

SENATE, No. 2676

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED OCTOBER 13, 2016

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator ANTHONY R. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Requires candidates for election to school board to file with their nominating petitions specific affirmation that they have not been convicted of crimes that would disqualify them from office.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/24/2017)

1 AN ACT concerning criminal history background checks for school
2 board candidates and amending P.L.1995, c.278.

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

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7 1. Section 6 of P.L.1995, c.278 (C.19:60-6) is amended to read
8 as follows:

9 6. Accompanying the nominating petition and to be filed
10 therewith, there shall be a certificate signed by the person endorsed
11 in the petition stating that:

12 a. The person is qualified to be elected to the office for which
13 the person is nominated, including a specific affirmation that the
14 person is not disqualified as a voter pursuant to R.S.19:4-1 and that
15 the person has not been convicted of a disqualifying crime pursuant
16 to N.J.S.18A:12-1;

17 b. The person consents to stand as a candidate for election; and

18 c. If elected, the person agrees to accept and qualify into that
19 office.

20 (cf: P.L.1995, c.278, s.6)

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22 2. This act shall take effect on July 1 of the first full school
23 year next following the date of enactment.

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STATEMENT

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28 This bill would require a candidate for election to the office of
29 school board member to file with his nominating petition a specific
30 affirmation that he has not been convicted of any of the
31 disqualifying crimes listed pursuant to N.J.S.18A:12-1.

32 Under current law, a person is disqualified from membership on
33 a board of education or a charter school board of trustees if the
34 person has been convicted of certain crimes or offenses. A member
35 must, within 30 days of election or appointment to the board,
36 undergo a criminal background check for the purpose of ensuring
37 that the member is not disqualified. In addition, the law requires a
38 member of a board of education, before entering into the duties of
39 the office, to take an oath that must include a specific declaration
40 that the member is not disqualified from holding office due to a
41 conviction of one of the disqualifying crimes or offenses. A
42 member who falsely swears or affirms that he is not disqualified
43 due to a conviction is guilty of a crime of the fourth degree.

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.