

SENATE, No. 1292

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 10, 2020

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires candidates for school board member and local elective office to file financial disclosure statement on or before 10th day following deadline for filing nominating petitions for that office.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning financial disclosure for candidates for local
2 public offices, and amending P.L.1991, c.29 and P.L.1991,
3 c.393.

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

7
8 1. Section 6 of P.L.1991, c.393 (C.18A:12-26) is amended to
9 read as follows:

10 6. a. Each school official shall annually file a financial
11 disclosure statement with the School Ethics Commission. All
12 financial disclosure statements filed pursuant to this act shall
13 include the following information which shall specify, where
14 applicable, the name and address of each source and the school
15 official's position:

16 (1) Each source of income, earned or unearned, exceeding
17 \$2,000 received by the school official or a member of his immediate
18 family during the preceding calendar year. Individual client fees,
19 customer receipts or commissions on transactions received through
20 a business organization need not be separately reported as sources
21 of income. If a publicly traded security or interest derived from a
22 financial institution is the source of income, the security or interest
23 derived from a financial institution need not be reported unless the
24 school official or member of his immediate family has an interest in
25 the business organization or financial institution;

26 (2) Each source of fees and honorariums having an aggregate
27 amount exceeding \$250 from any single source for personal
28 appearances, speeches or writings received by the school official or
29 a member of his immediate family during the preceding calendar
30 year;

31 (3) Each source of gifts, reimbursements or prepaid expenses
32 having an aggregate value exceeding \$250 from any single source,
33 excluding relatives, received by the school official or a member of
34 his immediate family during the preceding calendar year; and

35 (4) The name and address of all business organizations in which
36 the school official or a member of his immediate family had an
37 interest during the preceding calendar year.

38 b. The commission shall prescribe a financial disclosure
39 statement form for filing purposes. Initial financial disclosure
40 statements shall be filed within 90 days following the effective date
41 of this act. Thereafter, statements shall be filed on or before April
42 30th each year.

43 c. All financial disclosure statements filed shall be public
44 records.

45 d. Any candidate for election to the office of member of a
46 school board shall file the financial disclosure statement required by

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 this section on or before the 10th day following the last day for
2 filing a petition to appear on the ballot for that office. The
3 statement shall be filed with the commission.

4 Notwithstanding the provisions of this section to the contrary,
5 any person who files a disclosure statement as a candidate shall not
6 be required to also file a disclosure statement for that year as
7 required by this section.

8 (cf: P.L.1991, c.393, s.6)

9
10 2. Section 6 of P.L.1991, c.29 (C.40A:9-22.6) is amended to
11 read as follows:

12 6. a. Local government officers shall annually file a financial
13 disclosure statement. All financial disclosure statements filed
14 pursuant to P.L.1991, c.29 shall include the following information
15 which shall specify, where applicable, the name and address of each
16 source and the local government officer's job title:

17 (1) Each source of income, earned or unearned, exceeding
18 \$2,000 received by the local government officer or a member of his
19 immediate family during the preceding calendar year. Individual
20 client fees, customer receipts or commissions on transactions
21 received through a business organization need not be separately
22 reported as sources of income. If a publicly traded security is the
23 source of income, the security need not be reported unless the local
24 government officer or member of his immediate family has an
25 interest in the business organization;

26 (2) Each source of fees and honorariums having an aggregate
27 amount exceeding \$250 from any single source for personal
28 appearances, speeches or writings received by the local government
29 officer or a member of his immediate family during the preceding
30 calendar year;

31 (3) Each source of gifts, reimbursements or prepaid expenses
32 having an aggregate value exceeding \$400 from any single source,
33 excluding relatives, received by the local government officer or a
34 member of his immediate family during the preceding calendar
35 year;

36 (4) The name and address of all business organizations in which
37 the local government officer or a member of his immediate family
38 had an interest during the preceding calendar year; and

39 (5) The address and brief description of all real property in the
40 State in which the local government officer or a member of his
41 immediate family held an interest during the preceding calendar
42 year.

43 b. The Local Finance Board shall prescribe a financial
44 disclosure statement form for filing purposes. For counties and
45 municipalities which have not established ethics boards, the board
46 shall transmit sufficient copies of the forms to the municipal clerk
47 in each municipality and the county clerk in each county for filing
48 in accordance with this act. The municipal clerk shall make the

1 forms available to the local government officers serving the
2 municipality. The county clerk shall make the forms available to
3 the local government officers serving the county.

4 For counties and municipalities which have established ethics
5 boards, the Local Finance Board shall transmit sufficient copies of
6 the forms to the ethics boards for filing in accordance with this act.
7 The ethics boards shall make the forms available to the local
8 government officers within their jurisdiction.

9 For local government officers serving the municipality, the
10 original statement shall be filed with the municipal clerk in the
11 municipality in which the local government officer serves. For
12 local government officers serving the county, the original statement
13 shall be filed with the county clerk in the county in which the local
14 government officer serves. A copy of the statement shall be filed
15 with the board. In counties or municipalities which have
16 established ethics boards a copy of the statement shall also be filed
17 with the ethics board having jurisdiction over the local government
18 officer. Local government officers shall file the initial financial
19 disclosure statement within 90 days following the effective date of
20 this act. Thereafter, statements shall be filed on or before April
21 30th each year, except that each local government officer shall file a
22 financial disclosure statement within 30 days of taking office.

23 c. All financial disclosure statements filed shall be public
24 records.

25 d. The Division of Local Government Services in the
26 Department of Community Affairs may establish an electronic
27 filing system for financial disclosure statements required to be filed
28 pursuant to this section.

29 e. Any candidate for election to any elective office of a local
30 government agency shall file the financial disclosure statement
31 required by this section on or before the 10th day following the last
32 day for filing a petition to appear on the ballot for that office. The
33 statement shall be filed with the Local Finance Board.

34 Notwithstanding the provisions of this section to the contrary,
35 any person who files a disclosure statement as a candidate shall not
36 be required to also file a disclosure statement for that year as
37 required by this section.

38 (cf: P.L.2015, c.95, s.22)

39
40 3. This act shall take effect immediately.

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42
43 STATEMENT

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45 This bill requires that any candidate for member of a school
46 board, or for any elective office of a local government agency, must
47 file the financial disclosure statement required currently by law of
48 officials in those positions on or before the 10th day following the

1 last day for filing a petition to appear on the ballot for that office.
2 The statement must be filed with either the School Ethics
3 Commission or the Local Finance Board, as the case may be.

4 The bill also provides that notwithstanding the provisions of
5 current law to the contrary, any person who files a disclosure
6 statement as a candidate shall not be required to also file a
7 disclosure statement for that year as required by current law.