Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS
Changes certain deadlines for 2020 primary election by two weeks.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning certain deadlines for the 2020 primary election.

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

1. a. Notwithstanding R.S.19:12-1 or any other law or regulation to the contrary, the Secretary of State, not later than the 81st day preceding the 2020 primary election for the general election wherein electors of President and Vice-President of the United States, any representative of the United States Senate, any member of the House of Representatives, and any member of the Senate or General Assembly are to be elected, or any public question is to be submitted to the voters of the entire State, shall direct and cause to be delivered to the clerk of the county and the county board wherein any such election is to be held, a notice stating that such officers are to be elected and that such public question is to be submitted to the voters of the entire State at the 2020 general election.

b. Notwithstanding R.S.19:12-3 or any other law or regulation to the contrary, the clerk of the county, not later than the 71st day preceding the 2020 primary election, shall cause a copy of the notice received from the Secretary of State of the officer or officers to be elected at the 2020 general election, certified under the county clerk’s hand to be true and correct, to be delivered to the clerk of each municipality in the county.

c. Notwithstanding R.S.19:12-6 or any other law or regulation to the contrary, the clerk of the municipality, not later than the 71st day preceding the 2020 primary election, shall make and certify under the clerk’s hand and seal of office and forward to the clerk of the county in which the municipality is located a statement designating the public offices to be filled at such election, and the number of persons to be voted for each office. In a county of the first class, such statement shall also be forwarded to the county board.

d. Notwithstanding R.S.19:23-1 or any other law or regulation to the contrary, the chairperson of each county committee, on or before March 12 of 2020, shall file with the clerk of the municipality the number of committee members to be elected to the county committee at the 2020 primary election.

e. Notwithstanding R.S.19:23-12 or any other law or regulation to the contrary, a certificate of nomination to fill a vacancy of a primary election candidate shall be filed not later than the 69th day preceding the 2020 primary election.

f. Notwithstanding R.S.19:23-14 or any other law or regulation to the contrary, a petition addressed to the Secretary of State, the clerk of the county, or the clerk of the municipality shall be filed with such officers, respectively, before 4:00 p.m. of the 78th day preceding the 2020 primary election.
g. Notwithstanding R.S.19:23-14 or any other law or regulation to the contrary, the clerk of the municipality, not later than the close of business of the 68th day preceding the 2020 primary election, shall certify to the clerk of the county the full and correct names and addresses of all candidates for nomination for public and party office and the name of the political party of which such persons are candidates together with their slogan and designation.

h. Notwithstanding R.S.19:23-21 or any other law or regulation to the contrary, the Secretary of State, not later than the 68th day preceding the 2020 primary election, shall certify the names of the persons endorsed in the petitions filed in their office to the clerks of the counties concerned thereby, specifying in such certificate the political parties to which the persons so nominated in the petitions belong.

i. Notwithstanding R.S.19:23-22 or any other law or regulation to the contrary, the clerk of the county, not later than the close of business of the 67th day preceding the 2020 primary election, shall certify all of the persons so certified to the clerk of the county by the Secretary of State and in addition the names of all persons endorsed in petitions filed in the clerk’s office to the clerk of each municipality concerned thereby in the clerk’s respective county and to the Election Law Enforcement Commission, specifying in such certificate the political party to which the person or persons so nominated belong.

j. Notwithstanding R.S.19:23-24 or any other law or regulation to the contrary, the clerk of the county, or the clerk’s deputy, or the clerk of the municipality or the municipal clerk’s deputy, as the case may be, on the 67th day preceding the 2020 primary election, shall at their office at 3:00 P.M. conduct the drawing from the box to determine ballot positions.

k. Notwithstanding R.S.19:14-1 or any other law or regulation to the contrary, the clerk of the county, on or before the 64th day preceding the 2020 primary election, shall have ready for the printer a copy of the contents of official ballots for the primary election as hereinafter required to be printed for use at such election. The clerk of the county shall also on or before that time place another copy of such contents on file in the clerk’s office and keep the same open to public inspection until the sample ballots provided to be printed shall have been distributed.

l. Notwithstanding section 22 of P.L.2009, c.22 (C.19:63-22) or any other law or regulation to the contrary, each county board of elections may commence, within seven days before the 2020 primary election date, the process for opening and canvassing mail-in ballots as set forth in section 22 of P.L.2009, c.22 (C.19:63-22). The contents of the ballots shall remain confidential until the closing of the polls for the primary election and, thereafter, shall be disclosed only in accordance with any laws and regulations concerning the disclosure of results of elections.
m. Notwithstanding any law or regulation to the contrary, each county board of elections shall commence, immediately after the canvass of the 2020 primary election mail-in ballots, the process of opening the provisional ballot bag and canvassing provisional ballots as set forth in section 19 of P.L.1999, c.232 (C.19:53C-13) and section 20 of P.L.1999, c.232 (C.19:53C-14), respectively.

2. This act shall take effect immediately and shall expire on the seventh day following the 2020 primary election.

STATEMENT

Under this bill, certain deadlines for the 2020 primary election will be moved to occur two weeks earlier than provided by current law to allow additional time for the clerks of the counties to proof, print, and prepare mail-in ballots for the primary election. The additional time is needed due to the significant number of vote by mail ballots that will need to be mailed in a timely manner.

The deadlines for the 2020 primary election will be as follows:

- Deadline for the notice of available offices and public questions for the 2020 general election to be sent by the Secretary of State to the county clerks and county boards of election will be moved from 67 to 81 days before the 2020 primary election.
- Deadline for the chairpersons of county committees to file with the municipal clerks the number of committee members to be elected at the 2020 primary election will be moved from April 1 to March 12 of 2020.
- Deadline for the notice of federal, State, and county offices to be elected at the 2020 general election to be sent by the county clerks to the municipal clerks will be moved from 57 to 71 days before the 2020 primary election.
- Deadline for the notice of public offices to be elected at the 2020 general election to be sent by municipal clerks to the county clerks will be moved from 57 to 71 days before the 2020 primary election.
- Deadline to file a certificate to fill a vacancy of a primary election candidate by the appointed vacancy committee will be moved from 55 to 69 days before the 2020 primary election.
- Deadline for petitions addressed to the Secretary of State, the county clerks, or the municipal clerks to be filed with such officers will be moved from 64 to 78 days before the 2020 primary election.
- Deadline for the municipal clerks to certify to the county clerks the names of the candidates who filed primary
election nomination petitions with municipal clerk will be moved from 54 to 68 days before the 2020 primary election.

- Deadline for the transmittal of Secretary of State certifications of federal and State primary election candidates to be sent to county clerks will be moved from 54 to 68 days before the 2020 primary election.

- Deadline for the transmittal of county clerk certifications of all candidates to be placed on the primary ballot to be sent to the municipal clerks of the county and to the Election Law Enforcement Commission will be moved from 53 to 67 days before the 2020 primary election.

- Drawings by county and municipal clerks for ballot positions for the 2020 primary election will be moved from 53 to 67 days before the 2020 primary election.

- Deadline for the preparation for printing of the official primary election ballot will be moved from 50 to 64 days before the 2020 primary election.

Under the bill, each county board of elections, within seven days before the 2020 primary election, is permitted to commence the process for opening and canvassing mail-in ballots. The contents of the ballots are required to remain confidential until the closing of the polls for the primary election and, thereafter, will only be disclosed in accordance with any laws and regulations concerning the disclosure of election results. The bill requires that the process to open and canvass provisional ballots commence immediately after all valid mail-in ballots are counted.

Under the bill, the changes in certain deadlines for the 2020 primary election are temporary and will only apply to the 2020 primary election.