

SENATE, No. 4306

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED DECEMBER 9, 2019

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.



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2

1 AN ACT concerning certain deadlines for the 2020 primary election.

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

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6 1. a. Notwithstanding R.S.19:12-1 or any other law or
7 regulation to the contrary, the Secretary of State, not later than the
8 81st day preceding the 2020 primary election for the general
9 election wherein electors of President and Vice-President of the
10 United States, any representative of the United States Senate, any
11 member of the House of Representatives, and any member of the
12 Senate or General Assembly are to be elected, or any public
13 question is to be submitted to the voters of the entire State, shall
14 direct and cause to be delivered to the clerk of the county and the
15 county board wherein any such election is to be held, a notice
16 stating that such officers are to be elected and that such public
17 question is to be submitted to the voters of the entire State at the
18 2020 general election.

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

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

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

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

44 f. Notwithstanding R.S.19:23-14 or any other law or regulation
45 to the contrary, a petition addressed to the Secretary of State, the
46 clerk of the county, or the clerk of the municipality shall be filed
47 with such officers, respectively, before 4:00 p.m. of the 78th day
48 preceding the 2020 primary election.

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1 g. Notwithstanding R.S.19:23-14 or any other law or regulation
2 to the contrary, the clerk of the municipality, not later than the close
3 of business of the 68th day preceding the 2020 primary election,
4 shall certify to the clerk of the county the full and correct names
5 and addresses of all candidates for nomination for public and party
6 office and the name of the political party of which such persons are
7 candidates together with their slogan and designation.

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

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

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

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

40 l. Notwithstanding section 22 of P.L.2009, c.22 (C.19:63-22)
41 or any other law or regulation to the contrary, each county board of
42 elections may commence, within seven days before the 2020
43 primary election date, the process for opening and canvassing mail-
44 in ballots as set forth in section 22 of P.L.2009, c.22 (C.19:63-22).
45 The contents of the ballots shall remain confidential until the
46 closing of the polls for the primary election and, thereafter, shall be
47 disclosed only in accordance with any laws and regulations
48 concerning the disclosure of results of elections.

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1 m. Notwithstanding any law or regulation to the contrary, each
2 county board of elections shall commence, immediately after the
3 canvass of the 2020 primary election mail-in ballots, the process of
4 opening the provisional ballot bag and canvassing provisional
5 ballots as set forth in section 19 of P.L.1999, c.232 (C.19:53C-13)
6 and section 20 of P.L.1999, c.232 (C.19:53C-14), respectively.

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

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12 STATEMENT

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

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

- 21 • Deadline for the notice of available offices and public
22 questions for the 2020 general election to be sent by the
23 Secretary of State to the county clerks and county boards
24 of election will be moved from 67 to 81 days before the
25 2020 primary election.
- 26 • Deadline for the chairpersons of county committees to file
27 with the municipal clerks the number of committee
28 members to be elected at the 2020 primary election will
29 be moved from April 1 to March 12 of 2020.
- 30 • Deadline for the notice of federal, State, and county
31 offices to be elected at the 2020 general election to be
32 sent by the county clerks to the municipal clerks will be
33 moved from 57 to 71 days before the 2020 primary
34 election.
- 35 • Deadline for the notice of public offices to be elected at
36 the 2020 general election to be sent by municipal clerks to
37 the county clerks will be moved from 57 to 71 days
38 before the 2020 primary election.
- 39 • Deadline to file a certificate to fill a vacancy of a primary
40 election candidate by the appointed vacancy committee
41 will be moved from 55 to 69 days before the 2020
42 primary election.
- 43 • Deadline for petitions addressed to the Secretary of State,
44 the county clerks, or the municipal clerks to be filed with
45 such officers will be moved from 64 to 78 days before the
46 2020 primary election.
- 47 • Deadline for the municipal clerks to certify to the county
48 clerks the names of the candidates who filed primary

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1 election nomination petitions with municipal clerk will be
2 moved from 54 to 68 days before the 2020 primary
3 election.

- 4 • Deadline for the transmittal of Secretary of State
5 certifications of federal and State primary election
6 candidates to be sent to county clerks will be moved from
7 54 to 68 days before the 2020 primary election.
- 8 • Deadline for the transmittal of county clerk certifications
9 of all candidates to be placed on the primary election
10 ballot to be sent to the municipal clerks of the county and
11 to the Election Law Enforcement Commission will be
12 moved from 53 to 67 days before the 2020 primary
13 election.
- 14 • Drawings by county and municipal clerks for ballot
15 positions for the 2020 primary election will be moved
16 from 53 to 67 days before the 2020 primary election.
- 17 • Deadline for the preparation for printing of the official
18 primary election ballot will be moved from 50 to 64 days
19 before the 2020 primary election.

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

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