

ASSEMBLY, No. 4708

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Changes filing deadline for nominating petitions by school board candidates at general election from last Monday in July to 64th day preceding general election.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT changing the filing deadline for nominating petitions by
2 school board candidates at the general election and amending
3 P.L.1995, c.278.

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

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

10 7. Each candidate to be voted upon at a school election shall be
11 nominated directly by petition, and the procedures for such
12 nomination shall, to the extent not inconsistent with the provisions
13 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
14 nominating candidates by direct petition under chapter 13 of Title
15 19 of the Revised Statutes. Notwithstanding the provisions of
16 R.S.19:13-5, however, a petition of nomination for such office shall
17 be signed by at least 10 persons, one of whom may be the
18 candidate, and filed with the secretary of the board of education on
19 or before four p.m. of the 50th day preceding the date of the April
20 school election, or with the county clerk on or before four p.m. of
21 the **【last Monday in July】** 64th day next preceding the November
22 school election, as applicable. The signatures need not all appear
23 upon a single petition and any number of petitions may be filed on
24 behalf of any candidate or on behalf of two or more candidates
25 filing a joint petition. A petition for one or more candidates may
26 include a designation in not more than three words that conveys the
27 principles which the candidate or candidates therein named
28 represent, but such designation shall not contain the name, or a
29 derivative thereof, as a noun or an adjective of any political party
30 entitled to participate in a primary election. The petitions of a
31 candidate for member of a board of education shall also include a
32 functioning e-mail address for the candidate.

33 Any candidate may withdraw as a candidate in a school election
34 by filing a notice in writing, signed by the candidate, of such
35 withdrawal with the secretary of the board of education before the
36 44th day before the date of the April election or with the county
37 clerk on the 70th day before the date of the November election, as
38 applicable, and thereupon the name of that candidate shall be
39 withdrawn by the secretary of the board of education and shall not
40 be printed on the ballot.

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

44 Whenever written objection to a petition of nomination
45 hereunder shall have been made and timely filed with the secretary

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 of the board of education or with the county clerk, as may be
2 appropriate, the board of education shall file its determination of the
3 objection on or before the 44th day preceding the April school
4 election or the county clerk shall file the clerk's determination of
5 the objection on or before the 10th day after the last day for the
6 filing of petitions for candidates seeking election as a member of a
7 board of education at the November school election, as applicable.
8 The last day upon which a candidate may file with the Superior
9 Court a verified complaint setting forth any invasion or threatened
10 invasion of the candidate's rights under the candidate's petition of
11 nomination shall be the 46th day before the April election or the
12 12th day after the last day for the filing of petitions for candidates
13 seeking election as a member of a board of education at the
14 November election, as applicable. The last day upon which a
15 candidate whose petition of nomination or any affidavit thereto is
16 defective may amend such petition or affidavit shall be the 44th day
17 before the April election or the 10th day after the last day for the
18 filing of petitions for candidates seeking election as a member of a
19 board of education at the November election, as applicable.

20 In each school district in which candidates for the office of
21 member of a board of education will seek election at the November
22 school election, the school business administrator thereof shall
23 certify to the county clerk no later than the day of the holding of the
24 primary election for the general election next occurring a statement
25 designating the public offices to be filled at such election, and the
26 number of such offices to be filled.

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

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29 2. This act shall take effect on January 1 next following the
30 date of enactment.

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33 STATEMENT

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35 This bill moves the deadline for filing nominating petitions by
36 school board candidates at the November general election from the
37 last Monday in July to the 64th day preceding the general election.
38 This change is necessary because of a decrease in the number of
39 school board candidates since the law was amended in 2012 to
40 allow school elections to be held at the general election. This
41 reduction in the number of candidates has apparently resulted from
42 the filing deadline occurring in July during a popular vacation
43 period and at a time when members of the public may not be
44 attuned to education issues. In order to attract more candidates it is
45 necessary to move the filing deadline to a date that is closer to the
46 general election but still allows sufficient time for elections
47 officials to prepare the ballot and take other necessary steps to
48 prepare for the election.