

SENATE, No. 2186

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Changes termination date of moratorium on moving annual school election back to third Tuesday in April.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning annual school district elections and amending
2 P.L.2016, c.27.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2016, c.27 is amended to read as follows:

8 1. When the date of an annual school election has been moved
9 pursuant to section 1 of P.L.2011, c.202 (C.19:60-1.1) to the first
10 Tuesday after the first Monday in November from the third Tuesday
11 in April for a school district, or a Type II school district with a
12 board of school estimate, any petition filed or resolution adopted by
13 a board of education or a municipal government, or action taken by
14 a Type II school district with a board of school estimate, after June
15 1, 2016 but prior to **【May 31, 2018】** the 10th day following the date
16 of submission to the Legislature of the final report of the School
17 District Annual Election Study Commission established pursuant to
18 section 2 of P.L.2016, c.27, pursuant to subsection b. of section 1 of
19 P.L.2011, c.202 (C.19:60-1.1) to move the election from the first
20 Tuesday after the first Monday in November to the third Tuesday in
21 April shall be invalid and without effect. No action shall be taken
22 by any public employee or official after the effective date of
23 P.L.2016, c.27 to effectuate or implement the purpose of such a
24 petition, resolution, or action, including any proceeding in progress
25 for the holding of an election in April for a school district or a Type
26 II school district with a board of school estimate. Appropriate
27 written notices shall be given to relevant boards of education,
28 boards of school estimate, municipal governing bodies, and petition
29 circulators by the appropriate board or governing body that a
30 petition or resolution has been invalidated by this section.
31 (cf: P.L.2016, c.27, s.1)

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33 2. This act shall take effect immediately.

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STATEMENT

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38 P.L.2016, c.27 provides that, when the date of an annual school
39 election has been moved to the day of the general election in
40 November from the third Tuesday in April, any petition filed,
41 resolution adopted, or action taken after January 1, 2016, but prior to
42 May 31, 2018, to move the election back to April from November
43 would be invalid and without effect. No action may be taken by a
44 public employee or official after August 18, 2016, when P.L.2016,
45 c.27, was signed to effectuate or implement the purpose of such a

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 petition, resolution, or action, including any proceeding in progress at
2 that time for the holding of an election in April.

3 This bill changes the termination date of this moratorium from
4 May 31, 2018 to the 10th day following the date of submission to the
5 Legislature of the final report of the School District Annual
6 Election Study Commission.

7 The commission was established by section 2 of P.L.2016, c.27
8 to study: (1) the voter turnout data and the fiscal impact and cost
9 savings of moving the date of the annual school election for school
10 districts to the first Tuesday after the first Monday in November, to
11 be held simultaneously with the general election; (2) the voter
12 turnout estimates and implications and the fiscal impact and cost
13 savings of moving the date of the annual school election for school
14 districts from the first Tuesday after the first Monday in November
15 to the third Tuesday in April; and (3) the implications of moving the
16 annual election as described in (1) and (2) on proposed school
17 budgets.

18 The commission is to issue a final report to the Governor and the
19 Legislature within 10 months from the date of its first meeting, and
20 expire six months after the issuance of its final report.