

ASSEMBLY, No. 4037

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Requires electronic signature and submission process for all candidate, recall, initiative, and referendum petitions for remaining 2020 elections and thereafter during COVID-19 emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/14/2020)

1 AN ACT concerning the electronic gathering of signatures and
2 submission of petitions for remaining elections in 2020 and
3 thereafter during the COVID-19 emergency.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. Notwithstanding the provisions of Title 19 of the Revised
9 Statutes, or any other law, rule, or regulation to the contrary, the
10 requirements to collect petition signatures via an online form and to
11 submit petitions online implemented by the Secretary of State, county
12 clerks, and municipal clerks pursuant to paragraphs 1, 2, 3, 4, and 5
13 of Executive Order No. 105 (2020) and paragraphs 1, 2, 3, and 4 of
14 Executive Order No. 132 (2020) shall be implemented to include any
15 pending petition for all remaining elections in 2020 and for any other
16 election taking place thereafter for the duration of the COVID-19
17 Public Health Emergency and State of Emergency declared by the
18 Governor under Executive Order No. 103 (2020).

19 b. The electronic signature and submission requirements for
20 petitions shall apply to the:

21 (1) collection of signatures for any candidate, delegate, recall,
22 initiative, referendum, or other petition required to be filed prior to
23 an election;

24 (2) delivery of petitions to the Secretary of State, county clerks,
25 and municipal clerks;

26 (3) acceptance by the Secretary of State, county clerks, and
27 municipal clerks of electronic petitions with signatures collected via
28 the online form, except that handwritten signatures obtained prior to
29 the effective date of this section shall also be accepted electronically
30 and in person; and

31 (4) verification of signatures, notarization of petitions, and
32 submission of oaths to accompany petitions, as may be required by
33 law.

34 c. The Secretary of State, in consultation with the Department
35 of Law and Public Safety, shall develop a generic template for the
36 online form to be used for the collection of signatures and submission
37 of petitions. The petition's respective filing officer shall develop the
38 electronic procedures for signature verification, petition notarization,
39 and submission of oaths to meet the requirements of current law.
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41 2. This act shall take effect immediately.
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44 STATEMENT
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46 This bill requires an electronic process for the collection of
47 petition signatures and their submission for all elections remaining in
48 2020 and thereafter for the duration of the COVID-19 public health

1 emergency. This bill would apply to petitions required to be
2 submitted by any candidate or delegate, and for recall, initiative, and
3 referendum petitions.

4 Under the bill, the requirements to collect petition signatures via
5 an online form and to submit petitions online implemented by the
6 Secretary of State, county clerks, and municipal clerks pursuant to
7 paragraphs 1, 2, 3, 4, and 5 of Executive Order No. 105 (2020) for
8 candidate and delegate petitions, and pursuant to paragraphs 1, 2, 3,
9 and 4 of Executive Order No. 132 (2020) for initiative and
10 referendum petitions, would be implemented to include any pending
11 petition for all remaining elections in 2020 and for any other election
12 taking place thereafter for the duration of the COVID-19 Public
13 Health Emergency and State of Emergency declared by the Governor
14 under Executive Order No. 103 (2020).

15 The bill provides that the petition electronic signature and
16 submission requirements would apply to the:

17 (1) collection of signatures for any candidate, delegate, recall,
18 initiative, referendum, or other petition required to be filed prior to
19 an election;

20 (2) delivery of petitions to the Secretary of State, county clerks,
21 and municipal clerks;

22 (3) acceptance by the Secretary of State, county clerks, and
23 municipal clerks of electronic petitions with signatures collected via
24 the online form, except that handwritten signatures obtained prior to
25 the effective date of this section shall also be accepted electronically
26 and in person; and

27 (4) verification of signatures, notarization of petitions, and
28 submission of oaths to accompany petitions, as may be required by
29 law.

30 The Secretary of State, in consultation with the Department of
31 Law and Public Safety, would develop a generic template for the
32 online form to be used for the collection of signatures and submission
33 of petitions. The petition's respective filing officer would develop
34 the electronic procedures for signature verification, petition
35 notarization, and submission of oaths to meet the requirements of
36 current law.