

P.L. 2025, CHAPTER 275, *approved January 15, 2026*
Assembly, No. 5886 (*Second Reprint*)

1 AN ACT concerning the filling of vacancies from this State in the
2 United States House of Representatives and amending various
3 parts of the statutory law.

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

7
8 1. R.S.19:3-27 is amended to read as follows:

9 19:3-27. When a vacancy shall happen in the representation of this
10 **State** in the United States **House of Representatives**, it shall be the duty of the **Governor** to
11 issue a writ of election to fill such vacancy, within 10 days of the
12 ²**occurrence** happening of the vacancy, unless the term of service
13 for which the person whose office shall become vacant will expire
14 **within six months next** less than 135 days after the happening of the
15 vacancy.

16
17 ²Nothing in this Title shall be construed to prohibit the Governor
18 from issuing a writ of election to fill such vacancy if the term of
19 service for which the person whose office shall become vacant will
20 expire less than 135 days after the happening of the vacancy.²
21 (cf: R.S.19:3-27)

22
23 2. R.S.19:14-12 is amended to read as follows:

24 19:14-12. The county clerk shall draw lots in his county to
25 determine which columns the political parties which made
26 nominations at the next preceding primary election shall occupy on
27 the ballot in the county. The name of the party first drawn shall
28 occupy the first column at the left of the ballot, and the name of the
29 party next drawn shall occupy the second column, and so forth.

30 The position which the names of candidates, and bracketed
31 groups of names of candidates nominated by petitions for all
32 offices, shall have upon the general election ballot, shall be
33 determined by the county clerks in their respective counties.

34 The manner of drawing the lots shall be as follows: paper slips
35 with the names of each political party written thereon, shall be
36 placed in capsules of the same size, shape, color and substance and
37 then placed in a covered box with an aperture in the top large
38 enough to admit a man's hand and to allow the capsules to be drawn
39 therefrom. The box shall be well shaken and turned over to
40 thoroughly intermingle the capsules. The county clerk or his deputy

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:

¹Assembly ASL committee amendments adopted January 5, 2026.

²Assembly AAP committee amendments adopted January 8, 2026.

1 shall at his office, draw from the box each capsule separately
2 without knowledge on his part as to which capsule he is drawing.

3 The person making the drawing shall open the capsule and shall
4 make public announcement at the drawing of each name, the order
5 in which name is drawn and the office for which the drawing is
6 made.

7 Where there is but one person to be elected to an office, the
8 names of the several candidates who have filed petitions for such
9 office shall be written upon paper slips and placed in separate
10 capsules of the same size, shape, color and substance. The capsules
11 shall be placed in a covered box with an aperture in the top large
12 enough to admit a man's hand and to allow the capsules to be drawn
13 therefrom. The box shall be turned and shaken thoroughly to mix
14 the capsules and the capsules shall be withdrawn one at a time.

15 When there is more than one person to be elected to an office
16 where petitions have designated that certain candidates shall be
17 bracketed, the position of such bracketed names on the ballot (each
18 bracketed group to be treated as a single name), together with
19 individuals who have filed petitions for such office, shall be
20 determined as above described.

21 Any legal voter of the county or municipality, as the case may
22 be, shall have the privilege of witnessing the drawing.

23 The name or names of the candidate or bracketed group of
24 candidates first drawn from the box shall be printed directly below
25 the proper title of the office for which they were nominated, and the
26 name or names of the candidate or bracketed group of candidates
27 next drawn shall be printed next in order, and so on, until the last
28 name or bracketed group of names shall be drawn from the box.

29 The arrangement of names of any bracketed group of candidates
30 for any office for which more than one are to be elected shall be
31 printed in the same order on the ballot as they were arranged on the
32 petition of nomination.

33 The drawing for the positions which the names of candidates and
34 bracketed groups of names of candidates, nominated by petition for
35 office, and for the columns which the political parties which made
36 nominations at the next preceding primary election and for the
37 general election shall occupy upon the general election ballot, shall
38 be held at 3 o'clock in the afternoon of the eighty-fifth day prior to
39 the day of the general election, except that in the case of a special
40 election to fill a vacancy in any office, the drawing for the positions
41 which the names of candidates shall occupy upon the special
42 election ballot shall be held as soon as practicable following the
43 special primary election for the special election, or the nomination
44 of candidates by the respective political parties pursuant to
45 R.S.19:13-20, as appropriate, provided that the public shall be given
46 sufficient notice to witness the drawing.

47 (cf: P.L.2011, c.134, s.22)

1 3. R.S.19:27-4 is amended to read as follows:

2 19:27-4. When any vacancy happens in the representation of this
3 State in the United States Senate or in the House of Representatives,
4 the Governor shall, within 10 days of the ²**【occurrence】** happening² of
5 the vacancy, issue a writ of election to fill the same unless the term of
6 service of the person whose office shall become vacant will expire
7 **【within six months next】** less than 135 days after the happening of the
8 vacancy and except as hereinafter provided.
9 (cf: P.L.1988, c.126, s.2)

10

11 4. R.S.19:27-6 is amended to read as follows:

12 19:27-6. In the case of a vacancy in the representation of this
13 State in the United States Senate **【or House of Representatives】**, the
14 writ may designate the next general election day for the election,
15 but if a special day is designated, it shall specify the cause and
16 purpose of such election, the name of the officer in whose office the
17 vacancy has occurred, the day on which a special primary election
18 shall be held, which shall be not less than 70 days nor more than 76
19 days following the date of ¹**【such proclamation】** issuance of the
20 writ¹, and the day on which the special election shall be held, which
21 shall be not less than 64 nor more than 70 days following the day of
22 the special primary election. **【The writ shall also specify the day or**
23 **days when the district boards shall meet for the purpose of making,**
24 **revising or correcting the registers of voters to be used at such**
25 **special election.】**

26 If the vacancy happens in the representation of this State in the
27 United States Senate the election shall take place at the general
28 election next succeeding the happening thereof, unless the vacancy
29 shall happen within 70 days next preceding the primary election
30 prior to the general election, in which case it shall be filled by
31 election at the second succeeding election, unless the Governor
32 shall deem it advisable to call a special election therefor, which he
33 is authorized hereby to do.

34 **【If the vacancy happens in the representation of this State in the**
35 **House of Representatives in any year, not later than the 70th day**
36 **prior to the day for holding the next primary election for the general**
37 **election, the Governor shall issue a writ of election to fill such**
38 **vacancy, designating in said writ the next general election day as**
39 **the day on which the election shall be held to fill such vacancy. The**
40 **nomination of candidates to fill such vacancy shall be made in the**
41 **same manner as the nomination of other candidates at the said**
42 **primary election for the general election.】**

43 (cf: P.L.2011, c.37, s.17)

44

45 5. R.S.19:27-9 is amended to read as follows:

46 19:27-9. The county board of each of such counties shall
47 forthwith after the receipt of a copy of such writ cause the same to

1 be published at least once [a week until the time of such primary,
2 general or special election] in at least two newspapers printed and
3 published in the county, if so many there be, not less than 45 days
4 prior to the primary, general, or special election.

5 The publication of the writs shall be at the expense of the State if
6 the election shall be held to fill a vacancy in the representation of
7 the State in the United States Senate or in the House of
8 Representatives.

9 (cf: P.L.1988, c.126, s.5)

10
11 6. Section 1 of P.L.1945, c.206 (C.19:27-10.1) is amended to read
12 as follows:

13 1. [When a vacancy, howsoever caused, happens in the
14 representation of this State in the House of Representatives in any year
15 later than the 70th day prior to the day for holding the primary election
16 for the general election but before the 70th day preceding the day of
17 the general election, and the unexpired term to be filled exceeds one
18 year, the Governor, in issuing a writ of election to fill such vacancy,
19 may designate in said writ the next general election day as the day on
20 which the election shall be held to fill such vacancy and that no
21 primary election shall be held for nomination of candidates to fill such
22 vacancy.]

23 a. In the case of a vacancy in the representation of this State in
24 the House of Representatives, the writ shall designate the next general
25 election day or a special election day for the election, in accordance
26 with subsection b. of this section. If a special day is designated for the
27 election, the writ shall specify the cause and purpose of such election,
28 the name of the officer in whose office the vacancy has occurred, and
29 the day on which the special election shall be held.

30 b. (1) When a vacancy, howsoever caused, happens in the
31 representation of this State in the House of Representatives and the
32 unexpired term to be filled equals or exceeds 180 days ¹after the
33 happening of the vacancy¹, the writ shall designate the day on which a
34 special primary election shall be held, which shall be not less than 70
35 days nor more than 76 days following the date of ¹[such
36 proclamation] issuance of the writ¹ ²], except that, if a primary
37 election is to be held within 55 days following the day on which the
38 special primary election is to be held, the writ may designate the
39 special primary election to be held on the same day as the primary
40 election]² . The writ shall also designate the day on which the special
41 election shall be held, which shall be not less than 64 nor more than 70
42 days following the day of the special primary election.

43 ²(a) When the latest date on which a special primary election or
44 special election may be held pursuant to this paragraph is not more
45 than 45 days prior to the day on which the primary election or general
46 election is to be held, the writ shall designate the date of such primary

1 election or general election as the day on which the special primary
 2 election or special election shall be held.

3 (b) When the latest date on which a special primary election or
 4 special election may be held pursuant to this paragraph is not more
 5 than 25 days following the day on which the primary election or
 6 general election is to be held, the writ shall designate a date not less
 7 than 26 days nor more than 32 days following the primary election or
 8 general election as the day on which the special primary election or
 9 special election shall be held.²

10 (2) When a vacancy, howsoever caused, happens in the
 11 representation of this State in the House of Representatives and the
 12 unexpired term to be filled is less than 180 days² ¹after the happening
 13 of the vacancy¹, but in no case less than but not less than² 135 days
 14 ¹after the happening of the vacancy¹, the writ shall designate² a
 15 special day as the day on which the election shall be held to fill such
 16 vacancy, which shall be not less than 70 days nor more than 76 days
 17 following the date of]² ¹[such proclamation]² [issuance of the writ¹,
 18 and that no primary election shall be held for the nomination of
 19 candidates to fill such vacancy] the general election day as the day on
 20 which the election shall be held to fill such vacancy².

21 In such case, each political party shall select its candidate to fill
 22 such vacancy in the same manner prescribed in R.S.19:13-20 for
 23 selecting candidates to fill vacancies arising among candidates
 24 nominated at primary elections, except that the time for making such
 25 selection and filing the statement thereof shall be within 10 days
 26 following the issuance of the writ of election.

27 In such case, petitions of nomination of other candidates shall be
 28 filed in the office of the Secretary of State within 10 days of the date
 29 of ¹[such proclamation] issuance of the writ¹.

30 The Secretary of State on the ²[eleventh] 20th² day following the
 31 date of ¹[such proclamation] issuance of the writ¹ shall certify to the
 32 clerk and county board of each county affected by the vacancy, a
 33 statement of all candidates selected and nominated for the office so
 34 vacated.

35 The election to fill such vacancy shall in all other respects be
 36 conducted as though it were being conducted to fill the office upon the
 37 expiration of the term of the incumbent.

38 ²[(3) When a vacancy, howsoever caused, happens in the
 39 representation of this State in the House of Representatives and the
 40 unexpired term to be filled is less than 135 days ¹after the happening
 41 of the vacancy¹, no writ shall be issued and no special election shall be
 42 held to fill such vacancy.]

43 c. The Secretary of State shall be authorized to modify any
 44 deadline or timeframe imposed by this Title if necessary to effectuate
 45 the provisions of subsection b. of this section.²

46 (cf: P.L.2011, c.37, s.18)

1 7. This act shall take effect immediately.

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6 Revises process for filling vacancy from this State in United
7 States House of Representatives.