

[First Reprint]  
**SENATE, No. 3389**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JANUARY 28, 2021

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Co-Sponsored by:**

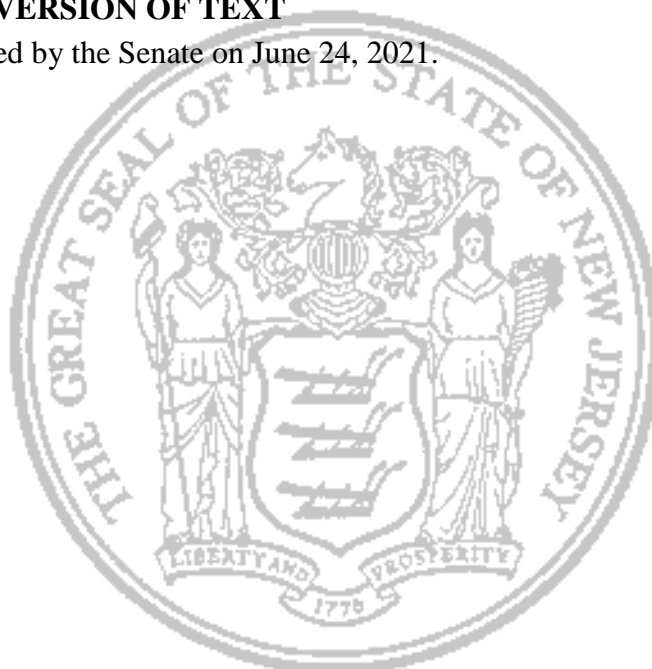
**Senator Greenstein**

**SYNOPSIS**

Requires adoption of and training on anti-discrimination and anti-harassment policy by certain campaign committees; creates Office on Discrimination and Harassment Prevention; appropriates \$2,000,000.

**CURRENT VERSION OF TEXT**

As amended by the Senate on June 24, 2021.



**(Sponsorship Updated As Of: 2/9/2021)**

1 AN ACT concerning the prevention and remediation of  
2 discrimination and harassment occurring in certain campaign  
3 committees, supplementing P.L.1973, c.83 (C.19:44A-1 et seq.),  
4 and making an appropriation.

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

8  
9 1. The Legislature finds and declares that:

10 a. Years of reporting, legislative hearings, public listening  
11 sessions and surveys have documented the toxic climate of  
12 harassment, sexual violence and misogyny that too often pervades  
13 New Jersey's political culture.

14 b. Political candidates, campaigns and party organizations have  
15 a vested interest in suppressing, hiding or ignoring allegations of  
16 sexual misconduct to avert political damage or preserve personal  
17 power and control.

18 c. The practice of politics is conducted in a fluid sphere of  
19 political campaigns, party organizations, and the after-hours  
20 intersection of politics, government, lobbying and advocacy where  
21 traditional human resource policies and protections often do not  
22 apply or do not exist.

23 d. Survivors of sexual violence, harassment and other  
24 misconduct risk retaliation, side-lining or the loss of their political  
25 careers if they complain publicly or even privately about  
26 misogynistic treatment, and those who do rarely receive justice.

27 e. Therefore, it is necessary to require campaigns and political  
28 organizations to adopt anti-harassment policies, implement training  
29 and designate individuals to receive confidential complaints of  
30 sexual misconduct, and also to establish an independent  
31 investigative unit not subject to control by campaign, party or  
32 elected officials to receive and probe allegations of sexual violence,  
33 harassment and misconduct in the world of New Jersey politics.

34

35 2. As used in this act, P.L. , c. (C. ) (pending before  
36 the Legislature as this bill):

37 "Campaign and political staff" includes any person, whether paid  
38 or unpaid, rendering personal, clerical, administrative, or  
39 professional services, including, without limitation, public relations,  
40 research, legal, canvassing, telephone, speech writing, or other such  
41 services; except that "campaign and political staff" shall not include  
42 such persons who are unpaid if they render such services four or  
43 less days during one calendar year.

44 "Candidate committee," "joint candidates committee," "political

**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:

<sup>1</sup>Senate floor amendments adopted June 24, 2021.

1 party committee,” and “continuing political committee” shall have  
2 the meanings prescribed for those terms by section 3 of P.L.1973,  
3 c.83 (C.19:44A-3).

4 “Governmental affairs agent” shall have the same meaning as  
5 provided in section 3 of P.L.1971, c.183 (C.52:13C-20).

6 “Member of the press” means any individual who works in the  
7 gathering, processing, disseminating, and delivery of news and  
8 information that serves the public interest to the public through  
9 mass media, including on Internet platforms, television, radio, and  
10 in newspapers.

11 “Political activities” means any effort to support or oppose any  
12 candidate, partisan political office, or partisan political group.  
13 “Political activities” shall also include any efforts to influence the  
14 passage or defeat of any legislation, policy, or regulation.

15 “Political contributions” means any payment to an individual,  
16 other than a candidate, political party, or an affiliated organization,  
17 to render services and engage in political activities.

18 “Protected category” means race, creed, color, national origin,  
19 nationality, ancestry, age, sex, gender identity or expression,  
20 affectional or sexual orientation, pregnancy or breast feeding,  
21 marital status, civil union status, domestic partnership status,  
22 familial status, religion, atypical hereditary cellular or blood trait,  
23 genetic information, liability for service in the Armed Forces of the  
24 United States, or disability.

25 “Sexual harassment” means unwelcome sexual advances,  
26 requests for sexual favors, and other verbal or physical conduct of a  
27 sexual nature.

28 “Third-party harassment” means unwelcome behavior involving  
29 any protected category that is not directed at an individual but exists  
30 in the workplace and interferes with an individual's ability to do the  
31 individual's job.

32 “Trauma-informed care” or “trauma-informed interviewing”  
33 means care or services provided pursuant to an approach that: (1)  
34 recognizes the presence of trauma symptoms in a person; (2)  
35 acknowledges the role trauma may play in an individual's life; (3)  
36 integrates knowledge about trauma into policies, procedures, and  
37 practices; (4) is guided by principles of establishing safety,  
38 trustworthiness and transparency, peer support, collaboration and  
39 mutuality, empowerment and choice, and an understanding of  
40 cultural, historical, and gender issues; and (5) actively avoids re-  
41 traumatization.

42

43 3. a. There is created within the New Jersey Election Law  
44 Enforcement Commission, established pursuant to section 5 of  
45 P.L.1973, c.83 (C.19:44A-5), an Office on Discrimination and  
46 Harassment Prevention. The office shall be comprised of at least  
47 three employees, which shall include, at a minimum, a director and  
48 two investigators. The investigators shall have professional

1 expertise in the area of survivor support and trauma-informed  
2 interviewing.

3 b. The office shall receive, review, and investigate, in a  
4 prompt, thorough, and impartial manner, all reasonable and good  
5 faith complaints of discrimination or harassment received from or  
6 made against:

7 (1) any candidate or campaign and political staff member of a  
8 candidate committee, joint candidates committee, or political party  
9 committee;

10 (2) any member of a political party committee or continuing  
11 political committee;

12 (3) any individual engaged in political activities, including  
13 individuals providing or soliciting political contributions; or

14 (4) any member of the press, a governmental affairs agent, or a  
15 third-party vendor who will be in the physical presence of the  
16 committee's offices or normal place of business or will be engaging  
17 with any candidate, committee member, or campaign and political  
18 staff member on a digital or virtual platform or by means of  
19 electronic communication in the course of performing their duties.

20 For any complaint against a third-party vendor made by a person  
21 who is not a candidate, committee member, campaign and political  
22 staff member, member of the press, or governmental affairs agent,  
23 the office shall refer the complaint to the employer of such vendor.  
24 The office shall not refuse to investigate a complaint solely on the  
25 basis that the alleged conduct occurred outside of the physical  
26 presence of the committee's offices or normal place of business,  
27 including on digital or virtual platforms or by means of electronic  
28 communication.

29 c. The office shall maintain an official Internet site, which  
30 shall comply with any applicable requirements of the federal  
31 "Americans with Disabilities Act of 1990" (42 U.S.C. s.12101 et  
32 seq.), and which shall be linked to that of the Election Law  
33 Enforcement Commission. The office shall maintain a secure portal  
34 on its Internet site through which complaints may be submitted and  
35 through which members of the public may contact the office. Any  
36 person who submits a complaint through the portal shall receive  
37 confirmation of such submission within 48 hours thereafter, which  
38 confirmation shall be sent utilizing the contact information provided  
39 by the person submitting the complaint. The office shall maintain a  
40 telephone number by which members of the public may contact the  
41 office, and the number shall be displayed on its Internet site.

42 d. The investigation of a complaint shall be completed and a  
43 final letter of determination shall be issued as soon as practicable,  
44 but no later than 60 days following the initial intake of the  
45 complaint. If an investigation cannot be completed within 60 days,  
46 any candidate, committee member, or campaign and political staff  
47 member involved in the complaint or processing of the complaint  
48 shall be notified of the additional time required to complete the

1 investigation and of the exceptional circumstances requiring the  
2 extension.

3 Any reported violation of the anti-discrimination and anti-  
4 harassment policy established pursuant to subsection f. of this  
5 section that is found to have been substantiated by the office shall  
6 be listed publicly on the Internet site of the office in a manner  
7 determined by the director.

8 e. Each complaint shall be maintained in written format,  
9 whether by printed or electronic means, for a duration consistent  
10 with applicable law, and shall include a written determination as to  
11 whether the complaint warrants investigation and the reasons  
12 supporting such determination. Each investigator to whom a  
13 complaint is assigned shall, at a minimum, take testimony from the  
14 complainant, and, if not the same person, from the person against  
15 whom the harassment or discrimination was directed if that person  
16 is willing to offer testimony, and shall compile and maintain a  
17 record of the evidence consistent with the procedures adopted  
18 therefor by the office and with any applicable law.

19 Any candidate committee, joint candidates committee, political  
20 party committee, or continuing political committee involved in a  
21 complaint shall cooperate with any investigations undertaken by the  
22 office. A failure to cooperate in an investigation may constitute a  
23 financial penalty as set forth by the office.

24 All investigatory records, whether by printed or electronic  
25 means, and consisting of the investigative report and any  
26 attachments including witness statements, shall be maintained as a  
27 government record and shall be accessible under P.L.1963, c.73  
28 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.) to the  
29 extent permitted by and in accordance with those laws, except that  
30 information disclosed pursuant to section 6 of this act, P.L. , c.  
31 (C. ) (pending before the Legislature as this bill), shall not be  
32 deemed a government record and accessible under those laws.

33 f. After consultation with individuals or organizations with  
34 expertise in harassment, bias, and trauma-informed care, the office  
35 shall adopt and make available on its Internet site a policy on the  
36 prevention and remediation of discrimination and harassment that:

- 37 (1) outlines prohibited conduct;  
38 (2) requires compliance with the policy;  
39 (3) requires that appropriate measures be taken to ensure that  
40 prohibited conduct does not occur; and  
41 (4) provides procedures for the reporting, investigation, final  
42 determination, appeal of any final determination, remediation, and  
43 discipline of prohibited conduct.

44 g. At a minimum, the following actions shall be prohibited  
45 under the policy:

- 46 (1) engaging in any employment practice or procedure that  
47 treats an individual less favorably based upon a protected category;

1 (2) using derogatory or demeaning references regarding a  
2 protected category; and

3 (3) engaging in third-party harassment or gender-based or  
4 sexual harassment of any kind, including hostile work environment  
5 harassment, quid pro quo harassment, or same-sex harassment.

6 h. The policy shall also include provisions regarding  
7 confidentiality, retaliation, conflict of interest, and false  
8 accusations. At a minimum, the policy shall contain specific  
9 provisions that:

10 (1) provide, to the extent practicable and appropriate under the  
11 circumstances, confidentiality is maintained throughout the  
12 investigative process;

13 (2) prohibit retaliatory action against any person who submits a  
14 complaint or participates in an investigation;

15 (3) outline when an investigator or the committee's Anti-  
16 Discrimination and Anti-Harassment Policy Coordinator shall  
17 recuse themselves due to a conflict of interest;

18 (4) prohibit false accusations or knowingly providing false  
19 information in the course of an investigation of a complaint, except  
20 that a complaint made in good faith, even if found to be  
21 unsubstantiated shall not be considered a false accusation; and

22 (5) provide for the consideration of recommendations by the  
23 person against whom the harassment or discrimination was directed.

24 The policy shall apply to any candidate or campaign and political  
25 staff member of a candidate committee, joint candidates committee,  
26 or political party committee, any member of a political party  
27 committee or continuing political committee, or any member of the  
28 press, a governmental affairs agent, or a third-party vendor who will  
29 be in the physical presence of the committee's offices or normal  
30 place of business or will be engaging with any candidate, committee  
31 member, or campaign and political staff member on a digital or  
32 virtual platform or by means of electronic communication in the  
33 course of performing their duties. The policy shall apply whether  
34 or not the conduct occurs in, on, or outside of the physical presence  
35 of the committee's offices or normal place of business, including on  
36 digital or virtual platforms or by means of electronic  
37 communication including on digital or virtual platforms or by  
38 means of electronic communication.

39 The office shall review the policy at least once every two years  
40 and shall modify the policy as necessary. The office shall consult  
41 with individuals or organizations with expertise in harassment and  
42 bias in making modifications to the policy.

43 i. The office shall approve at least one program that provides  
44 training on the model policy or, more generally, on the recognition,  
45 reporting, remediation, and prevention of discrimination or  
46 harassment. The program, or programs, may be developed by the  
47 office or offered by a third party, and may be available either in-  
48 person or by virtual means.

1 j. The office shall provide on or before February 1 of each year  
2 a report to the Governor and to the Legislature, pursuant to section  
3 2 of P.L.1991, c.164 (C.52:14-19.1), documenting the number of  
4 cases reported and investigated during the previous calendar year.  
5 The office shall make the report available on its Internet site. The  
6 first such report shall be provided by March 1 of the second year  
7 following enactment of this act, P.L. , c. (pending before the  
8 Legislature as this bill).

9 k. Employees in the office shall receive annual training on the  
10 policy and procedures of the office and the provisions of this act,  
11 P.L. , c. (pending before the Legislature as this bill). The  
12 employee training shall be approved by the Election Law  
13 Enforcement Commission and each employee of the office shall  
14 submit a certificate denoting completion of the training to the  
15 commission. A copy of the certificate shall also be filed with the  
16 office and shall be public information.

17

18 4. a. Each candidate committee, joint candidates committee,  
19 political party committee, and continuing political committee shall  
20 adopt and maintain the policy developed by the Office on  
21 Discrimination and Harassment Prevention pursuant to section 3 of  
22 P.L. , c. (C. ) (pending before the Legislature as this bill).

23 b. The policy shall be posted in a conspicuous location in the  
24 committee's office or normal place of business that is easily visible  
25 to members of the committee and campaign and political staff, and  
26 on the committee's Internet site or social media page, as applicable.  
27 The policy shall be distributed to all candidates, members,  
28 campaign and political staff, applicable members of the press and  
29 governmental affairs agents, and applicable third-party vendors of a  
30 candidate committee, joint candidates committee, political party  
31 committee, or continuing political committee upon commencement  
32 of participation in the campaign or the committee and within five  
33 business days of any modification to the policy. Each person to  
34 whom the policy is distributed shall acknowledge receipt thereof in  
35 writing within three business days of receipt. Any person who fails  
36 to submit such written acknowledgment within three business days  
37 shall be subject to a fine in an amount determined by the Office on  
38 Discrimination and Harassment Prevention in accordance with any  
39 applicable law, notification about which fine shall be displayed  
40 conspicuously on the policy, on the Internet site of the office, and  
41 on the Internet site or social media page, as applicable, of the  
42 committee. A copy of such written acknowledgement shall be filed  
43 with the Office on Discrimination and Harassment Prevention and  
44 shall be public information.

45 Each committee shall, by the effective date of this act, P.L. ,  
46 c. (pending before the Legislature as this bill), adopt and  
47 distribute the policy to all persons to whom the policy applies.

1 <sup>1</sup>Each committee shall also, by the effective date of this act,  
2 P.L. , c. (pending before the Legislature as this bill), create a  
3 written summary form of the policy. Each committee shall provide  
4 the form to any person who renders personal, clerical,  
5 administrative, or professional services to, for, or on behalf of the  
6 committee for a period of four or less days. At the end of the form  
7 shall be a section for the person to sign and acknowledge receipt of  
8 the form. The form shall contain the contact information for the  
9 committee's Anti-Discrimination and Anti-Harassment Policy  
10 Coordinator and include the Office on Discrimination and  
11 Harassment Prevention telephone number and Internet portal  
12 information for submitting a complaint.<sup>1</sup>

13 c. Candidates, committee members, and campaign and political  
14 staff shall receive training on the policy or shall complete a  
15 program approved by the Office on Discrimination and Harassment  
16 Prevention and shall submit a certificate denoting completion to the  
17 committee. A copy of the certificate shall be filed with the Office  
18 on Discrimination and Harassment Prevention and shall be public  
19 information. This subsection shall only apply to those campaign  
20 and political staff members who complete or intend to complete at  
21 least 280 hours of work for the candidate or committee over the  
22 course of a calendar year. Candidates, committee members, and  
23 campaign and political staff to whom this subsection applies shall  
24 receive training within 30 days of commencement of participation  
25 on a campaign or with a committee, and at least once every two  
26 years thereafter. A person shall not be required to complete more  
27 than one such training within a two-year period and may submit a  
28 certificate denoting completion to any committee with whom the  
29 person associates as evidence thereof.

30 d. Each candidate committee, joint candidates committee,  
31 political party committee, or continuing political committee shall  
32 designate an individual, who shall be known as the Anti-  
33 Discrimination and Anti-Harassment Policy Coordinator, to serve as  
34 the person responsible for coordination of the responsibilities of the  
35 committee under this act, P.L. , c. (C. ) (pending before the  
36 Legislature as this bill), including:

- 37 (1) posting and distribution of the policy;  
38 (2) collection of the written acknowledgements and certificates  
39 and submission thereof to the Office on Discrimination and  
40 Harassment Prevention;  
41 (3) receipt and reporting to the office of complaints of  
42 discrimination or harassment; and  
43 (4) other communication and coordination with the office, as  
44 necessary.

45 Each candidate committee, joint candidates committee, political  
46 party committee, or continuing political committee shall submit the  
47 name of its coordinator to the Office on Discrimination and  
48 Harassment. The coordinator shall assist any person to whom the



1 policy applies in submitting a complaint if the person requests such  
2 assistance. The coordinator shall provide to any person who  
3 submits a complaint to the coordinator confirmation that the  
4 complaint has been forwarded to the office within 48 hours of the  
5 person's submission, which confirmation shall be sent utilizing the  
6 contact information provided by the person submitting the  
7 complaint.

8  
9 5. a. Any person to whom the policy applies may submit a  
10 complaint to the Office on Discrimination and Harassment  
11 Prevention through the office's Internet portal or by telephone, or to  
12 the committee's Anti-Discrimination and Anti-Harassment Policy  
13 Coordinator. During the initial intake of a complaint, the  
14 investigator at the Office on Discrimination and Harassment  
15 Prevention shall obtain information regarding the complaint, and  
16 determine if interim corrective measures are necessary to prevent  
17 continued violations of the policy. If interim corrective measures  
18 are determined to be necessary, the committee's Anti-  
19 Discrimination and Anti-Harassment Policy Coordinator shall carry  
20 out those measures. Any corrective action that requires the  
21 participation of the complainant shall not be implemented without  
22 the consent of that complainant. The Office on Discrimination and  
23 Harassment Prevention may involve law enforcement, when  
24 appropriate, for instances involving bodily harm or serious bodily  
25 harm.

26 b. A person who wishes to take action about prohibited  
27 discrimination or harassment may file a criminal complaint with the  
28 law enforcement agency of the municipality where the incident  
29 occurred. A person may make both a report to a law enforcement  
30 agency and also a report to the Office on Discrimination and  
31 Harassment Prevention or the committee's Anti-Discrimination and  
32 Anti-Harassment Policy Coordinator.

33 c. Nothing in this act shall prevent a person from filing a  
34 complaint directly with other agencies that investigate  
35 discrimination or harassment claims, such as the New Jersey  
36 Division on Civil Rights and the United States Equal Employment  
37 Opportunity Commission. The person shall contact the specific  
38 agency to obtain exact timeframes for filing a complaint. The  
39 deadlines shall run from the date of the last incident of alleged  
40 discrimination or harassment, not from the date that the final letter  
41 of determination is issued by the Office on Discrimination and  
42 Harassment Prevention.

43  
44 6. a. Each candidate committee, joint candidates committee,  
45 political party committee, or continuing political committee shall  
46 require candidates, members, campaign and political staff, and  
47 third-party vendors to whom the policy applies to provide:

1 (1) a list, and appropriate contact information, of any such  
2 committees with which the person participated within the previous  
3 10 years;

4 (2) a written attestation as to whether the person:

5 (a) has been the subject of any investigation by the Office on  
6 Discrimination and Harassment Prevention, or by any candidate  
7 committee, joint candidates committee, political party committee,  
8 or continuing political committee that did not result in a finding that  
9 the allegations were false or not substantiated; or

10 (b) with respect to an allegation of harassment or discrimination,  
11 has been disciplined or discharged by the office or any committee,  
12 has been asked by the office or any committee to discontinue his or  
13 her affiliation with a committee, or has separated from any  
14 committee while under investigation; and

15 (3) written authorization that consents to and authorizes the  
16 disclosure of information pursuant to subsection b. of this section  
17 by the Office on Discrimination and Harassment Prevention and by  
18 any committee, and that releases the office and those committees  
19 from liability that may arise from such disclosure.

20 b. Each candidate committee, joint candidates committee,  
21 political party committee, or continuing political committee shall  
22 submit to the Office on Discrimination and Harassment Prevention  
23 the list and attestation required pursuant to subsection a. of this  
24 section. If any information provided therein is false or inaccurate,  
25 the office shall notify and provide the appropriate documentation to  
26 the committee. Information disclosed pursuant to this section shall  
27 not be deemed a government record under P.L.1963, c.73 (C.47:1A-  
28 1 et seq.) or the common law concerning access to public records.

29 c. A person who, as determined pursuant to an administrative  
30 hearing, willfully provides false information or willfully fails to  
31 disclose information required in subsection a. of this section may be  
32 subject to a civil penalty of not more than \$500, which shall be  
33 collected in proceedings in accordance with the "Penalty  
34 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).  
35 A committee shall provide a notification of the penalty set forth in  
36 this section to each person to whom the policy applies.

37  
38 7. a. Each candidate committee, joint candidates committee,  
39 political party committee, or continuing political committee shall  
40 make every effort to maintain a work environment that is free from  
41 any form of prohibited discrimination or harassment. A committee  
42 or its Anti-Discrimination and Anti-Harassment Policy Coordinator  
43 shall immediately refer allegations of prohibited discrimination or  
44 harassment to the Office on Discrimination and Harassment  
45 Prevention. Any person who willfully and knowingly violates the  
46 provisions of paragraphs (1), (2), or (3) of subsection d. of section 4  
47 of this act, P.L. , c. (C. ) (pending before the Legislature as  
48 this bill), shall, in addition to any other penalty provided by law, be

1 subject to a fine of not more than \$500 for each offense. Any  
2 committee that fails to comply with the provisions of this act shall  
3 be subject to a fine imposed by the Director of the Office on  
4 Discrimination and Harassment Prevention within the New Jersey  
5 Election Law Enforcement Commission in an amount to be  
6 determined by the director.

7 b. Upon receiving evidence of any violation, the Office on  
8 Discrimination and Harassment Prevention within the Election Law  
9 Enforcement Commission shall, through the director, have the  
10 power to hold hearings upon such violation. The director shall take  
11 testimony, compile a record, and make factual findings. Upon  
12 finding any person to have committed such a violation, the Director  
13 of the Office on Discrimination and Harassment Prevention shall  
14 have the power to assess a fine, within the limits prescribed in  
15 subsection a. of this section, as it deems proper under the  
16 circumstances.

17 c. In assessing the fine, the Office on Discrimination and  
18 Harassment Prevention may provide for the remission of all or any  
19 part thereof conditioned upon the prompt correction of any failure,  
20 neglect, error, or omission constituting the violation for which the  
21 fine was assessed. Monies collected from payment of the fine shall  
22 be deposited into the State General Fund for appropriation by the  
23 Legislature to the New Jersey Election Law Enforcement  
24 Commission for the purposes of this act. The fine shall be  
25 enforceable in a summary proceeding under the "Penalty  
26 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).  
27

28 8. a. Notwithstanding the confidentiality provision of the  
29 policy, an investigator may discuss the claims with the persons  
30 against whom the complaint was filed and with other persons who  
31 may have relevant knowledge, or who have a legitimate need to  
32 know about the claims. All persons interviewed, including  
33 complainants and witnesses, shall be asked to use discretion in  
34 communicating any aspect of the investigation to avoid interfering  
35 with the investigation. All complainants shall be permitted to be  
36 accompanied with a support person or advisor of their choice to any  
37 meeting or interview that is conducted under the policy. A support  
38 person or advisor shall not represent a complainant in a meeting or  
39 interview or otherwise interfere in the investigation process.

40 Nothing in this subsection shall be interpreted as any restriction  
41 upon any candidates, committee members, or campaign and  
42 political staff members rights under State or federal law, including  
43 their right of free speech or to communicate any allegations to  
44 another person.

45 b. Each candidate committee, joint candidates committee,  
46 political party committee, and continuing political committee shall  
47 notify in writing any candidate, committee member, or campaign  
48 and political staff member who has signed or signs confidentiality

1 forms related to, or as a party to, a contract or settlement agreement  
2 which has, the purpose or effect of concealing the details relating to  
3 a claim of discrimination, retaliation, or harassment that such forms,  
4 contracts, and agreements are deemed to be against public policy  
5 and unenforceable pursuant to sections 1 and 2 of P.L.2019, c.39  
6 (C.10:5-12.7 and C.10:5-12.8), respectively.

7  
8 9. a. There is created a Safe Campaigns Advisory Board for  
9 the purpose of providing assistance, advice, and guidance to the  
10 Office on Discrimination and Harassment Prevention as needed,  
11 including in drafting and reviewing policies and procedures and  
12 tracking implementation of the provisions of this act, P.L. ,  
13 c. (C. ) (pending before the Legislature as this bill), by  
14 candidate committees, joint candidates committees, political party  
15 committees, and continuing political committees.

16 b. The board shall consist of 11 members as follows:

17 (1) <sup>1</sup>the Secretary of State, who shall serve ex officio, or the  
18 Secretary's designee;

19 (2) the director of the Division on Civil Rights in the Department  
20 of Law and Public Safety, who shall serve ex officio, or the  
21 director's designee;

22 (3) the director of the Division on Women in the Department of  
23 Children and Families, who shall serve ex officio, or the director's  
24 designee;

25 (4) the director of the Office on Discrimination and Harassment  
26 Prevention, who shall serve ex officio;

27 (5) one member of the public appointed by the Governor who  
28 shall be chosen from among three persons recommended by the  
29 New Jersey Coalition Against Sexual Assault;

30 (6) two members of the public appointed by the Governor who  
31 shall have expertise in the area of anti-harassment, and at least one  
32 of whom shall have experience in education or advocacy related to  
33 anti-harassment in campaigns; and

34 (7) seven members of the public to be appointed by the  
35 Governor as follows: one person who has expertise in the area of  
36 anti-harassment; one person upon the recommendation of the New  
37 Jersey Coalition Against Sexual Assault; one person upon the  
38 recommendation of the Center for American Women and Politics at  
39 Rutgers, The State University; one person upon the  
40 recommendation of the Center for Women and Work at Rutgers,  
41 The State University; one person upon the recommendation of the  
42 New Jersey State Bar Association; one person upon the  
43 recommendation of the New Jersey State Conference of the  
44 National Association for the Advancement of Colored People; and  
45 one person upon the recommendation of the New Jersey Latino  
46 Action Network; and

47 (2)<sup>1</sup> four members of the public who have expertise in the area of  
48 anti-harassment to be appointed, one each, by the President of the

1 Senate, the Speaker of the General Assembly, the Minority Leader  
2 of the Senate, and the Minority Leader of the General Assembly.

3 Vacancies in the membership of the board shall be filled in the  
4 same manner provided for the original appointments. The members  
5 shall serve without compensation.

6 c. All appointments to the board shall be made not later than  
7 the 30th day after the effective date of this act. The board shall  
8 convene its first meeting within 15 days following the date on  
9 which the last of its members has been appointed.

10 <sup>1</sup>【The director of the Division on Civil Rights in the Department  
11 of Law and Public Safety, or the director's designee, shall serve as  
12 chairperson.】<sup>1</sup> The board shall select a 'chairperson and'<sup>1</sup> vice  
13 chairperson who shall be a member of the commission. A majority  
14 of the authorized membership of the board shall constitute a quorum  
15 for the transaction of any business

16 The chairperson may appoint a secretary who need not be a  
17 member of the board. The board shall be entitled to call to its  
18 assistance and avail itself of the services of the employees of any  
19 State department, board, bureau, commission or agency as it may  
20 require and as may be available to it for its purposes.

21 d. The board shall adopt and implement a method for receiving  
22 anonymous feedback from persons who have interacted with the  
23 Office on Discrimination and Harassment Prevention.

24 e. The Office on Discrimination and Harassment Prevention  
25 shall provide to the board quarterly data concerning the number of  
26 cases reported and investigated during the previous three months.

27 f. The board shall provide two reports to the Office on  
28 Discrimination and Harassment Prevention, the Governor, and,  
29 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the  
30 Legislature concerning implementation of the provisions of this act,  
31 P.L. , c. (C. ) (pending before the Legislature as this bill),  
32 and any recommendations for legislation or regulations to improve  
33 upon implementation and adherence. The board shall provide the  
34 first report on or before the last calendar day of the third year  
35 following appointment of all of its members and shall provide the  
36 second report on or before the last calendar day of the third year  
37 following issuance of the first report. The Office on Discrimination  
38 and Harassment Prevention shall make each report available on its  
39 Internet site. The board shall dissolve upon issuance of the second  
40 report.

41

42 10. The New Jersey Election Law Enforcement Commission  
43 shall, within 120 days following enactment, adopt rules and  
44 regulations governing the use of campaign funds to achieve  
45 compliance with and provide anti-discrimination and anti-  
46 harassment training pursuant to this act, P.L. , c. (C. )  
47 (pending before the Legislature as this bill). The rules shall be  
48 effective immediately upon filing with the Office of Administrative

1 Law and shall be effective for a period not to exceed 18 months,  
2 and may, thereafter, be amended, adopted or readopted in  
3 accordance with the provisions of the “Administrative Procedure  
4 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.).

5  
6 11. If any provision of this act, P.L. , c. (C. ) (pending before  
7 the Legislature as this bill), or its application is held invalid, the  
8 invalidity does not affect other provisions or applications of this act  
9 which can be given effect without the invalid provision or  
10 application, and to this end the provisions of this act are severable.

11  
12 12. There is appropriated from the State General Fund to the  
13 New Jersey Election Law Enforcement Commission the sum of  
14 \$2,000,000 to carry out the purposes specified in this act, P.L. ,  
15 c. (C. ) (pending before the Legislature as this bill).

16  
17 13. This act shall take effect on the 180th day next following the  
18 date of enactment, but such anticipatory administrative action in  
19 advance as shall be necessary for the implementation of this act  
20 may be taken prior thereto.