

# ASSEMBLY, No. 1690

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman JOHN J. BURZICHELLI**

**District 3 (Cumberland, Gloucester and Salem)**

**Assemblyman RONALD S. DANCER**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**SYNOPSIS**

Requires all school and nonpartisan municipal elections, and permits fire district elections, to be conducted on day of general election in November.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the conduct of school, nonpartisan municipal,  
2 and fire district elections on the day of the general election in  
3 November and amending and supplementing various parts of the  
4 statutory law.

5

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

8

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

10 19:1-1. As used in this Title:

11 "Election" means the procedure whereby the electors of this  
12 State or any political subdivision thereof elect persons to fill public  
13 office or pass on public questions.

14 "General election" means the annual election to be held on the  
15 first Tuesday after the first Monday in November and, where  
16 applicable, includes annual school elections, municipal elections,  
17 and fire district elections held on that date.

18 "Primary election for the general election" means the procedure  
19 whereby the members of a political party in this State or any  
20 political subdivision thereof nominate candidates to be voted for at  
21 general elections, or elect persons to fill party offices.

22 "Municipal election" means an election to be held in and for a  
23 single municipality only, at regular intervals, and includes  
24 nonpartisan municipal elections.

25 "Special election" means an election which is not provided for by  
26 law to be held at stated intervals.

27 "Any election" includes all primary, general, municipal, school,  
28 fire district, and special elections, as defined herein.

29 "Municipality" includes any city, town, borough, village, or  
30 township.

31 "School election" means any annual or special election to be held  
32 in and for a local or regional school district established pursuant to  
33 chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes.

34 "Fire district election" means an election to be held in and for a  
35 fire district established pursuant to N.J.S.40A:14-70 et seq.

36 "Public office" includes any office in the government of this  
37 State or any of its political subdivisions filled at elections by the  
38 electors of the State or political subdivision.

39 "Public question" includes any question, proposition or  
40 referendum required by the legislative or governing body of this  
41 State or any of its political subdivisions to be submitted by  
42 referendum procedure to the voters of the State or political  
43 subdivision for decision at elections.

44 "Political party" means a party which, at the election held for all  
45 of the members of the General Assembly next preceding the holding  
46 of any primary election held pursuant to this Title, polled for

**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 members of the General Assembly at least 10% of the total vote cast  
2 in this State.

3 "Party office" means the office of delegate or alternate to the  
4 national convention of a political party or member of the State,  
5 county or municipal committees of a political party.

6 "Masculine" includes the feminine, and the masculine pronoun  
7 wherever used in this Title shall be construed to include the  
8 feminine.

9 "Presidential year" means the year in which electors of President  
10 and Vice-President of the United States are voted for at the general  
11 election.

12 "Election district" means the territory within which or for which  
13 there is a polling place or room for all voters in the territory to cast  
14 their ballots at any election.

15 "District board" means the district board of registry and election  
16 in an election district.

17 "County board" means the county board of elections in a county.

18 "Superintendent" means the superintendent of elections in  
19 counties wherein the same shall have been appointed.

20 "Commissioner" means the commissioner of registration in  
21 counties.

22 "File" or "filed" means deposited in the regularly maintained  
23 office of the public official wherever said regularly maintained  
24 office is designated by statute, ordinance or resolution.

25 (cf: P.L.2011, c.202, s.24)

26

27 2. R.S.19:12-7 is amended to read as follows:

28 19:12-7. a. The county board in each county shall cause to be  
29 published in a newspaper or newspapers which, singly or in  
30 combination, are of general circulation throughout the county, a  
31 notice containing the information specified in subsection b. hereof,  
32 except for such of the contents as may be omitted pursuant to  
33 subsection c. or d. hereof. Such notice shall be published once  
34 during the 30 days next preceding the day fixed for the closing of  
35 the registration books for the primary election, once during the  
36 calendar week next preceding the week in which the primary  
37 election for the general election is held, once during the 30 days  
38 next preceding the day fixed for the closing of the registration  
39 books for the general election, and once during the calendar week  
40 next preceding the week in which the general election is held.

41 b. Such notice shall set forth:

42 (1) For the primary election for the general election:

43 (a) That a primary election for making nominations for the  
44 general election, for the selection of members of the county  
45 committees of each political party, and in each presidential year for  
46 the selection of delegates and alternates to national conventions of  
47 political parties, will be held on the day and between the hours and  
48 at the places provided for by or pursuant to this Title.

1 (b) The place or places at which and hours during which a  
2 person may register, the procedure for the transfer of registration,  
3 and the date on which the books are closed for registration or  
4 transfer of registration.

5 (c) The several State, county, municipal and party offices or  
6 positions to be filled, or for which nominations are to be made, at  
7 such primary election.

8 (d) The existence of registration and voting aids, including: (i)  
9 the availability of registration and voting instructions at places of  
10 registration as provided under R.S.19:31-6; and (ii), if available, the  
11 accessibility of voter information to the deaf by means of a  
12 telecommunications device.

13 (e) The availability of assistance to a person unable to vote due  
14 to blindness, disability or inability to read or write.

15 (f) In the case of the notice published during the calendar week  
16 next preceding the week in which the primary election is held, that  
17 a voter who, prior to the election, shall have moved within the same  
18 county without (i) filing, on or before the 21st day preceding the  
19 election, a notice of change of residence with the commissioner of  
20 registration of the county or the municipal clerk of the municipality  
21 in which the voter resides on the day of the election, (ii) returning  
22 the confirmation notice sent to the voter by the commissioner of  
23 registration of the county, if such a notice has been sent to the voter,  
24 or (iii) otherwise notifying the commissioner of registration of the  
25 voter's change of address within the county shall be permitted to  
26 correct the voter's registration and to vote in the primary election by  
27 provisional ballot at the polling place of the district in which the  
28 voter resides on the day of the election. The notice shall further  
29 provide that the voter may contact the county commissioner of  
30 registration or municipal clerk to determine the proper polling place  
31 location for the voter.

32 (2) For the general election:

33 (a) That a general election will be held on the day and between  
34 the hours and at the places provided for by or pursuant to this Title  
35 and, where applicable, shall include annual school elections,  
36 municipal elections, and fire district elections held on that date.

37 (b) The place or places at which and hours during which a  
38 person may register, the procedure for transfer of registration, and  
39 the date on which the books are closed for registration or transfer of  
40 registration.

41 (c) The several State, county and municipal offices, and where  
42 applicable, school board offices and fire district offices to be filled,  
43 notice of any school district propositions to be submitted to the  
44 people and, except as provided in R.S.19:14-33 of this Title as to  
45 publication of notice of any Statewide proposition directed by the  
46 Legislature to be submitted to the people, the State, county **[and]** ,  
47 municipal, and fire district public questions to be voted upon at  
48 such general election.

- 1 (d) The existence of registration and voting aids, including: (i)  
2 the availability of registration and voting instructions at places of  
3 registration as provided under R.S.19:31-6; and (ii) the accessibility  
4 of voter information to the deaf by means of a telecommunications  
5 device.
- 6 (e) The availability of assistance to a person unable to vote due  
7 to blindness, disability or inability to read or write.
- 8 (f) In the case of the notice published during the calendar week  
9 next preceding the week in which the general election is held, that a  
10 voter who, prior to the election, shall have moved within the same  
11 county without (i) filing, on or before the 21st day preceding the  
12 election, a notice of change of residence with the commissioner of  
13 registration of the county or the municipal clerk of the municipality  
14 in which the voter resides on the day of the election, (ii) returning  
15 the confirmation notice sent to the voter by the commissioner of  
16 registration of the county, if such a notice has been sent to the voter,  
17 or (iii) otherwise notifying the commissioner of registration of the  
18 voter's change of address within the county shall be permitted to  
19 correct the voter's registration and to vote in the general election by  
20 provisional ballot at the polling place of the district in which the  
21 voter resides on the day of the election. The notice shall further  
22 provide that the voter may contact the county commissioner of  
23 registration or municipal clerk to determine the proper polling place  
24 location for the voter.
- 25 (3) For a school election:
- 26 (a) The day, time and place thereof,
- 27 (b) The offices, if any, to be filled at the election,
- 28 (c) The substance of any public question to be submitted to the  
29 voters thereat,
- 30 (d) That a voter who, prior to the election, shall have moved  
31 within the same county without (i) filing, on or before the 21st day  
32 preceding the election, a notice of change of residence with the  
33 commissioner of registration of the county or the municipal clerk of  
34 the municipality in which the voter resides on the day of the  
35 election, (ii) returning the confirmation notice sent to the voter by  
36 the commissioner of registration of the county, if such a notice has  
37 been sent to the voter, or (iii) otherwise notifying the commissioner  
38 of registration of the voter's change of address within the county  
39 shall be permitted to correct the voter's registration and to vote in  
40 the school election by provisional ballot at the polling place of the  
41 district in which the voter resides on the day of the election,
- 42 (e) That if the voter has any questions as to where to vote on the  
43 day of the election, the voter may contact the county commissioner  
44 of registration or municipal clerk to determine the proper polling  
45 place location for the voter; and
- 46 (f) Such other information as may be required by law.

1 c. If such publication is made in more than one newspaper, it  
2 shall not be necessary to duplicate in the notice published in each  
3 such newspaper all the information required under this section, so  
4 long as:

5 (1) The municipal officers or party positions to be filled, or  
6 nominations made, or municipal public questions to be voted upon  
7 by the voters of any municipality, shall be set forth in at least one  
8 newspaper having general circulation in such municipality;

9 (2) All offices to be filled, or nominations made therefor, or  
10 public questions to be voted upon, by the voters of the entire State  
11 or of the entire county shall be set forth in a newspaper or  
12 newspapers which, singly or in combination, have general  
13 circulation throughout the county;

14 (3) Information relating to nominations and elections in each  
15 Legislative District comprised in whole or part in the county, shall  
16 be published in at least a newspaper or newspapers which singly or  
17 in combination, have general circulation in every municipality of  
18 the county which is comprised in such legislative district.

19 d. Such part or parts of the original notices as published which  
20 pertain to day of registration or primary election which has occurred  
21 shall be eliminated from such notice in succeeding insertions.

22 e. (Deleted by amendment, P.L.1999, c.232.)

23 f. The cost of publishing the notices required by this section  
24 shall be paid by the respective counties, unless otherwise provided  
25 for by law.

26 g. Notices required to be published or posted pursuant to this  
27 section shall set forth a general description of the contents of the  
28 voter information notice provided for in section 1 of P.L.2005,  
29 c.149 (C.19:12-7.1), how the notice may be viewed or obtained  
30 prior to the day of an election, and that the notice will be posted in  
31 each polling place on the day of an election.

32 (cf: P.L.2011, c.202, s.25)

33

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

35 19:14-4. In the center of the ballot immediately below the  
36 perforated line shall be printed in bold-faced type the words  
37 "Official general election ballot." Below these words and extending  
38 across the ballot shall appear the words: "Name of (municipality),  
39 ..... ward, ..... school district (if applicable),  
40 .....fire district (if applicable),.....  
41 election district, ..... date of election, ..... John  
42 Doe, county clerk." The blank spaces shall be filled in with the  
43 name of the proper municipality, the ward and district numbers and  
44 the date of the election. For school and fire district elections, the  
45 name of the school district and the name of the fire district, and of  
46 the municipality or municipalities comprising the district, shall also  
47 be indicated thereon. The name of the county clerk shall be a  
48 facsimile of his signature. Below the last stated words extending

1 across the ballot and at the extreme left shall be printed the words  
2 "Instructions to the voter," and immediately to the right there shall  
3 be a bracket embracing the following instructions numbered  
4 consecutively:

5 (1) The only kind of a mark to be made on this ballot in voting  
6 shall be a cross x, plus + or check **【?】** ✓.

7 (2) To mark a cross x, plus +, check **【?】** ✓ or when writing a  
8 name on this ballot use only ink or pencil.

9 (3) To vote for any candidates whose names are printed in any  
10 column, mark a cross x, plus + or check **【?】** ✓ in the square at the  
11 left of the names of such candidates not in excess of the number to  
12 be elected to the office.

13 (4) To vote for any person whose name is not printed on this  
14 ballot, write or paste the name of such person under the proper title  
15 of office in the column designated personal choice and mark a cross  
16 x, plus + or check **【?】** ✓ in the square to the left of the name so  
17 written or pasted.

18 (5) To vote upon any public question printed on this ballot if in  
19 favor thereof, mark a cross x, plus + or check **【?】** ✓ in the square  
20 at the left of the word "Yes," and if opposed thereto, mark a cross x,  
21 plus + or check **【?】** ✓ in the square at the left of the word "No."

22 (6) Do not mark this ballot in any other manner than above  
23 provided for and make no erasures. Should this ballot be wrongly  
24 marked, defaced, torn or any erasure made thereon or otherwise  
25 rendered unfit for use return it and obtain another. In presidential  
26 years, the following instructions shall be printed upon the general  
27 election ballot:

28 (7) To vote for all the electors of any party, mark a cross x, plus  
29 + or check **【?】** ✓ in ink or pencil in the square at the left of the  
30 surnames of the candidates for president and vice-president for  
31 whom you desire to vote.

32 Below the above-stated instructions and information and, except  
33 when compliance with R.S.19:14-13 as to Statewide propositions  
34 otherwise requires, three inches below the perforated line and  
35 parallel to it, there shall be printed a six-point diagram rule  
36 extending across the ballot to within not less than a half inch to the  
37 right and left edges of the paper.

38 (cf: P.L.2011, c.202, s.26)

39

40 4. R.S.19:14-8 is amended to read as follows:

41 19:14-8. In the columns of each of the political parties which  
42 made nominations at the next preceding primary election to the  
43 general election and in the personal choice column, within the space  
44 between the two-point hair line rules, there shall be printed the title  
45 of each office to be filled at such election, except as hereinafter  
46 provided.

1 Such titles of office shall be arranged in the following order:  
2 electors of President and Vice-President of the United States;  
3 member of the United States Senate; Governor; member of the  
4 House of Representatives; member of the State Senate; members of  
5 the General Assembly; county executive, in counties that have  
6 adopted the county executive plan of the "Optional County Charter  
7 Law," P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff; county clerk;  
8 surrogate; register of deeds and mortgages; county supervisor;  
9 members of the board of chosen freeholders; coroners; mayor and  
10 members of municipal governing bodies, and any other titles of  
11 office. Candidates for members of a school board or board of fire  
12 commissioners, when appropriate, shall be listed in a section of the  
13 ballot that is separate from the section featuring other candidates  
14 whenever possible in a layout at the discretion of the county clerk.  
15 Above each of such titles of office, except the one at the top, shall  
16 be printed a two-point diagram rule in place of the two-point hair  
17 line rule. Below the titles of such offices shall be printed the names  
18 of the candidates for the offices.

19 The arrangement of the names of candidates for any office for  
20 which more than one are to be elected shall be determined in the  
21 manner hereinafter provided, as in the case of candidates nominated  
22 by petition.

23 When no nomination for an office has been made the words "No  
24 Nomination Made" in type large enough to fill the entire space or  
25 spaces below the title of office shall be printed upon the ballot.

26 Immediately to the left of the name of each candidate, at the  
27 extreme left of each column, including the personal choice column,  
28 shall be printed a square, one-quarter of an inch in size, formed by  
29 two-point diagram rules. In the personal choice column no names of  
30 candidates shall be printed.

31 To the right of the title of each office in the party columns and  
32 the personal choice column shall be printed the words "Vote for,"  
33 inserting in words the number of persons to be elected to such  
34 office.

35 (cf: P.L.2011, c.202, s.27)

36

37 5. R.S.19:14-10 is amended to read as follows:

38 19:14-10. In the column or columns designated as nominations  
39 by petition, within the space between the two-point hair line rules,  
40 there shall be printed the title of each office for which nominations  
41 by petition have been made.

42 Such titles of office shall be arranged in the following order:  
43 electors of President and Vice-President of the United States;  
44 member of the United States Senate; Governor and Lieutenant  
45 Governor; member of the House of Representatives; member of the  
46 State Senate; members of the General Assembly; county executive,  
47 in counties that have adopted the county executive plan of the  
48 "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et



1 seq.); sheriff; county clerk; surrogate; register of deeds and  
2 mortgages; county supervisor; members of the board of chosen  
3 freeholders; coroners; mayor and members of municipal governing  
4 bodies; members of the school board or the board of fire  
5 commissioners, when appropriate, and any other titles of office.

6 Above each of the titles of office, except the one on the top, shall  
7 be printed a two-point diagram rule in place of the two-point hair  
8 line rule. Below the titles of each of the offices shall be printed the  
9 names of each of the candidates for each of such offices followed  
10 by the designation or designations mentioned in the petitions filed.

11 Immediately to the left of the name of each candidate, at the  
12 extreme left of the column, shall be printed a square, one-quarter of  
13 an inch in size formed by two-point diagram rules.

14 The names of candidates for any office for which more than one  
15 are to be elected shall be arranged in groups as presented in the  
16 several certificates of nominations or petitions, which groups shall  
17 be separated from other groups and candidates by two two-point  
18 hair line rules.

19 To the right of the title of each office shall be printed the words  
20 "Vote for " inserting in words the number of candidates to be  
21 elected to such office.

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

23

24 6. R.S.19:14-13 is amended to read as follows:

25 19:14-10. All public questions to be voted upon by the voters of  
26 the entire State shall be placed first and shall be printed in the order  
27 as certified by the Secretary of State. All public questions to be  
28 voted for by the voters of a municipality shall be placed second and  
29 shall be printed in the order as determined by the drawing of lots by  
30 the county clerk. All public questions to be voted for by the voters  
31 of a county shall be placed **【last】** third and shall be printed in the  
32 order as determined by the drawing of lots by the county clerk. The  
33 county clerk shall draw lots in substantially the same manner as the  
34 drawing is made for the arrangement of candidates' names upon the  
35 ballot. All public questions to be voted for by the voters of a fire  
36 district, when appropriate, shall be placed last and shall be printed  
37 in the order as determined by the drawing of lots by the board of  
38 fire commissioners. As soon as that order is determined, the board  
39 shall so notify the clerk of the county in which the fire district is  
40 located so it can be included in the ballot for the general election,  
41 when appropriate.

42 (cf: P.L.1979, c.191, s.1)

43

44 7. R.S.19:14-16 is amended to read as follows:

45 19:14-16. The words to be printed on the perforated coupon  
46 shall be printed in twelve-point bold-faced capital letters and the  
47 figures in eighteen and twenty-two-point bold-faced type. At the  
48 head of the ballot the words "Official General Election Ballot" shall

1 be printed in at least thirty-point bold-faced capital letters. The  
2 name of municipality, ward, school district, fire district, election  
3 district, and date, as appropriate, shall be printed in twelve-point  
4 bold-faced capital letters. The words "Instructions to the voter"  
5 shall be printed in twelve-point bold-faced capitals and small  
6 letters, while the instructions embraced within the brackets shall be  
7 printed in eight-point bold-faced capital and small letters. The  
8 column designations shall be printed in eighteen-point bold-faced  
9 capital letters and the accompanying instructions shall be printed in  
10 eight-point capitals and small letters. The titles of office and  
11 accompanying instructions shall be printed in ten-point bold-faced  
12 capital and small letters. When there is no nomination made at the  
13 primary for an office, the title shall be printed in the space where  
14 such title should appear, and the words "No Nomination Made" in  
15 type large enough to fill the entire space or spaces shall be printed  
16 therein. The names of all candidates shall be printed in ten-point  
17 capital letters. The designations following the candidates' names in  
18 the nomination by petition column or columns shall be printed in  
19 ten-point capitals and small letters, except that where they overrun  
20 the space within the column the designations may be abbreviated,  
21 and all spaces between the two-point hair line rules not occupied by  
22 the titles of office and names of candidates shall be printed in with  
23 scroll or filling to guide the voter against wrongly marking the  
24 ballot. On the foot of the ballot the words "Public Questions to be  
25 Voted Upon" shall be printed in eighteen-point bold-faced capital  
26 letters. The accompanying instructions shall be printed in eight-  
27 point capital and small letters. The public questions to be voted  
28 upon shall be printed in ten-point capital and small letters, and the  
29 words "Yes" and "No" shall be printed in twelve-point bold-faced  
30 capital letters.

31 (cf: P.L.2011, c.202, s.29)

32

33 8. R.S.19:14-22 is amended to read as follows:

34 19:14-22. The official general election sample ballots shall be  
35 as nearly as possible facsimiles of the official general election  
36 ballot to be voted at such election and shall have printed thereon,  
37 after the words which indicate the number of the election district for  
38 which such sample ballots are printed, the name of the school  
39 district, when appropriate, the name and municipality or  
40 municipalities of the fire district, when appropriate, the street  
41 address or location of the polling place in the election district, the  
42 hours between which the polls shall be open, and shall be printed on  
43 paper different in color from the official general election ballot, and  
44 have the following words printed in large type at the top: "This  
45 ballot cannot be voted. It is a sample copy of the official general  
46 election ballot used on election day."

47 (cf: P.L.2011, c.202, s.30)

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

3       1. a. Except as otherwise provided in this section, an annual  
4 school election shall be held in a type II district on the third  
5 Tuesday in April. However, in any school year, the Commissioner  
6 of Education shall make any adjustments to the school budget and  
7 election calendar which may be necessary to change the annual  
8 school election date or any other school budget and election  
9 calendar date if that date coincides with a period of religious  
10 observance that limits significantly the usual activities of the  
11 followers of a particular religion or that would result in significant  
12 religious consequences for such followers. The commissioner shall  
13 inform local school boards, county clerks and boards of elections of  
14 these adjustments no later than the first working day in January of  
15 the year in which the adjustments are to occur.

16       As used in this subsection "a period of religious observance"  
17 means any day or portion thereof on which a religious observance  
18 imposes a substantial burden on an individual's ability to vote.

19       An annual school election shall be held simultaneously with the  
20 general election on the first Tuesday after the first Monday in  
21 November in school districts in which the annual school election  
22 has been moved to that date pursuant to subsection a. of section 1 of  
23 P.L.2011, c.202 (C.19:60-1.1) **[or]**, pursuant to section 1 of  
24 P.L.2012, c.78 (C.19:60-1.2), or pursuant to section 14 of P.L. ,  
25 c. (C. ) (pending before the Legislature as this bill). The annual  
26 school election in November shall be for the purpose of submitting  
27 a proposal to the voters for the approval of additional funds in a  
28 type II district without a board of school estimate pursuant to  
29 paragraph (9) of subsection d. of section 5 of P.L.1996,  
30 c.138 (C.18A:7F-5), for the purpose of electing members of the  
31 board of education, and for any other purpose authorized by law.

32       b. All school elections shall be by ballot and, except as  
33 otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be  
34 conducted in the manner provided for general elections pursuant to  
35 Title 19 of the Revised Statutes. No grouping of candidates or  
36 party designation shall appear on any ballot to be used in a school  
37 election.

38 (cf: P.L.2012, c.78, s.5)

39

40       10. Section 1 of P.L.2011, c.202 (C.19:60-1.1) is amended to  
41 read as follows:

42       1. a. (1) The question of moving the date of a school district's  
43 annual school election to the first Tuesday after the first Monday in  
44 November, to be held simultaneously with the general election,  
45 shall be submitted to the legal voters of a local or regional school  
46 district, other than a Type II district with a board of school estimate,  
47 whenever a petition signed by not less than 15% of the number of  
48 legally qualified voters who voted in the district at the last

1 preceding general election held for the election of electors for  
2 President and Vice-President of the United States is filed with the  
3 board of education. The question shall be submitted to the voters of  
4 the district at the next general election, provided that at least 60  
5 days have lapsed since the date of the filing of the petition. In the  
6 event that the question is not approved by the voters, no petition  
7 may be filed to submit the question to the voters within one year  
8 after an election shall have been held pursuant to any petition filed  
9 pursuant to this subsection.

10 The date of the annual school election may be moved to the first  
11 Tuesday after the first Monday in November without voter  
12 approval, upon the adoption of a resolution by the board of  
13 education of a local or regional school district, other than a Type II  
14 district with a board of school estimate, or the governing body or  
15 bodies of the municipality or municipalities constituting the district.  
16 Prior to holding a meeting for the adoption of the resolution to  
17 move the date of the annual school election, the governing body or  
18 bodies of the municipality or municipalities constituting the district  
19 shall provide adequate notice of the meeting to the affected board or  
20 boards of education.

21 (2) In the event that the date of a school district's annual school  
22 election is moved to the day of the general election, the annual  
23 school election in November shall be held for the purpose of  
24 submitting a proposal to the voters for approval of additional funds  
25 pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996,  
26 c.138 (C.18A:7F-5), for the purpose of electing members of the  
27 board of education, and for any other purpose authorized by law. A  
28 vote shall not be required on the district's general fund tax levy for  
29 the budget year, other than the general fund tax levy required to  
30 support a proposal for additional funds.

31 (3) In addition to the process set forth in paragraph (1) of this  
32 subsection, in the event that all the constituent districts of a limited  
33 purpose regional school district approve moving the date of their  
34 annual school elections to November, by any of the procedures  
35 established pursuant to this subsection, then the annual school  
36 election for the limited purpose regional school district shall also be  
37 conducted simultaneously with the general election.

38 (4) In the event that the date of a school district's annual school  
39 election is moved to the day of the general election pursuant to this  
40 subsection, the board of education and the county board of elections  
41 shall enter into an agreement, pursuant to guidelines established by  
42 the Secretary of State, under which the board of education shall pay  
43 any agreed upon increase in the costs, charges, and expenses that  
44 may be associated with holding the school election simultaneously  
45 with the general election.

46 b. (1) In the case of a school district that has moved the date  
47 of its annual school election to November pursuant to subsection a.  
48 of this section, the question of moving the date of the school

1 district's annual school election to the third Tuesday in April shall  
2 be submitted to the legal voters of a local or regional school district,  
3 other than a Type II district with a board of school estimate,  
4 whenever a petition signed by not less than 15% of the number of  
5 legally qualified voters who voted in the district at the last  
6 preceding general election held for the election of electors for  
7 President and Vice-President of the United States is filed with the  
8 board of education. The question shall be submitted to the voters of  
9 the district at the next general election, provided that at least 60  
10 days have lapsed since the date of the filing of the petition.

11 The date of the annual school election may be moved to the third  
12 Tuesday in April without voter approval, upon the adoption of a  
13 resolution by the board of education of a local or regional school  
14 district, other than a Type II district with a board of school estimate,  
15 or the governing body or bodies of the municipality or  
16 municipalities constituting the district. Prior to holding a meeting  
17 for the adoption of the resolution to move the date of the annual  
18 school election, the governing body or bodies of the municipality or  
19 municipalities constituting the district shall provide adequate notice  
20 of the meeting to the affected board or boards of education.

21 No resolution may be adopted and no petition may be filed  
22 pursuant to this subsection until at least four annual school elections  
23 have been held in November.

24 (2) In the event that the date of the annual school election is  
25 moved to the third Tuesday in April, a vote shall be held on the  
26 district's general fund tax levy for the budget year including any  
27 proposal for additional funds pursuant to paragraph (9) of  
28 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), the  
29 election of members of the board of education, and for any other  
30 purpose authorized by law.

31 (3) In addition to the process set forth in paragraph (1) of this  
32 subsection, in the event that all the constituent districts of a limited  
33 purpose regional school district approve moving the date of their  
34 annual school elections to the third Tuesday in April, by any of the  
35 procedures established pursuant to this subsection, then the annual  
36 school election for the limited purpose regional school district shall  
37 also be conducted on the third Tuesday in April. **】** (Deleted by  
38 amendment, P.L. , c. ) (pending before the Legislature as this  
39 bill)

40 c. Notice, in writing, to change the date of a school election  
41 from the third Tuesday in April to the first Tuesday in November  
42 shall be given to the county clerk no less than 60 days prior to the  
43 third Tuesday in April to take effect for that year's election. **【**For a  
44 change from the first Tuesday in November to the third Tuesday in  
45 April, notice must be given to the county clerk no less than 85 days  
46 prior to the third Tuesday in April to take effect for that year's  
47 election.**】** Timely notice shall also be given by the board of  
48 education or municipal governing body adopting such resolution to

1 any other affected boards of education and municipal governing  
2 bodies.  
3 (cf: P.L.2013, c.172, s.5)  
4

5 11. Section 1 of P.L.2012, c.78 (C.19:60-1.2) is amended to read  
6 as follows:

7 1. a. Notwithstanding any other law or regulation to the  
8 contrary, a Type II district with a board of school estimate may  
9 move the date of the school district's annual school election  
10 pursuant to the provisions of section 1 of P.L.2011, c.202 (C.19:60-  
11 1.1).

12 b. Notwithstanding any other law or regulation to the contrary,  
13 in the event that the date of the annual school election is moved to  
14 the day of the general election in a Type II district with a board of  
15 school estimate, the election shall be held for the purpose of  
16 electing members of the board of education and for any other  
17 purpose authorized by law. The board of school estimate shall not  
18 determine the district's general fund tax levy for the budget year,  
19 other than the general fund tax levy required to support a proposal  
20 for additional funds pursuant to paragraph (9) of subsection d. of  
21 section 5 of P.L.1996, c.138 (C.18A:7F-5).

22 c. **【**Notwithstanding any other law or regulation to the  
23 contrary, in a Type II district with a board of school estimate that  
24 has moved the date of its annual school election to November and  
25 subsequently moves the annual school election to the third Tuesday  
26 in April, a vote shall be held for the purpose of electing members of  
27 the board of education and for any other purpose authorized by law.  
28 The board of school estimate shall determine the district's general  
29 fund tax levy for the budget year, including any proposal for  
30 additional funds pursuant to paragraph (9) of subsection d. of  
31 section 5 of P.L.1996, c.138 (C.18A:7F-5).**】** (Deleted by  
32 amendment, P.L. , c. ) (pending before the Legislature as this  
33 bill)

34 (cf: P.L.2012, c.78, s.1)  
35

36 12. Section 2 of P.L.1995, c.278 (C.19:60-2) is amended to read  
37 as follows:

38 2. a. Except as otherwise provided pursuant to subsection c. of  
39 this section, the board of education of a type II district may call a  
40 special election of the legal voters of the district on only the **【**fourth  
41 Tuesday in January, the second Tuesday in March, the last Tuesday  
42 in September, or the second Tuesday in December**】** the first  
43 Tuesday after the first Monday in November when in its judgment  
44 the interests of the schools require such an election. The board of  
45 education shall give the municipal clerk or clerks, as the case may  
46 be, and the county board of elections no less than 60 days' notice, in  
47 writing, of its intention to hold a special election.

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

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

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

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

17

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

20       4. The secretary of each board of education shall, not later than  
21 10 o'clock a.m. of the 18th day preceding the annual April school  
22 election or a special school election, make and certify and forward  
23 to the clerk of the county in which the school district is located a  
24 statement designating the 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       The secretary of each board of education of a school district in  
29 which the annual school election has been moved to November  
30 pursuant to subsection a. of section 1 of P.L.2011, c.202 (C.19:60-  
31 1.1) or section 14 of P.L. , c. (C. ) (pending before the  
32 Legislature as this bill), not later than 10 o'clock a.m. of the 60th  
33 day preceding the November school election, shall make and certify  
34 and forward to the clerk of the county in which the school district is  
35 located a statement designating any public question to be voted  
36 upon by the voters of the district which may be required pursuant to  
37 the provisions of P.L.1995, c.278 (C.19:60-1 et al.) or Title 18A of  
38 the New Jersey Statutes.

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

40

41       14. (New section) a. Notwithstanding the provisions of any  
42 law, rule, or regulation to the contrary, in any school district in  
43 which, on the effective date of this act, P.L. , c. (pending before  
44 the Legislature as this bill), the annual school election has not been  
45 moved to the date of the general election on the first Tuesday after  
46 the first Monday in November pursuant to subsection a. of section 1  
47 of P.L.2011, c.202 (C.19:60-1.1) or pursuant to section 1 of  
48 P.L.2012, c.78 (C.19:60-1.2), the board of education of the local or

1 regional school district, or the governing body or bodies of the  
2 municipality or municipalities constituting the district, shall cause  
3 the annual school election to be moved to the date of the general  
4 election in accordance with the provisions of this section.

5 b. (1) Within 12 months following the effective date of this  
6 act, the date of the annual school election shall be moved to the first  
7 Tuesday after the first Monday in November without voter  
8 approval, upon the adoption of a resolution by the board of  
9 education of a local or regional school district, including a Type II  
10 district with a board of school estimate, or the governing body or  
11 bodies of the municipality or municipalities constituting the district.  
12 Prior to holding a meeting for the adoption of the resolution to  
13 move the date of the annual school election, the governing body or  
14 bodies of the municipality or municipalities constituting the district  
15 shall provide adequate notice of the meeting to the affected board or  
16 boards of education.

17 (2) Once the date of a school district's annual school election is  
18 moved to the date of the general election, the annual school election  
19 in November shall be held for the purpose of submitting a proposal  
20 to the voters for approval of additional funds pursuant to paragraph  
21 (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5),  
22 for the purpose of electing members of the board of education, and  
23 for any other purpose authorized by law. A vote shall not be  
24 required on the district's general fund tax levy for the budget year,  
25 other than the general fund tax levy required to support a proposal  
26 for additional funds.

27 (3) In addition to the process set forth in paragraph (1) of this  
28 subsection, all the constituent districts of a limited purpose regional  
29 school district shall approve moving the date of their annual school  
30 elections to November, by any of the procedures established  
31 pursuant to this subsection, and the annual school election for the  
32 limited purpose regional school district shall also be conducted  
33 simultaneously with the general election.

34 (4) Once the date of a school district's annual school election is  
35 moved to the day of the general election pursuant to this subsection,  
36 the board of education and the county board of elections shall enter  
37 into an agreement, pursuant to guidelines established by the  
38 Secretary of State, under which the board of education shall pay any  
39 agreed upon increase in the costs, charges, and expenses that may  
40 be associated with holding the school election simultaneously with  
41 the general election.

42 c. Notice, in writing, to change the date of a school election  
43 from the third Tuesday in April to the first Tuesday after the first  
44 Monday in November shall be given to the county clerk no less than  
45 60 days prior to the third Tuesday in April to take effect for that  
46 year's election. Timely notice shall also be given by the board of



1 education or municipal governing body adopting such resolution to  
2 any other affected boards of education and municipal governing  
3 bodies.

4  
5 15. Section 9 of P.L.2009, c.79 (C.19:63-9) is amended to read  
6 as follows:

7 9. a. Starting on or before the 45th day before the day an  
8 election is held, each county clerk shall forward mail-in ballots by  
9 first-class postage or hand delivery to each mail-in voter whose  
10 request therefor has been approved. Mail-in ballots that have been  
11 approved before the 45th day before an election shall be forwarded  
12 or delivered at least 45 days before the day of the election. Hand  
13 delivery of a mail-in ballot shall be made by the county clerk or the  
14 clerk's designee only to the voter, or the voter's authorized  
15 messenger, who must appear in person. No person shall serve as an  
16 authorized messenger for more than three qualified voters in an  
17 election. Ballots that have not been hand delivered shall be  
18 addressed to the voter at the forwarding address given in the  
19 application.

20 b. (1) Whenever the clerk forwards a mail-in ballot by mail to  
21 a mail-in voter between the 45th day and the 13th day before the  
22 day of an election, the ballot shall be transmitted within three  
23 business days of the receipt of the application.

24 (2) Whenever the clerk forwards a mail-in ballot by mail to a  
25 mail-in voter between the 12th day and the seventh day before the  
26 day of an election, the ballot shall be transmitted within two  
27 business days of the receipt of the application.

28 The provisions of this subsection shall not apply to: (a) annual  
29 school elections and special school elections in those school  
30 districts holding such elections, pursuant to P.L.1995,  
31 c.278 (C.19:60-1 et seq.); (b) any municipality in which elections  
32 are conducted by mail, pursuant to P.L.2005, c.148 (C.19:62-1 et  
33 seq.); (c) annual elections for members of the boards of fire district  
34 commissions, pursuant to N.J.S.40A:14-72; and (d) the vote on any  
35 public question submitted to the voters of a local unit to increase  
36 the amount to be raised by taxation by more than the allowable  
37 adjusted tax levy, pursuant to section 11 of P.L.2007,  
38 c.62 (C.40A:4-45.46). Notwithstanding the foregoing, the  
39 provisions of this subsection shall apply to annual school elections,  
40 special school elections, and annual elections for members of the  
41 boards of fire district commissions when those elections are held on  
42 the day of the general election on the first Tuesday after the first  
43 Monday in November.

44 c. (Deleted by amendment, P.L.2011, c.37).  
45 (cf: P.L.2015, c.84, s.3)

46  
47 16. Section 2 of P.L.1981, c.379 (C.40:45-6) is amended to read  
48 as follows:

1       2. This act shall govern all municipalities having adopted a  
2 plan or form of government, or a charter, which provides for the  
3 election of municipal officers at regular municipal elections held on  
4 the second Tuesday in May, or having chosen to hold such elections  
5 on the day of the general election in November pursuant to  
6 subsection a. of section 1 of P.L.2009, c.196 (C.40:45-7.1), or  
7 pursuant to section 21 of P.L. , c. (C. ) (pending before the  
8 Legislature as this bill), including municipalities holding regular  
9 municipal elections under the "Optional Municipal Charter Law,"  
10 P.L.1950, c.210 (C.40:69A-1 et seq.), under the "commission form  
11 of government law" (R.S.40:70-1 et seq.), under the "municipal  
12 manager form of government law" N.J.S.40A:63-8, under the  
13 "village form of government" (R.S.40:157-16 et seq.), or under any  
14 plan or form of government, or charter, hereafter authorized which  
15 provides for the holding of regular municipal elections at that time.  
16 This act shall govern these municipalities only with respect to the  
17 time, manner and method of election of municipal officers. The  
18 officers to be elected, and their number, the length of their terms of  
19 office, and their powers and responsibilities shall be determined by  
20 the laws authorizing the plan or form of government, or charter,  
21 which the municipalities have adopted.

22 (cf: P.L.2009, c.196, s.3)

23  
24       17. Section 3 of P.L.1981, c.379 (C.40:45-7) is amended to read  
25 as follows:

26       3. Except as may otherwise be provided by law for initial  
27 elections conducted in a municipality following its adoption of a  
28 plan or form of government, or a charter or an amendment thereto,  
29 regular municipal elections shall be held in each municipality  
30 governed by this act on the second Tuesday in May, or the day of  
31 the general election in November if chosen by the municipality  
32 pursuant to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-  
33 7.1), or pursuant to section 21 of P.L. , c. (C. ) (pending before  
34 the Legislature as this bill), in the years in which municipal officers  
35 are to be elected. The municipal election shall be held at the same  
36 place or places and conducted in the same manner, so far as  
37 possible, as the general election. The election officers shall be  
38 those provided for conducting the general election.

39       Notwithstanding the provisions of this section, the Secretary of  
40 State may change in any year the date provided for a regular  
41 municipal election if the date coincides with a period of religious  
42 observance that limits significantly the usual activities of the  
43 followers of a particular religion or that would result in significant  
44 religious consequences for such followers. The secretary shall  
45 inform the municipal clerks, county clerks and boards of election of  
46 the adjustment no later than the first working day in January of the  
47 year in which the adjustments are to occur.

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

4 (cf: P.L.2009, c.196, s.4)

5  
6 18. Section 1 of P.L.2009, c.196 (C.40:45-7.1) is amended to  
7 read as follows:

8 1. a. Any municipality governed by the provisions of the  
9 "Uniform Nonpartisan Elections Law," P.L.1981, c.379 (C.40:45-5  
10 et seq.) may, by ordinance, choose to hold regular municipal  
11 elections on the day of the general election, the Tuesday after the  
12 first Monday in November.

13 b. Once a municipality has chosen to change the day of the  
14 regular municipal election to the day of the general election in  
15 November, it shall not be permitted to change the day of the  
16 election back to the second Tuesday in May [until: (1) at least 10  
17 years have passed since the adoption of the ordinance changing the  
18 date of the municipal election to the day of the general election; and  
19 (2) a new ordinance providing for regular municipal elections to  
20 occur on the second Tuesday in May is adopted by the  
21 municipality's governing body].

22 c. The term of any person in office on the date of the adoption  
23 of such an ordinance shall be extended until the beginning of the  
24 term of the person elected to that office on the day of the general  
25 election in November.

26 (cf: P.L.2009, c.196, s.1)

27  
28 19. Section 2 of P.L.2009, c.196 (C.40:45-7.2) is amended to  
29 read as follows:

30 2. Whenever a municipality has passed an ordinance pursuant  
31 to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-7.1) or  
32 pursuant to section 21 of P.L. , c. (C. ) (pending before the  
33 Legislature as this bill), the clerk of the county in which the  
34 municipality is located shall arrange the ballot for each subsequent  
35 general election to:

36 a. include those candidates for election to public office in the  
37 municipality that has adopted a form of government that provides  
38 for the holding of a regular municipal election on the second  
39 Tuesday in May but will be holding that election at the general  
40 election in November;

41 b. ensure that there is a clear separation between each  
42 candidate described in subsection a. of this section, each candidate  
43 for another public office who has been nominated for that office by  
44 a political party in the immediately preceding primary election and  
45 each candidate nominated directly by petition, so that there is no  
46 discernable alignment between candidates otherwise elected at a  
47 regular municipal election, candidates nominated by a political

1 party for any other public office and candidates nominated directly  
2 by petition; and

3 c. follow such provisions of the "Uniform Nonpartisan  
4 Elections Law," P.L.1981, c.379 (C.40:45-5 et seq.) as the clerk  
5 may deem feasible.

6 (cf: P.L.2009, c.196, s.2)

7

8 20. Section 11 of P.L.1981, c.379 (C.40:45-15) is amended to  
9 read as follows:

10 11. In the case of a regular municipal election occurring on the  
11 second Tuesday in May, the municipal clerk shall cause the ballots  
12 to be printed and authenticated by the clerk's signature. Upon the  
13 ballots shall be printed the title of each office to be filled. Under  
14 each of the titles of office shall be printed the names of the  
15 candidates for each office with a square to the left of each name.  
16 Below the names of the candidates for each office the words "vote  
17 for (insert number of positions to be filled at the election)." The  
18 ballot shall be printed upon plain, substantial white paper, and shall  
19 be substantially in the following form:

20 "Municipal election of (insert name of municipality), county of  
21 (insert name of county), held (insert the date of the election). To  
22 vote for any person make a cross ( x ) or plus (+) or a check ( X )  
23 mark in the square preceding the name. Vote for only as many  
24 persons as there are officers to be elected. If you wrongly mark the  
25 ballot, tear or deface it and return it to election officer and obtain a  
26 new ballot."

27 Blank spaces equal to the number of offices to be filled shall be  
28 left below the printed names of the candidates for each office to be  
29 voted, wherein the voter may write the name or names of any  
30 person or persons for whom he may wish to vote.

31 The municipal clerk shall deliver ballots to the election officials  
32 at each polling place equal in number to 110% of the number of  
33 registered voters in each election district, except that where voting  
34 machines are used ballots shall be furnished as otherwise provided  
35 by law.

36 In the case of a regular municipal election occurring on the day  
37 of the general election in November pursuant to subsection a. of  
38 section 1 of P.L.2009, c.196 (C.40:45-7.1) or pursuant to section 21  
39 of P.L. , c. (C. ) (pending before the Legislature as this bill),  
40 ballots shall be printed and delivered as otherwise provided by law.

41 (cf: P.L.2009, c.196, s.6)

42

43 21. (New section) a. Any municipality governed by the  
44 provisions of the "Uniform Nonpartisan Elections Law," P.L.1981,  
45 c.379 (C.40:45-5 et seq.) which, on the effective date of this act,  
46 P.L. , c. (pending before the Legislature as this bill), has not  
47 chosen to hold regular municipal elections on the day of the general

1 election on the first Tuesday after the first Monday in November  
2 pursuant to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-  
3 7.1), shall cause the municipal election to be moved to the day of  
4 the general election pursuant to this section.

5 b. Within 12 months following the effective date of this act, a  
6 municipality holding regular municipal elections on the second  
7 Tuesday in May shall adopt an ordinance to change the day of the  
8 regular municipal election to the day of the general election in  
9 November. The municipality shall not be permitted to change the  
10 day of the election back to the second Tuesday in May.

11 c. The term of any person in office on the date of the adoption  
12 of such an ordinance shall be extended until the beginning of the  
13 term of the person elected to that office on the day of the general  
14 election in November.

15  
16 22. Section 17-1 of P.L.1950, c.210 (C.40:69A-150) is amended  
17 to read as follows:

18 17-1. Regular municipal elections shall be held in each  
19 municipality on the second Tuesday in May, or on the day of the  
20 general election in November if chosen by the municipality  
21 pursuant to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-  
22 7.1), or pursuant to section 21 of P.L. , c. (C. ) (pending before  
23 the Legislature as this bill), in the years in which municipal officers  
24 are to be elected, where the election of such officers is not provided  
25 to be at the general election. Regular municipal elections shall be  
26 conducted pursuant to the "Uniform Nonpartisan Elections Law,"  
27 P.L.1981, c.379 (C.40:45-5 et seq.).  
28 (cf: P.L.2009, c.196, s.9)

29  
30 23. R.S.40:75-2 is amended to read as follows:

31 40:75-2. On the second Tuesday in May in every fourth year  
32 thereafter there shall be elected at a regular municipal election held  
33 pursuant to the "Uniform Nonpartisan Elections Law," P.L.1981,  
34 c.379 (C.40:45-5 et seq.), the number of persons as hereinbefore  
35 provided as commissioners to serve for the term of 4 years and until  
36 their successors shall have been elected and duly qualified. The  
37 term of office of all succeeding commissioners shall commence at  
38 twelve o'clock noon on the third Tuesday of May next ensuing their  
39 election.

40 If the election is held on the day of the general election in  
41 November pursuant to subsection a. of section 1 of P.L.2009,  
42 c.196 (C.40:45-7.1) or pursuant to section 21 of P.L. ,  
43 c. (C. ) (pending before the Legislature as this bill), the term of  
44 office of commissioners elected shall commence at twelve o'clock  
45 noon on January 1 next following their election.  
46 (cf: P.L.2009, c.196, s.11)

1 24. R.S.40:81-5 is amended to read as follows:

2 40:81-5. Except as otherwise provided by referendum of the  
3 voters, on the second Tuesday of May of the fourth year following  
4 such first election and on the second Tuesday of May of every  
5 fourth year thereafter, there shall be elected the number of electors  
6 hereinbefore prescribed of like qualifications to serve as members  
7 of the municipal council for the term of 4 years and until their  
8 successors shall have been elected and duly qualified or unless their  
9 places become vacant. The term of office of councilmen  
10 subsequently elected shall commence on July 1 next ensuing their  
11 election at 12 o'clock noon. Elections shall be conducted pursuant  
12 to the "Uniform Nonpartisan Elections Law," P.L.1981,  
13 c.379 (C.40:45-5 et al.).

14 If the election is held on the day of the general election in  
15 November pursuant to subsection a. of section 1 of P.L.2009,  
16 c.196 (C.40:45-7.1) or pursuant to section 21 of P.L. \_\_\_\_\_,  
17 c. (C. ) (pending before the Legislature as this bill), the term of  
18 office of councilmen elected shall commence at 12 o'clock noon on  
19 January 1 next following their election.

20 (cf: P.L.2009, c.196, s.12)

21

22 25. R.S.40:84-11 is amended to read as follows:

23 40:84-11. In cases provided for in this article the municipal  
24 election to be held in accordance with the "Uniform Nonpartisan  
25 Elections Law," P.L. 1981, c.379 (C. 40:45-5 et seq.) shall be held  
26 on the second Tuesday in May or on the day of the general election  
27 in November if chosen by the municipality pursuant to subsection a.  
28 of section 1 of P.L.2009, c.196 (C.40:45-7.1), or pursuant to section  
29 21 of P.L. \_\_\_\_\_, c. (C. ) (pending before the Legislature as this bill),  
30 in each year, and the number of persons to be elected at municipal  
31 elections shall be equal to the number of vacancies which are then  
32 to be filled, and the terms of office of the persons so elected shall be  
33 3 years and until their successors are elected and qualified.

34 (cf: P.L.2009, c.196, s.14)

35

36 26. N.J.S.40A:14-71 is amended to read as follows:

37 40A:14-71. **【Candidates】** a. For an election of the first board  
38 held pursuant to N.J.S.40A:14-70, and for annual elections held on  
39 the third Saturday in February, candidates for membership on the  
40 board shall be nominated by verified petitions and the procedures  
41 set forth in this subsection shall apply. Any such petition shall be  
42 in writing, addressed to the municipal clerk or the clerk of the  
43 board, as the case may be, stating that the signers thereof are  
44 qualified voters and residents in the district and requesting that the  
45 name of the candidate be placed on the official ballot. The petition  
46 shall state the residence of the candidate and certify his  
47 qualification for membership. The candidate's consent to his  
48 nomination shall be annexed to the petition and shall constitute his

1 agreement to serve in the event of his election. The petition shall  
2 contain the name of only one candidate, but several petitions may  
3 nominate the same person. Each petition shall be signed by not less  
4 than 10 qualified voters and shall be filed at least 29 days before the  
5 date of the election.

6 Any form of a petition of nomination which is provided to  
7 candidates by the Secretary of State, the county clerk, or the  
8 municipal clerk shall contain the following notice: "Notice: All  
9 candidates are required by law to comply with the provisions of  
10 'The New Jersey Campaign Contributions and Expenditures  
11 Reporting Act,' P.L.1973, c.83 (C.19:44A-1 et seq.). For further  
12 information please call (insert telephone number of the Election  
13 Law Enforcement Commission)."

14 If a petition is found to be defective, either in form or substance,  
15 the municipal clerk or the clerk of the board, as the case may be,  
16 shall forthwith notify the candidate to cause it to be corrected  
17 before the petition is given consideration.

18 A candidate shall be permitted to sign or circulate, or both sign  
19 and circulate, the petition required to nominate that candidate for  
20 membership on the board.

21 b. For an election held on the date of the general election on  
22 the first Tuesday after the first Monday in November pursuant to  
23 the provisions of section 36 of P.L. , c. (C. ) (pending before the  
24 Legislature as this bill), candidates for membership on the board  
25 shall be nominated by petition for direct nomination pursuant to the  
26 procedures set forth in R.S.19:13-1 et seq. If such nomination is  
27 vacated for any of the reasons set forth in R.S.19:13-18, the  
28 vacancy may be filled pursuant to the provisions of R.S.19:13-19.  
29 (cf: P.L.2010, c.68, s.7)

30  
31 27. N.J.S.40A:14-72 is amended to read as follows:

32 40A:14-72. a. An election shall be held annually on the third  
33 Saturday in February, or on the date of the general election on the  
34 first Tuesday after the first Monday in November pursuant to the  
35 provisions of section 36 of P.L. , c. (C. ) (pending before  
36 the Legislature as this bill), when applicable, in each established  
37 fire district for the election of members of the board according to  
38 the expiration of terms. The initial election for a newly created fire  
39 district may take place on another date as a governing body may  
40 specify under of N.J.S.40A:14-70, but the annual election thereafter  
41 shall be held on the third Saturday in February, or on the first  
42 Tuesday after the first Monday in November pursuant to the  
43 provisions of section 36 of P.L. , c. (C. ) (pending before  
44 the Legislature as this bill), when applicable. The board shall  
45 publish notice of the closing date for the filing, with the clerk of the  
46 board, of petitions of nomination for membership on the board.  
47 Such notice shall be published at least once in a newspaper

1 circulating in the district, at least six weeks prior to the date fixed  
2 for the election.

3 **【The】** b. Except for elections held on the first Tuesday after  
4 the first Monday in November pursuant to the provisions of section  
5 36 of P.L. , c. (C. ) (pending before the Legislature as this  
6 bill), the place of the election shall be determined by the board and  
7 a notice thereof 【, and of the closing date for the filing with the  
8 clerk of the board of petitions of nomination for membership on the  
9 board,】 shall be published at least once in a newspaper circulating  
10 in the district, at least six weeks prior to the date fixed for the  
11 election. Fire districts located in the same municipality may  
12 combine the publication of their notices of election. For the  
13 purpose of this section, "notices of election" shall include the  
14 notices required to be published under section 【7 of P.L.1953,  
15 c.211 (C.19:57-7)】 6 of P.L.2009, c.79 (C.19:63-6).

16 c. The legal voters 【thereat】 at an annual election held on the  
17 third Saturday in February shall determine the amount of money to  
18 be raised for the ensuing year and determine such other matters as  
19 may be required.

20 d. The legal voters at an annual election held at the time of the  
21 general election on the first Tuesday after the first Monday in  
22 November pursuant to the provisions of section 36 of P.L. ,  
23 c. (C. ) (pending before the Legislature as this bill) shall  
24 determine the amount of money to be raised for the ensuing year  
25 only if such amount exceeds the permissible property tax levy  
26 increase as determined pursuant to sections 9 through 12 of  
27 P.L.2007, c.62 (C.40A:4-45.44 et seq.), and determine such other  
28 matters as may be required.

29 (cf: P.L.1994, c.181, s.1)

30

31 28. N.J.S.40A:14-73 is amended to read as follows:

32 40A:14-73. The ballots shall be written or printed on opaque  
33 paper, uniform in size and quality.

34 **【Each】** For a fire district election of the first board held pursuant  
35 to N.J.S.40A:14-70, and for annual elections held on the third  
36 Saturday in February, each ballot shall have at the top, a coupon, at  
37 least one inch wide extending across the ballot above a perforated  
38 line. The coupons shall be numbered consecutively. The coupon  
39 shall contain the following statements: "To be torn off by the Judge  
40 of Election" and "Fold to this line." Below the perforated line shall  
41 be printed or written, "Fire district election ballot," then the official  
42 designation of the fire district and polling place and date of the  
43 election. It shall bear the signature or facsimile signature of the  
44 municipal clerk, or the clerk of the board of fire commissioners, as  
45 the case may be. The heading shall be set apart from the body of the  
46 ballot by a marked-off space. In said space, the voters shall be  
47 instructed how to indicate their choice of candidates and the number



1 to be voted upon as follows: "To vote for any person whose name  
2 appears on this ballot mark a cross (X), plus (+) or check (✓) in ink  
3 or pencil in the place or square at the left of the name of such  
4 person." Underneath these instructions shall be directions as to the  
5 number of candidates to be voted for and the name of each qualified  
6 candidate, without grouping, to be placed according to the  
7 alphabetical order of their surnames.

8 The ballot shall be substantially as follows:

9 No.....

10 To be torn off by the Judge of Election.

11 Fold to this line.

12 .....

13 FIRE DISTRICT ELECTION BALLOT

14 Fire District No. 1

15 Township of Webster, Warren County

16 Date.....

17 Polling District No. 1 John Henry Doe,  
18 Unexcelled Fire House. Clerk.

19 To vote for any person whose name appears on this ballot mark a  
20 cross (X), plus (+) or check (✓) mark with ink or pencil in the  
21 place or square at the left of the name of such person.

22 For membership to Board of Fire Commissioners--

23 Full Term. Vote for Two.

24 [ ] Rutherford B. Fallon.

25 [ ] William F. Seibel.

26 [ ] James A. Stephens.

27 [ ] Thomas Templeton.

28 [ ]

29 [ ]

30 For membership to Board of Fire Commissioners--

31 Unexpired One-Year Term. Vote for One.

32 [ ] Francis R. Loori.

33 [ ] Arthur H. Patterson.

34 [ ]

35 using as much of the form as may be applicable to the current  
36 fire district election and extending the same to provide for cases not  
37 herein specified.

38 For a fire district election held on the date of the general election  
39 on the first Tuesday after the first Monday in November, the ballot  
40 shall be prepared in accordance with the provisions of Title 19 of  
41 the Revised Statutes.

42 (cf: P.L.1994, c.77, s.20)

43

44 29. N.J.S.40A:14-74 is amended to read as follows:

45 40A:14-74. **【The】** For a fire district election of the first board  
46 held pursuant to N.J.S.40A:14-70, and for annual elections held on  
47 the third Saturday in February, the municipal clerk or the clerk of  
48 the board of fire commissioners, as the case may be, shall cause a

1 further notice of the holding of such election to be published at least  
2 once not later than 1 week prior thereto in a newspaper circulating  
3 in said fire district.

4 At least 7 days prior to **【the】** such election the municipal clerk or  
5 the clerk of the board, as the case may be, shall obtain the registry  
6 list for the municipality or municipalities and election districts  
7 comprised within such fire district for the preceding general  
8 election. No person shall be permitted to vote at the election unless  
9 his name appears on the registry list or he shall have become of  
10 legal age and is otherwise qualified and shall file an application to  
11 vote with the clerk at least 2 days prior thereto.

12 For a fire district election held on the date of the general election  
13 on the first Tuesday after the first Monday in November pursuant to  
14 section 36 of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending before the  
15 Legislature as this bill), the voter registration procedures provided  
16 pursuant to R.S.19:31-1 et seq. shall apply.

17 (cf: P.L.1973, c.25, s.2)

18

19 30. N.J.S.40A:14-75 is amended to read as follows:

20 40A:14-75. **【The】** For a fire district election of the first board  
21 held pursuant to N.J.S.40A:14-70, and for annual elections held on  
22 the third Saturday in February, the superintendent of elections of  
23 any county having a superintendent of elections or the county board  
24 of elections of any county not having a superintendent of elections,  
25 may upon application of the board of commissioners of any fire  
26 district, loan or rent to said board, one or more voting machines  
27 owned by the county, for a period of time which does not conflict  
28 with any State, county, municipal or school district election, for the  
29 purpose of conducting a fire district election as required by law.  
30 The loan or rental of a voting machine or machines for this purpose  
31 shall be upon such terms and conditions as may be determined by  
32 the board of chosen freeholders of the county.

33 In any case in which voting machines are made available for  
34 such purpose, the use thereof for any fire district election shall be  
35 held as provided herein.

36 (cf: N.J.S.40A:14-75)

37

38 31. N.J.S.40A:14-76 is amended to read as follows:

39 40A:14-76. Upon petition of 25 or more voters, filed with the  
40 clerk of the board at least 20 days prior to the date of any annual  
41 election held on the third Saturday in February, after the first  
42 election, the board of fire commissioners, by resolution, may divide  
43 the fire district into 2 or more polling places.

44 The polls for any election of the first board held pursuant to  
45 N.J.S.40A:14-70, and for annual elections held on the third  
46 Saturday in February, shall be opened between the hours of 2:00  
47 and 9:00 P.M., but the board may designate a later closing hour on

1 the same day. The board shall furnish the necessary books for the  
2 entries of the names and addresses of the voters.  
3 (cf: N.J.S.40A:14-76)  
4

5 32. N.J.S.40A:14-77 is amended to read as follows:

6 40A:14-77. Before the opening of the polls for an election of the  
7 first board held pursuant to N.J.S.40A:14-70, and for annual  
8 elections held on the third Saturday in February, a public  
9 proclamation shall be made by the chairman of the board or the  
10 clerk or his or their representative as to the purpose of the voting.  
11 Two tellers for each polling place shall be appointed by the  
12 chairman or clerk and thereupon the polls shall be opened and the  
13 balloting shall continue without recess until the closing of the polls.  
14 Immediately after the close of the polls the clerk and tellers shall  
15 forthwith canvass the vote and certify the results. The clerk shall  
16 publicly announce the results.

17 (cf: N.J.S.40A:14-77)  
18

19 33. N.J.S.40A:14-78 is amended to read as follows:

20 40A:14-78. Any appropriation or other matter to be voted upon  
21 at such election shall be in the form of a question, placed upon the  
22 ballot immediately following the names of the candidates for  
23 members of the board of fire commissioners, in substantially the  
24 following form:

25 YES. (Question to be voted on)

26 NO.

27 The voter shall indicate his approval or opposition by making a  
28 cross (X), plus (+) or check (✓) mark in ink or pencil in the  
29 appropriate square.

30 Notwithstanding the provisions of this section to the contrary,  
31 any matter to be voted upon at an election held at the time of the  
32 general election on the first Tuesday after the first Monday in  
33 November pursuant to section 36 of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_)  
34 (pending before the Legislature as this bill) shall be in the form of a  
35 question placed upon the ballot in accordance with the requirements  
36 of Title 19 of the Revised Statutes.

37 (cf: P.L.1994, c.77, s.21)  
38

39 34. Section 8 of P.L.1979, c.453 (C.40A:14-78.4) is amended to  
40 read as follows:

41 8. The fire district budget shall be adopted, by a vote of a  
42 majority of the full membership of the fire commissioners, not later  
43 than 25 days prior to the annual election held on the third Saturday  
44 in February, or on the date of the general election on the first  
45 Tuesday after the first Monday in November pursuant to section 36  
46 of P.L. \_\_\_\_\_, c. \_\_\_\_\_ (C. \_\_\_\_\_) (pending before the Legislature as this bill),  
47 when applicable. The adopted budget shall be advertised after  
48 adoption. The advertisement shall contain a copy of the budget and

1 shall be published at least once in a newspaper circulating in the  
2 fire district at least 7 days prior to the annual election in February  
3 or November, as the case may be.

4 (cf: P.L.1979, c.453, s.8)

5  
6 35. Section 9 of P.L.1979, c.453 (C.40A:14-78.5) is amended to  
7 read as follows:

8 9. a. If at the annual election held **【**pursuant to N.J.S.40A:14-  
9 72】 on the third Saturday in February the question of finally  
10 adopting the budget pursuant to subsection c. of N.J.S.40A:14-72,  
11 or if at the annual election held on the first Tuesday after the first  
12 Monday in November the question of finally adopting a budget that  
13 exceeds the permissible property tax levy increase pursuant  
14 subsection d. of N.J.S.40A:14-72, is voted affirmatively upon by a  
15 majority of the legal voters voting in the election, the budget shall  
16 be considered finally adopted, and the board of fire commissioners  
17 shall certify the amount to be raised by taxation to support the  
18 district budget to the assessor of the municipality, pursuant to  
19 N.J.S.40A:14-79.

20 b. If at the annual election the question of finally adopting the  
21 budget pursuant to subsection c. of N.J.S.40A:14-72, or of finally  
22 adopting a budget that exceeds the permissible property tax levy  
23 increase pursuant to subsection d. of N.J.S.40A:14-72, is voted  
24 negatively upon by a majority of the legal voters voting in the  
25 election, the governing body of the municipality in which the fire  
26 district is located shall, by resolution of a majority of its full  
27 membership, within 30 days after the annual election and after a  
28 public hearing for which the legal voters of the fire district shall be  
29 given 5 days' advertised notice, and at which any interested person  
30 shall be heard, fix an annual budget for the fire district. The  
31 amount of each appropriation section of the budget so fixed shall  
32 not exceed the amount for each as previously voted upon at the  
33 annual election, except the appropriation for debt service which  
34 shall be included in the amount that is required to be paid. The  
35 governing body shall certify the amount to be raised by taxation to  
36 support the district budget as set forth in the final budget, to the  
37 assessor of the municipality, pursuant to N.J.S.40A:14-79.

38 c. Following the approval of a budget by the voters, or by the  
39 board of fire commissioners, as applicable, the Director of the  
40 Division of Local Government Services in the Department of  
41 Community Affairs may approve a budget amendment to provide  
42 for the anticipation of revenue from a public or private funding  
43 source which was not known at the time the budget was approved,  
44 and the appropriation thereof, provided the amount of the  
45 appropriation does not exceed the amount of the revenue received.

46 (cf: P.L.2011, c.153, s.1)

1       36. (New section) a. The question of moving the date of a fire  
2 district's annual election to the first Tuesday after the first Monday  
3 in November, to be held simultaneously with the general election,  
4 shall be submitted to the legal voters of a fire district whenever a  
5 petition is filed with the clerk of the board of fire commissioners,  
6 signed by not less than 15% of the number of legally qualified  
7 voters who voted in the fire district at the next preceding annual  
8 election for members of the board of fire commissioners. The  
9 question shall be submitted to the voters of the district at the next  
10 annual fire district election, provided that at least 60 days have  
11 lapsed since the date of the filing of the petition. In the event that  
12 the question is not approved by the voters, no petition may be filed  
13 to submit the question to the voters again within one year after an  
14 election shall have been held pursuant to any petition filed pursuant  
15 to this subsection.

16       The date of the annual fire district election may be moved to the  
17 day of the general election on the first Tuesday after the first  
18 Monday in November without voter approval upon the adoption of  
19 a resolution by the board of fire commissioners of a fire district.

20       The term of office of any fire district commissioner that expires  
21 at 12 o'clock noon on the first Tuesday in March of the year in  
22 which the election has been moved to the general election on the  
23 first Tuesday after the first Monday in November pursuant to this  
24 section shall be extended until noon on the first Tuesday in  
25 December of that same year. Any candidate to fill the office of  
26 commissioner that year shall be voted for at the general election  
27 held that year and shall take office at noon on the first Tuesday in  
28 December next occurring.

29       Any vacancy in the membership shall be filled by the remaining  
30 members until the next succeeding annual November election, at  
31 which time a resident of the district shall be elected for the  
32 unexpired term.

33       b. In the event that the date of a fire district's annual election is  
34 moved to the day of the general election on the first Tuesday after  
35 the first Monday in November, the fire district election shall be held  
36 for the purposes of electing members of the board, voting on any  
37 appropriation that exceeds the property tax levy increase, or other  
38 matter in accordance with the provisions of P.L.1971, c.197  
39 (C.40A:14-70 et seq.). The procedures for holding a fire district  
40 election in November shall be in accordance with the procedures  
41 provided for the general election under Title 19 of the Revised  
42 Statutes.

43       After moving the date of a fire district's annual election to the  
44 day of the general election on the first Tuesday after the first  
45 Monday in November, the date of the annual fire election shall be  
46 held at that time and shall not be changed.

47       c. Notwithstanding the provisions of this section to the  
48 contrary, the date of a fire district's annual election may not be

1 moved to the day of the general election on the first Tuesday after  
2 the first Monday in November by voter approval or by the adoption  
3 of a resolution by the board of fire commissioners of a fire district  
4 unless the boundaries of the fire district are coterminous with the  
5 boundaries of local election districts. The governing body of a  
6 municipality, or the governing bodies of two or more  
7 municipalities, as the case may be, shall redraw or otherwise  
8 consolidate the fire districts pursuant to a consolidation plan  
9 prepared in accordance with P.L.2015, c.279 (C.40A:14-90.1 et al.)  
10 to create a fire district that is coterminous with the boundaries of  
11 local election districts prior to any vote to move the fire district's  
12 annual election to the day of the general election pursuant to this  
13 section.

14

15 37. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill requires all school and nonpartisan municipal elections,  
21 and permits fire district elections, to be conducted on the day of  
22 general election, which is always held on the first Tuesday after the  
23 first Monday in November. The provisions would apply to annual  
24 and special elections conducted by these governing bodies.

25 Under current law, school districts conducting their annual  
26 elections in April, and nonpartisan municipalities conducting their  
27 annual elections in May, are permitted to move their elections to  
28 November. A school district's voters may file a petition to place the  
29 question of moving the election on the ballot for voter approval.  
30 Alternatively, the board of education or the governing body or  
31 bodies of the municipality or municipalities constituting the district  
32 may approve a resolution to do so. A nonpartisan municipality may  
33 move to a November election if the governing body of the  
34 municipality adopts an ordinance to do so. For both school districts  
35 and nonpartisan municipalities, the November election date may be  
36 moved back to April or May, respectively, by the same procedure,  
37 but municipalities must wait 10 years to do so.

38 This bill would eliminate the ability of school districts and  
39 nonpartisan municipalities that have moved their elections to  
40 November to move their elections back to April or May. The bill  
41 would also require school districts and nonpartisan municipalities  
42 that have not moved their elections to November under current law  
43 to do so within 12 months of the bill's effective date. Under the bill,  
44 these school districts and nonpartisan municipalities would  
45 accomplish the move through a resolution or ordinance, as the case  
46 may be, without the option of voter approval. As is the case for  
47 school districts that currently conduct their elections in November,  
48 once the school district moves its election to November the school

1 district's budget would be submitted to the voters only if it includes  
2 a proposal for additional funds exceeding the adjusted tax levy for  
3 the district.

4 The bill also allows fire districts that conduct their elections in  
5 February to move their election to the date of the general election in  
6 November. The move may be accomplished through a question  
7 placed on the ballot by petition of the voters. The election may also  
8 be moved to November without voter approval upon the adoption of  
9 a resolution by the board of fire commissioners of a fire district. If  
10 the election is moved to November, the term of the members  
11 serving would be extended until the new members have been  
12 elected. The annual fire district elections in November would be  
13 held for the purposes of electing members of the board, for voting  
14 on any appropriation only if it exceeds the permissible property tax  
15 levy increase, and other matters pursuant to law. Once moved to  
16 November, the fire district election would not be moved back to  
17 February.

18 Under the bill, because the geographic boundaries of fire districts  
19 are not always the same as those of local election districts, moving  
20 the fire district election to November is permissive and contingent  
21 upon the redrawing or consolidation of a fire district or districts.  
22 Specifically, the bill provides that the date of a fire district's annual  
23 election may not be moved to the day of the general election unless  
24 the boundaries of the fire district are coterminous with the  
25 boundaries of local election districts. The bill directs the governing  
26 body of a municipality, or the governing bodies of two or more  
27 municipalities, as the case may be, to redraw or otherwise  
28 consolidate the fire districts pursuant to a consolidation plan  
29 prepared in accordance with current law, to create a fire district that  
30 is coterminous with the boundaries of local election districts prior  
31 to any vote to move the fire district's annual election to the day of  
32 the general election.

33 Finally, the bill amends various provisions of law concerning  
34 certain election notices and the contents, layout, and mailing  
35 requirements of ballots to include references to all elections that  
36 would be conducted in November as provided in the bill.