not less than 74 days.

The deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate is 67 days before the general election. The bill would change the deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate to 74 days before the general election.

The deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election is within 15 days after the election or within 3 days of the certification of the results of the election. The bill changes the deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election to certification day for the general election.

Under current law, there is no restriction on the dates a special school election is held relative to a primary election or general election. The bill allows the Commissioner of Education to change the date of any special school election if the authorized date is within 45 days of a primary election or general election.

The bill as amended also changes from the 18th to the 60th day preceding the annual April school election or a special school election, require the secretary of each board of education to make, certify, and forward to the clerk of the county in which the school district is located, a statement designating the public question to be voted upon by the voters of the district.

The deadline to submit public questions for a November school board election to the county clerk by the school board secretary is 60 days before the general election. The bill changes the deadline to submit public questions for a November school board election to the county clerk by the school board secretary to 74 days before the general election.

The deadline for withdrawal of school board and fire district candidates is 70 days before the general election. The bill changes the deadline for withdrawal of school board and fire district candidates to 81 days before the general election.

Under current law, the deadline for receipt of cure forms to the county board of elections is currently no later than 48 hours prior to the final certification of the results of the election. In the case of the general election, the bill as amended changes that deadline for receipt of cure forms to the county board of elections to within 11 days of the general election.

The deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election is 64 days. The bill changes the deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election to 75 days.

Under current law, the terms of local elected officials in municipalities with runoff elections expire and reorganize on January 1. The bill changes the terms of local elected officials in municipalities with runoff elections expire and reorganize to January 15. The bill changes also provide for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January.

Under current law, there is no deadline for submission of initiative and referendum public questions to the county clerk for printing on the general election ballot. The bill establishes a deadline of 74 days prior to the general election.

This bill prohibits fire district elections from being held between the period of 45 days prior to a primary or general election to the certification of the primary or general election.

COMMITTEE AMENDMENTS:

The committee amendments allows the Commissioner of Education to change the date of any special school election if the authorized date is within 45 days of a primary election.

The committee amendments also change from the 18th to the 60th day preceding the annual April school election or a special school election, require the secretary of each board of education to make, certify, and forward to the clerk of the county in which the school district is located, a statement designating the public question to be voted upon by the voters of the district.

The committee amendments also change the deadline for receipt of cure forms by the county board of elections in a general election to within 11 days after the general election.

FISCAL IMPACT:

This bill has not been certified for a fiscal note.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

[Second Reprint]
ASSEMBLY, No. 5175

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 11, 2023

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 5175 (2R).

As amended by the committee, this bill changes the dates of certain general election deadlines. Under current law, the deadline for independent candidates to decline nomination for the general election is 70 days before the general election. The bill would change the deadline for independent candidates to decline nomination for the general election to 81 days before the general election.

The nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election is 64 days before the general election. The bill would change the nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election to 75 days before the general election.

The last day a vacancy can occur for primary election nominees for the general election is 56 days before the general election. The bill changes the last day a vacancy can occur for primary election nominees for the general election to 70 days before the general election.

The deadline for filling a primary nominee vacancy for the general election is 54 days before the general election. The bill would change the deadline for filling a primary nominee vacancy for the general election to 68 days before the general election.

The deadline for the preparation of official general election ballots for printing is 50 days before the general election. The bill would change the deadline for the preparation of official general election ballots for printing to 64 days before the general election.

The meeting of the county board of canvassers for the general election is 13 days after the election. The bill would require the

meeting of the county board of canvassers for the general election to be 15 days after the election.

In current law, the impoundment period for voting machines used in the general election is 15 days following the general election. The bill would change the impoundment period for voting machines used in the general election to 13 days.

In current law, a candidate or voters requesting a recount of the votes may do so within a period of 17 days following such election. The bill changes the recount period to be 3 days after the certification of the results of the election.

In current law, there is no deadline to complete the audits required for certification of the general election results by counties. The bill requires that the audit begins 13 days after the general election, and will be complete before certification with necessary extensions given by the Secretary of State. The bill would require the current law audits of voting machines used in the general election to begin 13 days following the general election. The bill also provides for the ability of candidates or voters who request a recount to request the judge to require the recount to be completed within 3 days of the general election, if the voting machine in question is to be audited.

The deadline for submission of non-binding county and municipality public questions to the county clerks for printing on the general election ballot is 81 days before the general election. The bill would change the deadline for submission of non-binding county and municipal public questions to the county clerks for printing on the general election ballot to 88 days before the general election.

In current law, a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is delivered to the county clerk shall be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election, not less than 65 days before any such general election. The bill changes the deadline to not less than 74 days.

The deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate is 67 days before the general election. The bill would change the deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate to 74 days before the general election.

The deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election is within 15 days after the election or within 3 days of the certification of the results of the election. The bill changes the deadline for preparation of emergency and provisional ballot reports by each

county board of election for the general election to certification day for the general election.

Under current law, there is no restriction on the dates a special school election is held relative to a primary election or general election. The bill allows the Commissioner of Education to change the date of any special school election if the authorized date is within 45 days of a primary election or general election.

The bill as amended also changes from the 18th to the 60th day preceding the annual April school election or a special school election, require the secretary of each board of education to make, certify, and forward to the clerk of the county in which the school district is located, a statement designating the public question to be voted upon by the voters of the district.

The deadline to submit public questions for a November school board election to the county clerk by the school board secretary is 60 days before the general election. The bill changes the deadline to submit public questions for a November school board election to the county clerk by the school board secretary to 74 days before the general election.

The deadline for withdrawal of school board and fire district candidates is 70 days before the general election. The bill changes the deadline for withdrawal of school board and fire district candidates to 81 days before the general election.

Under current law, the deadline for receipt of cure forms to the county board of elections is currently no later than 48 hours prior to the final certification of the results of the election. In the case of the general election, the bill as amended changes that deadline for receipt of cure forms to the county board of elections to within 11 days of the general election.

The deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election is 64 days. The bill changes the deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election to 75 days.

Under current law, the deadline for changes to a nominating petition to be made and filed is 61 days. The bill changes the deadline to 72 days.

Under current law, the terms of local elected officials in municipalities with runoff elections expire and reorganize on January 1. The bill changes the terms of local elected officials in municipalities with runoff elections expire and reorganize to January 15. The bill changes also provide for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January.

Under current law, there is no deadline for submission of initiative and referendum public questions to the county clerk for printing on the general election ballot. The bill establishes a deadline of 74 days prior to the general election.

This bill prohibits fire district elections from being held between the period of 45 days prior to a primary or general election to the certification of the primary or general election.

COMMITTEE AMENDMENTS:

The proposed committee amendments:

(1) Change the period within the candidate or voters may request a recount of the votes to be completed to within 3 days after the certification of the results of the election.

(2) Change the impoundment period for voting machines used in the general election to 13 days.

(3) Change the deadline by which the audit of a general election has to begin to 13 days.

(4) Add that no amendment to a nominating petition can be made and filed less than 72 days before the election.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

[Third Reprint]

ASSEMBLY, No. 5175

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Assembly Bill No. 5175 (3R).

As amended by the committee, this bill changes the dates of certain general election deadlines.

Under current law, the deadline for independent candidates to decline nomination for the general election is 70 days before the general election. The bill would change the deadline for independent candidates to decline nomination for the general election to 81 days before the general election.

The nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election is 64 days before the general election. The bill would change the nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election to 75 days before the general election.

The last day a vacancy can occur for primary election nominees for the general election is 56 days before the general election. The bill changes the last day a vacancy can occur for primary election nominees for the general election to 70 days before the general election.

The deadline for filling a primary nominee vacancy for the general election is 54 days before the general election. The bill would change the deadline for filling a primary nominee vacancy for the general election to 68 days before the general election.

The meeting of the county board of canvassers for the general election is 13 days after the election. The bill would require the meeting of the county board of canvassers for the general election to be 15 days after the election.

In current law, a candidate or voters requesting a recount of the votes may do so within a period of 17 days following such election.

The bill changes the recount period to be 3 days after the certification of the results of the election.

The deadline for submission of non-binding county and municipality public questions to the county clerks for printing on the general election ballot is 81 days before the general election. The bill would change the deadline for submission of non-binding county and municipal public questions to the county clerks for printing on the general election ballot to 88 days before the general election.

The deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate is 67 days before the general election. The bill would change the deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate to 74 days before the general election.

In current law, a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is delivered to the county clerk shall be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election, not less than 65 days before any such general election. The bill changes the deadline to not less than 74 days.

In current law, the impoundment period for voting machines used in the general election is 15 days following the general election. The bill would change the impoundment period for voting machines used in the general election to 13 days. Under the bill, the impoundment period would apply to voting machines that are exempt from the requirement to produce an individual permanent paper record for each vote cast.

The deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election is within 15 days after the election or within 3 days of the certification of the results of the election. The bill changes the deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election to certification day for the general election.

Under current law, there is no restriction on the dates a special school election is held relative to a primary election or general election. The bill allows the Commissioner of Education to change the date of any special school election if the authorized date is within 45 days of a primary election or general election.

This bill changes the permissive September special school election date from the last Tuesday to the third Tuesday in September, and changes the permissive December special school election date from the second Tuesday in December to “concurrently with the general election” which takes place in November. The bill also keeps at the

18th day preceding the annual April school election, and establishes a 60 days preceding a special school election, the deadline for the secretary of each board of education to make, certify, and forward to the clerk of the county in which the school district is located, a statement designating the public question to be voted upon by the voters of the district.

The deadline to submit public questions for a November school board election to the county clerk by the school board secretary is 60 days before the general election. The bill changes the deadline to submit public questions for a November school board election to the county clerk by the school board secretary to 74 days before the general election.

The deadline for withdrawal of school board and fire district candidates is 70 days before the general election. The bill changes the deadline for withdrawal of school board and fire district candidates to 81 days before the general election.

In current law, there is no deadline to complete the audits required for certification of the general election results by counties. The bill requires that the audit begins 13 days after the general election, and will be complete before certification with necessary extensions given by the Secretary of State. This bill makes a technical change to replace references of "Attorney General" with "Secretary of State," consistent with the current law designation of the Secretary of State as the Chief Election Official in this State.

Under current law, the deadline for receipt of cure forms to the county board of elections is currently no later than 48 hours prior to the final certification of the results of the election. In the case of the general election, the bill changes that deadline for receipt of cure forms to the county board of elections to within 11 days of the general election.

The deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election is 64 days. The bill changes the deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election to 75 days.

Under current law, the deadline for changes to a nominating petition to be made and filed is 61 days. The bill changes the deadline to 72 days.

Under current law, the terms of local elected officials in municipalities with runoff elections expire and reorganize on January 1. The bill changes the terms of local elected officials in municipalities with runoff elections expire and reorganize to January 15. The bill changes also provide for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January.

Under current law, there is no deadline for submission of initiative and referendum public questions to the county clerk for printing on the general election ballot. The bill establishes a deadline of 74 days prior to the general election.

This bill prohibits fire district elections from being held between the period of 45 days prior to a primary or general election to the certification of the primary or general election.

As amended by the committee, Assembly Bill No. 5175 (4R) is identical to Senate Committee Substitute for Senate Bill Nos. 3519 and 3593 of 2022-2023.

COMMITTEE AMENDMENTS

The amendments:

(1) delete language that would have provided for the ability of candidates or voters who request a recount to request the judge to require the recount to be completed within 3 days of the general election if the voting machine in question is to be audited;

(2) apply the voting machine impoundment period to machines that are exempt from the requirement to produce an individual permanent paper record for each vote cast;

(3) change the permissive September special school election date from the last Tuesday to the third Tuesday in September, and change the permissive December special school election date from the second Tuesday in December to “concurrently with the general election” which takes place in November;

(4) keep at 18 days preceding the election the current law requirement for the secretary of each board of education to forward to the county clerk the public questions to be voted on by the voters for an annual April school election, while providing for such a deadline to be 60 days preceding a special school election; and

(5) change references of Attorney General to Secretary of State in the post-election audit statute, which is a technical change that conforms to current law that designates the Secretary of State as the Chief Election Official in this State.

STATEMENT TO
[Fourth Reprint]
ASSEMBLY, No. 5175

with Assembly Floor Amendments
(Proposed by Assemblyman VERRELLI)

ADOPTED: JUNE 30, 2023

The floor amendments change the dates of two of the four special election dates from the third Tuesday in September and the date of the general election, to the last Tuesday in September and the second Tuesday in December. This change returns the dates to those already established in the law.

SENATE, No. 3519

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 30, 2023

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

SYNOPSIS

Changes various primary election, vacancy, municipal referendum, and mail-in ballot mailing deadlines.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/12/2023)

S3519 BEACH, O'SCANLON

2

1 AN ACT concerning certain primary election, vacancy, municipal
2 referendum, and mail-in ballot mailing deadlines and amending
3 various parts of the statutory law.

4

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

7

8 1. Section 1 of P.L.1999, c.70 (C.2B:14-5) is amended to read
9 as follows:

10 2B:14-5. Filling vacancy in Surrogate's office. If a Surrogate does
11 not take office within 30 days after the end of the preceding term or
12 a vacancy occurs in the office of Surrogate, the Governor, with
13 advice and consent of the Senate, shall fill the vacancy from the
14 political party of the person last elected to the office. The person
15 appointed shall serve until election and qualification of a successor.
16 Election of a successor for a five-year term shall occur at the next
17 general election unless the vacancy occurs within **[37]** 60 days
18 before the election, in which case it shall occur at the second
19 succeeding general election.

20 (cf: P.L.1999, c.70, s.1)

21

22 2. R.S.19:12-1 is amended to read as follows:

23 19:12-1. The Secretary of State shall within **[thirty]** 30 days after
24 the completion of the canvass by the board of State canvassers,
25 certify to each county clerk and county board the fact that at the next
26 preceding general election held for the election of all of the members
27 of the General Assembly **[ten per centum (10%)]** 10 percent of the
28 total vote cast in the State for members of the General Assembly had
29 been cast for candidates having the same designation, thereby
30 creating, within the meaning of this Title, a political party, to be
31 known and recognized as such under the same designation as used by
32 the candidates for whom the required number of votes were cast.

33 The Secretary of State shall also not later than the **[67th]** third day
34 preceding the last day for the filing of petitions for the primary
35 election for the general election in every year in which electors of
36 President and Vice-President of the United States, a representative of
37 the United States Senate, members of the House of Representatives,
38 a Governor, a Lieutenant Governor, or Senator, or member or
39 members of the General Assembly for any county, or any of them,
40 are to be elected or any public question is to be submitted to the voters
41 of the entire State, direct and cause to be delivered to the clerk of the
42 county and the county board wherein any such election is to be held,
43 a notice stating that such officer or officers are to be elected and that
44 such public question is to be submitted to the voters of the entire State
45 at the ensuing general election.

46 (cf: P.L.2011, c.134, s.15)

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.

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1 3. R.S.19:12-6 is amended to read as follows:

2 19:12-6. All municipal clerks, not later than the **【57th day**
3 **preceding】** seventh day after the last day for the filing of petitions
4 for the primary election for the general election, shall make and
5 certify under their hands and seals of office and forward to the clerk
6 of the county in which the municipality is located a statement
7 designating the public offices to be filled at such election, and the
8 number of persons to be voted for each office. In counties of the first
9 class such statement shall also be forwarded to the county board.
10 (cf: P.L.2011, c.134, s.18)

11

12 4. R.S.19:14-1 is amended to read as follows:

13 19:14-1. Every county clerk shall have ready for the printer on or
14 before the **【45th day prior to】** 11th day after the last day for the filing
15 of petitions for the primary election or 53 days prior to the general
16 election a copy of the contents of official ballots as hereinafter
17 required to be printed for use at such election, **【except that every**
18 **county clerk shall have ready for the printer on or before the 50th day**
19 **prior to a federal primary election or any general election in this State**
20 **a copy of the contents of the official ballots for use in such election】**
21 regardless if that date falls on a federal, State, or local holiday. The
22 county clerk shall also on or before that time place another copy of
23 such contents on file in the county clerk's office and keep the same
24 open to public inspection until the sample ballots hereinafter
25 provided to be printed shall have been distributed.

26 Nothing in this section, as amended by P.L.2022, c.70, shall be
27 construed to hinder, limit, or interfere with the ability of a county
28 clerk to comply with the federal "Uniformed and Overseas Citizens
29 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).

30 (cf: P.L.2022, c.70, s.1)

31

32 5. R.S.19:23-1 is amended to read as follows:

33 19:23-1. The chairman of the State committee of a political party
34 shall, on or before March 1 in the year when a Governor is to be
35 elected, notify in writing the chairman of each county committee of
36 such party of the number of male or female members or members
37 with less than one full vote to be elected from the county at the
38 ensuing primary election for the general election, and each such
39 chairman shall, on or before April 1 of such year, send a copy of such
40 notice to the county clerk.

41 The chairman of each county committee shall also, on or before
42 **【April 1】** the third day before the last day for the filing of petitions
43 in each year, file with the clerks of the several municipalities the
44 number of committeemen to be elected at the ensuing primary for the
45 general election to the county committee.

46 (cf: P.L.2011, c.134, s.23)

1 6. R.S.19:23-12 is amended to read as follows:

2 19:23-12. The signers to petitions for "Choice for President,"
3 delegates and alternates to national conventions, for Governor,
4 United States Senator, member of the House of Representatives, State
5 Senator, member of the General Assembly and any county office may
6 name three persons in their petition as a committee on vacancies.

7 This committee shall have power in case of death or resignation
8 or otherwise of the person indorsed as a candidate in said petition to
9 fill such vacancy by filing with the Secretary of State in the case of
10 officers to be voted for by the voters of the entire State or a portion
11 thereof involving more than one county thereof or any congressional
12 district, and with the county clerk in the case of officers to be voted
13 for by the voters of the entire county or any county election district,
14 a certificate of nomination to fill the vacancy.

15 Such certificate shall set forth the cause of the vacancy, the name
16 of the person nominated and that the person is a member of the same
17 political party as the candidate for whom the person is substituted,
18 the office for which the person is nominated, the name of the person
19 for whom the new nominee is to be substituted, the fact that the
20 committee is authorized to fill vacancies and such further information
21 as is required to be given in any original petition of nomination.

22 The certificate so made shall be executed and sworn to by the
23 members of such committee, and shall upon being filed at least **【56**
24 **days before election】** on the eighth day after the last day for the filing
25 of petitions have the same force and effect as the original petition of
26 nomination for the primary election for the general election and there
27 shall be annexed thereto the oath of allegiance prescribed in
28 R.S.41:1-1 duly taken and subscribed by the person so nominated
29 before an officer authorized to take oaths in this State. The name of
30 the candidate submitted shall be immediately certified to the proper
31 municipal clerks. In addition, a person so nominated for the office
32 of Governor or the office of member of the Senate or General
33 Assembly shall annex to the certificate a statement signed by the
34 candidate that the candidate:

35 a. has not been convicted of any offense graded by Title 2C of
36 the New Jersey Statutes as a crime of the first, second, third or fourth
37 degree, or any offense in any other jurisdiction which, if committed
38 in this State, would constitute such a crime; or

39 b. has been so convicted, in which case, the candidate shall
40 disclose on the statement the crime for which convicted, the date and
41 place of the conviction and the penalties imposed for the conviction.
42 Such a candidate may, as an alternative, submit with the statement a
43 copy of an official document that provides such information. If the
44 candidate has been convicted of more than one criminal offense, such
45 information about each conviction shall be provided. Records
46 expunged pursuant to chapter 52 of Title 2C of the New Jersey
47 Statutes shall not be subject to disclosure.

48 (cf: P.L.2022, c.7, s.2)

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1 7. R.S.19:23-21 is amended to read as follows:

2 19:23-21. The Secretary of State shall certify the names of the
3 persons indorsed in the petitions filed in the secretary's office to the
4 clerks of counties concerned thereby not later than noon of the **【54th**
5 **day prior to the holding of】** 10th day after the last day for the filing
6 of petitions for the primary election, specifying in such certificate the
7 political parties to which the persons so nominated in the petitions
8 belong. In the case of candidates for offices other than federal office,
9 the Secretary of State shall also transmit this information to the
10 Election Law Enforcement Commission in the form and manner
11 prescribed by the commission and shall notify the commission
12 immediately upon the withdrawal of a petition of nomination.

13 (cf: P.L.2022, c.7, s.5)

14

15 8. R.S.19:23-22 is amended to read as follows:

16 19:23-22. The county clerk shall certify all of the persons so
17 certified to the clerk by the Secretary of State and in addition the
18 names of all persons indorsed in petitions filed in the clerk's office to
19 the clerk of each municipality concerned thereby in the clerk's
20 respective county not later than the close of business of the **【54th day**
21 **prior to the time fixed by law for the holding of】** 10th day after the
22 last day for the filing of petitions for the primary election, specifying
23 in such certificate the political party to which the person or persons
24 so nominated belong. The county clerk shall also transmit this
25 information with respect to persons, other than candidates for federal
26 office, indorsed in petitions filed in the clerk's office to the Election
27 Law Enforcement Commission in the form and manner prescribed by
28 the commission and shall notify the commission immediately upon
29 the withdrawal of a petition of nomination filed in the clerk's office.

30 (cf: P.L.2022, c.7, s.6)

31

32 9. R.S.19:23-24 is amended to read as follows:

33 19:23-24. The position which the candidates and bracketed
34 groups of names of candidates for the primary for the general election
35 shall have upon the ballots used for the primary election for the
36 general election, in the case of candidates for nomination for
37 members of the United States Senate, Governor, members of the
38 House of Representatives, members of the State Senate, members of
39 the General Assembly, choice for President, delegates and alternates-
40 at-large to the national conventions of political parties, district
41 delegates and alternates to conventions of political parties,
42 candidates for party positions, and county offices or party positions
43 which are to be voted for by the voters of the entire county or a
44 portion thereof greater than a single municipality, including a
45 congressional district which is wholly within a single municipality,
46 shall be determined by the county clerks in their respective counties;
47 and, excepting in counties where R.S.19:49-2 applies, the position on
48 the ballot used for the primary election for the general election in the

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1 case of candidates for nomination for office or party position wherein
2 the candidates for office or party position to be filled are to be voted
3 for by the voters of a municipality only, or a subdivision thereof
4 (excepting in the case of members of the House of Representatives)
5 shall be determined by the municipal clerk in such municipalities, in
6 the following manner: The county clerk, or the county clerk's deputy,
7 or the municipal clerk or the municipal clerk's deputy, as the case
8 may be, shall at the clerk's office on the ~~54th day prior to~~ 10th day
9 after the last day for the filing of petitions for the primary election
10 for the general election at three o'clock in the afternoon draw from
11 the box, as hereinafter described, each card separately without
12 knowledge on the clerk's part as to which card the clerk is drawing.
13 Any legal voter of the county or municipality, as the case may be,
14 shall have the privilege of witnessing such drawing. The person
15 making the drawing shall make public announcement at the drawing
16 of each name, the order in which same is drawn, and the office for
17 which the drawing is made. When there is to be but one person
18 nominated for the office, the names of the several candidates who
19 have filed petitions for such office shall be written upon cards (one
20 name on a card) of the same size, substance and thickness. The cards
21 shall be deposited in a box with an aperture in the cover of sufficient
22 size to admit a man's hand. The box shall be well shaken and turned
23 over to thoroughly mix the cards, and the cards shall then be
24 withdrawn one at a time. The first name drawn shall have first place,
25 the second name drawn, second place, and so on; the order of the
26 withdrawal of the cards from the box determining the order of
27 arrangement in which the names shall appear upon the primary
28 election ballot. Where there is more than one person to be nominated
29 to an office where petitions have designated that certain candidates
30 shall be bracketed, the position of such bracketed names on the ballot
31 (each bracket to be treated as a single name), together with
32 individuals who have filed petitions for nomination for such office,
33 shall be determined as above described. Where there is more than
34 one person to be nominated for an office and there are more
35 candidates who have filed petitions than there are persons to be
36 nominated, the order of the printing of such names upon the primary
37 election ballots shall be determined as above described.

38 The county clerk in certifying to the municipal clerk the offices to
39 be filled and the names of candidates to be printed upon the ballots
40 used for the primary election for the general election, shall certify
41 them in the order as drawn in accordance with the above described
42 procedure, and the municipal clerk shall print the names upon the
43 ballots as so certified and in addition shall print the names of such
44 candidates as have filed petitions with him in the order as determined
45 as a result of the drawing as above described. Candidates for the
46 office of the county executive in counties that have adopted the
47 county executive plan of the "Optional County Charter Law,"
48 P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the candidates

1 for other county offices for which there are candidates on the ballot
2 used for the primary election for the general election.

3 (cf: P.L.2022, c.7, s.7)

4

5 10. Section 9 of P.L.2009, c.79 (C.19:63-9) is amended to read as
6 follows:

7 9. a. Except as provided in subsection d. of this section,
8 starting on or before the 45th day before the day an election is held,
9 each county clerk shall forward mail-in ballots by first-class postage
10 or hand delivery to each mail-in voter whose request therefor has
11 been approved. Mail-in ballots **【that】** for which mail-in ballot
12 applications have been approved before the **【45th】** 48th day before
13 an election shall be forwarded or delivered at least 45 days before the
14 day of the election. Hand delivery of a mail-in ballot shall be made
15 by the county clerk or the clerk's designee only to the voter, or the
16 voter's authorized messenger, who must appear in person. No person
17 shall serve as an authorized messenger for more than three qualified
18 voters in an election, but a person may serve as such for up to five
19 qualified voters in an election if those voters are immediate family
20 members residing in the same household as the messenger. Ballots
21 that have not been hand delivered shall be addressed to the voter at
22 the forwarding address given in the application. In the case of a voter
23 choosing to have their mail-in ballot sent to a secondary address, if
24 the ballot is returned or marked undeliverable for two consecutive
25 general elections, then future mail-in ballots shall be mailed to the
26 voter's address where they are registered to vote and the voter shall
27 be notified in writing of the change.

28 b. (1) Whenever the clerk **【forwards】** receives a valid application
29 for a mail-in ballot by mail **【to】** from a mail-in voter between the
30 **【45th】** 48th day and the 13th day before the day of an election, the
31 ballot shall be transmitted within three business days of the receipt
32 of the application.

33 (2) Whenever the clerk **【forwards】** receives a valid application
34 for a mail-in ballot by mail **【to】** from a mail-in voter between the
35 12th day and the seventh day before the day of an election, the ballot
36 shall be transmitted within two business days of the receipt of the
37 application.

38 The provisions of this subsection shall not apply to: (a) annual
39 school elections and special school elections in those school districts
40 holding such elections, pursuant to P.L.1995, c.278 (C.19:60-1 et
41 seq.); (b) any municipality in which elections are conducted by mail,
42 pursuant to P.L.2005, c.148 (C.19:62-1 et seq.); (c) annual elections
43 for members of the boards of fire district commissions, pursuant to
44 N.J.S.40A:14-72, when such elections are held at a time other than
45 the time of the general election; and (d) the vote on any public
46 question submitted to the voters of a local unit to increase the amount

1 to be raised by taxation by more than the allowable adjusted tax levy,
2 pursuant to section 11 of P.L.2007, c.62 (C.40A:4-45.46).

3 c. (Deleted by amendment, P.L.2011, c.37)

4 d. Each uniformed and overseas mail-in voter, as defined by the
5 federal "Uniformed and Overseas Citizens Absentee Voting Act" (52
6 U.S.C. s.20301 et seq.), or any general election voter in this State
7 whose request for a mail-in ballot has been approved, shall be
8 forwarded by the county clerk a mail-in ballot by first-class postage
9 or hand delivery no later than the 45th day before the day of a federal
10 election. Whenever the county clerk forwards a mail-in ballot by
11 mail to a uniformed or overseas mail-in voter or a State general
12 election voter between the 45th day and the 13th day before the day
13 of a federal election, the ballot shall be transmitted within three
14 business days of the receipt of the application. Nothing in this
15 section, as amended by P.L.2022, c.70, shall be construed to be
16 inconsistent with the federal "Uniformed and Overseas Citizens
17 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).

18 (cf: P.L.2022, c.70, s.5)

19

20 11. R.S.33:1-44 is amended to read as follows:

21 33:1-44. Whenever a petition, signed by at least **【fifteen per**
22 **centum (15%)】** 15 percent of the qualified electors of any
23 municipality as evidenced by the total number of votes cast for
24 members of the General Assembly, at the then next preceding general
25 election held for the election of all of the members of the General
26 Assembly, in such municipality, shall be presented to the governing
27 board or body thereof, requesting a referendum on the question
28 hereinafter stated, such governing board or body shall adopt
29 forthwith a resolution directing the clerk of the county in which such
30 municipality is situated to print, pursuant to Title 19, Elections,
31 hereinafter referred to as the "general election law," upon the official
32 ballot to be used in such municipality at the next ensuing general
33 election a question to read: "Shall the retail sale of alcoholic
34 beverages other than brewed malt alcoholic beverages and naturally
35 fermented wine, for consumption on the licensed premises by the
36 glass or other open receptacle pursuant to chapter one of the Title
37 Intoxicating Liquors of the Revised Statutes (s.33:1-1 et seq.), be
38 permitted in this municipality?" Thereupon the clerk or secretary of
39 said governing board or body shall forthwith deliver to the county
40 clerk a certified copy of such resolution. If the copy shall be
41 delivered to the county clerk not less than **【thirty】** 67 days before
42 such general election, **【he】** the county clerk shall cause such question
43 to be printed in an appropriate place on the ballot to be used in such
44 municipality at the next ensuing general election pursuant to the
45 general election law and thereupon all proceedings with respect to
46 the referendum on such question shall be subject to and governed by
47 the general election law as in other cases of the submission of public
48 questions to the electorate.

1 If a majority of the legal voters voting upon the question shall vote
2 "Yes," the clerk of the governing board or body of such municipality
3 shall forthwith in writing notify the commissioner and municipal
4 board, if any, having authority to issue such licenses, of the action
5 taken by the legal voters of such municipality and the retail sales as
6 aforesaid of such alcoholic beverages and the issuing of licenses
7 pursuant to this chapter shall be permitted in such municipality.

8 If a majority of the legal voters voting upon the question shall vote
9 "No," then the clerk of the governing board or body of the
10 municipality shall forthwith in writing notify the commissioner and
11 municipal board, if any, having authority to issue such licenses, of
12 the action taken by the legal voters of the municipality, and after
13 **【thirty】** 30 days have elapsed after the date of such vote the retail
14 sale of alcoholic beverages, other than brewed malt alcoholic
15 beverages and naturally fermented wines, for consumption on the
16 licensed premises by the glass or other open receptacle (such retail
17 sale being sometimes hereinafter called "prohibited sale"), shall be
18 unlawful in such municipality and constitute a violation of this
19 chapter, and it shall forthwith upon such vote be unlawful for the
20 other issuing authority of the municipality, having authority to issue
21 licenses, to issue any license in respect to such municipality which
22 shall permit such prohibited sale, and all licenses theretofore issued
23 in respect to such municipality which shall have licensed such
24 prohibited sale shall, to the extent that they permitted such prohibited
25 sale, become void and inoperative **【thirty】** 30 days after the date of
26 such vote.

27 Whenever a referendum shall have been had in any municipality
28 pursuant to this section, no further referendum on the same question
29 shall be held therein prior to the general election to be held in such
30 municipality in the fifth year thereafter and so long as such
31 referendum remains effective, all ordinances, resolutions or
32 regulations inconsistent with the result of such referendum shall have
33 no effect within such municipality.

34 (cf: P.L.1949, c.296, s.1)

35
36 12. R.S.33:1-45 is amended to read as follows:

37 33:1-45. Whenever a petition signed by at least **【fifteen per**
38 **centum (15%)】** 15 percent of the qualified electors of any
39 municipality as evidenced by the total number of votes cast for
40 members of the General Assembly, at the then next preceding general
41 election held for the election of all of the members of the General
42 Assembly, in such municipality, shall be presented to the governing
43 board or body thereof, requesting a referendum on the question
44 hereinafter stated, such governing board or body shall adopt
45 forthwith a resolution directing the clerk of the county in which such
46 municipality is situated to print, pursuant to Title 19, Elections,
47 hereinafter referred to as the "general election law," upon the official
48 ballot to be used in such municipality at the next ensuing general

1 election a question to read: "Shall the retail sale of all kinds of
2 alcoholic beverages, for consumption on the licensed premises by the
3 glass or other open receptacle pursuant to chapter one of the Title
4 Intoxicating Liquors of the Revised Statutes (s.33:1-1 et seq.), be
5 permitted in this municipality?" Thereupon the clerk or secretary of
6 such governing board or body shall forthwith deliver to such county
7 clerk a certified copy of the resolution. If the copy shall be delivered
8 to the county clerk not less than **【thirty】** 67 days before such general
9 election, **【he】** the county clerk shall cause such question to be printed
10 in an appropriate place on the ballot to be used in such municipality
11 at the next ensuing general election pursuant to the general election
12 law and thereupon all proceedings with respect to the referendum on
13 such question shall be subject to and governed by the general election
14 law as in other cases of the submission of public questions to the
15 electorate.

16 If a majority of the legal voters voting upon the question shall vote
17 "Yes," the clerk of the governing board or body of such municipality
18 shall forthwith in writing notify the commissioner and municipal
19 board, if any, having authority to issue such licenses, of the action
20 taken by the legal voters of such municipality and the retail sales as
21 aforesaid of such alcoholic beverages and the issuing of licenses
22 pursuant to this chapter shall be permitted in such municipality.

23 If a majority of the legal voters voting upon the question shall vote
24 "No," then the clerk of the governing board or body of such
25 municipality shall forthwith in writing notify the commissioner and
26 municipal board, if any, having authority to issue such licenses, of
27 the action taken by the legal voters of the municipality, and after
28 **【thirty】** 30 days have elapsed after the date of such vote, the retail
29 sale of all kinds of alcoholic beverages for consumption on the
30 licensed premises by the glass or other open receptacle (such retail
31 sale being sometimes hereinafter called "prohibited sale"), shall be
32 unlawful in such municipality and constitute a violation of this
33 chapter, and it shall forthwith upon such vote be unlawful for the
34 other issuing authority of such municipality having authority to issue
35 licenses to issue any license in respect to such municipality which
36 shall permit such prohibited sale and all licenses theretofore issued
37 in respect to such municipality which shall have licensed such
38 prohibited sale shall, to the extent that they permitted such prohibited
39 sale, become void and inoperative **【thirty】** 30 days after the date of
40 such vote.

41 Whenever a referendum shall have been had in any municipality
42 pursuant to this section, no further referendum on the same question
43 shall be held therein prior to the general election to be held in such
44 municipality in the fifth year thereafter and so long as such
45 referendum remains effective, all ordinances, resolutions or
46 regulations inconsistent with the result of such referendum shall have
47 no effect within such municipality.

48 (cf: P.L.1949, c.296, s.2)

1 13. R.S.33:1-46 is amended to read as follows:

2 33:1-46. Whenever a petition, signed by at least **【fifteen per**
3 centum (15%)】 15 percent of the qualified electors of any
4 municipality as evidenced by the total number of votes cast for
5 members of the General Assembly, at the then next preceding general
6 election held for the election of all of the members of the General
7 Assembly, in such municipality, shall be presented to the governing
8 board or body thereof, requesting a referendum on the question
9 hereinafter stated, such governing board or body shall adopt
10 forthwith a resolution directing the clerk of the county in which such
11 municipality is situated to print, pursuant to Title 19, Elections,
12 hereinafter referred to as the "general election law," upon the official
13 ballot to be used in such municipality at the next ensuing general
14 election, a question to read: "Shall the sale of all alcoholic beverages
15 at retail, except for consumption on railroad trains, airplanes and
16 boats, and the issuance of any retail licenses, except as aforesaid,
17 pursuant to chapter one of the Title Intoxicating Liquors of the
18 Revised Statutes (s.33:1-1 et seq.), be permitted in this
19 municipality?" Thereupon the clerk or secretary of the governing
20 board or body of such municipality shall forthwith deliver to such
21 county clerk a certified copy of such resolution. If the copy shall be
22 delivered to the county clerk not less than **【thirty】 67** days before
23 such general election, **【he】 the county clerk** shall cause such question
24 to be printed in an appropriate place on the ballot to be used in such
25 municipality at the next ensuing general election, pursuant to the
26 general election law and thereupon all proceedings with respect to
27 the referendum on such question shall be subject to and governed by
28 the general election law as in other cases of the submission of public
29 questions to the electorate.

30 If a majority of the legal voters voting upon the question shall vote
31 "Yes," the clerk of the governing board or body of such municipality
32 shall forthwith in writing notify the commissioner and municipal
33 board, if any, having authority to issue such licenses, of the action
34 taken by the legal voters of such municipality and retail sales of
35 alcoholic beverages and the issuing of retail licenses pursuant to this
36 chapter shall be permitted in such municipality.

37 If a majority of the legal voters voting upon the question shall vote
38 "No," then the clerk of the governing board or body of such
39 municipality shall forthwith in writing notify the commissioner and
40 municipal board, if any, having authority to issue such licenses, of
41 the action taken by the legal voters of such municipality and
42 thereupon it shall be unlawful for the other issuing authority of such
43 municipality, having authority to issue plenary retail consumption,
44 plenary retail distribution and limited retail consumption licenses, to
45 issue any such licenses in respect to such municipality, and all such
46 licenses theretofore issued in respect to such municipality shall
47 become void and inoperative **【thirty】 30** days after the date of such

1 vote, and thereupon the municipal board of such municipality shall
2 be dissolved, and the offices of its members shall terminate and all
3 its activities hereunder shall cease; but if in a later referendum held
4 pursuant to this chapter a majority of the legal voters voting upon the
5 same question last above stated shall vote "Yes," a municipal board
6 for such municipality may forthwith be appointed in the same
7 manner and with the same effect as when this chapter first became
8 effective. Whenever any such license shall become void and
9 inoperative by virtue of such referendum there shall be returned to
10 the licensee the prorated license fee for the unexpired term.

11 Whenever a referendum shall have been had in any municipality
12 pursuant to this section, no further referendum on the same question
13 shall be held therein prior to the general election to be held in such
14 municipality in the fifth year thereafter and so long as such
15 referendum remains effective, all ordinances, resolutions or
16 regulations inconsistent with the result of such referendum shall have
17 no effect within such municipality.

18 (cf: P.L.1949, c.296, s.3)

19

20 14. R.S.33:1-47 is amended to read as follows:

21 33:1-47. Whenever a petition, signed by at least **【fifteen per**
22 **centum (15%)】** 15 percent of the qualified electors of any
23 municipality as evidenced by the total number of votes cast for
24 members of the General Assembly, at the then next preceding general
25 election held for the election of all of the members of the General
26 Assembly, in such municipality, shall be presented to the governing
27 board or body thereof, requesting a referendum on the question
28 hereinafter stated, such governing board or body shall adopt
29 forthwith a resolution directing the clerk of the county in which such
30 municipality is situated to print, pursuant to Title 19, Elections,
31 hereinafter referred to as the "general election law," upon the official
32 ballot to be used in such municipality at the next ensuing general
33 election, a question to read: "Shall the sale of alcoholic beverages be
34 permitted on Sundays in this municipality?" Thereupon the clerk or
35 secretary of the governing board or body of such municipality shall
36 forthwith deliver to such county clerk a certified copy of such
37 resolution. If such copy shall be delivered to the county clerk not
38 less than **【thirty】** 67 days before such general election, **【he】** the
39 county clerk shall cause such question to be printed in an appropriate
40 place on the ballot to be used in such municipality at the next ensuing
41 general election, pursuant to the general election law and thereupon
42 all proceedings with respect to the referendum on such question shall
43 be subject to and governed by the general election law as in other
44 cases of the submission of public questions to the electorate.

45 If a majority of the legal voters voting upon the question shall vote
46 "Yes," the clerk of the governing board or body of such municipality
47 shall forthwith in writing notify the commissioner and municipal
48 board, if any, having authority to issue such licenses, of the action

1 taken by the legal voters of such municipality and the sale of
2 alcoholic beverages on Sundays pursuant to the provisions of this
3 chapter shall be permitted in such municipality.

4 If a majority of the legal voters voting upon the question shall vote
5 "No," then the clerk of the governing board or body of such
6 municipality shall forthwith in writing notify the commissioner and
7 municipal board, if any, as the case may be, having authority to issue
8 such licenses of the action taken by the legal voters of such
9 municipality, and thereupon it shall be unlawful for any person to sell
10 alcoholic beverages in such municipality on Sundays and such sale
11 shall constitute a violation of this chapter.

12 Whenever a referendum shall have been had in any municipality
13 pursuant to this section, no further referendum on the same question
14 shall be held therein prior to the general election to be held in such
15 municipality in the fifth year thereafter and so long as such
16 referendum remains effective, all ordinances, resolutions or
17 regulations inconsistent with the result of such referendum shall have
18 no effect within such municipality.

19 (cf: P.L.1949, c.296, s.4)

20

21 15. R.S.33:1-47.1 is amended to read as follows:

22 33:1-47.1. Whenever a petition, signed by at least **【fifteen per**
23 **centum (15%)】** 15 percent of the qualified electors of any
24 municipality as evidenced by the total number of votes cast at the
25 then next preceding general election, held for the election of all of
26 the members of the General Assembly in such municipality, shall be
27 presented to the governing board or body thereof, requesting a
28 referendum on any proposed questions as to whether the hours
29 between which the sale of alcoholic beverages at retail may be made
30 in such municipality on week days, Sundays, either or both, shall be
31 fixed as provided in such petition, which questions shall be
32 specifically and separately set forth in the petition, such governing
33 board or body shall adopt forthwith a resolution directing the clerk
34 of the county in which such municipality is situated to print such
35 question or questions stated in the petition pursuant to Title 19,
36 Elections, hereinafter referred to as the "general election law," upon
37 the official ballot to be used in such municipality at the next ensuing
38 general election. Thereupon the clerk or secretary of such governing
39 board or body shall forthwith deliver to such county clerk a certified
40 copy of such resolution. If such copy shall be delivered to such
41 county clerk not less than **【thirty】** 67 days before such general
42 election, **【he】** the county clerk shall cause such question or questions
43 to be printed in an appropriate place on the ballot to be used in such
44 municipality at the next ensuing general election, pursuant to the
45 general election law, and shall cause to be printed on the ballot
46 immediately below the printed question or questions the following:

47 "Explanatory Statement--A "Yes' is a vote to permit sales only
48 within the hours set forth in the question or questions printed above.

S3519 BEACH, O'SCANLON

14

1 A "No' vote is a vote against changing the hours during which sales
2 of alcoholic beverages are now permitted in this municipality," and
3 thereupon all proceedings with respect to the referendum on such
4 question or questions shall be subject to and governed by the general
5 election law as in other cases of the submission of public questions
6 to the electorate.

7 If a majority of the legal voters shall vote affirmatively on the
8 question of whether the hours of sale shall be fixed in the manner set
9 forth in such question or questions, the clerk of the governing board
10 or body of such municipality shall forthwith in writing notify the
11 commissioner and municipal board, if any, of the action taken by the
12 legal voters of such municipality and thereafter the retail sale of
13 alcoholic beverages may be made only within the hours fixed by such
14 referendum. Such sale at any other time within such municipality
15 shall be unlawful and constitute a violation of this chapter.

16 If a majority of legal voters voting upon such question or questions
17 shall vote in the negative on the question of whether the hours of sale
18 shall be fixed in the manner set forth in such question or questions,
19 the clerk of the governing board or body of such municipality shall
20 forthwith in writing notify the commissioner and municipal board, if
21 any, of the action taken by the legal voters of such municipality and
22 thereafter the hours between which the sale of alcoholic beverages at
23 retail may be made may be regulated as theretofore in such
24 municipality.

25 No petition under this section shall be received by the governing
26 board or body while any other petition covering the same subject
27 matter which has theretofore been presented hereunder has not been
28 voted upon.

29 Whenever a referendum shall have been had in any municipality
30 pursuant to this section, no further referendum on the same question
31 shall be held therein prior to the general election to be held in such
32 municipality in the fifth year thereafter and so long as such
33 referendum remains effective, all ordinances, resolutions or
34 regulations inconsistent with the result of such referendum shall have
35 no effect within such municipality.

36 (cf: P.L.1949, c.296, s.5)

37

38 16. Section 35 of P.L.1972, c.154 (C.40:41A-35) is amended to
39 read as follows:

40 35. The office of county executive shall be deemed vacant if the
41 incumbent moves his residence from the county or he is by death,
42 physical or mental illness or other casualty unable to continue to
43 serve as county executive. Any vacancy in the office of county
44 executive shall be filled by election for the unexpired term only at
45 the next general election occurring not less than **[51]** 60 days after
46 the occurrence of the vacancy, except that no such vacancy shall be
47 filled at the general election which immediately precedes the
48 expiration of the term in which the vacancy occurs.

1 In the event a vacancy eligible to be filled by election hereunder
2 occurs on or before the sixth day preceding the last day for filing
3 petitions for nomination for the primary election, such petitions may
4 be prepared and filed for nomination in that primary election in the
5 manner provided by article 3 of chapter 23 of Title 19 of the Revised
6 Statutes.

7 In the event the vacancy occurs after that sixth day preceding the
8 last day for filing petitions for nomination for the primary election, a
9 political party may select a candidate for the office in question in the
10 manner prescribed in subsections a. and b. of R.S.19:13-20 for
11 selecting candidates to fill vacancies among candidates nominated at
12 primary elections. A statement of such selection under R.S.19:13-20
13 shall be filed with the county clerk not later than the 48th day
14 preceding the date of the general election.

15 Besides the selection of candidates by each political party,
16 candidates may also be nominated by petition in a manner similar to
17 direct nomination by petition for the general election; but if the
18 candidate of any party to fill the vacancy will be chosen at a primary
19 election, such petition shall be filed with the county clerk at least 55
20 days prior to the primary election; and if no candidate of any party
21 will be chosen at a primary election, such petition shall be filed with
22 the county clerk not later than 12 o'clock noon of the day on which
23 the first selection meeting by any party is held under this section to
24 select a nominee to fill the vacancy.

25 When the vacancy occurs, the county clerk of the county shall
26 forthwith give notice thereof to the chairman of the county committee
27 of each political party.

28 During the temporary absence or temporary disability of the
29 county executive the chief administrator shall serve as acting county
30 executive.

31 (cf: P.L.2000, c.131, s.1)

32

33 17. Section 5 of P.L.1990, c.33 (C.40:41A-145.1) is amended to
34 read as follows:

35 5. a. When any vacancy occurs on the board of **【chosen**
36 **freeholders】** county commissioners otherwise than by expiration of
37 term, it shall be filled by election for the unexpired term only at the
38 next general election occurring not less than 60 days after the
39 occurrence of the vacancy, except that no such vacancy shall be filled
40 at the general election which immediately precedes the expiration of
41 the term in which the vacancy occurs. In the event a vacancy eligible
42 to be filled by election hereunder occurs on or before the sixth day
43 preceding the last day for filing petitions for nomination for the
44 primary election, such petitions may be prepared and filed for
45 nomination in that primary election in the manner provided by article
46 3 of chapter 23 of Title 19 of the Revised Statutes. In the event the
47 vacancy occurs after that sixth day preceding the last day for filing
48 petitions for nomination for the primary election, or if the vacancy

1 occurs on or before the sixth day preceding the last day for filing
2 petitions for nomination for the primary election but no such petition
3 has been filed with respect to a given political party, each political
4 party, or that party respectively, may select a candidate for the office
5 in question in the manner prescribed in subsections a. and b. of
6 R.S.19:13-20 for selecting candidates to fill vacancies among
7 candidates nominated at primary elections. A statement of such
8 selection under R.S.19:13-20 shall be filed with the county clerk not
9 later than the **[48th]** 54th day preceding the date of the general
10 election.

11 Besides the selection of candidates by each political party,
12 candidates may also be nominated by petition in a manner similar to
13 direct nomination by petition for the general election; but if the
14 candidate of any party to fill the vacancy will be chosen at a primary
15 election, such petition shall be filed with the county clerk at least
16 55 days prior to the primary election; and if no candidate of any party
17 will be chosen at a primary election, such petition shall be filed with
18 the county clerk not later than 12 o'clock noon of the day on which
19 the first selection meeting by any party is held under this section to
20 select a nominee to fill the vacancy.

21 The county clerk shall print on the ballots for the territory affected,
22 in the personal choice column, the title of office and leave a proper
23 space under such title of office; and print the title of office and the
24 names of such persons as have been duly nominated, in their proper
25 columns.

26 b. Notwithstanding subsection a. of this section, if at any time
27 after an election for the office of county executive or for a member
28 of the **[freeholder]** board of county commissioners and before the
29 time fixed for the commencement of the term of the office, the person
30 elected to that office dies or otherwise becomes unable to assume
31 office, the county committee of the political party of which the
32 person elected was the nominee shall appoint another person to fill
33 the position until the next general election. If the person elected was
34 not the nominee of a political party, on or within 30 days after the
35 time fixed for the commencement of the term of office, the governing
36 body shall appoint a successor to fill the office until the next general
37 election without regard to party.

38 (cf: P.L.2000, c.126, s.11)

39

40 18. N.J.S.40A:9-70 is amended to read as follows:

41 40A:9-70. When a vacancy shall occur in the office of the county
42 clerk of any county other than by expiration of term, the Governor
43 shall fill such vacancy with the advice and consent of the Senate by
44 appointment of a member of the same political party as that of the
45 previous incumbent of the office, and the commission of said
46 appointee shall expire when a successor is elected and qualified. The
47 successor in such case shall be elected for a term of **[5]** five years at
48 the general election next succeeding the happening of the vacancy

1 unless such vacancy shall occur within **[37]** 60 days next preceding
2 such election, in which case it shall be filled at the second succeeding
3 general election.

4 (cf: N.J.S.40A:9-70)

5

6 19. N.J.S.40A:9-88 is amended to read as follows:

7 40A:9-88. When a vacancy shall occur in the office of the register
8 of deeds and mortgages of any county other than by expiration of
9 term, the Governor shall fill such vacancy with the advice and
10 consent of the Senate, by appointment of a member of the same
11 political party as that of the previous incumbent of the office, and the
12 commission of said appointee shall expire when a successor is elected
13 and qualified. The successor in such case shall be elected for a term
14 of **[5]** five years at the general election next succeeding the
15 happening of the vacancy unless such vacancy shall occur within
16 **[37]** 60 days next preceding such election, in which case it shall be
17 filled at the second succeeding general election.

18 (cf: N.J.S.40A:9-88)

19

20 20. N.J.S.40A:9-102 is amended to read as follows:

21 40A:9-102. When a vacancy shall occur in the office of sheriff of
22 any county, other than by expiration of term, the Governor shall fill
23 such vacancy with the advice and consent of the Senate by
24 appointment of a member of the same political party as that of the
25 previous incumbent of the office, and the commission of said
26 appointee shall expire when a successor is elected and qualified. The
27 successor in such case shall be elected for a term of **[3]** three years
28 at the general election next succeeding the happening of the vacancy
29 unless such vacancy shall occur within **[37]** 60 days next preceding
30 such election, in which case it shall be filled at the second succeeding
31 general election.

32 (cf: N.J.S.40A:9-102)

33

34 21. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill changes various primary election, vacancy, municipal
40 referendum, and mail-in ballot mailing deadlines. The purpose of the
41 bill is to standardize certain deadlines by establishing them in relation
42 to the primary election petition filing deadline rather than to the
43 primary election date. The bill also modifies various vacancy
44 deadlines, municipal referendum deadlines concerning the sale of
45 alcoholic beverages, and various mail-in ballot mailing deadlines to
46 avoid delays in the mail-in ballot production, printing, and mailing
47 process.

1 *Primary Election Deadlines*

2

3 Under current law, the Secretary of State is required to submit to
4 the county clerks and county boards of elections, *not later than the*
5 *67th day preceding the primary election for the general election*, in
6 every year in which electors of President and Vice-President of the
7 United States, a representative of the United States Senate, members
8 of the House of Representatives, a Governor, a Lieutenant Governor,
9 or Senator, or member or members of the General Assembly for any
10 county, or any of them, are to be elected or any public question is to
11 be submitted to the voters of the entire State, a notice stating that
12 such officer or officers are to be elected and that such public question
13 is to be submitted to the voters of the entire State at the ensuing
14 general election. This bill changes that deadline to *not later than the*
15 *third day preceding the last day for the filing of petitions for the*
16 *primary election for the general election*.

17 Under current law, all municipal clerks, *not later than the 57th*
18 *day preceding the primary election for the general election*, are
19 required to make and certify and forward to the county clerk a
20 statement designating the public offices to be filled at such election,
21 and the number of persons to be voted for each office. In counties of
22 the first class such statement must also be forwarded to the county
23 board. This bill changes this deadline to *not later than the seventh*
24 *day after the last day for the filing of petitions for the primary*
25 *election for the general election*.

26 Under current law, the chairman of each county committee is
27 required to submit to the appropriate municipal clerks, *on or before*
28 *April 1 in each year*, the number of committee members to be elected
29 at the ensuing primary for the general election to the county
30 committee. This bill changes that deadline to *on or before the third*
31 *day before the last day for the filing of petitions in each year*.

32 Under current law, the members constituting a committee on
33 vacancies, who fill vacancies in the candidacies for the offices of
34 United States President, national convention delegate or alternate,
35 Governor, United States Senator, member of the House of
36 Representatives, State Senator, member of the General Assembly,
37 and any county office, must file with the Secretary of State a
38 certificate to fill such vacancy *at least 56 days before the election*.
39 This bill changes that deadline to *at least on the eighth day after the*
40 *last day for the filing of petitions*.

41 Under current law, the Secretary of State is required to certify to
42 the appropriate county clerks the names of the persons indorsed in
43 the petitions filed in the secretary's office *not later than noon of the*
44 *54th day prior to the holding of the primary election*, specifying the
45 political parties to which the persons so nominated belong. This bill
46 changes this deadline to *not later than noon of the 10th day after the*
47 *last day for the filing of petitions for the primary election*. This

1 information, other than for candidates for federal office, is also
2 transmitted to the Election Law Enforcement Commission.

3 Under current law, the county clerk is required to certify to the
4 appropriate municipal clerks the names of all of the persons so
5 certified by the Secretary of State and, in addition, the names of all
6 persons indorsed in petitions filed in the clerk's office, *not later than*
7 *the close of business of the 54th day prior to the time fixed by law for*
8 *the holding of the primary election*, specifying the political parties to
9 which the persons so nominated belong. This bill changes this
10 deadline to *not later than the close of business of the 10th day after*
11 *the last day for the filing of petitions for the primary election*. This
12 information, other than for candidates for federal office, is also
13 transmitted to the Election Law Enforcement Commission.

14 Under current law, the county clerk or the county clerk's deputy,
15 or the municipal clerk or the municipal clerk's deputy, as the case
16 may be, is required at the clerk's office to draw the names of
17 candidates to determine their position on the primary election ballot
18 *on the 54th day prior to the primary election for the general election*
19 *at three o'clock in the afternoon*. This bill changes this deadline to be
20 *on the 10th day after the last day for the filing of petitions for the*
21 *primary election for the general election at three o'clock in the*
22 *afternoon*.

23

24 *Vacancy Deadlines*

25

26 Under current law, in the event of a vacancy in the office of the
27 County Surrogate, the election of a successor for a five-year term
28 must occur at the next general election unless the vacancy occurs
29 *within 37 days before the election*, in which case it must occur at the
30 second succeeding general election. This bill changes this deadline
31 to *within 60 days before the election*.

32 Under current law, any vacancy in the office of County Executive
33 must be filled by election for the unexpired term only at the next
34 general election occurring *not less than 51 days after the occurrence*
35 *of the vacancy*, except that no such vacancy shall be filled at the
36 general election which immediately precedes the expiration of the
37 term in which the vacancy occurs. This bill changes that deadline to
38 *not less than 60 days after the occurrence of the vacancy*.

39 Under current law, in the event of a vacancy in a petition for a
40 candidate to serve on a Board of County Commissioners occurring
41 on or before the sixth day preceding the last day for filing petitions
42 for nomination for the primary election, but when no such petition
43 has been filed with respect to a given political party, that political
44 party may fill that vacancy in the same manner as that for filling
45 vacancies in primary election candidates. A statement of that
46 selection must be filed with the county clerk *not later than the 48th*
47 *day preceding the date of the general election*. This bill changes that
48 deadline to *not later than the 54th day preceding the date of the*

1 *general election*. This bill makes a technical change to delete
2 references to the Board of Chosen Freeholders, now known as the
3 Board of County Commissioners.

4 Under current law, in the event of a vacancy in the office of
5 County Clerk, the successor must be elected for a term of five years
6 at the general election next succeeding the vacancy unless such
7 vacancy occurs *within 37 days next preceding the election*, in which
8 case it must be filled at the second succeeding general election. This
9 bill changes that deadline to *within 60 days next preceding that*
10 *election*.

11 Under current law, in the event of a vacancy in the office of
12 County Register of Deeds and Mortgages, the successor must be
13 elected for a term of five years at the general election next succeeding
14 the vacancy unless such vacancy occurs *within 37 days next*
15 *preceding the election*, in which case it must be filled at the second
16 succeeding general election. This bill changes that deadline to *within*
17 *60 days next preceding that election*.

18 Under current law, in the event of a vacancy in the office of
19 County Sheriff, the successor must be elected for a term of three
20 years at the general election next succeeding the vacancy unless such
21 vacancy occurs *within 37 days next preceding the election*, in which
22 case it must be filled at the second succeeding general election. This
23 bill changes that deadline to *within 60 days next preceding that*
24 *election*.

25

26 *Municipal Referendum Deadlines*

27

28 Under current law, a copy of a municipal referendum resolution
29 concerning the retail sale of certain alcoholic beverages is required
30 to be submitted to the county clerk *30 days prior to the next general*
31 *election*. This bill requires a copy of such resolution to be delivered
32 to the county clerk *at least 67 days before the next general election*.

33 The 67-day filing mandate would provide county clerks with
34 additional time to process ballot design and production and provide
35 consistency to the election timeline for purposes of municipal
36 referendums concerning alcoholic beverages.

37

38 *Ballot Printing and Mail-in Ballot Mailing Deadlines*

39

40 Under current law, every county clerk is required to have ready
41 for the printer *on or before the 45th day prior to the primary election*
42 a copy of the contents of official ballots, except that every county
43 clerk is required to have ready for the printer *on or before the 50th*
44 *day prior to a federal primary election or any general election* a copy
45 of the contents of the official ballots. This bill requires every county
46 clerk to have ready for the printer *on or before the 11th day after the*
47 *last day for the filing of petitions for the primary election or 53 days*
48 *prior to the general election* a copy of the contents of official ballots

1 as hereinafter required to be printed for use at such election,
2 *regardless if that date falls on a federal, State, or local holiday.*

3 Under current law, mail-in ballots that have been approved *before*
4 *the 45th day before an election* must be forwarded or delivered at
5 least 45 days before the day of the election. This bill requires mail-
6 in ballots for which mail-in ballot applications have been approved
7 *before the 48th day before an election* to be forwarded or delivered
8 at least 45 days before the day of the election.

9 Under current law, whenever the clerk forwards a mail-in ballot
10 by mail to a mail-in voter *between the 45th day and the 13th day*
11 before the day of an election, the ballot must be transmitted within
12 three business days of the receipt of the application. Whenever the
13 clerk forwards a mail-in ballot by mail to a mail-in voter between the
14 12th day and the seventh day before the day of an election, the ballot
15 shall be transmitted within two business days of the receipt of the
16 application. This bill provides that whenever the clerk receives a
17 valid application for a mail-in ballot by mail from a mail-in voter
18 *between the 48th day and the 13th day* before the day of an election,
19 the ballot must be transmitted within three business days of the
20 receipt of the application. Whenever the clerk receives a valid
21 application for a mail-in ballot by mail from a mail-in voter between
22 the 12th day and the seventh day before the day of an election, the
23 ballot shall be transmitted within two business days of the receipt of
24 the application.

SENATE, No. 3593

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 13, 2023

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Changes certain General Election deadlines.

CURRENT VERSION OF TEXT

As introduced.



S3593 ZWICKER

2

1 AN ACT concerning certain General Election deadlines and
2 amending various parts of the statutory law and supplementing
3 Title 19 of the Revised Statutes.

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

7
8 1. R.S.19:13-16 is amended to read as follows:

9 19:13-16. When a person nominated as herein provided by direct
10 petition or State convention for election to public office at the
11 general election shall, at least **[70]** 81 days before the day of the
12 general election, in a writing signed by him and duly acknowledged,
13 notify the officer with whom the original petition or certificate of
14 nomination was filed that he declines the nomination, the
15 nomination shall be void.

16 (cf: P.L.2013, c.172, s.4)

17

18 2. R.S.19:13-19 is amended to read as follows:

19 19:13-19. If the candidate vacating the nomination was
20 nominated directly by petition his successor shall be nominated in
21 the same manner by direct petition, which new petition of
22 nomination must be filed with the Secretary of State or county
23 clerk, as the case may require, not later than **[64]** 75 days before
24 the day of election whereat such candidate is to be voted for.

25 (cf: P.L.2011, c.37, s.3)

26

27 3. R.S.19:13-20 is amended to read as follows:

28 19:13-20. In the event of a vacancy, howsoever caused, among
29 candidates nominated at a primary election for the general election,
30 which vacancy shall occur not later than the **[56th]** 70th day before
31 the general election, or in the event of inability to select a candidate
32 because of a tie vote at such primary, a candidate shall be selected
33 in the following manner:

34 a. (1) In the case of an office to be filled by the voters of the
35 entire State, the candidate shall be selected by the State committee
36 of the political party wherein such vacancy has occurred.

37 (2) In the case of an office to be filled by the voters of a single
38 and entire county, the candidate shall be selected by the county
39 committee in such county of the political party wherein such
40 vacancy has occurred.

41 (3) In the case of an office to be filled by the voters of a portion
42 of the State comprising all or part of two or more counties, the
43 candidate shall be selected by those members of the county
44 committees of the party wherein the vacancy has occurred who

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.

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1 represent those portions of the respective counties which are
2 comprised in the district from which the candidate is to be elected.

3 (4) In the case of an office to be filled by the voters of a portion
4 of a single county, the candidate shall be selected by those members
5 of the county committee of the party wherein the vacancy has
6 occurred who represent those portions of the county which are
7 comprised in the district from which the candidate is to be elected.

8 At any meeting held for the selection of a candidate under this
9 subsection, a majority of the persons eligible to vote thereat shall be
10 required to be present for the conduct of any business, and no
11 person shall be entitled to vote at that meeting who is appointed to
12 the State committee or county committee after the seventh day
13 preceding the date of the meeting.

14 Within 20 days after the meeting of each county committee that
15 is held on the first Tuesday following the primary election at which
16 committee members are elected, the municipal clerk shall certify to
17 the county clerk an official list of the duly elected county
18 committee members and an official list of the municipal committee
19 chairs. The county party chairperson shall have a continuing duty
20 to report to the county clerk any vacancies, resignations, and
21 committee positions filled pursuant to R.S.19:5-2 or 19:5-3. A
22 report of a resignation shall be accompanied by a notarized letter of
23 resignation signed by the resigning committee member or, if the
24 resigning committee member fails to provide such a letter, by a
25 notarized letter stating that the resignation has occurred signed by
26 the chair of the relevant municipal committee who shall also
27 provide a copy thereof to the resigning member. Notice of
28 vacancies in the membership of a county committee that are filled
29 pursuant to R.S.19:5-2 or 19:5-3 shall be accompanied by a
30 certificate of acceptance signed by the newly selected member. The
31 official list of the county committee members and of the municipal
32 committee chairs maintained by the county clerk shall be deemed to
33 be a government record and only those county committee members
34 listed thereon seven days prior to a selection to fill a vacancy and
35 otherwise qualified to vote on the vacancy shall be entitled to vote
36 on filling a vacancy pursuant to this section.

37 In addition, every person appointed to the county committee
38 shall file with the county clerk a certificate of acceptance which
39 shall be preserved by the county clerk as a government record.

40 In the case of a meeting held to select a candidate for other than
41 a Statewide office, the chairperson of the meeting shall be chosen
42 by majority vote of the persons present and entitled to vote thereat.
43 The chairperson so chosen may propose rules to govern the
44 determination of credentials and the procedures under which the
45 meeting shall be conducted, and those rules shall be adopted upon a
46 majority vote of the persons entitled to vote upon the selection. If a
47 majority vote is not obtained for those rules, the delegates shall
48 determine credentials and conduct the business of the meeting under

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1 such other rules as may be adopted by a majority vote. All
2 contested votes taken at the selection meeting, as referenced in
3 subsections a. and b. of this section, shall be by secret ballot in a
4 location or manner that protects the anonymity of the person's vote.

5 b. (1) Whenever in accordance with subsection a. of this section
6 members of two or more county committees are empowered to
7 select a candidate to fill a vacancy, it shall be the responsibility of
8 the chairpersons of said county committees, acting jointly not later
9 in any case than the seventh day following the occurrence of the
10 vacancy, to give notice to each of the members of their respective
11 committees, as certified by the county clerk, who are so empowered
12 of the date, time and place of the meeting at which the selection will
13 be made, that meeting to be held at least one day following the date
14 on which the notice is given.

15 (2) Whenever in accordance with the provisions of subsection a.
16 of this section members of a county committee are empowered to
17 select a candidate to fill a vacancy, it shall be the responsibility of
18 the chairperson of such county committee, not later in any case than
19 the seventh day following the occurrence of the vacancy, to give
20 notice to each of the members of the committee, as certified by the
21 county clerk, who are so empowered of the date, time and place of
22 the meeting at which the selection will be made, that meeting to be
23 held at least one day following the date on which the notice is
24 given.

25 (3) A county committee chairperson or chairpersons who call a
26 meeting pursuant to paragraph (1) or (2) of this subsection shall not
27 be entitled to vote upon the selection of a candidate at such meeting
28 unless he or she or they are so entitled pursuant to subsection a.

29 (4) Whenever in accordance with the provisions of subsection a.
30 of this section the State committee of a political party is empowered
31 to select a candidate to fill a vacancy, it shall be the responsibility
32 of the chairperson of that State committee to give notice to each of
33 the members of the committee of the date, time and place of the
34 meeting at which the selection will be made, that meeting to be held
35 at least one day following the date on which the notice is given.

36 c. Whenever a selection is to be made pursuant to this section
37 to fill a vacancy resulting from inability to select a candidate
38 because of a tie vote at a primary election for the general election,
39 the selection shall be made from among those who have thus
40 received the same number of votes at the primary.

41 d. A selection made pursuant to this section shall be made not
42 later than the ~~54th~~ 68th day preceding the date of the general
43 election, and a statement of such selection shall be filed with the
44 Secretary of State or the appropriate county clerk, as the case may
45 be, not later than that day, and in the following manner:

46 (1) A selection made by a State committee of a political party
47 shall be certified to the Secretary of State by the State chairperson
48 of the political party.

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1 (2) A selection made by a county committee of a political party,
2 or a portion of the members thereof, shall be certified to the county
3 clerk of the county by the county chairperson of such political
4 party; except that when such selection is of a candidate for the
5 Senate or General Assembly or the United States House of
6 Representatives the county chairperson shall certify the selection to
7 the State chairperson of such political party, who shall certify the
8 same to the Secretary of State.

9 (3) A selection made by members of two or more county
10 committees of a political party acting jointly shall be certified by
11 the chairpersons of said committees, acting jointly, to the State
12 chairperson of such political party, who shall certify the same to the
13 Secretary of State.

14 e. A statement filed pursuant to subsection d. of this section
15 shall state the residence and post office address of the person so
16 selected, and shall certify that the person so selected is qualified
17 under the laws of this State to be a candidate for such office, and is
18 a member of the political party filling the vacancy. Accompanying
19 the statement, the person endorsed therein shall file a certificate
20 stating that he or she is qualified under the laws of this State to be a
21 candidate for the office mentioned in the statement, that he or she
22 consents to stand as a candidate at the ensuing general election and
23 that he or she is a member of the political party named in said
24 statement, and further that he or she is not a member of, or
25 identified with, any other political party or any political
26 organization espousing the cause of candidates of any other
27 political party, to which shall be annexed the oath of allegiance
28 prescribed in R.S.41:1-1 duly taken and subscribed by him or her
29 before an officer authorized to take oaths in this State. The person
30 so selected shall be the candidate of the party for such office at the
31 ensuing general election. Each candidate for the office of Governor
32 or the office of member of the Senate or General Assembly filing a
33 certification shall annex thereto a statement signed by the candidate
34 that he or she:

35 (1) has not been convicted of any offense graded by Title 2C of
36 the New Jersey Statutes as a crime of the first, second, third or
37 fourth degree, or any offense in any other jurisdiction which, if
38 committed in this State, would constitute such a crime; or

39 (2) has been so convicted, in which case, the candidate shall
40 disclose on the statement the crime for which convicted, the date
41 and place of the conviction and the penalties imposed for the
42 conviction. Such a candidate may, as an alternative, submit with
43 the statement a copy of an official document that provides such
44 information. If the candidate has been convicted of more than one
45 criminal offense, such information about each conviction shall be
46 provided. Records expunged pursuant to chapter 52 of Title 2C of
47 the New Jersey Statutes shall not be subject to disclosure.

48 (cf: P.L.2011, c.37, s.4)

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6

1 4. R.S.19:14-1 is amended to read as follows:

2 19:14-1. Every county clerk shall have ready for the printer on
3 or before the 45th day prior to the primary election a copy of the
4 contents of official ballots as hereinafter required to be printed for
5 use at such election, except that every county clerk shall have ready
6 for the printer on or before the **【50th】** 64th day prior to a federal
7 primary election or any general election in this State a copy of the
8 contents of the official ballots for use in such election. The county
9 clerk shall also on or before that time place another copy of such
10 contents on file in the county clerk's office and keep the same open
11 to public inspection until the sample ballots hereinafter provided to
12 be printed shall have been distributed.

13 Nothing in this section, as amended by P.L.2022, c.70, shall be
14 construed to hinder, limit, or interfere with the ability of a county
15 clerk to comply with the federal "Uniformed and Overseas Citizens
16 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).
17 (cf: P.L.2022, c.70, s.1)

18

19 5. R.S.19:19-1 is amended to read as follows:

20 19:19-1. The board of county canvassers of each county shall
21 meet on the **【thirteenth】** 15th day, after any such election, at 12
22 o'clock noon, at the courthouse of the county, for the purpose of
23 checking the canvass which shall have been made by the county
24 clerk from the statements of the district boards filed in his office as
25 hereinbefore provided. For such purpose the county clerk shall
26 have prepared a compilation in tabulated form of such statements
27 and the combined results shown thereby for the use of the board of
28 canvassers.

29 (cf: P.L.2020, c.71, s.3)

30

31 6. R.S.19:28-1 is amended to read as follows:

32 19:28-1. When any candidate at any election shall have reason to
33 believe that an error has been made in counting the votes of that
34 election, the candidate may, within a period of 17 days following
35 such election, apply to a judge of the Superior Court assigned to the
36 county wherein such district or districts are located, for a recount of
37 the votes cast at the election in any district or districts. If a voting
38 machine chosen for audit pursuant to section 1 of P.L.2007, c.349
39 (C.19:61-9) following the general election is selected for a recount
40 under this section, the candidate may request that the votes be
41 recounted within 13 days of the election.

42 When ten voters at any election shall have reason to believe that
43 an error has been so made in counting the votes upon any public
44 question at any election, such voters may, within a period of 17
45 days following such election, apply to a judge of the Superior Court
46 assigned to the county wherein such district or districts are located,
47 for a recount of the votes cast at the election in any district or
48 districts on such public question. If a voting machine chosen for

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7

1 audit pursuant to section 1 of P.L.2007, c.349 (C.19:61-9) following
2 the general election is selected for a recount under this section, the
3 voters may request that the votes be recounted within 13 days of the
4 election.

5 (cf: P.L.2018, c.72, s.12)

6

7 7. R.S.19:37-1 is amended to read as follows:

8 19:37-1. When the governing body of any municipality or of any
9 county desires to ascertain the sentiment of the legal voters of the
10 municipality or county upon any question or policy pertaining to the
11 government or internal affairs thereof, and there is no other statute
12 by which the sentiment can be ascertained by the submission of
13 such question to a vote of the electors in the municipality or county
14 at any election to be held therein, the governing body may adopt at
15 any regular meeting an ordinance or a resolution requesting the
16 clerk of the county to print upon the official ballots to be used at the
17 next ensuing general election a certain proposition to be formulated
18 and expressed in the ordinance or resolution in concise form. Such
19 request shall be filed with the clerk of the county not later than
20 **[81]** 88 days previous to the election.

21 (cf: P.L.2011, c.37, s.22)

22

23 8. Section 2 of P.L.1967, c.101 (C.19:37-1.1) is amended to
24 read as follows:

25 2. Whenever a governing body of a municipality has adopted
26 an ordinance or resolution pursuant to section 19:37-1 of the
27 Revised Statutes, upon the presentation to the governing body of
28 such municipality of a petition signed by 10% or more of the voters
29 registered and qualified to vote at the last general election in such
30 municipality, requesting the governing body of such municipality to
31 ascertain the sentiment of the legal voters of the municipality upon
32 any question or policy pertaining to the government or internal
33 affairs thereof that is reasonably related to any proposition
34 formulated and expressed in such ordinance or resolution, such
35 governing body of the municipality shall thereupon adopt at its next
36 regular meeting following the presentation of such petition a
37 resolution requesting the clerk of the county to print upon the
38 official ballots to be used at the next ensuing general election a
39 certain proposition as formulated and expressed in the petition.
40 Such request shall be filed with the clerk of the county not later
41 than the **[67th]** 74th day previous to the election.

42 (cf: P.L.2011, c.37, s.23)

43

44 9. Section 1 of P.L.2005, c.152 (C.19:53B-21) is amended to
45 read as follows:

46 1. Within 15 calendar days after an election other than a
47 general election or three days after the certification of the results of
48 that election, whichever occurs later, or in the case of a general

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1 election on the day of the certification of the results of the general
2 election, the county board of election in each county shall prepare a
3 report which lists by election district, and includes a county wide
4 total by category for, the number of emergency ballots, including
5 any spoiled, void, or invalid emergency ballots, used in the election.
6 The report shall be a government record that is available for public
7 inspection and copying pursuant to the provisions of P.L.1963, c.73
8 (C.47:1A-1 et seq.).
9 (cf: P.L.2005, c.152, s.1)

10
11 10. Section 2 of P.L.2005, c.152 (C.19:53C-21) is amended to
12 read as follows:

13 2. Within 15 calendar days after an election other than the
14 general election or three days after the certification of the results of
15 that election, whichever occurs later, or in the case of a general
16 election on the day of the certification of the results of the general
17 election, the county board of election in each county shall prepare a
18 report which lists by election district, and includes a county wide
19 total by category for, the number of provisional ballots, including
20 any spoiled, void, or invalid provisional ballots, used in the
21 election. The report shall be a government record that is available
22 for public inspection and copying pursuant to the provisions of
23 P.L.1963, c.73 (C.47:1A-1 et seq.).
24 (cf: P.L.2005, c.152, s.2)

25
26 11. Section 2 of P.L.1995, c.278 (C.19:60-2) is amended to read
27 as follows:

28 2. a. Except as otherwise provided pursuant to subsection c. of
29 this section, the board of education of a type II district may call a
30 special election of the legal voters of the district on only the fourth
31 Tuesday in January, the second Tuesday in March, the last Tuesday
32 in September, or the second Tuesday in December when in its
33 judgment the interests of the schools require such an election. The
34 board of education shall give the municipal clerk or clerks, as the
35 case may be, and the county board of elections no less than 60 days'
36 notice, in writing, of its intention to hold a special election.

37 b. No business shall be transacted at any special election except
38 such as shall have been set forth in the notices by which the election
39 was called.

40 c. The Commissioner of Education may change in any school
41 year any date authorized for a special school election pursuant to
42 subsection a. of this section if that date coincides with a period of
43 religious observance that limits significantly the usual activities of
44 the followers of a particular religion or that would result in
45 significant religious consequences for such followers or if the date
46 authorized for a special school election falls within 45 days of the
47 General Election. The commissioner shall inform local school
48 boards, county clerks, and boards of election of the adjustment no

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1 later than the first working day in January of the year in which the
2 adjustments are to occur.

3 As used in this section "a period of religious observance" means
4 any day or portion thereof on which a religious observance imposes
5 a substantial burden on an individual's ability to vote.

6 (cf: P.L.2011, c.134, s.48)

7

8 12. Section 4 of P.L.1995, c.278 (C.19:60-4) is amended to read
9 as follows:

10 4. The secretary of each board of education shall, not later than
11 10 o'clock a.m. of the 18th day preceding the annual April school
12 election or a special school election, make and certify and forward
13 to the clerk of the county in which the school district is located a
14 statement designating the public question to be voted upon by the
15 voters of the district which may be required pursuant to the
16 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
17 New Jersey Statutes.

18 The secretary of each board of education of a school district in
19 which the annual school election has been moved to November
20 pursuant to subsection a. of section 1 of P.L.2011, c.202 (C.19:60-
21 1.1), not later than 10 o'clock a.m. of the ~~60th~~ 74th day preceding
22 the November school election, shall make and certify and forward
23 to the clerk of the county in which the school district is located a
24 statement designating any public question to be voted upon by the
25 voters of the district which may be required pursuant to the
26 provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of the
27 New Jersey Statutes.

28 (cf: P.L.2011, c.202, s.35)

29

30 13. Section 7 of P.L.1995, c.278 (C.19:60-7) is amended to read
31 as follows:

32 7. Each candidate to be voted upon at a school election shall be
33 nominated directly by petition, and the procedures for such
34 nomination shall, to the extent not inconsistent with the provisions
35 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
36 nominating candidates by direct petition under chapter 13 of Title
37 19 of the Revised Statutes. Notwithstanding the provisions of
38 R.S.19:13-5, however, a petition of nomination for such office shall
39 be signed by at least 10 persons, one of whom may be the
40 candidate, and filed with the secretary of the board of education on
41 or before four p.m. of the 50th day preceding the date of the April
42 school election, or with the county clerk on or before four p.m. of
43 the last Monday in July preceding the November school election, as
44 applicable. The signatures need not all appear upon a single petition
45 and any number of petitions may be filed on behalf of any candidate
46 or on behalf of two or more candidates filing a joint petition. A
47 petition for one or more candidates may include a designation in not
48 more than three words that conveys the principles which the

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10

1 candidate or candidates therein named represent, but such
2 designation shall not contain the name, or a derivative thereof, as a
3 noun or an adjective of any political party entitled to participate in a
4 primary election. The petitions of a candidate for member of a
5 board of education shall also include a functioning e-mail address
6 for the candidate.

7 Any candidate may withdraw as a candidate in a school election
8 by filing a notice in writing, signed by the candidate, of such
9 withdrawal with the secretary of the board of education before the
10 44th day before the date of the April election or with the county
11 clerk on the ~~70th~~ 81st day before the date of the November
12 election, as applicable, and thereupon the name of that candidate
13 shall be withdrawn by the secretary of the board of education and
14 shall not be printed on the ballot.

15 A vacancy created by a declination of nomination or withdrawal
16 by, or death of, a nominee, or in any other manner, shall be filled
17 under the provisions of R.S.19:13-19.

18 Whenever written objection to a petition of nomination
19 hereunder shall have been made and timely filed with the secretary
20 of the board of education or with the county clerk, as may be
21 appropriate, the board of education shall file its determination of the
22 objection on or before the 44th day preceding the April school
23 election or the county clerk shall file the clerk's determination of
24 the objection on or before the 10th day after the last day for the
25 filing of petitions for candidates seeking election as a member of a
26 board of education at the November school election, as applicable.
27 The last day upon which a candidate may file with the Superior
28 Court a verified complaint setting forth any invasion or threatened
29 invasion of the candidate's rights under the candidate's petition of
30 nomination shall be the 46th day before the April election or the
31 12th day after the last day for the filing of petitions for candidates
32 seeking election as a member of a board of education at the
33 November election, as applicable. The last day upon which a
34 candidate whose petition of nomination or any affidavit thereto is
35 defective may amend such petition or affidavit shall be the 44th day
36 before the April election or the 10th day after the last day for the
37 filing of petitions for candidates seeking election as a member of a
38 board of education at the November election, as applicable.

39 In each school district in which candidates for the office of
40 member of a board of education will seek election at the November
41 school election, the school business administrator thereof shall
42 certify to the county clerk no later than the day of the holding of the
43 primary election for the general election next occurring a statement
44 designating the public offices to be filled at such election, and the
45 number of such offices to be filled.

46 (cf: P.L.2018, c.66, s.3)

1 14. Section 1 of P.L.2007, c.349 (C.19:61-9) is amended to read
2 as follows:

3 1. a. Notwithstanding any law, rule or regulation to the contrary,
4 the Attorney General shall appoint each year an independent,
5 professional audit team. It shall oversee, in each county, random
6 hand-to-eye counts of the voter-verifiable paper records that are to
7 be conducted by appropriate county election officials. Audits shall
8 be conducted for each election held for federal or State office,
9 including the offices of Governor, Lieutenant Governor and
10 member of the Legislature, and for county and municipal offices
11 selected by the Attorney General. In each county, the audit shall be
12 conducted in at least two percent of the election districts in which
13 each audited election appears on the ballot. County and municipal
14 elections held in fewer than 100 election districts are exempt from
15 this requirement. Election districts that are randomly selected for
16 auditing for either the Congressional or State legislative elections in
17 alternating years may be used to audit any other election that
18 appears on the ballot in such districts. Ballot batches, as provided
19 for in subsection c. of this section, shall also be audited subject to
20 the provisions of this section. In the case of a general election,
21 audits shall begin 13 days after the election and shall be completed
22 prior to the certification of the results of that election. Extensions
23 may be provided by the Secretary of State if necessary.

24 b. The membership and composition of the audit team shall be
25 at the discretion of the Attorney General but shall be not less than
26 four, and at least one member shall have verifiable expertise in the
27 field of statistics and another member shall have verifiable expertise
28 in the field of auditing. No member of the audit team shall include
29 any person who:

30 (1) is serving in any position on any political campaign
31 committee of any candidate for political office in the elections that
32 are subject to the manual audit;

33 (2) is an employee of, or reports to, the Attorney General; or

34 (3) is serving as an officer or an employee of any entity that
35 designs, manufactures, or services a voting system used in the State.

36 c. The independent audit team shall oversee, supervise, and
37 require county election officials to conduct an audit of the results of
38 an election in accordance with the following procedures:

39 (1) Any procedure designed, adopted, and implemented by the
40 audit team shall be implemented to ensure with at least 99%
41 statistical power that for each federal, gubernatorial or other
42 Statewide election held in the State, a 100% manual recount of the
43 voter-verifiable paper records would not alter the electoral outcome
44 reported by the audit. For each election held for State office, other
45 than Governor and Lieutenant Governor, and for county and
46 municipal elections held in 100 or more election districts, any
47 procedure designed, adopted, and implemented by the audit team
48 shall be implemented to ensure with at least 90% statistical power

1 that a 100% manual recount of the voter-verifiable paper records
2 would not alter the electoral outcome reported by the audit. Such
3 procedures designed, adopted, and implemented by the audit team
4 to achieve statistical power shall be based upon scientifically
5 reasonable assumptions, with respect to each audited election,
6 including but not limited to: the possibility that within any election
7 district up to 20% of the total votes cast may have been counted for
8 a candidate or ballot position other than the one intended by the
9 voters; and that the number of votes cast per election district will
10 vary. Such procedures and assumptions shall be published prior to
11 any given election, and the public shall have the opportunity to
12 comment thereon.

13 (2) Any procedure designed, adopted, and implemented by the
14 audit team for each county and municipal election held in fewer
15 than 100 election districts, but more than a single election district,
16 shall be conducted in at least two election districts.

17 (3) Within a reasonable period of time after the final vote count
18 after an election, the Attorney General, with the audit team, shall
19 determine and then announce publicly the election districts in the
20 State in which audits shall be conducted, and within 24 hours of
21 that announcement, the audit shall be commenced.

22 (4) With respect to votes cast at the election district on the date
23 of an election other than by emergency or provisional ballot, the
24 independent audit team shall oversee and supervise a hand-to-eye
25 count of the voter-verifiable paper records and compare those
26 records with the count of such votes announced by the county
27 boards of elections.

28 (5) With respect to the votes cast other than at the election
29 district on the date of the election, or any other votes counted
30 electronically by the county board of elections on or after the date
31 of the election, including votes cast by military service voters and
32 overseas federal election voters, the independent audit team shall
33 oversee and supervise a count by hand of the voter-verifiable paper
34 records as follows. To maintain voter privacy, prior to each
35 election, the audit team shall direct the appropriate county election
36 official to divide the ballots into batches, hereinafter referred to as
37 audit units. Each audit unit shall contain approximately the average
38 number of ballots cast in the election districts within the county, or
39 fewer, but shall not be associated with any particular election
40 district. As the ballots comprising each audit unit are counted
41 electronically, each audit unit shall be assigned a unique
42 identification number. Immediately after counting the ballots
43 comprising each audit unit, a cumulative summary vote tally report
44 bearing the audit unit's unique identification number and containing
45 the sum of the vote totals of the audit unit and all previously
46 counted audit units in the election shall be printed and affixed to the
47 audit unit. The reports shall be subject to the same secure chain of
48 custody as the ballots comprising the audit units and shall be used

1 by the audit team to determine the electronic vote tally for each
2 audit unit. The audit team shall first compare the vote tallies in the
3 final cumulative report to the official results announced by the
4 county and resolve any discrepancies, and then include all the audit
5 units from each county in the random selection process and if
6 selected, cause them to be audited in the same manner provided
7 herein for election districts, except that the hand-to-eye count shall
8 be compared to the electronic vote tally derived from the
9 cumulative reports.

10 (6) The selection of the election districts, audit units, and county
11 and municipal elections to be audited shall be made by the Attorney
12 General on a random basis by lot, at a public meeting, using a
13 uniform distribution in which all election districts in which an
14 election is held, and county and municipal elections have an equal
15 chance of being selected, in accordance with such procedures as the
16 Attorney General, upon the recommendation of a majority of the
17 audit team, deems appropriate. Selection of election districts or
18 audit units for county and municipal elections held in less than 100
19 election districts may be made randomly using a non-uniform
20 distribution to be determined by the Attorney General, upon the
21 recommendation of a majority of the audit team. Such procedures
22 shall be published prior to use in any given election, and the public
23 shall have the opportunity to comment thereon. Notwithstanding
24 the requirements set forth in this paragraph, the audit team shall
25 have the authority to cause audits to be conducted of any election
26 district or audit unit which has not been randomly selected for
27 auditing in which a majority of the audit team determines from the
28 un-audited election results, past election results, or other data that
29 the votes are likely to have been miscounted. The Attorney General
30 shall allow members of the public, including but not limited to
31 those permitted to observe recounts, to observe the audits.

32 (7) As soon as practicable after the completion of an audit
33 conducted pursuant to this section, the Attorney General shall
34 announce publicly and publish the results of the audit and shall
35 include in the announcement a comparison of the results of the
36 election in the districts, as determined by the independent audit
37 team performing the audit, and the final vote count in the districts
38 as announced by the county boards of elections, including a list, by
39 election district and audit unit, of any discrepancies between the
40 initial vote count and any subsequent manual counts of the voter-
41 verifiable paper record; explanations for such discrepancies, if any;
42 and tallies of all overvotes, undervotes or their equivalents, blank
43 ballots, spoiled ballots, and cancellations recorded on the voter-
44 verifiable paper record. If the audit under this section results in a
45 change in the number of votes counted for any candidate, the
46 revised vote totals shall be incorporated in the official result from
47 the relevant election districts or audit units.

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1 (8) No county shall certify the results of any election that is
2 subject to an audit performed pursuant to this section prior to the
3 completion of the audit and the announcement and publication of
4 the results thereof as required by paragraph (7) of this subsection.
5 The audit and publication of the results thereof shall be completed
6 prior to the time the State shall make a final determination with
7 respect to any controversy or contest concerning the appointment of
8 its electors for President or Vice President of the United States prior
9 to the deadline established in section 6 of Pub.L.80-644 (3
10 U.S.C.s.6).

11 (9) If the Attorney General, based on a recommendation of a
12 majority of the professional audit team, determines that any of the
13 hand-to-eye counts conducted under this section show cause for
14 concern about the accuracy of the results of any election in the
15 State, or in a county or a municipality, or with respect to a
16 particular election, the independent audit team shall oversee,
17 supervise, and cause to be conducted hand-to-eye counts under this
18 section in such additional election districts or audit units as the
19 Attorney General considers appropriate to resolve any such
20 concerns. The Attorney General shall issue previous to any election
21 the criteria to be employed to determine whether the hand-to-eye
22 counts show concern about the accuracy of the election results in
23 order to trigger further hand-to-eye counts. Such criteria shall be
24 published prior to use in any given election, and the public shall
25 have the opportunity to comment thereon. Notwithstanding the
26 requirements previously set forth in this paragraph, additional hand-
27 to-eye counts shall be conducted if in the initial audit conducted
28 pursuant to the procedures set forth in this subsection, any
29 discrepancy or discrepancies attributable to the electronic counting
30 system would alter the vote share of any candidate or ballot position
31 by one tenth of one percent or more of the hand counted votes in the
32 sample. Under such circumstances, the audit of the election shall
33 be expanded using the same number of election districts and when
34 possible, audit units, as the initial audit and shall be conducted
35 under the same procedures used to conduct the initial audit,
36 provided, however, that if the initial audit comprises more than one
37 half the total number of election districts and audit units in the
38 election, the expanded audit shall be a full hand-to-eye count of the
39 remaining un-audited election districts and audit units. Further
40 hand-to-eye counts shall be conducted if any discrepancy or
41 discrepancies attributable to the electronic counting system detected
42 by the initial or subsequent expanded audit indicates a substantial
43 possibility that a complete hand-to-eye recount would alter the
44 outcome of the audited election.

45 (10) If the voter-verifiable paper records in any machine are
46 found to be unusable for an audit for any reason whatsoever,
47 another machine used in the same election shall be selected at
48 random by the audit team to replace the original machine in the

1 audit sample. All such selections shall be made randomly in the
2 presence of those observing the audit using a method approved by
3 the Attorney General. An investigation to determine the reason the
4 voter-verifiable paper records were compromised and unusable
5 shall begin immediately, and the results of the investigation shall be
6 made public upon completion.

7 d. Nothing in this section shall be construed to prevent a
8 candidate or other applicant from requesting a recount pursuant to
9 R.S.19:28-1 et seq. or any other law. In the event that such a
10 recount is held in any election district that has been audited
11 pursuant to this section, the official result from such election
12 district shall be applied to the recount in lieu of conducting a
13 subsequent hand count of the audited election district unless a court,
14 at the request of a candidate or other applicant who requested the
15 recount, so orders.

16 (cf: P.L.2007, c.349, s.1)

17

18 15. Section 17 of P.L.2009, c.79 (C.19:63-17) is amended to
19 read as follows:

20 17. a. The county board of elections shall, promptly after
21 receiving each mail-in ballot, remove the inner envelope containing
22 the ballot from the outer envelope and shall compare the signature
23 and the information contained on the flap of the inner envelope with
24 the signature and information contained in the respective requests
25 for mail-in ballots and the signature and information contained in
26 the Statewide voter registration system. In addition, as to mail-in
27 ballots issued less than seven days prior to an election, the county
28 board of elections shall also check to establish that the mail-in voter
29 did not vote in person. The county board shall reject such a ballot if
30 it is not satisfied, pursuant to a comparison with the Statewide voter
31 registration system, that the voter is legally entitled to vote and that
32 the ballot conforms with the requirements of this act. The county
33 board of elections shall conduct the determination of qualification
34 of each voter in accordance with the requirements of the Certificate
35 of Mail-in Voter pursuant to section 13 of P.L.2009, c.79 (C.19:63-
36 13).

37 In the case of a mail-in ballot to be voted at a primary election
38 for the general election, the ballot shall be rejected if the mail-in
39 voter has indicated in the certificate the voter's intention to vote in a
40 primary election of any political party in which the voter is not
41 entitled to vote according to the Statewide voter registration system,
42 and if it shall appear from the record that the voter is not entitled to
43 vote in a primary election of the political party which has been so
44 indicated.

45 Any mail-in ballot which is received by a county board of
46 elections shall be rejected if the inner envelope is unsealed or if
47 either the inner or outer envelope has a seal that has been tampered
48 with. Mail-in ballots shall not be rejected due to any defect arising

1 out of or relating to the preparation or mailing of the ballot or
2 envelope that was not reasonably caused by the voters, such as a
3 torn envelope and missing or insufficient glue to allow the ballot to
4 be sealed.

5 Disputes about the qualifications of a mail-in voter to vote or
6 about whether or not or how any mail-in ballot shall be counted in
7 such election shall be referred to the Superior Court for
8 determination, as provided under section 4 of P.L.2020, c.70
9 (C.19:63-17.1).

10 After such investigation, the county board of elections shall
11 detach or separate the certificate from the inner envelope containing
12 the mail-in ballot, unless it has been rejected by it or by the
13 Superior Court, marking the envelope so as to identify the election
14 district in which the ballot contained therein is to be voted as
15 indicated by the voter's home address appearing on the certificate
16 attached to or accompanying the inner envelope and, in the case of
17 ballots to be voted at a primary election for a general election, so as
18 to identify the political party in the primary election of which it is
19 to be voted.

20 The location at which a county board of elections determines
21 whether a mail-in ballot shall be accepted or rejected shall be
22 considered an election district for the purposes of appointment of
23 challengers.

24 b. The county board of elections shall, promptly after receiving
25 each mail-in ballot, undertake the following procedures and
26 requirements concerning the acceptance or rejection of each mail-in
27 ballot:

28 (1) within 24 hours after the decision has been made to reject a
29 voter's mail-in or provisional ballot on the basis of a missing
30 signature or discrepant signature, issue a "Cure Letter" by mail or
31 email to the voter whose ballot was rejected, which shall inform the
32 voter of that fact and provide the reasoning for rejection, and
33 attempt to contact the voter by telephone, if a telephone number is
34 available. The cure letter shall include a "Cure Form" and the form
35 shall include the voter's name and instruct the voter on how to cure
36 the alleged or actual deficiency. Cure forms shall not be referred to
37 as affidavits or certifications and shall not be required to be sworn;

38 (2) when the alleged or actual deficiency involves the signature
39 of the voter, instruct the voter that they may cure the deficiency by
40 completing the cure form and returning it to the county board of
41 elections in person, by fax, or by email, not later than 48 hours prior
42 to the final certification of the results of the election other than the
43 general election, or in the case of a general election not later than
44 96 hours prior to the final certification of the results of the general
45 election, or by returning it to the county board of elections by mail,
46 and that the completed cure form must be received by the county
47 board of elections not later than 48 hours prior to the final
48 certification of the results of the election other than the general

1 election, or in the case of a general election not later than 96 hours
2 prior to the final certification of the results of the general election;

3 (3) include, with the cure letter, when sent by mail, a pre-printed
4 cure form and a postage-paid return envelope addressed to the
5 county board of elections which the voter may use to return the cure
6 form; and

7 (4) inform voters that they shall not be required to submit any
8 form of hard-copy identification document or copy thereof in order
9 to cure a signature deficiency, but may do so by declaring that they
10 submitted their provisional ballot or mail-in ballot, and verifying
11 their identity by either: (a) providing a valid New Jersey driver's
12 license number or Motor Vehicle Commission non-driver
13 identification number; or (b) if the voter does not have a valid New
14 Jersey driver's license number or Motor Vehicle Commission non-
15 driver identification number, then by providing the last four digits
16 of their Social Security Number; or (c) if the voter does not have
17 the identification in (a) or (b), then attaching a legible copy of a
18 New Jersey State-accepted form of identification, including either a
19 sample ballot which lists the voter's name and address, an official
20 federal, State, county, or municipal document which lists the voter's
21 name and address, or a utility bill, telephone bill, or tax or rent
22 receipt which lists the voter's name and address; and (d) signing and
23 dating the cure form prior to returning it.

24 c. If a voter returns a completed cure form in a timely manner
25 and the information provided verifies the voter's identity, pursuant
26 to this section, their otherwise valid mail-in or provisional ballot
27 shall be counted in the final election results irrespective of any
28 signature deficiency previously identified and, under those
29 circumstances, the cure form may not be verified or authenticated
30 using signature matching.

31 d. In accordance with this section, variations in voter
32 signatures caused by the substitution of initials for the first name,
33 middle name, or both, shall not be grounds for the county board of
34 elections to determine that the signatures are non-conforming or do
35 not match.

36 e. In cases of rejected ballots, the county board of elections
37 shall retain the voter's outer envelope, inner envelope, self-
38 certification certificate, and mail-in ballot in a bundle unique to
39 each voter for a period of two years in accordance with section 24
40 of P.L.2009, c.79 (C.19:63-24).

41 f. County boards of elections shall be required to meet at least
42 once each week during the three-week period preceding each
43 election to conduct the ballot processing and curing provisions
44 specified in this section, and shall meet more frequently as may be
45 required by the Secretary of State to ensure the timely processing of
46 ballots.

47 The Secretary of State shall prepare educational materials
48 regarding this section that all employed county boards of elections

1 employees handling ballots shall read and have available for
2 review. The materials shall provide clear information regarding the
3 standards for acceptance and rejection of mail-in ballots and the
4 safe-keeping of all materials in the case of rejection. The materials
5 shall serve an educational purpose for the county board of elections
6 and shall not replace, supersede, or void the authority of the county
7 board or a judge of the Superior Court to accept or reject a mail-in
8 ballot.

9 (cf: P.L.2020, c.71, s.12)

10

11 16. Section 4 of P.L.1981, c.379 (C.40:45-8) is amended to read
12 as follows:

13 4. On or before the **【64th】** 75th day prior to a regular
14 municipal election, the names of candidates for all elective offices
15 shall be filed with the municipal clerk, in the following manner and
16 form and subject to the following conditions:

17 a. The petition of nomination shall consist of individual
18 certificates, equal in number to at least 1%, but in no event less than
19 25, of the registered voters of the municipality or the ward, as the
20 case may be, and shall read substantially as follows:

21 "I, the undersigned, a registered voter of the municipality of
22, residing at certify that I do
23 hereby join in a petition of the nomination of
24 whose residence is at for the office
25 of mayor (or councilman-at-large, or ward councilman of the
26 ward, or commissioner, or village trustee, as the case may
27 be) to be voted for at the election to be held in the municipality on
28 the, 20....., and I further certify that I know this candidate
29 to be a registered voter, for the period required by law, of the
30 municipality (and the ward, in the case of ward councilman) and a
31 person of good moral character, and qualified, in my judgment, to
32 perform the duties of the office, and I further certify that I have not
33 signed more petitions or certificates of nomination than there are
34 places to be filled for the above office.

35 Signed"

36 The petition of nomination shall also include a functioning e-
37 mail address for the candidate.

38 Any such petition of nomination which is provided to candidates
39 by the municipal clerk shall contain the following notice: "Notice:
40 All candidates are required by law to comply with the provisions of
41 the 'New Jersey Campaign Contributions and Expenditures
42 Reporting Act.' For further information, please call (insert phone
43 number of the Election Law Enforcement Commission)."

44 b. Each petition signature shall be on a separate sheet of paper
45 and shall bear the name and address of the petitioner. The
46 candidate for office and his campaign manager shall make an oath
47 before an officer competent to administer oaths that the statements
48 made therein are true, and that each signature to the papers

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1 appended thereto is the genuine signature of the person whose name
2 it purports to be, to their best knowledge and belief. The oath,
3 signed by the candidate, shall constitute his acceptance of
4 nomination and shall be annexed to the petition, together with the
5 oath of his campaign manager, at the time the petition is submitted.

6 c. The municipal clerk shall immediately provide the Election
7 Law Enforcement Commission with official certification of the
8 filing or withdrawal of a petition of nomination.

9 d. A candidate shall be permitted to sign or circulate, or both
10 sign and circulate, the petition required to nominate that candidate
11 for elective public office in any municipality holding regular
12 municipal elections.

13 (cf: P.L.2018, c.66, s.4)

14

15 17. Section 13 of P.L.1981, c.379 (C.40:45-17) is amended to
16 read as follows:

17 13. At the regular municipal election in any municipality which
18 has adopted this act, the candidates receiving the greatest number of
19 votes cast shall be elected to the respective offices. Except as
20 otherwise provided by law, the term of office of any officer elected
21 pursuant to this act shall begin on July 1 next following election. If
22 a regular municipal election is held on the day of the general
23 election in November pursuant to subsection a. of section 1 of
24 P.L.2009, c.196 (C.40:45-7.1), the term of office of any officer
25 elected shall begin on January **[1]** 15 next following election.

26 (cf: P.L.2009, c.196, s.7)

27

28 18. Section 1 of P.L.1956, c.176 (C.40:45A-1) is amended to
29 read as follows:

30 1. a. Notwithstanding any other provision of law, the governing
31 body of a municipality in which any of the members of the
32 governing body are elected for terms commencing January 1 may,
33 by resolution, fix the date and time of its annual organization or
34 reorganization meeting at 12 o'clock noon on January , or at some
35 other hour on any day during the first week in January.

36 b. The governing body of a municipality in which any of the
37 members of the governing body are elected for terms commencing
38 January 15 may, by resolution, fix the date and time of its annual
39 organization or reorganization meeting at 12 o'clock noon on
40 January 15, or at some other hour on any day during the second
41 week or thereafter in January.

42 (cf: P.L.2000, c.126, s.12)

43

44 19. Section 192 of P.L.1950, c.210 (C.40:69A-192) is amended
45 to read as follows:

46 17-43. a. Any ordinance to be voted on by the voters in
47 accordance with section 17-36 or section 17-42 of this act
48 (C.40:69A-185 or C.40:69A-191) shall be submitted at the next

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20

1 general or regular municipal election occurring not less than 40
2 days after the final date for withdrawal of the petition as provided
3 for in section 17-42 of this act (C.40:69A-191), provided that if no
4 such election is to be held within 90 days the council shall provide
5 for a special election to be held not less than 40 nor more than 60
6 days from the final date for withdrawal of the petition as provided
7 for in section 17-42 (C.40:69A-191) of this act.

8 b. In the case of an initiated petition signed by not less than
9 10% nor more than 15% of the legal voters, the ordinance shall be
10 submitted at the next general or regular municipal election
11 occurring not less than 40 days after the final date of withdrawal of
12 the petition as provided for in section 17-42 (C.40:69A-191) of this
13 act.

14 c. In any instance where a referendum election is to be held as
15 a result of an ordinance of the council which by its terms or by law
16 cannot become effective in the municipality unless submitted to the
17 voters, or which by its terms authorizes a referendum in the
18 municipality concerning the subject matter thereof, the time for
19 submission of the question to the voters shall be at the next general
20 or regular municipal election occurring not less than 40 days from
21 the date of final passage and approval of the ordinance. Referenda
22 held on ordinances adopted pursuant to sections 7 through 11 of
23 P.L.1981, c.465 (C.40:69A-25.1 through 40:69A-25.5) shall be
24 governed by this subsection, except that if the referendum is held
25 pursuant to those sections as the result of the report of a charter
26 study commission, the time for submission of the question shall be
27 calculated from the date of that report.

28 d. Nothing in this section shall be interpreted to waive the
29 requirement for the ballot question to be submitted to the county
30 clerk 74 days prior to the general election as required by section 21
31 of P.L. , c. (C.)(pending before the Legislature as this bill).
32 (cf: P.L.1991, c.430, s.5)

33

34 20. N.J.S.40A:14-72 is amended to read as follows:

35 40A:14-72. a. An election shall be held annually either on the
36 third Saturday in February or at the time of the general election on
37 the first Tuesday after the first Monday in November in each
38 established fire district for the election of members of the board
39 according to the expiration of terms. The initial election for a
40 newly created fire district may take place on another date as a
41 governing body may specify under N.J.S.40A:14-70, but the annual
42 election thereafter shall be held either on the third Saturday in
43 February or at the time of the general election on the first Tuesday
44 after the first Monday in November.

45 b. For an election held at a time other than at the time of the
46 general election, the place of the election shall be determined by the
47 board and a notice thereof, and of the closing date for the filing
48 with the clerk of the board of petitions of nomination for

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1 membership on the board, shall be published at least once in a
2 newspaper circulating in the district, at least six weeks prior to the
3 date fixed for the election.

4 c. For an election held at the time of the general election, the
5 place of the election shall be determined pursuant to R.S.19:8-1 et
6 seq. and notice thereof shall be published pursuant to R.S.19:12-7.
7 Notice of the closing date for the filing, with the county clerk, of
8 nominations by petition for direct nomination for membership on
9 the board shall be published by the board at least once in a
10 newspaper circulating in the district, at least 21 days prior to the
11 date by which such nominations are required to be filed with the
12 county clerk.

13 d. Fire districts located in the same municipality may combine
14 the publication of their notices of election. For the purpose of this
15 section, "notices of election" shall include the notices required to be
16 published under section 6 of P.L.2009, c.79 (C.19:63-6).

17 e. The legal voters at an annual election held on the third
18 Saturday in February shall determine the amount of money to be
19 raised for the ensuing year and determine such other matters as may
20 be required. If the amount of money to be raised for the ensuing
21 year exceeds the permissible property tax levy increase as
22 determined pursuant to section 10 of P.L.2007, c.62 (C.40A:4-
23 45.45), a public question shall be submitted to the legal voters to
24 increase the amount to be raised by taxation by more than the
25 allowable adjusted tax levy.

26 f. If a fire district holds its annual election at the time of the
27 general election, then the legal voters shall determine the amount of
28 money to be raised for the ensuing year only by such amount that
29 exceeds the permissible property tax levy increase as determined
30 pursuant to section 10 of P.L.2007, c.62 (C.40A:4-45.45). The
31 legal voters shall determine whether to increase the amount to be
32 raised by taxation by more than the allowable adjusted tax levy for
33 the ensuing year through the submission of a public question. The
34 board of fire commissioners of the fire district shall notify the
35 county or municipal clerk, as appropriate, of the need to conduct a
36 referendum pursuant to this subsection at least 60 days before the
37 date of the referendum. A referendum conducted pursuant to this
38 subsection shall be held on the third Saturday in February of the
39 budget year in which the levy increase would apply.

40 g. No fire district election shall be held between the period of
41 45 days prior to the primary or general election to the certification
42 of the results of the primary or general election.

43 (cf: P.L.2017, c.206, s.11)

44

45 21. (New section) Any question to be submitted to the voters
46 pursuant to section 192 of P.L.1950, c.210 (C.40:69A-192) shall be
47 submitted to the county clerk not later than the 74th day preceding
48 the election.

1 22. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill changes the dates of certain general election deadlines.
7 Under current law, the deadline for independent candidates to
8 decline nomination for the general election is 70 days before the
9 general election. The bill would change the deadline for
10 independent candidates to decline nomination for the general
11 election to 81 days before the general election. The nomination
12 petition filing deadline for new nomination petitions to fill a
13 vacancy for independent candidates, school election candidates, and
14 fire district candidates for the general election is 64 days before the
15 general election. The bill would change the nomination petition
16 filing deadline for new nomination petitions to fill a vacancy for
17 independent candidates, school election candidates, and fire district
18 candidates for the general election to 75 days before the general
19 election. The last day a vacancy can occur for primary election
20 nominees for the general election is 56 days before the general
21 election. The bill changes the last day a vacancy can occur for
22 primary election nominees for the general election to 70 days before
23 the general election.

24 The deadline for filling a primary nominee vacancy for the
25 general election is 54 days before the general election. The bill
26 would change the deadline for filling a primary nominee vacancy
27 for the general election to 68 days before the general election. The
28 deadline for the preparation of official general election ballots for
29 printing is 50 days before the general election. The bill would
30 change the deadline for the preparation of official general election
31 ballots for printing to 64 days before the general election. The
32 meeting of the county board of canvassers for the general election is
33 13 days after the election. The bill would require the meeting of the
34 county board of canvassers for the general election to be 15 days
35 after the election.

36 Under current law, the impoundment period for voting machines
37 used in the general election is 17 days following the general
38 election. In current law, there is no deadline to complete the audits
39 required for certification of the general election results by counties.
40 The bill requires that the audit begins 13 days after the general
41 election, and will be complete before certification with necessary
42 extensions given by the Secretary of State. The bill would require
43 the current law audits of voting machines used in the general
44 election to begin 13 days following the general election. The bill
45 also provides for the ability of a candidate or voter who requests a
46 recount to request the judge to require the recount to be completed
47 within 13 days of the general election, if the voting machine in
48 question is to be audited. The deadline for submission of non-

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1 binding county and municipality public questions to the county
2 clerks for printing on the general election ballot is 81 days before
3 the general election. The bill would change the deadline for
4 submission of non-binding county and municipal public questions
5 to the county clerks for printing on the general election ballot to 88
6 days before the general election. The deadline for submission to the
7 county clerk of municipal non-binding public questions adopted by
8 the municipal governing body upon the filing of a qualified petition
9 by the local electorate is 67 days before the general election. The
10 bill would change the deadline for submission to the county clerk of
11 municipal non-binding public questions adopted by the municipal
12 governing body upon the filing of a qualified petition by the local
13 electorate to 74 days before the general election.

14 The deadline for preparation of emergency and provisional ballot
15 reports by each county board of election for the general election is
16 within 17 days after the election or within 3 days of the certification
17 of the results of the election. The bill changes the deadline for
18 preparation of emergency and provisional ballot reports by each
19 county board of election for the general election to certification day
20 for the general election. Under current law, there is no restriction
21 on the dates a special school election is held relative to a general
22 election. The bill prohibits any special school election from being
23 held within 45 days of a general election. The deadline to submit
24 public questions for a November school board election to the county
25 clerk by the school board secretary is 60 days before the general
26 election. The bill changes the deadline to submit public questions
27 for a November school board election to the county clerk by the
28 school board secretary to 74 days before the general election.

29 The deadline for withdrawal of school board and fire district
30 candidates is 70 days before the general election. The bill changes
31 the deadline for withdrawal of school board and fire district
32 candidates to 81 days before the general election. Under current
33 law, the deadline for receipt of cure forms to the county board of
34 elections is currently no later than 48 hours prior to the final
35 certification of the results of the election. In the case of the general
36 election, the bill changes that deadline for receipt of cure forms to
37 the county board of elections to 96 hours for the general election.

38 The deadline for nomination petitions for municipal non-partisan
39 candidates to be voted on at the November general election is 64
40 days. The bill changes the deadline for nomination petitions for
41 municipal non-partisan candidates to be voted on at the November
42 general election to 75 days. Under current law, the terms of local
43 elected officials in municipalities with runoff elections expire and
44 reorganize on January 1. The bill changes the terms of local elected
45 officials in municipalities with runoff elections expire and
46 reorganize to January 15. Under current law, there is no deadline
47 for submission of initiative and referendum public questions to the
48 county clerk for printing on the general election ballot. The bill

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24

- 1 establishes a deadline of 74 days prior to the general election. This
- 2 bill prohibits fire district elections from being held between the
- 3 period of 45 days prior to a primary or general election to the
- 4 certification of the primary or general election.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 3519

STATE OF NEW JERSEY

DATED: FEBRUARY 2, 2023

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Bill No. 3519.

This bill changes various primary election, vacancy, municipal referendum, and mail-in ballot mailing deadlines. The purpose of the bill is to standardize certain deadlines by establishing them in relation to the primary election petition filing deadline rather than to the primary election date. The bill also modifies various vacancy deadlines, municipal referendum deadlines concerning the sale of alcoholic beverages, and various mail-in ballot mailing deadlines to avoid delays in the mail-in ballot production, printing, and mailing process.

Primary Election Deadlines

Under current law, the Secretary of State is required to submit to the county clerks and county boards of elections, *not later than the 67th day preceding the primary election for the general election*, in every year in which electors of President and Vice-President of the United States, a representative of the United States Senate, members of the House of Representatives, a Governor, a Lieutenant Governor, or Senator, or member or members of the General Assembly for any county, or any of them, are to be elected or any public question is to be submitted to the voters of the entire State, a notice stating that such officer or officers are to be elected and that such public question is to be submitted to the voters of the entire State at the ensuing general election. This bill changes that deadline to *not later than the third day preceding the last day for the filing of petitions for the primary election for the general election*.

Under current law, all municipal clerks, *not later than the 57th day preceding the primary election for the general election*, are required to make and certify and forward to the county clerk a statement designating the public offices to be filled at such election, and the number of persons to be voted for each office. In counties of the first class such statement must also be forwarded to the county board. This bill changes this deadline to *not later than the seventh day after the*

last day for the filing of petitions for the primary election for the general election.

Under current law, the chairman of each county committee is required to submit to the appropriate municipal clerks, *on or before April 1 in each year*, the number of committee members to be elected at the ensuing primary for the general election to the county committee. This bill changes that deadline to *on or before the third day before the last day for the filing of petitions in each year*.

Under current law, the members constituting a committee on vacancies, who fill vacancies in the candidacies for the offices of United States President, national convention delegate or alternate, Governor, United States Senator, member of the House of Representatives, State Senator, member of the General Assembly, and any county office, must file with the Secretary of State a certificate to fill such vacancy *at least 56 days before the election*. This bill changes that deadline to *at least on the eighth day after the last day for the filing of petitions*.

Under current law, the Secretary of State is required to certify to the appropriate county clerks the names of the persons indorsed in the petitions filed in the secretary's office *not later than noon of the 54th day prior to the holding of the primary election*, specifying the political parties to which the persons so nominated belong. This bill changes this deadline to *not later than noon of the 10th day after the last day for the filing of petitions for the primary election*. This information, other than for candidates for federal office, is also transmitted to the Election Law Enforcement Commission.

Under current law, the county clerk is required to certify to the appropriate municipal clerks the names of all of the persons so certified by the Secretary of State and, in addition, the names of all persons indorsed in petitions filed in the clerk's office, *not later than the close of business of the 54th day prior to the time fixed by law for the holding of the primary election*, specifying the political parties to which the persons so nominated belong. This bill changes this deadline to *not later than the close of business of the 10th day after the last day for the filing of petitions for the primary election*. This information, other than for candidates for federal office, is also transmitted to the Election Law Enforcement Commission.

Under current law, the county clerk or the county clerk's deputy, or the municipal clerk or the municipal clerk's deputy, as the case may be, is required at the clerk's office to draw the names of candidates to determine their position on the primary election ballot *on the 54th day prior to the primary election for the general election* at three o'clock in the afternoon. This bill changes this deadline to be *on the 10th day after the last day for the filing of petitions for the primary election for the general election* at three o'clock in the afternoon.

Vacancy Deadlines

Under current law, in the event of a vacancy in the office of the County Surrogate, the election of a successor for a five-year term must occur at the next general election unless the vacancy occurs *within 37 days before the election*, in which case it must occur at the second succeeding general election. This bill changes this deadline to *within 60 days before the election*.

Under current law, any vacancy in the office of County Executive must be filled by election for the unexpired term only at the next general election occurring *not less than 51 days after the occurrence of the vacancy*, except that no such vacancy shall be filled at the general election which immediately precedes the expiration of the term in which the vacancy occurs. This bill changes that deadline to *not less than 60 days after the occurrence of the vacancy*.

Under current law, in the event of a vacancy in a petition for a candidate to serve on a Board of County Commissioners occurring on or before the sixth day preceding the last day for filing petitions for nomination for the primary election, but when no such petition has been filed with respect to a given political party, that political party may fill that vacancy in the same manner as that for filling vacancies in primary election candidates. A statement of that selection must be filed with the county clerk *not later than the 48th day preceding the date of the general election*. This bill changes that deadline to *not later than the 54th day preceding the date of the general election*. This bill makes a technical change to delete references to the Board of Chosen Freeholders, now known as the Board of County Commissioners.

Under current law, in the event of a vacancy in the office of County Clerk, the successor must be elected for a term of five years at the general election next succeeding the vacancy unless such vacancy occurs *within 37 days next preceding the election*, in which case it must be filled at the second succeeding general election. This bill changes that deadline to *within 60 days next preceding that election*.

Under current law, in the event of a vacancy in the office of County Register of Deeds and Mortgages, the successor must be elected for a term of five years at the general election next succeeding the vacancy unless such vacancy occurs *within 37 days next preceding the election*, in which case it must be filled at the second succeeding general election. This bill changes that deadline to *within 60 days next preceding that election*.

Under current law, in the event of a vacancy in the office of County Sheriff, the successor must be elected for a term of three years at the general election next succeeding the vacancy unless such vacancy occurs *within 37 days next preceding the election*, in which case it must be filled at the second succeeding general election. This bill changes that deadline to *within 60 days next preceding that election*.

Municipal Referendum Deadlines

Under current law, a copy of a municipal referendum resolution concerning the retail sale of certain alcoholic beverages is required to be submitted to the county clerk *30 days prior to the next general election*. This bill requires a copy of such resolution to be delivered to the county clerk *at least 67 days before the next general election*.

The 67-day filing mandate would provide county clerks with additional time to process ballot design and production and provide consistency to the election timeline for purposes of municipal referendums concerning alcoholic beverages.

Ballot Printing and Mail-in Ballot Mailing Deadlines

Under current law, every county clerk is required to have ready for the printer *on or before the 45th day prior to the primary election* a copy of the contents of official ballots, except that every county clerk is required to have ready for the printer *on or before the 50th day prior to a federal primary election or any general election* a copy of the contents of the official ballots. This bill requires every county clerk to have ready for the printer *on or before the 11th day after the last day for the filing of petitions for the primary election or 53 days prior to the general election* a copy of the contents of official ballots as hereinafter required to be printed for use at such election, *regardless if that date falls on a federal, State, or local holiday*.

Under current law, mail-in ballots that have been approved *before the 45th day before an election* must be forwarded or delivered at least 45 days before the day of the election. This bill requires mail-in ballots for which mail-in ballot applications have been approved *before the 48th day before an election* to be forwarded or delivered at least 45 days before the day of the election.

Under current law, whenever the clerk forwards a mail-in ballot by mail to a mail-in voter *between the 45th day and the 13th day* before the day of an election, the ballot must be transmitted within three business days of the receipt of the application. Whenever the clerk forwards a mail-in ballot by mail to a mail-in voter between the 12th day and the seventh day before the day of an election, the ballot shall be transmitted within two business days of the receipt of the application. This bill provides that whenever the clerk receives a valid application for a mail-in ballot by mail from a mail-in voter *between the 48th day and the 13th day* before the day of an election, the ballot must be transmitted within three business days of the receipt of the application. Whenever the clerk receives a valid application for a mail-in ballot by mail from a mail-in voter between the 12th day and the seventh day before the day of an election, the ballot shall be transmitted within two business days of the receipt of the application.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 3519 and 3593

STATE OF NEW JERSEY

DATED: JUNE 12, 2023

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Committee Substitute for Senate Bill Nos. 3519 and 3593.

This bill changes the dates of certain general election deadlines.

Under current law, the deadline for independent candidates to decline nomination for the general election is 70 days before the general election. The bill would change the deadline for independent candidates to decline nomination for the general election to 81 days before the general election.

The nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election is 64 days before the general election. The bill would change the nomination petition filing deadline for new nomination petitions to fill a vacancy for independent candidates, school election candidates, and fire district candidates for the general election to 75 days before the general election.

The last day a vacancy can occur for primary election nominees for the general election is 56 days before the general election. The bill changes the last day a vacancy can occur for primary election nominees for the general election to 70 days before the general election.

The deadline for filling a primary nominee vacancy for the general election is 54 days before the general election. The bill would change the deadline for filling a primary nominee vacancy for the general election to 68 days before the general election.

The meeting of the county board of canvassers for the general election is 13 days after the election. The bill would require the meeting of the county board of canvassers for the general election to be 15 days after the election.

In current law, a candidate or voters requesting a recount of the votes may do so within a period of 17 days following such election. The bill changes the recount period to be 3 days after the certification of the results of the election.

The deadline for submission of non-binding county and municipality public questions to the county clerks for printing on the general election ballot is 81 days before the general election. The bill would change the deadline for submission of non-binding county and municipal public questions to the county clerks for printing on the general election ballot to 88 days before the general election.

The deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate is 67 days before the general election. The bill would change the deadline for submission to the county clerk of municipal non-binding public questions adopted by the municipal governing body upon the filing of a qualified petition by the local electorate to 74 days before the general election.

In current law, a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is delivered to the county clerk shall be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election, not less than 65 days before any such general election. The bill changes the deadline to not less than 74 days.

In current law, the impoundment period for voting machines used in the general election is 15 days following the general election. The bill would change the impoundment period for voting machines used in the general election to 13 days. Under the bill, the impoundment period would apply to voting machines that are exempt from the requirement to produce an individual permanent paper record for each vote cast.

The deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election is within 15 days after the election or within 3 days of the certification of the results of the election. The bill changes the deadline for preparation of emergency and provisional ballot reports by each county board of election for the general election to certification day for the general election.

Under current law, there is no restriction on the dates a special school election is held relative to a primary election or general election. The bill allows the Commissioner of Education to change the date of any special school election if the authorized date is within 45 days of a primary election or general election.

This bill changes the permissive September special school election date from the last Tuesday to the third Tuesday in September, and changes the permissive December special school election date from the second Tuesday in December to “concurrently with the general election” which takes place in November. The bill also keeps at the 18th day preceding the annual April school election, and establishes a 60 days preceding a special school election, the deadline for the

secretary of each board of education to make, certify, and forward to the clerk of the county in which the school district is located, a statement designating the public question to be voted upon by the voters of the district.

The deadline to submit public questions for a November school board election to the county clerk by the school board secretary is 60 days before the general election. The bill changes the deadline to submit public questions for a November school board election to the county clerk by the school board secretary to 74 days before the general election.

The deadline for withdrawal of school board and fire district candidates is 70 days before the general election. The bill changes the deadline for withdrawal of school board and fire district candidates to 81 days before the general election.

In current law, there is no deadline to complete the audits required for certification of the general election results by counties. The bill requires that the audit begins 13 days after the general election, and will be complete before certification with necessary extensions given by the Secretary of State. This bill makes a technical change to replace references of "Attorney General" with "Secretary of State," consistent with the current law designation of the Secretary of State as the Chief Election Official in this State.

Under current law, the deadline for receipt of cure forms to the county board of elections is currently no later than 48 hours prior to the final certification of the results of the election. In the case of the general election, the bill changes that deadline for receipt of cure forms to the county board of elections to within 11 days of the general election.

The deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election is 64 days. The bill changes the deadline for nomination petitions for municipal non-partisan candidates to be voted on at the November general election to 75 days.

Under current law, the deadline for changes to a nominating petition to be made and filed is 61 days. The bill changes the deadline to 72 days.

Under current law, the terms of local elected officials in municipalities with runoff elections expire and reorganize on January 1. The bill changes the terms of local elected officials in municipalities with runoff elections expire and reorganize to January 15. The bill changes also provide for the reorganization date of members of the municipal governing body whose term commences on January 15 to be held on that date or during a seven-day period beginning on that date, rather than on the second week in thereafter in January.

Under current law, there is no deadline for submission of initiative and referendum public questions to the county clerk for printing on the

general election ballot. The bill establishes a deadline of 74 days prior to the general election.

This bill prohibits fire district elections from being held between the period of 45 days prior to a primary or general election to the certification of the primary or general election.

Senate Committee Substitute for Senate Bill Nos. 3519 and 3593 is identical to Assembly Bill No. 5175 (4R) of 2022-2023.

Governor Murphy Takes Action on Legislation

07/20/2023

TRENTON – Today, Governor Phil Murphy signed the following bills into law:

S-528/A-2815 (Ruiz, Pou/Murphy, Wimberly, McKnight) - Requires certain additional school district personnel to complete training program on suicide prevention

S-3089/A-4722 (Gopal, A.M. Bucco/McKeon) - Permits certain school districts to establish State military impact aid reserve account

S-3125/A-4947 (Cryan, Gopal/Lopez, Quijano, Atkins) - Expands "Daniel's Law" to prohibit disclosure of personal information concerning child protective investigators

S-3309/A-4832 (Stack, Scutari/Mukherji, Speight) - Raises maximum workers' compensation fees for evaluating physicians; expands circumstances for which physician legal fee permitted

S3406/A-4970 (Gopal, Cryan/Jasey, Carter, McKeon) - Requires public institutions of higher education to submit annual fiscal monitoring report; authorizes Secretary of Higher Education to appoint State monitor of certain institutions; requires higher education chief financial officers complete training; annually appropriates \$100,000

S-3444/A-5211 (Schepisi, Lagana/Karabinchak, Stanley) - Allows certain municipal water systems, under certain circumstances, to use lands preserved for recreation and conservation for drinking water wells and associated treatment equipment or facilities

S-3753/A-5299 (Madden, Turner/Murphy) - Designates State Office of Emergency Management as State Agency for Surplus Property

S-3783/A-5541 (Zwicker, Cruz-Perez/Quijano) - Modifies certain provisions of "New Jersey Innovation Evergreen Act" and "Food Desert Relief Act"

S-3796/A-5559 (Greenstein, Stanfield/Mejia, Reynolds-Jackson, Atkins) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for environmental infrastructure projects for FY 2024

S-3797/A-5558 (Codey, Greenstein/Lampitt, Swain, Stanley) - Appropriates funds to DEP for environmental infrastructure projects for FY 2024

S-3798/A-5422 (Ruiz, Corrado, Turner/Jasey, Lampitt, Mukherji) - Permits teacher, and professional staff member who provides special services, who retired from TPAF to return employment for up to two years without reenrollment in TPAF if employment commences during the 2023-2024 school year

S-3873/A-5507 (Zwicker, Johnson/Benson, Pintor Marin) - Authorizes NJ Infrastructure Bank to expend certain sums to make loans for transportation infrastructure projects for FY2024; makes appropriation

A-4864/S-3795 (Mosquera, Sampson, Quijano/Lagana, Burgess) - Expands scope of Foreclosure Mediation Assistance Program during State of Emergency to allow use of program funds for payment to counselors who help disaster victims process applications for assistance

A-5175/SCS for S-3519 and 3593 (Verrelli, McKnight, Moen/Beach, Turner, Zwicker) - Changes certain General Election deadlines