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.

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

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

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

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

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

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

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

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

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

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

<u>d. Any candidate for election to the office of member of a school board shall file the financial disclosure statement required by</u>

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 <u>thus</u> is new matter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. This act shall take effect immediately.

STATEMENT

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

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

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