

ASSEMBLY, No. 3670

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 17, 2022

Sponsored by:
Assemblyman ANTHONY S. VERRELLI
District 15 (Hunterdon and Mercer)

SYNOPSIS

Changes deadline for filing of acceptance by successful write-in candidate for primary election from seven days after primary election to certification of election results.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the deadline for the filing of an acceptance of
2 nomination by a successful primary election write-in nominee
3 and amending R.S.19:23-16.
4

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

8 1. R.S.19:23-16 is amended to read as follows:

9 19:23-16. Any person nominated at the primary by having **[his]**
10 the person's name written or pasted upon the primary ballot shall
11 file a certificate stating that **[he]** the person is qualified for the
12 office for which **[he]** the person has been nominated, that **[he]** the
13 person is a resident of and a legal voter in the jurisdiction of the
14 office for which the nomination is made and that **[he]** the person
15 consents to stand as a candidate at the ensuing general election to
16 which shall be annexed the oath of allegiance prescribed in section
17 41:1-1 of the Revised Statutes duly taken and subscribed by the
18 person so nominated before an officer authorized to take oaths in
19 this State.

20 In addition, a person so nominated for the office of Governor or
21 the office of member of the Senate or General Assembly shall
22 annex to the certificate a statement signed by the candidate that **[he**
23 **or she]** the person:

24 a. has not been convicted of any offense graded by Title 2C of
25 the New Jersey Statutes as a crime of the first, second, third or
26 fourth degree, or any offense in any other jurisdiction which, if
27 committed in this State, would constitute such a crime; or

28 b. has been so convicted, in which case, the candidate shall
29 disclose on the statement the crime for which convicted, the date
30 and place of the conviction and the penalties imposed for the
31 conviction. Such a candidate may, as an alternative, submit with
32 the statement a copy of an official document that provides such
33 information. If the candidate has been convicted of more than one
34 criminal offense, such information about each conviction shall be
35 provided. Records expunged pursuant to chapter 52 of Title 2C of
36 the New Jersey Statutes shall not be subject to disclosure.

37 Such acceptance shall be filed **[within seven days after the**
38 **holding of]** prior to or on the date of the certification of the results
39 of the primary with the county clerk in the case of county and
40 municipal offices and with the [Attorney General] Secretary of
41 State for all other offices.

42 (cf: P.L.2004, c.26, s.5)
43

44 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

1

3

The bill changes the deadline for the filing of acceptance from a successful write-in candidate for a primary election from seven days after the primary election to the certification of the election results of the primary election.

6

Under current law, mail-in ballots can still be cured after the current deadline of seven days after the primary election. Also, seven days after the election is the start date for provisional ballots to be counted. Therefore, who has won the primary may not be determined seven days after the election.

9

11

This bill changes the deadline from seven days after the election to the date the results of the election have been certified to allow for the results to be officially declared.

14