

[First Reprint]

ASSEMBLY, No. 3670

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MARCH 17, 2022

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Changes deadline for filing of acceptance by successful write-in candidate for primary election to on or before the seventh day following certification of election results.

CURRENT VERSION OF TEXT

As amended by the Senate on May 26, 2022.



(Sponsorship Updated As Of: 5/26/2022)

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 ¹and R.S.19:13-22¹.
 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 ¹**[Such]** Written¹ acceptance ¹of such nomination¹ shall be filed
 38 **[within seven days after the holding of]** ¹**[prior to or on]** by each
 39 candidate so nominated on or before the seventh day following¹ the
 40 date of the certification of the results of the primary with the county
 41 clerk in the case of county and municipal offices and with the
 42 **[Attorney General]** Secretary of State for all other offices.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted May 26, 2022.

1 ¹Each county clerk shall post on the county's website the official
2 results of the primary election within 24 hours after the certification
3 of the election results.¹

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

5
6 ¹2. R.S.19:13-22 is amended to read as follows:

7 19:13-22. a. The Secretary of State, not later than **[eighty-six]**
8 99 days, and with respect to candidates for President and Vice
9 President of the United States not later than 88 days, before any
10 election whereat any candidates nominated in any direct petition or
11 primary certificate of nomination or State convention certificate
12 filed with **[him]** the Secretary of State are to be voted for, shall
13 make and certify, under **[his]** the Secretary's hand and seal of
14 office, and forward to the clerks of the several counties of the State,
15 and post on the Secretary's website, a statement of all such
16 candidates for whom the voters within such county may be by law
17 entitled to vote at such election. This statement **[,** in addition to the
18 names of the candidates for President and Vice-President of the
19 United States, if any such have been included in any such certificate
20 or petition filed with him,**]** shall contain the names and residences
21 of all **[other]** candidates, the offices for which they are respectively
22 nominated, and the names of the parties by which or the political
23 appellation under which they are respectively nominated.
24 Candidates nominated directly by petition, without distinctive
25 political appellation, shall be certified as independent candidates.
26 Similar statements shall be made, certified and forwarded, when
27 vacancies are filled subsequently, according to law.

28 b. The Secretary of State shall certify and forward the
29 statement required by subsection a. of this section no later than the
30 fourth Friday in June following a primary election for the
31 candidates for the office of Governor for whom the voters may be
32 by law entitled to vote at the next subsequent general election. The
33 statement shall include the information required by subsection a. of
34 this section. Candidates nominated directly by petition for the
35 office of Governor, without distinctive political appellation, shall be
36 certified as independent candidates at the same time as candidates
37 nominated for the office of Governor at a primary election are
38 certified by the Secretary of State. Similar statements shall be
39 made, certified and forwarded, when vacancies are filled
40 subsequently, according to law.¹

41 (cf: P.L.2009, c.66, s.33)

42
43 ¹**[2.] 3.**¹ This act shall take effect immediately.