

# ASSEMBLY, No. 3424

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED NOVEMBER 19, 2012

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman TROY SINGLETON**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblywoman Jasey**

**SYNOPSIS**

Changes deadline for filing nominating petitions for school board candidates to match filing deadline for nominating petitions for other candidates seeking elective public office.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/26/2013)**

1 AN ACT concerning petitions of nomination for candidates seeking  
2 election as members of boards of education and amending  
3 P.L.1995, c.278.

4

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

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8 1. Section 7 of P.L.1995, c.278 (C.19:60-7) is amended to read  
9 as follows:

10 7. Each candidate to be voted upon at a school election shall be  
11 nominated directly by petition, and the procedures for such  
12 nomination shall, to the extent not inconsistent with the provisions  
13 of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for  
14 nominating candidates by direct petition under chapter 13 of Title  
15 19 of the Revised Statutes. Notwithstanding the provisions of  
16 R.S.19:13-5, however, a petition of nomination for such office shall  
17 be signed by at least 10 persons, one of whom may be the  
18 candidate, and filed with the secretary of the board of education on  
19 or before four p.m. of the 50th day preceding the date of the April  
20 school election or with the county clerk on or before four p.m. of  
21 the 64th day **of the holding of the primary election for the general**  
22 **election for candidates seeking election as a member of a board of**  
23 **education at** preceding the November school election, as  
24 applicable. The signatures need not all appear upon a single petition  
25 and any number of petitions may be filed on behalf of any candidate  
26 but no petition shall contain the endorsement of more than one  
27 candidate.

28 Any candidate may withdraw as a candidate in a school election  
29 by filing a notice in writing, signed by the candidate, of such  
30 withdrawal with the secretary of the board of education before the  
31 44th day before the date of the April election or with the county  
32 clerk on the 60th day before the date of the November election, as  
33 applicable, and thereupon the name of that candidate shall be  
34 withdrawn by the secretary of the board of education and shall not  
35 be printed on the ballot.

36 A vacancy created by a declination of nomination or withdrawal  
37 by, or death of, a nominee, or in any other manner, shall be  
38 ineligible to be filled under the provisions of R.S.19:13-19 or  
39 otherwise.

40 Whenever written objection to a petition of nomination  
41 hereunder shall have been made and timely filed with the secretary  
42 of the board of education or with the county clerk, as may be  
43 appropriate, the board of education shall file its determination of the  
44 objection on or before the 44th day preceding the April school  
45 election or the county clerk shall file the clerk's determination of  
46 the objection on or before the **10th** 61st day **after the last day for**

**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 the filing of petitions for candidates seeking election as a member  
2 of a board of education at] preceding the November school  
3 election, as applicable. The last day upon which a candidate may  
4 file with the Superior Court a verified complaint setting forth any  
5 invasion or threatened invasion of the candidate's rights under the  
6 candidate's petition of nomination shall be the 46th day before the  
7 April election or the [12th] 52nd day [after the last day for the  
8 filing of petitions for candidates seeking election as a member of a  
9 board of education at] preceding the November election, as  
10 applicable. The last day upon which a candidate whose petition of  
11 nomination or any affidavit thereto is defective may amend such  
12 petition or affidavit shall be the 44th day before the April election  
13 or the [10th] 54th day [after the last day for the filing of petitions  
14 for candidates seeking election as a member of a board of education  
15 at] preceding the November election, as applicable.  
16 (cf: P.L.2011, c.202, s.36)

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18 2. This act shall take effect on January 1st following the day of  
19 enactment.

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#### STATEMENT

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24 The purpose of this bill is to change the deadline for filing  
25 petitions of nomination for candidates seeking election as members  
26 of boards of education so that it matches the deadline for filing  
27 petitions of nomination for other candidates seeking elective public  
28 office in this State.

29 Specifically, the bill changes the filing deadline for candidates in  
30 school board elections from no later than 4 p.m. of the day of the  
31 holding of the primary election for the general election to no later  
32 than 4 p.m. of the 64th day preceding the holding of the school  
33 election at the general election. The bill also changes other  
34 deadlines relating to petitions of nomination to make those  
35 deadlines match the deadlines established in current law for  
36 candidates for other elective public offices.

37 The bill would take effect on January 1st following the day of its  
38 enactment.