

**ASSEMBLY CONCURRENT
RESOLUTION No. 131**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

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

SYNOPSIS

Proposes constitutional amendment to change signature requirement for recall petition.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** to amend Article I, paragraph 2 of
2 the Constitution of the State of New Jersey.

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4 **BE IT RESOLVED** *by the General Assembly of the State of New*
5 *Jersey (the Senate concurring):*

6
7 1. The following proposed amendment to the Constitution of
8 the State of New Jersey is hereby agreed to:

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10 PROPOSED AMENDMENT

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12 Amend Article I, paragraph 2 to read as follows:

13 2. a. All political power is inherent in the people.
14 Government is instituted for the protection, security, and benefit of
15 the people, and they have the right at all times to alter or reform the
16 same, whenever the public good may require it.

17 b. The people reserve unto themselves the power to recall, after
18 at least one year of service, any elected official in this State or
19 representing this State in the United States Congress. The
20 Legislature shall enact laws to provide for such recall elections.
21 Any such laws shall include a provision that a recall election shall
22 be held upon petition of at least 25% of the **【registered】** number of
23 voters who voted at the most recent general election in the electoral
24 district of the official sought to be recalled. If legislation to
25 implement this constitutional amendment is not enacted within one
26 year of the adoption of the amendment, the Secretary of State shall,
27 by regulation, implement the constitutional amendment, except that
28 regulations adopted by the Secretary of State shall be superseded by
29 any subsequent legislation consistent with this constitutional
30 amendment governing recall elections. The sufficiency of any
31 statement of reasons or grounds procedurally required shall be a
32 political rather than a judicial question.

33 (cf: Article I, paragraph 2 amended effective January 1, 1994)

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35 2. When this proposed amendment to the Constitution is finally
36 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
37 shall be submitted to the people at the next general election
38 occurring more than three months after the final agreement and
39 shall be published at least once in at least one newspaper of each
40 county designated by the President of the Senate, the Speaker of the
41 General Assembly and the Secretary of State, not less than three
42 months prior to the general election.

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 3. This proposed amendment to the Constitution shall be
2 submitted to the people at that election in the following manner and
3 form:
4 There shall be printed on each official ballot to be used at the
5 general election, the following:
6 a. In every municipality in which voting machines are not used,
7 a legend which shall immediately precede the question as follows:
8 If you favor the proposition printed below make a cross (X), plus
9 (+), or check (✓) in the square opposite the word "Yes." If you are
10 opposed thereto make a cross (X), plus (+) or check (✓) in the
11 square opposite the word "No."
12 b. In every municipality the following question:
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	YES	CONSTITUTIONAL AMENDMENT TO CHANGE SIGNATURE REQUIREMENT ON RECALL PETITION Shall the amendment to Article I, paragraph 2 of the Constitution of the State of New Jersey, changing the signature requirement on petitions to recall elected officials, be approved?
	NO	INTERPRETIVE STATEMENT This constitutional amendment would change the signature requirement for a petition to recall an elected official. At present, in order to have the question of the recall of an elected official placed on the ballot for consideration by the voters, a recall petition must be signed by at least 25% of the registered voters in the electoral district of the official sought to be recalled. The proposed amendment would change the required signatures to 25% of the number of voters who voted at the most recent general election in the electoral district of the official sought to be recalled.

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SCHEDULE

 This constitutional amendment shall become part of the
Constitution on January 1 next following the general election at
which it is approved by the voters.

1 STATEMENT

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This constitutional amendment would change the signature requirement for a petition to recall an elected official. At present, in order to have the question of the recall of an elected official placed on the ballot for consideration by the voters, a recall petition must be signed by at least 25% of the voters in the electoral district of the official sought to be recalled. The proposed amendment would change the required signatures to 25% of the number of registered voters who voted at the most recent general election in the electoral district of the official sought to be recalled.