

ASSEMBLY, No. 5776

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 18, 2021

Sponsored by:

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

SYNOPSIS

Requires nominating, recall, initiative, and referendum petitions be made available January 1 of each year; permits electronic signatures and submissions for all candidate, recall, initiative, and referendum petitions.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the petition forms and the electronic gathering
2 of signatures and submission of petitions, and amending various
3 parts of the statutory law, and supplementing chapter 27A of
4 Title 19 of the Revised Statues.

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

8
9 1. (New section) The Secretary of State shall make publicly
10 available, including electronically on the department's Internet site,
11 the recall petition form or forms not later than January 1 of each
12 year.

13 Notwithstanding the provisions of Title 19 of the Revised
14 Statutes, or any other law, rule, or regulation to the contrary, a
15 recall election official shall permit a recall committee to collect
16 recall petition signatures via an online form or forms and submit a
17 recall petition electronically. The Secretary of State, in consultation
18 with the Department of Law and Public Safety, shall develop a
19 generic template or templates for the online form or forms to be
20 used for the collection of signatures and submission of a recall
21 petition. The Secretary of State shall also develop guidelines and
22 procedures concerning the collection of signatures via an online
23 form or forms and the submission of a recall petition electronically.
24 The guidelines and procedures developed by the Secretary of State
25 shall be consistent with the procedures for hand delivery of recall
26 petitions and handwritten signatures under current law.

27
28 2. R.S.19:13-1 is amended to read as follows:

29 19:13-1. a. Candidates for all public offices to be voted for at
30 the general election in this [state] State or in any political division
31 thereof, except electors of president and vice president of the
32 United States nominated by the political parties at state
33 conventions, shall be nominated directly by petition as hereinafter
34 provided, or at the primary for the general election held pursuant to
35 this title. The Secretary of State shall make publicly available,
36 including electronically on the department's Internet site, the
37 nominating petition form or forms not later than January 1 of each
38 year.

39 b. Notwithstanding the provisions of Title 19 of the Revised
40 Statutes, or any other law, rule, or regulation to the contrary, the
41 Secretary of State, county clerks, and municipal clerks shall permit
42 a candidate to collect petition signatures via an online form or
43 forms and submit a nominating petition electronically. The
44 Secretary of State, in consultation with the Department of Law and
45 Public Safety, shall develop a generic template or templates for 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.

1 online form or forms to be used for the collection of signatures and
2 submission of a nominating petition. The Secretary of State shall
3 also develop guidelines and procedures concerning the collection of
4 signatures via an online form or forms and the submission of a
5 nominating petition electronically. The guidelines and procedures
6 developed by the Secretary of State shall be consistent with the
7 procedures for hand delivery of a nominating petition and
8 handwritten signatures under current law.

9 (cf: R.S.19:13-1)

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11 3. R.S.19:24-3 is amended to read as follows:

12 19:24-3. a. Candidates for election as delegates or alternates to
13 the national conventions of political parties shall be nominated by
14 petition in the manner herein provided for the nomination of
15 candidates to be voted for at the primary election for the general
16 election except as herein otherwise provided. The Secretary of
17 State shall make publicly available, including electronically on the
18 department's Internet site, the delegate or alternate nominating
19 petition form or forms not later than January 1 of each year.

20 b. Notwithstanding the provisions of Title 19 of the Revised
21 Statutes, or any other law, rule, or regulation to the contrary, the
22 Secretary of State shall permit candidates to collect petition
23 signatures via an online form or forms and submit a delegate or
24 alternate nominating petition electronically. The Secretary of State,
25 in consultation with the Department of Law and Public Safety, shall
26 develop a generic template or templates for the online form or
27 forms to be used for the collection of signatures and submission of a
28 delegate or alternate nominating petition. The Secretary of State
29 shall also develop guidelines and procedures concerning the
30 collection of signatures via an online form or forms and the
31 submission of a delegate or alternate petition electronically. The
32 guidelines and procedures developed by the Secretary of State shall
33 be consistent with the procedures for hand delivery of a delegate or
34 alternate nominating petition and handwritten signatures under
35 current law.

36 (cf: R.S.19:24-3)

37
38 4. Section 106 of P.L.1972, c.154 (C.40:41A-106) is amended
39 to read as follows:

40 106. a. The Secretary of State shall make publicly available,
41 including electronically on the department's Internet site, the
42 initiative and referendum petition form or forms not later than
43 January 1 of each year.

44 b. All petition papers circulated for the purposes of an initiative
45 or referendum shall be uniform in size and style. Initiative petition
46 papers shall contain the full text of the proposed ordinance. The
47 signatures to initiative or referendum petitions need not all be
48 appended to one paper, but to each separate petition there shall be

1 attached a statement of the circulator thereof as provided by this
2 section. Each signer of any such petition paper shall sign his name
3 in ink or indelible pencil and shall indicate after his name his place
4 of residence by street and number, or other description sufficient to
5 identify the place. There shall appear on each petition paper the
6 names and addresses of three voters, designated as the committee of
7 petitioners, who shall be regarded as responsible for the circulation
8 and filing of the petition and for its possible withdrawal as
9 hereinafter provided. Attached to each separate petition paper
10 there shall be an affidavit of the circulator thereof that he, and he
11 only, personally circulated the foregoing paper, that all the
12 signatures appended thereto were made in his presence, and that he
13 believes them to be the genuine signatures of the persons whose
14 names they purport to be.

15 c. Notwithstanding the provisions of Title 40 of the Revised
16 Statutes, or any other law, rule, or regulation to the contrary, county
17 clerks and municipal clerks shall permit a committee of petitioners
18 to collect petition signatures via an online form or forms and submit
19 an initiative and referendum petition electronically. The Secretary
20 of State, in consultation with the Department of Law and Public
21 Safety, shall develop a generic template or templates for the online
22 form or forms to be used for the collection of signatures and
23 submission of an initiative and referendum petition. The Secretary
24 of State shall also develop guidelines and procedures concerning the
25 collection of signatures via an online form or forms and the
26 submission of an initiative and referendum petition electronically.
27 The guidelines and procedures developed by the Secretary of State
28 shall be consistent with the procedures for hand delivery of an
29 initiative and referendum petition and handwritten signatures under
30 current law.

31 (cf: P.L.1972, c.154, s.106)

32
33 5. This act shall take effect January 1 next following the date
34 of enactment.
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37 STATEMENT

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39 This bill requires the Secretary of State to make publicly
40 available, including electronically on the department's Internet site,
41 nominating, recall, initiative, and referendum petition forms no later
42 than January 1 of each year. The bill also permits an electronic
43 process for the collection of candidate, delegate, recall, initiative,
44 and referendum petition signatures and their submission for all
45 elections after January 1 following the enactment of the bill.

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1 Under the bill, the electronic petition processes used for elections
2 in 2020 and for all other elections taking place during the COVID-
3 19 Public Health Emergency and State of Emergency, as declared
4 by the Governor under Executive Order No. 103 (2020), would be
5 permeant going forward.