[First Reprint]

SENATE, No. 3242

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

Sponsored by:
Senator RICHARD J. CODEY
District 27 (Essex and Morris)
Senator NICHOLAS J. SACCO
District 32 (Bergen and Hudson)

SYNOPSIS

Bars certain public officials from holding elective public office and participating in political activities for three years.

CURRENT VERSION OF TEXT

As amended by the Senate on February 19, 2021.

AN ACT concerning elective public office and certain political activity, and amending P.L.1964, c.168, and supplementing P.L.1948, c.439 (C.52:17B-1 et seq.).

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

1. Section 1 of P.L.1964, c.168 (C.2A:158-21) is amended to read as follows:

1. a. No county prosecutor, assistant prosecutor or legal assistant to a prosecutor, while holding any such office or position, shall (1) be a candidate for election to, or hold, any elective public office or any office or position with any political party or club, or (2) in connection with the candidacy of any person for public office, sign or authorize the use of his name in connection with political or campaign literature or material, or print or publish in order to distribute such political or campaign literature or material**[**; provided, however, that the prohibition against holding office contained in this act shall not prevent any individual, holding or filling any such office as of the effective date of this act, from completing any term of office for which he has heretofore been elected or chosen; and provided further that nothing herein contained shall be construed to prohibit any such prosecutor, assistant prosecutor or legal assistant from being a candidate for election to, or from holding, the office or position of delegate or alternate to the national convention of any political party**]**.

b. A person who holds the position of county prosecutor, assistant prosecutor, or legal assistant to a prosecutor shall not be a candidate for, or hold, elective public office for a period of three years immediately following the termination of that person's service as county prosecutor, assistant prosecutor, or legal assistant to a prosecutor.

[1]c. Subsections a. and b. of this section shall not apply to a municipal prosecutor, assistant municipal prosecutor, or legal assistant to a municipal prosecutor.**[1]**

(cf: P.L.1964, c.168, s.1)

2. (New section) a. No person who holds the position of Attorney General, First Assistant Attorney General, or any position of employment as professional staff in the Office of the Attorney General in the Department of Law and Public Safety, while holding any such office or position, shall: (1) be a candidate for election to, or hold, any elective public office or any office or position with any political party or club, or (2) in connection with another

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.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Senate floor amendments adopted February 19, 2021.

individual's candidacy for public office, sign, or authorize the use of that person's name in connection with political or campaign literature or material, or print, publish, or distribute such political or campaign literature or material.

b. A person who holds the position of Attorney General or First Assistant Attorney General shall not be a candidate for, or hold, elective public office for a period of three years immediately following the termination of that person's service as Attorney General or First Assistant Attorney General.

3. This act shall take effect on the 180th day following enactment and shall apply to any person who holds the position of Attorney General, First Assistant Attorney General, county prosecutor, assistant prosecutor, or legal assistant to a prosecutor on and after that effective date.