

ASSEMBLY, No. 573

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROBERT AUTH

District 39 (Bergen and Passaic)

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District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Assemblymen Thomson, Wirths, DePhillips, Space and DiMaio

SYNOPSIS

Prohibits candidates from nomination for more than one elective office at primary or general election.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the nomination of candidates for more than one
 2 elective office at a primary or general election and amending
 3 R.S.19:13-8, R.S.19:13-14, and R.S.19:13-22.

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

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

9 19:13-8. A candidate nominated for an office in a petition shall
 10 manifest his acceptance of such nomination by a written acceptance
 11 thereof, signed by his hand, upon or annexed to such petition, to
 12 which shall be annexed the oath of allegiance prescribed in section
 13 41:1-1 of the Revised Statutes duly taken and subscribed by him
 14 before an officer authorized to take oaths in this State, or if the
 15 same person be named for the same office in more than one
 16 petition, annexed to one of such petitions. Such acceptance shall
 17 certify that the candidate is a resident of and a legal voter in the
 18 jurisdiction of the office for which the nomination is made. No
 19 candidate so named shall sign such acceptance if he has signed an
 20 acceptance for the primary nomination or any other petition of
 21 nomination under this chapter for such office or for any other
 22 office. In addition, no candidate named in a petition for the office of
 23 member of the House of Representatives shall sign an acceptance if
 24 the candidate has signed an acceptance for the primary nomination
 25 or any other petition of nomination for the office of member of the
 26 House of Representatives in another congressional district in the
 27 same calendar year.

28 Each candidate filing an acceptance of nomination for election to
 29 the office of Governor or the office of member of the Senate or
 30 General Assembly shall annex to such petitions a statement signed
 31 by the candidate that he or she:

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

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

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 If the same person is nominated for the same office in more than
2 one petition, the statement shall be annexed to one of such petitions.
3 (cf: P.L.2004, c.26, s.1)
4

5 2. R.S.19:13-14 is amended to read as follows:

6 19:13-14. The nomination of candidates for the general election
7 by means of the primary election shall be carried out in the manner
8 hereinafter provided, and in such election the person having in the
9 aggregate the highest number of votes shall be the candidate of his
10 respective party for the office to be filled. In case more than one
11 person is to be elected to the same or similar office, the persons
12 having the highest number of votes to the extent of the number of
13 offices to be filled shall be the candidates of their respective parties
14 for such offices. No person shall be nominated as a candidate for
15 more than one office in any primary or general election.

16 (cf: R.S.19:13-14)
17

18 3. R.S.19:13-22 is amended to read as follows:

19 19:13-22. a. The Secretary of State, not later than eighty-six
20 days before any election whereat any candidates nominated in any
21 direct petition or primary certificate of nomination or State
22 convention certificate filed with him are to be voted for, shall make
23 and certify, under his hand and seal of office, and forward to the
24 clerks of the several counties of the State a statement of all such
25 candidates for whom the voters within such county may be by law
26 entitled to vote at such election. This statement, in addition to the
27 names of the candidates for President and Vice-President of the
28 United States, if any such have been included in any such certificate
29 or petition filed with him, shall contain the names and residences of
30 all other candidates, the offices for which they are respectively
31 nominated, and the names of the parties by which or the political
32 appellation under which they are respectively nominated.
33 Candidates nominated directly by petition, without distinctive
34 political appellation, shall be certified as independent candidates.
35 Similar statements shall be made, certified and forwarded, when
36 vacancies are filled subsequently, according to law.

37 b. The Secretary of State shall certify and forward the
38 statement required by subsection a. of this section no later than the
39 fourth Friday in June following a primary election for the
40 candidates for the office of Governor for whom the voters may be
41 by law entitled to vote at the next subsequent general election. The
42 statement shall include the information required by subsection a. of
43 this section. Candidates nominated directly by petition for the
44 office of Governor, without distinctive political appellation, shall be
45 certified as independent candidates at the same time as candidates
46 nominated for the office of Governor at a primary election are
47 certified by the Secretary of State. Similar statements shall be

1 made, certified and forwarded, when vacancies are filled
2 subsequently, according to law.

3 c. No person shall be certified as a candidate for more than one
4 office in the same election.

5 (cf: P.L.2009, c.66, s.33)

6

7 4. This act shall take effect immediately.

8

9

10 STATEMENT

11

12 This bill prohibits candidates from being nominated for more
13 than one elective office in any primary or general election. Under
14 the bill, a candidate nominated by petition would be prohibited from
15 accepting such nomination if the candidate has already accepted a
16 nomination for a candidacy to any other office in that election. A
17 candidate nominated through the primary process would be
18 prohibited from being nominated as a candidate for more than office
19 in any primary or general election. The bill also prohibits any
20 person from being certified as a candidate for more than office in
21 the same election.