

ASSEMBLY, No. 3120

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)

SYNOPSIS

Changes date when a recall election may be initiated from 50th to 90th day preceding completion of first year of term of office.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT changing the date when a recall election may be initiated
2 and amending P.L.1995, c.105.

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

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7 1. Section 4 of P.L.1995, c.105 (C.19:27A-4) is amended to
8 read as follows:

9 4. a. An elected official shall be recalled from office upon the
10 affirmative vote of a majority of those voting on the question of
11 recall at a recall election which shall have been held after the
12 officeholder shall have served one year of the term of office from
13 which the person is sought to be recalled. A person serving to fill a
14 vacancy in the term of an elective office shall be subject to recall at
15 such an election after one year of such service. No election to
16 recall an elected official shall be held after the date occurring six
17 months prior to the general election or regular election for that
18 office, as appropriate, in the final year of the official's term.

19 No statement of reasons or grounds for the holding of a recall
20 election or for the recall at such an election of an elected official
21 shall be required in connection with the preparation or circulation of
22 a recall petition, with the transmittal of any notice required under
23 the provisions of this act, with the submission to the voters of the
24 question of the recall of an elected official, or with any other action
25 or procedure relating to such a recall, and to the extent that any
26 such statement of reasons or grounds is offered by the sponsors of a
27 recall petition or by any other person, the sufficiency of that
28 statement shall be a political rather than a judicial question.

29 b. The procedures established in this act to initiate the calling
30 of a recall election may be commenced not earlier than the **[50th]**
31 90th day preceding the completion of the first year of the term of
32 office by the official sought to be recalled. In the case of an official
33 serving to fill a vacancy in the term of an elective office, the
34 procedures established in this act to initiate the calling of a recall
35 election may be commenced not earlier than the **[50th]** 90th day
36 preceding the completion of the first year of such service.
37 However, the recall election itself shall not be held until after the
38 official has completed one year of such term or service, as
39 appropriate.

40 (cf: P.L.1995, c.105, s.4)

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42 2. This act shall take effect immediately.

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44 STATEMENT

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46 This bill amends the Uniform Recall Election Law. It allows the

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.

A3120 DEANGELO

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1 initiation procedures of a recall election to begin sooner, changing
2 the date that recall election procedures may be initiated from the
3 50th day preceding the completion of the first year of the term of
4 office to the 90th day preceding the completion of the first year of
5 the term of office.