

ASSEMBLY, No. 2159

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Assemblyman GREENWALD

1 AN ACT concerning uncontested candidacies for party nominations
2 and party offices and revising parts of the statutory law.

3

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

6

7 1. R.S.19:3-3 is amended to read as follows:

8 19:3-3. Delegates and alternates to the national conventions of the
9 political parties shall be elected at the primary election to be held on
10 the Tuesday next after the first Monday in June in that year. The
11 members of State, county and municipal committees of the political
12 parties shall be chosen at the primary for the general election as
13 hereinafter provided. A candidate for the office of delegate or
14 alternate to the national convention of a political party or the office of
15 member of a committee of a political party who has been certified
16 under R.S.19:23-14 as having been elected to that office on the basis
17 of petitions of nomination properly filed shall be deemed to have been
18 elected to or chosen for the office at that primary election for the
19 purposes of this section and, unless otherwise apparent from the
20 context, of all other provisions of this Title.

21 (cf: P.L.1976, c.26, s.1)

22

23 2. R.S.19:12-7 is amended to read as follows:

24 19:12-7. a. The county board in each county shall cause to be
25 published in a newspaper or newspapers which, singly or in
26 combination, are of general circulation throughout the county, a notice
27 containing the information specified in subsection b. hereof, except for
28 such of the contents as may be omitted pursuant to subsection c. or d.
29 hereof. Such notice shall be published once during the 30 days next
30 preceding the day fixed for the closing of the registration books for the
31 primary election, once during the calendar week next preceding the
32 week in which the primary election is held, once during the 30 days
33 next preceding the day fixed for the closing of the registration books
34 for the general election, and once during the calendar week next

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 preceding the week in which the general election is held.

2 b. Such notice shall set forth:

3 (1) For the primary election:

4 (a) That a primary election for making nominations for the general
5 election, for the selection of members of the county committees of
6 each political party, and in each presidential year for the selection of
7 delegates and alternates to national conventions of political parties,
8 will be held on the day and between the hours and at the places
9 provided for by or pursuant to this Title.

10 (b) The place or places at which and hours during which a person
11 may register; the procedure for the transfer of registration, and the
12 date on which the books are closed for registration or transfer of
13 registration.

14 (c) The several State, county, municipal and party offices or
15 positions to be filled, or for which nominations are to be made, at such
16 primary election.

17 (d) The existence of registration and voting aids, including: (i) the
18 availability of registration and voting instructions at places of
19 registration as provided under R.S.19:31-6; and (ii), if available, the
20 accessibility of voter information to the deaf by means of a
21 telecommunications device.

22 (e) The availability of assistance to a person unable to vote due to
23 blindness, disability or inability to read or write.

24 (f) With respect to those election districts within the county, if any,
25 wherein by reason of the operation of the provisions of subsection b.
26 of R.S.19:23-23 no nomination of a political party for any public office
27 is to be made and no position of a party office of that political party is
28 to be filled at the primary election, a notice specifically enumerating
29 those election districts and stating that, in the absence of any contest
30 for such nominations and party positions, no primary election for that
31 political party will be held in the election districts so enumerated.

32 (2) For the general election:

33 (a) That a general election will be held on the day and between the
34 hours and at the places provided for by or pursuant to this Title.

35 (b) The place or places at which and hours during which a person
36 may register; the procedure for transfer of registration, and the date on
37 which the books are closed for registration or transfer of registration.

38 (c) The several State, county and municipal offices to be filled and,
39 except as provided in section 19:14-33 of this Title as to publication
40 of notice of any Statewide proposition directed by the Legislature to
41 be submitted to the people, the State, county and municipal public
42 questions to be voted upon at such general election.

43 (d) The existence of registration and voting aids, including: (i) the
44 availability of registration and voting instructions at places of
45 registration as provided under R.S.19:31-6; and (ii) the accessibility
46 of voter information to the deaf by means of a telecommunications

1 device.

2 (e) The availability of assistance to a person unable to vote due to
3 blindness, disability or inability to read or write.

4 (3) For a school election:

5 (a) The day, time and place thereof,

6 (b) The offices, if any, to be filled at the election,

7 (c) The substance of any public question to be submitted to the
8 voters thereat,

9 (d) Such other information as may be required by law.

10 c. If such publication is made in more than one newspaper, it shall
11 not be necessary to duplicate in the notice published in each such
12 newspaper all the information required under this section, so long as:

13 (1) The municipal officers or party positions to be filled, or
14 nominations made, or municipal public questions to be voted upon by
15 the voters of any municipality, shall be set forth in at least one
16 newspaper having general circulation in such municipality;

17 (2) All offices to be filled, or nominations made therefor, or public
18 questions to be voted upon, by the voters of the entire State or of the
19 entire county shall be set forth in a newspaper or newspapers which,
20 singly or in combination, have general circulation throughout the
21 county;

22 (3) Information relating to nominations and elections in each
23 Legislative District comprised in whole or part in the county, shall be
24 published in at least a newspaper or newspapers which singly or in
25 combination, have general circulation in every municipality of the
26 county which is comprised in such legislative district.

27 d. Such part or parts of the original notices as published which
28 pertain to day of registration or primary election which has occurred
29 shall be eliminated from such notice in succeeding insertions.

30 e. Notwithstanding anything to the contrary in this section, in a
31 school election the county board shall give notice of each election not
32 less than 10 days prior to the date fixed for the election, by posting at
33 least 7 copies of the notice, one on each schoolhouse in the district
34 and the others at such public places therein as the board shall direct
35 and causing a copy thereof to be published at least once, in at least one
36 newspaper published in each municipality in the district and, if no
37 newspaper is published in any such municipality or such a newspaper
38 will not be published in time to publish the notice in accordance with
39 this section, then, as to the municipality, in at least one newspaper
40 published in the county or State and circulating in the municipality.

41 f. The cost of publishing the notices required by this section shall
42 be paid by the respective counties ,or for school elections, by the
43 respective school district .

44 (cf: P.L.1995, c.278, s.16)

1 3. R.S.19:13-1 is amended to read as follows:

2 19:13-1. Candidates for all public offices to be voted for at the
3 general election in this state or in any political division thereof, except
4 electors of president and vice president of the United States nominated
5 by the political parties at state conventions, shall be nominated directly
6 by petition as hereinafter provided, or at the primary for the general
7 election held pursuant to this title. A candidate for the nomination of
8 a political party for election to a public office who has been certified
9 under R.S.19:23-14 as having received that nomination on the basis of
10 petitions of nomination properly filed shall be deemed to have been
11 nominated by the party for the office at that primary election for the
12 purposes of this section and, unless otherwise apparent from the
13 context, of all other provisions of this Title.

14 (cf: R.S.19:13-1)

15

16 4. Section 3 of P.L.1990, c.57 (C:19:13-14.1) is amended to read
17 as follows:

18 3. A person whose name appears on the ballot at a primary election
19 as a candidate for nomination by a political party for any municipal
20 office or who shall have been deemed under subsection a. of
21 R.S.19:23-14 to have been nominated by a political party for such
22 office shall not be eligible to serve as the candidate of any other
23 political party for that office in that municipality at the general election
24 following that primary.

25 (cf: P.L.1990, c.57, s.3)

26

27 5. R.S.19:13-20 is amended to read as follows:

28 19:13-20. In the event of a vacancy, howsoever caused, among
29 candidates nominated at primaries or candidates certified under
30 R.S.19:23-14 as having received the nomination of a political party for
31 public office on the basis of petitions of nomination properly filed,
32 which vacancy shall occur not later than the 51st day before the
33 general election, or in the event of inability to select a candidate
34 because of a tie vote at such primary, a candidate shall be selected in
35 the following manner:

36 a. (1) In the case of an office to be filled by the voters of the entire
37 State, the candidate shall be selected by the State committee of the
38 political party wherein such vacancy has occurred.

39 (2) In the case of an office to be filled by the voters of a single and
40 entire county, the candidate shall be selected by the county committee
41 in such county of the political party wherein such vacancy has
42 occurred.

43 (3) In the case of an office to be filled by the voters of a portion of
44 the State comprising all or part of two or more counties, the candidate
45 shall be selected by those members of the county committees of the
46 party wherein the vacancy has occurred who represent those portions

1 of the respective counties which are comprised in the district from
2 which the candidate is to be elected.

3 (4) In the case of an office to be filled by the voters of a portion of
4 a single county, the candidate shall be selected by those members of
5 the county committee of the party wherein the vacancy has occurred
6 who represent those portions of the county which are comprised in the
7 district from which the candidate is to be elected.

8 At any meeting held for the selection of a candidate under this
9 subsection, a majority of the persons eligible to vote thereat shall be
10 required to be present for the conduct of any business, and no person
11 shall be entitled to vote at that meeting who is appointed to the State
12 committee or county committee after the seventh day preceding the
13 date of the meeting.

14 In the case of a meeting held to select a candidate for other than a
15 Statewide office, the chairman of the meeting shall be chosen by
16 majority vote of the persons present and entitled to vote thereat. The
17 chairman so chosen may propose rules to govern the determination of
18 credentials and the procedures under which the meeting shall be
19 conducted, and those rules shall be adopted upon a majority vote of
20 the persons entitled to vote upon the selection. If a majority vote is
21 not obtained for those rules, the delegates shall determine credentials
22 and conduct the business of the meeting under such other rules as may
23 be adopted by a majority vote. All contested votes taken at the
24 selection meeting shall be by secret ballot.

25 b. (1) Whenever in accordance with subsection a. of this section
26 members of two or more county committees are empowered to select
27 a candidate to fill a vacancy, it shall be the responsibility of the
28 chairmen of said county committees, acting jointly not later in any case
29 than the seventh day following the occurrence of the vacancy, to give
30 notice to each of the members of their respective committees who are
31 so empowered of the date, time and place of the meeting at which the
32 selection will be made, that meeting to be held at least one day
33 following the date on which the notice is given.

34 (2) Whenever in accordance with the provisions of subsection a. of
35 this section members of a county committee are empowered to select
36 a candidate to fill a vacancy, it shall be the responsibility of the
37 chairman of such county committee, not later in any case than the
38 seventh day following the occurrence of the vacancy, to give notice to
39 each of the members of the committee who are so empowered of the
40 date, time and place of the meeting at which the selection will be
41 made, that meeting to be held at least one day following the date on
42 which the notice is given.

43 (3) A county committee chairman or chairmen who call a meeting
44 pursuant to paragraph (1) or (2) of this subsection shall not be entitled
45 to vote upon the selection of a candidate at such meeting unless he or
46 they are so entitled pursuant to subsection a.

1 (4) Whenever in accordance with the provisions of subsection a. of
2 this section the State committee of a political party is empowered to
3 select a candidate to fill a vacancy, it shall be the responsibility of the
4 chairman of that State committee to give notice to each of the
5 members of the committee of the date, time and place of the meeting
6 at which the selection will be made, that meeting to be held at least
7 one day following the date on which the notice is given.

8 c. Whenever a selection is to be made pursuant to this section to
9 fill a vacancy resulting from inability to select a candidate because of
10 a tie vote at a primary election, the selection shall be made from
11 among those who have thus received the same number of votes at the
12 primary.

13 d. A selection made pursuant to this section shall be made not later
14 than the 48th day preceding the date of the general election, and a
15 statement of such selection shall be filed with the Secretary of State or
16 the appropriate county clerk, as the case may be, not later than said
17 48th day, and in the following manner:

18 (1) A selection made by a State committee of political party shall
19 be certified to the Secretary of State by the State chairman of the
20 political party.

21 (2) A selection made by a county committee of a political party, or
22 a portion of the members thereof, shall be certified to the county clerk
23 of the county by the county chairman of such political party; except
24 that when such selection is of a candidate for the Senate or General
25 Assembly or the United States House of Representatives the county
26 chairman shall certify the selection to the State chairman of such
27 political party, who shall certify the same to the Secretary of State.

28 (3) A selection made by members of two or more county
29 committees of a political party acting jointly shall be certified by the
30 chairmen of said committees, acting jointly, to the State chairman of
31 such political party, who shall certify the same to the Secretary of
32 State.

33 e. A statement filed pursuant to subsection d. of this section shall
34 state the residence and post office address of the person so selected,
35 and shall certify that the person so selected is qualified under the laws
36 of this State to be a candidate for such office, and is a member of the
37 political party filling the vacancy. Accompanying the statement the
38 person endorsed therein shall file a certificate stating that he is
39 qualified under the laws of this State to be a candidate for the office
40 mentioned in the statement, that he consents to stand as a candidate at
41 the ensuing general election and that he is a member of the political
42 party named in said statement, and further that he is not a member of,
43 or identified with, any other political party or any political
44 organization espousing the cause of candidates of any other political
45 party, to which shall be annexed the oath of allegiance prescribed in
46 R.S.41:1-1 duly taken and subscribed by him before an officer

1 authorized to take oaths in this State. The person so selected shall be
2 the candidate of the party for such office at the ensuing general
3 election.

4 (cf: P.L.1988, c.126, s.1)

5

6 6. Section 1 of P.L.1990, c.56 (C.19:13-20.1) is amended to read
7 as follows:

8 1. If, other than by reason of the operation of subsection b. of
9 R.S.19:23-23, there is no candidate on the primary election ballot of
10 a political party for nomination for election to a public office in the
11 general election and no write-in candidate for nomination for that
12 office receives the minimum number of write-in votes necessary for
13 nomination at a primary election pursuant to section 1 of P.L.1981,
14 c.264 (C.19:14-2.1) and R.S.19:23-8, a vacancy shall not be deemed
15 to exist and the provisions of R.S.19:13-20 shall not be applicable.

16 (cf: P.L.1990, c.56, s.1)

17

18 7. R.S.19:23-14 is amended to read as follows:

19 19:23-14. a. Petitions addressed to the Secretary of State, the
20 county clerks, or the municipal clerks shall be filed with such officers,
21 respectively, before 4:00 p.m. of the 54th day next preceding the day
22 of the holding of the primary election for the general election.

23 With respect to any public office, or the office of delegate or
24 alternate to the national convention of a political party or any office of
25 member of a committee of a political party, if the number of persons
26 indorsed as candidates at the primary election for the nomination of a
27 political party for election to the public office or to fill the political
28 party office in petitions properly filed in the office of the Secretary of
29 State, the county clerk, or the municipal clerk, as the case may be, is
30 less than or equal to the number of persons that the political party may
31 nominate for election to the public office or the number of positions
32 of the political party office to be filled, as the case may be, then the
33 person or persons so indorsed shall be deemed to have been nominated
34 by their political party for the public office or elected to fill the
35 political party office, as appropriate, and the Secretary of State,
36 county clerk, or municipal clerk shall certify such nomination or
37 election of the person or persons in the same manner as provided for
38 certification of the nomination or election of persons so nominated or
39 elected at the primary election. Issuance by the Secretary of State,
40 county clerk, or municipal clerk to each person certified as nominated
41 for election to public office or elected to fill a position as member of
42 a committee of a political party of a certificate of the person's
43 nomination for the public office or election to the party position shall
44 be made not later than the 43rd day preceding the primary election for
45 the general election. The certificate so issued shall be in lieu of any
46 certificate of nomination or election otherwise required to be issued

1 under this Title to persons nominated for public office or elected to
2 party office at the primary election.

3 For the purposes of this subsection, nominations for election to a
4 public office to which candidates at the general election are to be
5 elected from different jurisdictions or for terms of different duration
6 shall be considered to be nominations for election to different public
7 offices.

8 b. Not later than the close of business of the 48th day preceding
9 the primary election for the general election, the municipal clerk shall
10 certify to the county clerk the full and correct names and addresses of
11 all candidates for nomination for public and party office and the name
12 of the political party of which such persons are candidates together
13 with their slogan and designation, including therewith a copy of the
14 certification issued by the municipal clerk as prescribed by subsection
15 a. of this section identifying any of those persons deemed under that
16 subsection on the basis of petitions properly filed with the municipal
17 clerk to have been nominated as the candidate of a political party for
18 election to a public office or elected to fill a position of a political
19 party office. The county clerk shall transmit this information to the
20 Election Law Enforcement Commission in the form and manner
21 prescribed by the commission and shall notify the commission
22 immediately upon the withdrawal of a petition of nomination.

23 (cf: P.L.1985, c.92, s.18)

24

25 8. R.S.19:23-21 is amended to read as follows:

26 19:23-21. The Secretary of State shall certify the names of the
27 persons indorsed in the petitions filed in his office, including therewith
28 a copy of the certification issued by the Secretary as prescribed by
29 subsection a. of R.S.19:23-14 identifying any of those persons deemed
30 under that subsection to have been nominated as the candidate of a
31 political party for public office or chosen to fill political party positions
32 on the basis of those petitions, to the clerks of counties concerned
33 thereby not later than the 48th day prior to the holding of the primary
34 election, specifying in such certificate the political parties to which the
35 persons so nominated in the petitions belong. In the case of
36 candidates for offices other than federal office, the Secretary of State
37 shall also transmit this information to the Election Law Enforcement
38 Commission in the form and manner prescribed by the commission and
39 shall notify the commission immediately upon the withdrawal of a
40 petition of nomination.

41 (cf: P.L.1985, c.92, s.19)

42

43 9. R.S.19:23-22 is amended to read as follows:

44 19:23-22. The county clerk shall certify all of the persons so
45 certified to him by the Secretary of State and in addition the names of
46 all persons indorsed in petitions filed in his office to the clerk of each

1 municipality concerned thereby in his respective county not later than
2 the close of business of the 47th day prior to the time fixed by law for
3 the holding of the primary election, specifying in such certificate the
4 political party to which the person or persons so nominated belong,
5 and including therewith a copy of the certification issued by the county
6 clerk as prescribed by subsection a. of R.S.19:23-14, and a copy of
7 any certification issued by the Secretary of State thereunder and
8 received by the county clerk under R.S.19:23-21, identifying any of
9 the persons indorsed in petitions filed in the office of the county clerk
10 or the Secretary of State who are deemed under that subsection a. of
11 R.S.19:23-14 to have been nominated as the candidate of a political
12 party for election to a public office or chosen to fill a political party
13 position. The county clerk shall also transmit this information with
14 respect to persons, other than candidates for federal office, indorsed
15 in petitions filed in his office to the Election Law Enforcement
16 Commission in the form and manner prescribed by the commission and
17 shall notify the commission immediately upon the withdrawal of a
18 petition of nomination filed in his office.

19 (cf: P.L.1985, c.92, s.20)

20

21 10. R.S.19:23-23 is amended to read as follows:

22 19:23-23. a. There shall be separate ballots for each political
23 party. Such ballots shall be alike in form for all political parties.

24 b. If, under subsection a. of R.S.19:23-14, the Secretary of State,
25 the county clerk, or the municipal clerk has certified, on the basis of
26 petitions indorsing candidates properly filed in the office of the
27 Secretary, the county clerk, or the municipal clerk, respectively, that
28 the nomination or any or all of the nominations of a political party of
29 a candidate or candidates for election to a particular public office at
30 the general election has or have been made, or that a political party
31 office or any or all of the positions of such a political party office has
32 or have been filled, then no vote shall be taken at the primary election
33 upon that nomination or those nominations of that party of candidates
34 for election to that public office or upon the filling of that political
35 party office or those positions of that party office, as the case may be,
36 and the vote upon any such nomination for that public office or upon
37 the filling of that political party office shall be limited to the making of
38 such nominations or the filling of such positions of the political party
39 office as shall remain unmade or unfilled. In the case of any public
40 office for which each nomination of the political party for that office
41 has been made on the basis of such petitions, or any office of the
42 political party with respect to which each position has been filled on
43 that basis, then the primary election ballot for that political party shall
44 omit any reference to the title of or provision for voting upon the
45 public or party office, and shall also omit any other information
46 otherwise prescribed by law that relates to the nomination of

1 candidates for the public office or the filling of the political party
2 office, as the case may be, at the primary election.

3 For the purposes of this subsection, nominations for election to a
4 public office to which candidates at the general election are to be
5 elected from different jurisdictions or for terms of different duration
6 shall be considered to be nominations for election to different public
7 offices.

8 (cf: R.S.19:23-23)

9

10 11. R.S.19:23-24 is amended to read as follows:

11 19:23-24. The position which the candidates and bracketed groups
12 of names of candidates for the primary for the general election shall
13 have upon the primary election ballots, in the case of candidates for
14 nomination for members of the United States Senate, Governor,
15 members of the House of Representatives, members of the State
16 Senate, members of the General Assembly, choice for President,
17 delegates and alternates-at-large to the national conventions of
18 political parties, district delegates and alternates to conventions of
19 political parties, candidates for party positions, and county offices or
20 party positions which are to be voted for by the voters of the entire
21 county or a portion thereof greater than a single municipality,
22 including a congressional district which is wholly within a single
23 municipality, shall be determined by the county clerks in their
24 respective counties; and, excepting in counties where R.S.19:49-2
25 applies, the position on the primary ballots in the case of candidates
26 for nomination for office or party position wherein the candidates for
27 office or party position to be filled are to be voted for by the voters of
28 a municipality only, or a subdivision thereof (excepting in the case of
29 members of the House of Representatives) shall be determined by the
30 municipal clerk in such municipalities, in the following manner: The
31 county clerk, or his deputy, or the municipal clerk or his deputy, as the
32 case may be, shall at his office on the 47th day prior to the primary
33 election at three o'clock in the afternoon draw from the box, as
34 hereinafter described, each card separately without knowledge on his
35 part as to which card he is drawing. Any legal voter of the county or
36 municipality, as the case may be, shall have the privilege of witnessing
37 such drawing. The person making the drawing shall make public
38 announcement at the drawing of each name, the order in which same
39 is drawn, and the office for which the drawing is made. When there
40 is to be but one person nominated for the office, the names of the
41 several candidates who have filed petitions for such office shall be
42 written upon cards (one name on a card) of the same size, substance
43 and thickness. The cards shall be deposited in a box with an aperture
44 in the cover of sufficient size to admit a man's hand. The box shall be
45 well shaken and turned over to thoroughly mix the cards, and the cards
46 shall then be withdrawn one at a time. The first name drawn shall have

1 first place, the second name drawn, second place, and so on; the order
2 of the withdrawal of the cards from the box determining the order of
3 arrangement in which the names shall appear upon the primary election
4 ballot. Where there is more than one person to be nominated to an
5 office where petitions have designated that certain candidates shall be
6 bracketed, the position of such bracketed names on the ballot (each
7 bracket to be treated as a single name), together with individuals who
8 have filed petitions for nomination for such office, shall be determined
9 as above described. Where there is more than one person to be
10 nominated for an office and there are more candidates who have filed
11 petitions than there are persons to be nominated, the order of the
12 printing of such names upon the primary election ballots shall be
13 determined as above described.

14 Names of persons certified under subsection a. of R.S.19:23-14 as
15 having been nominated as the candidates of a political party for
16 election to a public office or as having been elected to any office of a
17 political party shall be omitted from the drawing hereinabove
18 prescribed for positions on the primary election ballot.

19 The county clerk in certifying to the municipal clerk the offices to
20 be filled and the names of candidates to be printed upon the primary
21 election ballots, shall certify them in the order as drawn in accordance
22 with the above described procedure, and the municipal clerk shall print
23 the names upon the ballots as so certified and in addition shall print the
24 names of such candidates as have filed petitions with him in the order
25 as determined as a result of the drawing as above described.
26 Candidates for the office of the county executive in counties that have
27 adopted the county executive plan of the "Optional County Charter
28 Law," P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the
29 candidates for other county offices for which there are candidates on
30 the primary election ballot.

31 (cf: P.L.1995, c.191, s.3)

32

33 12. R.S.19:23-25 is amended to read as follows:

34 19:23-25. The ballots shall be made up and printed in substantially
35 the following form:

36 Each ballot shall have at the top a coupon at least two inches deep
37 extending across the ballot above a perforated line. The coupon shall
38 be numbered for each of the political parties, respectively, from one
39 consecutively to the number of ballots delivered and received by the
40 election officers of the respective polling places. Upon the coupon
41 and above the perforated line shall be the words "To be torn off by the
42 judge of election. Fold to this line." Below the perforated line shall be
43 printed the words "Official Democratic Party Primary Ballot," or
44 "Official Republican Party Primary Ballot," or, as the case may be,
45 naming the proper political party, as provided in this Title; below
46 which and extending across the ballot in one or more lines, as may be

1 necessary, shall be printed the words name of municipality
2 ward election district date of
3 election John Doe, municipal clerk; the blank spaces shall
4 be filled in with the name of the proper municipality, the ward and the
5 district number and the date of election. The name of the municipal
6 clerk shall be a facsimile of his signature. This heading shall be set
7 apart from the body of the ballot by a heavy diagram rule. Below this
8 rule shall be printed the following directions instructing the voter how
9 to indicate his choice for each office and position, and for how many
10 persons to vote for each office and position: To vote for any person
11 whose name is printed upon this ballot mark a cross x , plus + or check
12 T with ink or pencil in the square at the left of the name of such
13 person. To vote for any person whose name is not printed upon this
14 ballot write or paste the name in the blank space under the proper title
15 of office and mark a cross x , plus + or check T with ink or pencil in
16 the square at the left of the name of such person. Below these
17 instructions shall be printed a heavy diagram rule below which shall be
18 printed the titles of offices and positions for which candidates are to
19 be voted for at the primary election, together with such directions to
20 the voter as may be necessary, as "Vote for one," "Vote for two," or
21 a greater number, as the case may be. Underneath the proper title of
22 office and position shall be printed the names of all those persons,
23 other than persons certified under subsection a. of R.S.19:23-14 as
24 having been nominated as the candidates of a political party for
25 election to a public office or elected to fill a political party office,
26 certified as candidates for the offices to the municipal clerk by the
27 county clerk as hereinbefore provided, and the names of persons, other
28 than persons certified under that subsection a. as having been so
29 nominated or elected, indorsed as such candidates in petitions on file
30 in the office of the municipal clerk as they appear signed to the
31 certificate of acceptance. The name of any person indorsed in a
32 petition as provided who shall fail to certify his consent and agreement
33 to be a candidate for nomination to the office specified therein shall
34 not be printed upon the ballots to be used at the primary election. In
35 the case of a vacancy among nominees the name of the person selected
36 in the manner provided in this Title to fill same shall be printed upon
37 the ballots in the place of the person vacating such nomination. The
38 candidates shall be arranged in groups and the groups bracketed in all
39 cases where the petitions indorsing such candidates request such
40 grouping. The designation named by candidates in their petitions for
41 nomination, as provided by this Title shall be printed to the right of the
42 names of such candidates or groups of candidates in as large type as
43 the space will allow. Immediately to the left and on the same line with
44 the name of each candidate for office and position shall be printed a
45 square approximately one-quarter of an inch in size, or by printing
46 vertical single line rules connecting the single line rules between the

1 names of the candidates and thus form a square in which the voter
2 shall indicate his choice. A single light-faced rule shall be used to
3 separate the different names in each group of candidates. A heavy
4 diagram rule shall be used between each group of candidates for
5 different offices. Where candidates are arranged in groups and the
6 groups bracketed, the groups shall be separated from other groups and
7 candidates by two single line rules approximately one-eighth of an inch
8 apart.

9 [Each] Subject to the provisions of subsection b. of R.S.19:23-23,
10 each primary ballot shall contain, at the end of the list of candidates
11 for each different office, blank squares and spaces or lines equal to the
12 number of persons to be elected to the office, for the purpose of
13 allowing any voter to write or paste the name of any person for whom
14 he desires to vote for any office or party position.

15 (cf: P.L.1994, c.77, s.10)

16

17 13. R.S.19:23-30 is amended to read as follows:

18 19:23-30. a. In counties not having a superintendent of elections
19 where the county board of elections does not have the equipment or
20 facilities to address and mail sample ballot envelopes, the municipal
21 clerk shall cause to be printed as herewith prescribed a sufficient
22 number of official primary sample ballots of each political party in each
23 election district and shall furnish a sufficient number of stamped
24 envelopes to enable every district board to mail one copy of such
25 ballot of each political party to each voter who is registered in the
26 district for the primary election. The municipal clerk shall deliver to
27 the county clerk in all counties and the county board in counties
28 having a superintendent of elections one official primary sample ballot
29 of each political party for each district in his municipality. The costs
30 of printing the official primary sample ballots and the stamped
31 envelopes therefor shall be paid by the respective municipalities.

32 b. In counties having a superintendent of elections, and in other
33 counties where the county board of elections may have the equipment
34 or facilities to prepare a properly stamped envelope addressed to each
35 registered voter in the county for mailing, the municipal clerk shall
36 cause to be printed as herewith prescribed a sufficient number of
37 official primary sample ballots of each political party for each election
38 district and shall furnish a sufficient number of stamped envelopes to
39 enable the commissioner of registration of the county to mail one copy
40 of such ballot of each political party to each voter who is registered in
41 the district for the primary election. The municipal clerk shall also
42 deliver to the county board ten official primary sample ballots of each
43 political party for each district in his municipality. The cost of printing
44 of the official primary sample ballots and stamped envelopes therefor
45 shall be paid for by the respective municipalities. County boards of
46 elections which elect to operate under the provisions of this paragraph

1 shall notify their respective municipal clerks in sufficient time to enable
2 them to make the necessary arrangements the first year.

3 c. In any election district wherein every nomination of a political
4 party for election to any public office at the general election that may
5 be made at the primary election, and every position of each office of
6 the same political party eligible to be filled at the primary election, has
7 been made and filled, respectively, on the basis of petitions endorsing
8 candidates for those nominations and party offices, the municipal clerk
9 shall, in lieu of the sample ballots required under subsections a. and b.
10 of this section for mailing to the members of that political party
11 registered to vote in that election district, prepare and provide for the
12 mailing of or deliver to the commissioner of registration for mailing,
13 as appropriate, postal cards suitable for mailing to those voters and
14 bearing the following statement: "To the voters of (insert name of
15 municipality and number of ward and election district) affiliated with
16 (insert name of applicable political party) : Candidates of your party
17 for election to public office at the general election (if any) and for
18 positions as officers of your political party are uncontested.
19 Therefore, no primary election shall be held in your election district to
20 select such candidates and to fill such party offices. You will be
21 notified prior to the general election of the time and place at which the
22 general election is to be held and of the names of candidates for
23 election to public office that will appear on the ballot at that election."
24 (cf: P.L.1947, c.168, s.8)

25

26 14. R.S.19:23-34 is amended to read as follows:

27 19:23-34. Each of such district boards, in counties not having a
28 superintendent of elections where the county board of elections does
29 not have the equipment or facilities to address and mail sample ballot
30 envelopes, and the commissioner of registration in all other counties,
31 shall prepare and deposit in the post office, on or before twelve
32 o'clock noon on Wednesday preceding the primary day, the stamped
33 envelopes containing a copy of the sample primary ballot of each
34 political party addressed to each voter whose name appears in the
35 primary election registry book.

36 In any election district for which postal cards have been prepared
37 under subsection c. of R.S.19:23-30 notifying members of a political
38 party registered to vote in the district that no primary election is to be
39 held therein for their political party, those postal cards shall be mailed
40 to those registered voters in the same manner as provided for, but in
41 lieu of, such sample ballots.

42 (cf: P.L.1947, c.168, s.11)

43

44 15. R.S.19:23-35 is amended to read as follows:

45 19:23-35. In counties not having a superintendent of elections,
46 where the county board of elections does not have the equipment or

1 facilities to address and mail sample ballot envelopes, such district
2 board shall also post three sample ballots in the polling place in its
3 district.

4 The county board of elections in all counties of the first class, and
5 in other counties where the county board of elections shall elect to
6 operate under the provisions of subsection b of section 19:23-30 of
7 this Title, shall, not later than noon of the second Monday preceding
8 the primary election, deliver or mail to the members of the district
9 board three sample ballots for their respective election district. The
10 board shall post the sample ballots in the polling place in its district.

11 The provisions of this section shall not apply in any election district
12 in which postal cards have been sent to members of all political parties
13 who are registered to vote in the district notifying those voters that no
14 primary election for their political party is to be held in the district.

15 (cf: P.L.1952, c.61, s.2)

16

17 16. R.S.19:23-38 is amended to read as follows:

18 19:23-38. The municipal clerk shall on the day preceding the
19 primary election cause to be delivered, at his office, to a member or
20 members of the district board of each election district within his
21 municipality in which any candidates are to be nominated by a political
22 party for election to public office or any positions of any political party
23 office are to be filled at the primary election, the ballots and the ballot
24 boxes provided for each election district, and any registers, poll books
25 and other documents that he may have received from the county clerk,
26 the county board or the commissioner, and take a receipt from such
27 member or members therefor, which last mentioned receipt the clerk
28 of the municipality shall file and preserve for one year.

29 In the case of an election district in which no such nominations are
30 to be made, and no such positions of any political party office are to
31 be filled, by any political party at the primary election, the municipal
32 clerk shall, not later than the 11th day preceding that election, deliver
33 to each member of the district board a notice to that effect, which
34 notice shall advise the members of the district board that they are
35 thereby released from the performance of any duties in the election
36 district in which they hold their appointment with respect to the
37 conduct of the primary election.

38 (cf: R.S.19:23-38)

39

40 17. R.S.19:24-5 is amended to read as follows:

41 19:24-5. Candidates for the position of delegates or alternates may
42 be grouped together, if they so request in their petitions, and in any
43 year of a presidential election may also have the name of the candidate
44 for President whom they favor placed opposite their individual names
45 or opposite such groups, if they so request in their petitions and if the
46 written consent of such candidate for President is endorsed upon their

1 petitions, under the caption "Choice for President."

2 Notwithstanding the provisions of R.S.19:24-4 and this section, in
3 any election district in which all positions of the offices of delegate and
4 alternate to the national convention of a political party have been
5 certified as having been filled on the basis of those petitions, the name
6 of the candidate of that party for President favored by the persons
7 elected to those positions shall not be printed on the primary election
8 ballot.

9 (cf: P.L.1974, c.9, s.3)

10

11 18. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to
12 read as follows:

13 18. a. No individual, other than an individual who is a candidate,
14 no corporation of any kind organized and incorporated under the laws
15 of this State or any other state or any country other than the United
16 States, no labor organization of any kind which exists or is constituted
17 for the purpose, in whole or in part, of collective bargaining, or of
18 dealing with employers concerning the grievances, terms or conditions
19 of employment, or of other mutual aid or protection in connection with
20 employment, or any group shall: (1) pay or make any contribution of
21 money or other thing of value to a candidate who has established only
22 a candidate committee, his campaign treasurer, deputy campaign
23 treasurer or candidate committee which in the aggregate exceeds
24 \$1,500 per election, or (2) pay or make any contribution of money or
25 other thing of value to candidates who have established only a joint
26 candidates committee, their campaign treasurer, deputy campaign
27 treasurer, or joint candidates committee, which in the aggregate
28 exceeds \$1,500 per election per candidate, or (3) pay or make any
29 contribution of money or other thing of value to a candidate who has
30 established both a candidate committee and a joint candidates
31 committee, the campaign treasurers, deputy campaign treasurers, or
32 candidate committee or joint candidates committee, which in the
33 aggregate exceeds \$1,500 per election. No candidate who has
34 established only a candidate committee, his campaign treasurer, deputy
35 campaign treasurer or candidate committee shall knowingly accept
36 from an individual, other than an individual who is a candidate, a
37 corporation of any kind organized and incorporated under the laws of
38 this State or any other state or any country other than the United
39 States, a labor organization of any kind which exists or is constituted
40 for the purpose, in whole or in part, of collective bargaining, or of
41 dealing with employers concerning the grievances, terms or conditions
42 of employment, or of other mutual aid or protection in connection with
43 employment, or any group any contribution of money or other thing
44 of value which in the aggregate exceeds \$1,500 per election, and no
45 candidates who have established only a joint candidates committee, or
46 their campaign treasurer, deputy campaign treasurer, or joint

1 candidates committee, shall knowingly accept from any such source
2 any contribution of money or other thing of value which in the
3 aggregate exceeds \$1,500 per election per candidate, and no candidate
4 who has established both a candidate committee and a joint candidates
5 committee, the campaign treasurers, deputy campaign treasurers, or
6 candidate committee or joint candidates committee shall knowingly
7 accept from any such source any contribution of money or other thing
8 of value which in the aggregate exceeds \$1,500 per election.

9 b. (1) No political committee or continuing political committee
10 shall: (a) pay or make any contribution of money or other thing of
11 value to a candidate who has established only a candidate committee,
12 his campaign treasurer, deputy campaign treasurer or candidate
13 committee, other than a candidate for nomination for election or for
14 election for the office of Governor, which in the aggregate exceeds
15 \$5,000 per election, or (b) pay or make any contribution of money or
16 other thing of value to candidates who have established only a joint
17 candidates committee, their campaign treasurer or deputy campaign
18 treasurer, or the joint candidates committee, which in the aggregate
19 exceeds \$5,000 per election per candidate, or (c) pay or make any
20 contribution of money or other thing of value to a candidate who has
21 established both a candidate committee and a joint candidates
22 committee, the campaign treasurers, deputy campaign treasurers, or
23 candidate committee or joint candidates committee, which in the
24 aggregate exceeds \$5,000 per election. No candidate who has
25 established only a candidate committee, his campaign treasurer, deputy
26 campaign treasurer or candidate committee, other than a candidate for
27 nomination for election or for election for the office of Governor, shall
28 knowingly accept from any political committee or continuing political
29 committee any contribution of money or other thing of value which in
30 the aggregate exceeds \$5,000 per election, and no candidates who
31 have established only a joint candidates committee, their campaign
32 treasurer, deputy campaign treasurer, or joint candidates committee,
33 shall knowingly accept from any such source any contribution of
34 money or other thing of value which in the aggregate exceeds \$5,000
35 per election per candidate, and no candidate who has established both
36 a candidate committee and a joint candidates committee, the campaign
37 treasurers, deputy campaign treasurers, or candidate committee or
38 joint candidates committee shall knowingly accept from any such
39 source any contribution of money or other thing of value which in the
40 aggregate exceeds \$5,000 per election.

41 (2) The limitation upon the knowing acceptance by a candidate,
42 campaign treasurer, deputy campaign treasurer, candidate committee
43 or joint candidates committee of any contribution of money or other
44 thing of value from a political committee or continuing political
45 committee under the provisions of paragraph (1) of this subsection
46 shall also be applicable to the knowing acceptance of any such

1 contribution from the county committee of a political party by a
2 candidate or the campaign treasurer, deputy campaign treasurer,
3 candidate committee or joint candidates committee of a candidate for
4 any elective public office in another county or, in the case of a
5 candidate for nomination for election or for election to the office of
6 member of the Legislature, in a legislative district in which, according
7 to the federal decennial census upon the basis of which legislative
8 districts shall have been established, less than 20% of the population
9 resides within the county of that county committee. In addition, all
10 contributor reporting requirements and other restrictions and
11 regulations applicable to a contribution of money or other thing of
12 value by a political committee or continuing political committee under
13 the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
14 applicable to the making or payment of such a contribution by such a
15 county committee.

16 The limitation upon the knowing acceptance by a candidate,
17 campaign treasurer, deputy campaign treasurer, candidate committee
18 or joint candidates committee of any contribution of money or other
19 thing of value from a political committee or continuing political
20 committee under the provisions of paragraph (1) of this subsection,
21 except that the amount of any contribution of money or other thing of
22 value shall be in an amount which in the aggregate does not exceed
23 \$25,000, shall also be applicable to the knowing acceptance of any
24 such contribution from the county committee of a political party by a
25 candidate, or the campaign treasurer, deputy campaign treasurer,
26 candidate committee or joint candidates committee of a candidate, for
27 nomination for election or for election to the office of member of the
28 Legislature in a legislative district in which, according to the federal
29 decennial census upon the basis of which legislative districts shall have
30 been established, at least 20% but less than 40% of the population
31 resides within the county of that county committee. In addition, all
32 contributor reporting requirements and other restrictions and
33 regulations applicable to a contribution of money or other thing of
34 value by a political committee or continuing political committee under
35 the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be
36 applicable to the making or payment of such a contribution by such a
37 county committee.

38 With respect to the limitations in this paragraph, the Legislature
39 finds and declares that:

40 (a) Persons making contributions to the county committee of a
41 political party have a right to expect that their money will be used, for
42 the most part, to support candidates for elective office who will most
43 directly represent the interest of that county;

44 (b) The practice of allowing a county committee to use funds
45 raised with this expectation to make unlimited contributions to
46 candidates for the Legislature who may have a limited, or even

1 nonexistent, connection with that county serves to undermine public
2 confidence in the integrity of the electoral process;

3 (c) Furthermore, the risk of actual or perceived corruption is raised
4 by the potential for contributors to circumvent limits on contributions
5 to candidates by funnelling money to candidates through county
6 committees;

7 (d) The State has a compelling interest in preventing the actuality
8 or appearance of corruption and in protecting public confidence in
9 democratic institutions by limiting amounts which a county committee
10 may contribute to legislative candidates whose districts are not located
11 in close proximity to that county; and

12 (e) It is, therefore, reasonable for the State to promote this
13 compelling interest by limiting the amount a county committee may
14 give to a legislative candidate based upon the degree to which the
15 population of the legislative district overlaps with the population of
16 that county.

17 c. (1) No candidate who has established only a candidate
18 committee, his campaign treasurer, deputy treasurer or candidate
19 committee shall (a) pay or make any contribution of money or other
20 thing of value to another candidate who has established only a
21 candidate committee, his campaign treasurer, deputy campaign
22 treasurer or candidate committee, other than a candidate for
23 nomination for election or for election for the office of Governor,
24 which in the aggregate exceeds \$5,000 per election, or (b) pay or
25 make any contribution of money or other thing of value to candidates
26 who have established only a joint candidates committee, their
27 campaign treasurer, deputy campaign treasurer, or joint candidates
28 committee, which in the aggregate exceeds \$5,000 per election per
29 candidate in the recipient committee, or (c) pay or make any
30 contribution of money or other thing of value to a candidate who has
31 established both a candidate committee and a joint candidates
32 committee, the campaign treasurers, deputy campaign treasurers, or
33 candidate committee or joint candidates committee, which in the
34 aggregate exceeds \$5,000 per election. No candidate who has
35 established only a candidate committee, his campaign treasurer, deputy
36 campaign treasurer or candidate committee, other than a candidate for
37 nomination for election or for election to the office of the Governor,
38 shall knowingly accept from another candidate who has established
39 only a candidate committee, his campaign treasurer, deputy campaign
40 treasurer or candidate committee, any contribution of money or other
41 thing of value which in the aggregate exceeds \$5,000 per election, and
42 no candidates who have established only a joint candidates committee,
43 their campaign treasurer, deputy campaign treasurer, or joint
44 candidates committee, shall knowingly accept from any such source
45 any contribution of money or other thing of value which in the
46 aggregate exceeds \$5,000 per election per candidate in the recipient

1 committee, and no candidate who has established both a candidate
2 committee and a joint candidates committee, the campaign treasurers,
3 deputy campaign treasurers, or candidate committee or joint
4 candidates committee, shall knowingly accept from any such source
5 any contribution of money or other thing of value which in the
6 aggregate exceeds \$5,000 per election.

7 (2) No candidates who have established only a joint candidates
8 committee, their campaign treasurer, deputy campaign treasurer, or
9 joint candidates committee shall (a) pay or make any contribution of
10 money or other thing of value to another candidate who has
11 established only a candidate committee, his campaign treasurer, deputy
12 campaign treasurer or candidate committee, other than a candidate for
13 nomination for election or for election for the office of Governor,
14 which in the aggregate exceeds, on the basis of each candidate in the
15 contributing joint candidates committee, \$5,000 per election, or (b)
16 pay or make any contribution of money or other thing of value to
17 candidates who have established only a joint candidates committee,
18 their campaign treasurer, deputy campaign treasurer or joint
19 candidates committee, which in the aggregate exceeds, on the basis of
20 each candidate in the contributing joint candidates committee, \$5,000
21 per election per candidate in the recipient joint candidates committee,
22 or (c) pay or make any contribution of money or other thing of value
23 to a candidate who has established both a candidate committee and a
24 joint candidates committee, the campaign treasurers, deputy campaign
25 treasurers or candidate committee or joint candidates committee,
26 which in the aggregate exceeds, on the basis of each candidate in the
27 contributing joint candidates committee, \$5,000 per election. No
28 candidate who has established only a candidate committee, his
29 campaign treasurer, deputy campaign treasurer, or candidate
30 committee, other than a candidate for nomination for election or for
31 election for the office of Governor, shall knowingly accept from other
32 candidates who have established only a joint candidates committee,
33 their campaign treasurer, deputy campaign treasurer or joint
34 candidates committee, any contribution of money or other thing of
35 value which in the aggregate exceeds, on the basis of each candidate
36 in the contributing committee, \$5,000 per election, and no candidates
37 who have established only a joint candidates committee, their
38 campaign treasurer, deputy campaign treasurer, or joint candidates
39 committee, shall knowingly accept from any such source any
40 contribution of money or other thing of value which in the aggregate
41 exceeds, on the basis of each candidate in the contributing joint
42 candidates committee, \$5,000 per election per candidate in the
43 recipient joint candidates committee, and no candidate who has
44 established both a candidate committee and a joint candidates
45 committee, the campaign treasurers, deputy campaign treasurers, or
46 candidate committee or joint candidates committee, shall knowingly

1 accept from any such source any contribution of money or other thing
2 of value which in the aggregate exceeds, on the basis of each candidate
3 in the contributing joint candidates committee, \$5,000 per election.

4 (3) No candidate who has established both a candidate committee
5 and a joint candidates committee, the campaign treasurers, deputy
6 campaign treasurers, or candidate committee or joint candidates
7 committee shall (a) pay or make any contribution of money or other
8 thing of value to another candidate who has established only a
9 candidate committee, his campaign treasurer, deputy campaign
10 treasurer or candidate committee, other than a candidate for
11 nomination for election or for election for the office of Governor,
12 which in the aggregate exceeds \$5,000 per election, or (b) pay or
13 make any contribution of money or other thing of value to candidates
14 who have established only a joint candidates committee, their
15 campaign treasurer, deputy campaign treasurer or joint candidates
16 committee, which in the aggregate exceeds \$5,000 per election per
17 candidate in the recipient joint candidates committee, or (c) pay or
18 make any contribution of money or other thing of value to a candidate
19 who has established both a candidate committee and a joint candidates
20 committee, the campaign treasurers, deputy campaign treasurers, or
21 candidate committee or joint candidates committee, which in the
22 aggregate exceeds \$5,000 per election. No candidate who has
23 established only a candidate committee, his campaign treasurer, deputy
24 campaign treasurer, or candidate committee, other than a candidate for
25 nomination for election or for election for the office of Governor, shall
26 knowingly accept from a candidate who has established both a
27 candidate committee and a joint candidates committee, the campaign
28 treasurers, deputy campaign treasurers, or candidate committee or
29 joint candidates committee, any contribution of money or other thing
30 of value which in the aggregate exceeds \$5,000 per election, and no
31 candidates who have established only a joint candidates committee,
32 their campaign treasurer, deputy campaign treasurer, or joint
33 candidates committee, shall knowingly accept from any such source
34 any contribution of money or other thing of value which in the
35 aggregate exceeds \$5,000 per election per candidate in the recipient
36 joint candidates committee, and no candidate who has established both
37 a candidate committee and a joint candidates committee, the campaign
38 treasurers, deputy campaign treasurers, or candidate committee or
39 joint candidates committee shall knowingly accept from any such
40 source any contribution of money or other thing of value which in the
41 aggregate exceeds \$5,000 per election.

42 (4) Expenditures by a candidate for nomination for election or for
43 election to the office of member of the Legislature or to an office of
44 a political subdivision of the State, or by the campaign treasurer,
45 deputy treasurer, candidate committee or joint candidates committee
46 of such a candidate, which are made in furtherance of the nomination

1 or election, respectively, of another candidate for the same office in
2 the same legislative district or the same political subdivision shall not
3 be construed to be subject to any limitation under this subsection; for
4 the purposes of this sentence, the offices of member of the State
5 Senate and member of the General Assembly shall be deemed to be the
6 same office.

7 d. Nothing contained in this section shall be construed to impose
8 any limitation on contributions by a candidate, or by a corporation,
9 100% of the stock in which is owned by a candidate or the candidate's
10 spouse, child, parent or sibling residing in the same household, to that
11 candidate's campaign.

12 e. For the purpose of determining the amount of a contribution to
13 be attributed as given to or by each candidate in a joint candidates
14 committee, the amount of the contribution to or by such a committee
15 shall be divided equally among all the candidates in the committee.

16 f. For the purposes of this section, contributions to a candidate,
17 other than a candidate for the office of Governor, who has been
18 certified under R.S.19:23-14 as having received the nomination of the
19 candidate's political party for election to public office, or to the
20 campaign treasurer, deputy campaign treasurer, candidate committee,
21 or joint candidates committee of such a candidate, which contributions
22 shall have been received on or after the 46th day preceding the primary
23 election for the general election at which that office is to be filled shall
24 be deemed to be contributions in aid of the candidacy of or in behalf
25 of the candidate for election to the office at that general election.

26 (cf: P.L.1993, c.65, s.18)

27

28 19. Section 4 of P.L.1974, c.26 (C.19:44A-29) is amended to read
29 as follows:

30 4. a. Except in the case of a candidate, as provided in subsection
31 g. of this section, no person, candidate committee or joint candidates
32 committee, political committee, continuing political committee or
33 legislative leadership committee, otherwise eligible to make
34 contributions, shall make any contribution or contributions to a
35 candidate, his campaign treasurer or deputy campaign treasurer,
36 candidate committee, a political party committee, or to any other
37 person or committee, in aid of the candidacy of or in behalf of a
38 candidate for nomination for election or for election to the office of
39 Governor in any primary or general election in the aggregate in excess
40 of \$1,500.00, or in the case of a joint candidates committee when that
41 is the only committee established by the candidates, in excess of
42 \$1,500.00 per candidate in the joint candidates committee, or in the
43 case of a candidate committee and a joint candidates committee when
44 both are established by a candidate, \$1,500.00 from that candidate.
45 No candidate for nomination for election or for election to the office
46 of Governor in any primary or general election and no campaign

1 treasurer deputy campaign or treasurer of such candidate shall
2 knowingly accept from any person, candidate, candidate committee,
3 joint candidates committee, political committee, continuing political
4 committee or legislative leadership committee any contribution or
5 contributions in aid of the candidacy of or in behalf of such candidate
6 in the aggregate in excess of \$1,500.00, or in the case of a joint
7 candidates committee when that is the only committee established by
8 the candidates, in excess of \$1,500.00 per candidate in the joint
9 candidates committee, or in the case of a candidate committee and a
10 joint candidates committee when both are established by a candidate,
11 \$1,500.00 from that candidate, in any primary or general election. No
12 provision of this act shall be construed to prohibit a contribution or
13 contributions in the aggregate in aid of the candidacy of or in behalf
14 of any candidate for nomination for election to the office of Governor
15 in a primary election not in excess of \$1,500.00, or in the case of a
16 contribution or contributions by a joint candidates committee when
17 that is the only committee established by the candidates, in excess of
18 \$1,500.00 per candidate in the joint candidates committee, or in the
19 case of a candidate committee and a joint candidates committee when
20 both are established by a candidate, \$1,500.00 from that candidate,
21 and another contribution or contributions in the aggregate in the aid
22 of the candidacy of or in behalf of any candidate for election to the
23 office of Governor in a general election not in excess of \$1,500.00, or
24 in the case of a contribution or contributions by a joint candidates
25 committee when that is the only committee established by the
26 candidates, in excess of \$1,500.00 per candidate in the joint candidates
27 committee, or in the case of a candidate committee and a joint
28 candidates committee when both are established by a candidate,
29 \$1,500.00 from that candidate. For the purpose of determining the
30 amount of a contribution to be attributed as given by each candidate
31 in a joint candidates committee, the amount of the contribution by
32 such a committee shall be divided equally among all the candidates in
33 the committee.

34 b. (Deleted by amendment, P.L.1980, c.74.)

35 c. The spouse of any contributor may make a contribution or
36 contributions in the aggregate in aid of the candidacy of or in behalf
37 of a candidate for nomination for election or for election to the office
38 of Governor of up to \$1,500.00.

39 d. No State committee of any political party shall knowingly accept
40 from any person, candidate committee, joint candidates committee,
41 political committee, continuing political committee or legislative
42 leadership committee, any contribution or contributions in the
43 aggregate in aid of the candidacy of or in behalf of a candidate for
44 election to the office of Governor in a general election in excess of
45 \$1,500.00, or in the case of a contribution or contributions by a joint
46 candidates committee when that is the only committee established by

1 the candidates, in excess of \$1,500.00 per candidate in the joint
2 candidates committee, or in the case of a candidate committee and a
3 joint candidates committee when both are established by a candidate,
4 \$1,500.00 from that candidate. A State committee may allocate a
5 contribution of up to \$1,500.00, and up to \$1,500.00 of a contribution
6 in excess of \$1,500.00 in aid of the candidacy of or in behalf of such
7 candidate, except that in the case of a contribution from a joint
8 candidates committee when that is the only committee established by
9 the candidates, the amounts which may be so allocated shall be
10 \$1,500.00 per candidate in the joint candidates committee, and in the
11 case of a candidate committee and a joint candidates committee when
12 both are established by a candidate, the amount which may be so
13 allocated shall be \$1,500.00 from that candidate. For the purpose of
14 determining the amount of a contribution to be attributed as given by
15 each candidate in a joint candidates committee, the amount of the
16 contribution by such a committee shall be divided equally among all
17 the candidates in the committee. A State committee shall create an
18 account in a national or State bank in behalf of any candidate the
19 committee intends to or does assist for election to the office of
20 Governor in a general election, shall deposit in such account and
21 report to the Election Law Enforcement Commission the name of the
22 contributor of all moneys accepted or allocated in aid of the candidacy
23 of or in behalf of such candidate, and may make a contribution or
24 contributions from such account in any amount in aid of the candidacy
25 of or in behalf of such candidate. No State committee may make any
26 contribution or contributions in aid of the candidacy of or in behalf of
27 such candidate of moneys not deposited in a bank account pursuant to
28 this subsection, and no State committee may make a contribution or
29 contributions in aid of the candidacy of or in behalf of such candidate
30 of moneys or other thing of value pledged or received in a calendar
31 year in which no gubernatorial election was held.

32 e. The county committee of a political party in a county and the
33 municipal committees of that political party in the same county may
34 make an expenditure or expenditures in the aggregate of \$10,000.00
35 in aid of the candidacy of or in behalf of any candidate for election to
36 the office of Governor in a general election. No county committee or
37 municipal committee may transfer or contribute any funds to any such
38 candidate or to such candidate's campaign treasurer or deputy
39 campaign treasurer, or to any political committee supporting such
40 candidate. A candidate or his campaign treasurer or deputy campaign
41 treasurer shall determine the exact amount that individual county
42 committees or municipal committees may contribute in aid of the
43 candidacy of or in behalf of such candidate, and shall file a report of
44 such determination with the Election Law Enforcement Commission
45 no later than the seventh day prior to the general election being
46 funded.

1 f. Communications on any subject by a corporation to its
2 stockholders and their families, or by a labor organization to its
3 members and their families, and nonpartisan registration and
4 get-out-the-vote campaigns by a corporation aimed at its stockholders
5 and their families, or by a labor organization aimed at its members and
6 their families, shall not be construed to be in aid of the candidacy of or
7 in behalf of a candidate for election to the office of Governor in any
8 primary or general election.

9 g. No candidate receiving public funds may make expenditures
10 from his own funds, including any contributions from his own funds,
11 in aid of his candidacy for nomination or election to the office of
12 Governor in excess of \$25,000.00 for the primary election and
13 \$25,000.00 for the general election.

14 As used in this subsection "own funds" means funds to which the
15 candidate is legally and beneficially entitled, but shall not include funds
16 as to which he is a trustee, or funds given or otherwise transferred to
17 the candidate by any person other than the spouse of the candidate for
18 use in aid of his candidacy.

19 h. For the purposes of this section and section 8 of P.L.1974, c.26
20 (C.19:44A-33), contributions to a candidate for the office of Governor
21 who has been certified under R.S.19:23-14 as having received the
22 nomination of the candidate's political party for election to that office,
23 or to the campaign treasurer, deputy campaign treasurer, or candidate
24 committee of such a candidate, which contributions shall have been
25 received on or after the 46th day preceding the primary election for the
26 general election at which the office of Governor is to be filled shall be
27 deemed to be contributions in aid of the candidacy of or in behalf of
28 the candidate for election to the office at that general election.

29 (cf: P.L.1993, c.65, s.14)

30
31 20. This act shall take effect immediately.

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34 STATEMENT

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36 This bill provides that, when a person indorsed in petitions as a
37 candidate for the nomination of a political party for election to public
38 office, or for election to fill a party office of the party, is uncontested
39 for that nomination or party office, the person shall be deemed to have
40 received the party nomination or party office sought, and no vote upon
41 the filling of that nomination or party office shall be taken at the
42 primary election. In any election district wherein all party nominations
43 and party offices ordinarily filled by a political party at the primary
44 election are uncontested, the primary election for that party would not
45 be held.

46 The bill amends those provisions of "The New Jersey Campaign

1 Contributions and Expenditures Reporting Act” establishing limits on
2 the amounts of contributions that may be made to candidates in an
3 election to provide that, once a candidate has been certified as having
4 received an uncontested party nomination for public office,
5 contributions received by the candidate thereafter shall be deemed to
6 have been made toward the candidate’s general election campaign for
7 the office.

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12 Provides that, when candidacy for party nomination to public office or
13 for political party office is uncontested, no primary election vote upon
14 such nomination or party office shall be held.