

ASSEMBLY, No. 2310

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Co-Sponsored by:

Assemblywomen DiMaso, Lopez, Swain, McKnight, Chaparro, Carter and Jimenez

SYNOPSIS

Requires gubernatorial and legislative candidate and joint candidates committees to adopt anti-discrimination and anti-harassment policy.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning anti-discrimination and anti-harassment
2 policies for certain candidates for elective public office and
3 members of their campaign staff, and supplementing Title 19 of
4 the Revised Statutes.

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

8
9 1. (New section) a. For the purposes of this section,
10 “Campaign staff” means any person, whether paid or unpaid,
11 rendering personal, clerical, administrative or professional services,
12 including, without limitation, public relations, research, legal,
13 canvassing, telephone, speech writing or other such services.

14 “Candidate committee” and “joint candidates committee” shall
15 have the meanings prescribed for those terms by section 3 of
16 P.L.1973, c.83 (C.19:44A-3).

17 b. Each candidate committee or joint candidates committee for
18 a candidate, or candidates, for the Senate, the General Assembly, or
19 the office of Governor or Lieutenant Governor shall adopt and
20 maintain a policy that: outlines prohibited conduct; defines
21 discrimination, harassment, and sexual harassment; requires
22 compliance with the policy; requires that appropriate measures be
23 taken to ensure that prohibited conduct does not occur; and provides
24 procedures for the reporting, investigation, final determination,
25 remediation, and discipline of prohibited conduct. The policy shall
26 include provisions regarding confidentiality, retaliation, and false
27 accusations. The policy shall be specific to the unique dynamics of
28 a political campaign.

29 The policy shall be distributed to all members of the candidate
30 committee’s or joint candidates committee’s campaign staff upon
31 commencement of a member’s participation in the campaign and
32 within five business days of any modification to the policy.

33 The candidate or joint candidates and members of campaign staff
34 shall receive training on the policy and shall submit a certification
35 denoting completion to the committee. All certifications of
36 completion shall be public records.

37 c. The New Jersey Election Law Enforcement Commission
38 shall adopt, by January 1 next following enactment of this act,
39 P.L. , c. (pending before the Legislature as this bill), and make
40 available a model policy that conforms to the requirements of
41 subsection b. of this section.

42 The New Jersey Election Law Enforcement Commission shall
43 adopt, by January 1 next following enactment, rules and regulations
44 governing the use of campaign funds to achieve compliance with
45 and provide anti-discrimination and anti-harassment training
46 pursuant to this section. The rules shall be effective immediately
47 upon filing with the Office of Administrative Law and shall be
48 effective for a period not to exceed 18 months, and may, thereafter,

1 be amended, adopted or readopted in accordance with the
2 provisions of the “Administrative Procedure Act,” P.L.1968, c.410
3 (C.52:14B-1 et seq.).

4
5 2. This act shall take effect on January 1 of the calendar year
6 next following enactment.

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9 STATEMENT

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11 This bill requires a candidate committee or joint candidates
12 committee for a candidate, or candidates, for the Senate, the
13 General Assembly, or the office of Governor or Lieutenant
14 Governor to adopt an anti-discrimination and anti-harassment
15 policy.

16 The bill requires those candidate committees or joint candidates
17 committees to adopt and maintain a policy that is specific to the
18 unique dynamics of a political campaign and that: outlines
19 prohibited conduct; defines discrimination, harassment, and sexual
20 harassment; requires compliance with the policy; requires that
21 appropriate measures be taken to ensure that prohibited conduct
22 does not occur; and provides procedures for the reporting,
23 investigation, final determination, remediation, and discipline of
24 prohibited conduct. The policy must include provisions regarding
25 confidentiality, retaliation, and false accusations.

26 The policy is to be distributed to all members of the committee’s
27 campaign staff upon commencement of participation in the
28 campaign and within five business days of any modification to the
29 policy. The candidate or joint candidates and members of campaign
30 staff are to receive training on the policy and submit a certification
31 of completion to the committee, which will be a public record.

32 The bill directs the New Jersey Election Law Enforcement
33 Commission to adopt and make available a model policy that
34 conforms to the requirements of the bill that may be used by the
35 committees.