

[First Reprint]

SENATE, No. 4142

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 13, 2025

Sponsored by:

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District 22 (Somerset and Union)

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District 25 (Morris and Passaic)

SYNOPSIS

Revises design of primary election ballots and certain primary election procedures; provides for ballots to be arranged by office block; removes State committee members from primary process; requires reporting on primary elections by Division of Elections.

CURRENT VERSION OF TEXT

As reported by the Senate Judiciary Committee on February 20, 2025, with amendments.



(Sponsorship Updated As Of: 2/25/2025)

1 AN ACT concerning the design and use of primary election ballots
2 and primary election procedures, supplementing Title 19 of the
3 Revised Statutes, amending various parts of the statutory law,
4 and repealing various parts of the statutory law.

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

- 8
9 1. (New section) The Legislature finds and declares that:
10 a. The Elections Clause of the United States Constitution
11 grants the State with the right and ability to make laws concerning
12 the time, place, and manner of elections.
13 b. State and Federal courts have frequently deferred to the State
14 Legislature to enact such laws and balance the respective interests
15 of the State, candidates for offices, and the voters, “a function for
16 which the Legislature is uniquely fitted.”
17 c. As per the ruling of Judge Quraishi of the United States
18 District Court for the District of New Jersey, the bracketing
19 structure used in New Jersey’s primary election ballots was
20 primarily created by the combined effect of three statutes:
21 R.S.19:23-24; section 1 of P.L.1981, c.71 (C.19:23-26.1); and
22 R.S.19:49-2.
23 d. The combined effect of these three statutes created unique
24 ballot conditions such as incongruous separation, preferential
25 placement for certain candidates based upon the drawing of
26 candidates for different offices, and improper placement of certain
27 candidates amongst candidates for different offices on the ballot.
28 These conditions led to two legal challenges in federal district
29 court, where Plaintiffs asserted that the bracketing structure
30 impermissibly burdened their rights under the First Amendment of
31 the United States Constitution.
32 e. Prior to a decision being reached in either of these cases, the
33 leaders of the New Jersey State Legislature committed to remedying
34 the combined effect of these statutes and pledged to design a new
35 primary election ballot for use in this State.
36 f. In furtherance of this commitment, the General Assembly
37 convened the Select Committee on Ballot Design, comprised of an
38 equal number of members of both parties in the General Assembly.
39 g. The Select Committee on Ballot Design met in a series of
40 five public hearings to take testimony from experts and the public
41 alike in order to better understand the issue and balance the interests
42 of the many perspectives presented.
43 h. The design of the new primary election ballot, to be
44 established by this act, P.L. , c. (pending before the Legislature
45 as this bill), took into consideration the expertise of:

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 SJU committee amendments adopted February 20, 2025.

- 1 (1) the county clerks and election officials, who are ultimately
2 responsible for implementation of the design;
- 3 (2) the National Conference of State Legislatures, which
4 provided the committee with expert testimony and research
5 concerning ballot design and other election matters, including the
6 relevant practices in other states;
- 7 (3) the Center for Civic Design, which provided the committee
8 with expert testimony, and whose research and guidance on
9 standardized and user-friendly ballot design principles are publicly
10 available; and
- 11 (4) members of the public, many of whom spoke in support of
12 an office block ballot design.
- 13 i. The new ballot design for primary election ballots also seeks
14 to further important government interests, such as ensuring timely
15 and orderly election processes, of which the primary election is an
16 integral part.
- 17 j. As the most critical stage in the electoral process is the
18 instant before the vote is cast, the design for the new primary
19 election ballots seeks to:
- 20 (1) ensure that voters can understand the ballot;
- 21 (2) maintain a manageable ballot;
- 22 (3) reduce voter confusion;
- 23 (4) provide voters with information as to the policy positions
24 and endorsements of the candidates running for office; and
- 25 (5) allow voters to quickly find their preferred choice of
26 candidate for a given office and cast their vote.
- 27 k. Additionally, the State has an important interest in fostering
28 an informed and educated electorate who may express their political
29 opinions through the casting of their vote.
- 30 l. The design of the new primary ballot preserves the ability of
31 political parties to make endorsements, since party labels provide a
32 shorthand designation of the views of party candidates, and the
33 identification of candidates with a particular party plays a role in
34 the process by which voters inform themselves for the exercise of
35 the franchise.
- 36 m. This design also takes into consideration the First
37 Amendment rights of political parties and their governing bodies,
38 recognizing that primary elections are, at their core, a function of
39 the party and therefore not a public affair which may be overly
40 regulated by the State. This principle has routinely been upheld by
41 the United States Supreme Court and courts in New Jersey.
- 42 n. This design seeks also to preserve the First Amendment
43 rights of candidates who wish to legitimately associate with one
44 another through the use of common slogans, without requiring that
45 any candidates associate, while also safeguarding against abuses of
46 the candidate slogans, such as the use of misleading or false slogans
47 which could be deceptive to a reasonable voter.

- 1 2. (New section) a. All primary election ballots used in this State
2 shall comply with the following design standards:
- 3 (1) the oval or space for the voter to mark a vote shall be to the
4 left or to the right of the name of each candidate, and each candidate's
5 name shall appear flush next to and aligned with the oval or space in a
6 consistent manner which does not create any visual distinction
7 between candidate names;
- 8 (2) all text shall be written in plain, simple language, to the extent
9 possible, and shall avoid overly technical language;
- 10 (3) candidates shall be arranged by office sought in an office block
11 format, each office block shall be separated on the ballot from other
12 office blocks, and candidates for the same office shall be listed within
13 the same office block without a page break appearing between their
14 names, and as further provided under R.S.19:23-25;
- 15 (4) all office blocks appearing on one ballot shall be designed
16 according to the same standards of design, consistent with the
17 provisions of this section;
- 18 (5) all spacing, ruling, and delineation of candidates shall be
19 consistent and uniform within each office block and across all office
20 blocks included on each ballot, so as not to create a separation or
21 visual distinction between the names of any candidates ¹【, except that
22 the county clerk may modify the spacing, ruling, or delineation applied
23 to associated candidates so as to indicate such association】¹; and
- 24 (6) candidate ballot draw positions shall be labeled using a letter
25 and number, such as "1A", corresponding to the office block and line
26 each candidate is placed on, and such label shall be placed next to a
27 candidate's name.
- 28 b. No primary election ballot used in this State shall be designed
29 in a manner that creates for a candidate on the ballot an incongruous
30 separation from other candidates seeking the same office, positions a
31 candidate on the ballot among candidates for a different office, or
32 brackets candidates together on the ballot so as to position a candidate
33 based upon a drawing for ballot position for a different candidate for a
34 different office.
- 35 No primary election ballot used in this State shall include any
36 distinguishing mark or notation, except as otherwise provided by law.
- 37 c. Each county clerk shall:
- 38 (1) allow for the placement of a slogan or endorsement of not
39 more than six words next to or below the names of candidates, in the
40 same font and color as the name, but in a smaller font size, provided
41 that the slogan or endorsement shall not be in bold or italicized fonts,
42 and provided that the slogan or endorsement complies with R.S.19:23-
43 17;
- 44 (2) allow candidates for the same office with multiple open seats
45 to associate in the same office block, using a common slogan or
46 endorsement, next to or below the associated candidate names, in
47 compliance with the provisions of R.S.19:23-18; and

1 (3) indicate the association of candidates for the same or different
2 offices using a common slogan or endorsement next to or below each
3 of the candidates' names, as provided by R.S.19:23-17.

4 d. In addition to complying with the provisions of this section,
5 each county clerk may arrange and design the ballot in either
6 landscape or portrait orientation.

7 e. The Secretary of State, in consultation with all county clerks,
8 shall promulgate uniform guidelines for all county clerks to follow in
9 order to comply with the requirements of this section.

10
11 3. R.S.19:23-17 is amended to read as follows:

12 19:23-17. a. Any person ~~indorsed~~ endorsed as a candidate for
13 nomination for any public office or party position whose name is to
14 be voted for on the primary ~~ticket~~ ballot of any political party,
15 may, ~~by indorsement~~ on the petition of nomination in which ~~he~~
16 ~~is indorsed~~ the candidate is endorsed, request that there be printed
17 ~~opposite his~~ next to or below the candidate's name on the
18 primary ~~ticket a designation~~ ballot a slogan or endorsement, in
19 not more than six words, as named by ~~him~~ the candidate in such
20 petition, for the purpose of indicating either any official act or
21 policy to which ~~he~~ the candidate is pledged or committed, or to
22 distinguish ~~him~~ the candidate as belonging to a particular faction
23 or wing of ~~his~~ the candidate's political party ~~;~~ provided,
24 however, that no such designation ~~],~~ or to indicate the endorsement
25 of a person or incorporated association.

26 b. (1) No slogan or endorsement shall include or refer to the
27 name of any person or any incorporated association [of this State]
28 existing at the time the candidate files the petition of nomination
29 unless the written consent of such person or incorporated
30 association [of this State] has been filed with the petition of
31 nomination of such candidate or [group of] candidates. If a person
32 or incorporated association wishes to revoke their consent as
33 provided pursuant to this paragraph, the person or incorporated
34 association shall notify the Secretary of State, county clerk, or
35 municipal clerk, as the case may be, in writing and the Secretary of
36 State or the clerk shall accept such revocation, provided that notice
37 of such is received prior to the date on which the draw for ballot
38 position is conducted pursuant to R.S.19:23-24.

39 (2) No slogan or endorsement shall include or refer to any
40 lawfully registered trademark of any person or incorporated
41 association unless the written consent of such person or
42 incorporated association has been filed with the petition of
43 nomination of such candidate or candidates. If a person or
44 incorporated association wishes to revoke their consent as provided
45 pursuant to this paragraph, the person or incorporated association
46 shall notify the Secretary of State, county clerk, or municipal clerk,
47 as the case may be, in writing and the Secretary of State or the clerk

1 shall accept such revocation, provided that notice of such is
2 received prior to the date on which the draw for ballot position is
3 conducted pursuant to R.S.19:23-24.

4 c. The Secretary of State, county clerk, or municipal clerk, as
5 the case may be, may reject a slogan or endorsement which is so
6 substantially similar to that of another candidate that a reasonable
7 voter could be misled or deceived into falsely believing that the
8 candidates are running together under the same slogan or
9 endorsement when the candidates have not requested to share such a
10 slogan or endorsement. The Secretary of State, county clerk, or
11 municipal clerk, as the case may be, shall notify the candidate or
12 candidates requesting such slogan or endorsement in writing of the
13 reasons for the rejection, and the candidate or candidates shall be
14 given the opportunity to select an alternative slogan or
15 endorsement.

16 If the candidate or candidates who have been denied their first
17 choice of slogan or endorsement pursuant to this section disagree
18 with the decision of the Secretary of State, county clerk, or
19 municipal clerk, as the case may be, the candidate or candidates
20 shall have the right to appeal this decision to a judge of the Superior
21 Court assigned to the county in which the petition of nomination
22 was filed, and such appeal shall be heard on an expedited basis.

23 d. No slogan or endorsement shall include or refer to the name
24 of any candidate appearing on the ballot in the same primary
25 election for a different office.

26 e. Nothing in this section shall be construed to prohibit the use
27 of a single word referring to the membership or affiliation of a
28 person with a political party, as defined under R.S.19:1-1, such as
29 “Democrat” or “Republican”, in a candidate’s slogan.

30 (cf: P.L.1944, c.231, s.1)

31

32 4. R.S.19:23-18 is amended to read as follows:

33 19:23-18. a. Several candidates for nomination to the same
34 office with multiple open seats to be voted on at a primary election
35 may in such petitions request that their names be [grouped
36 together] associated, and that the common [designation] slogan or
37 endorsement to be named by them shall be printed [opposite] next
38 to or below their names, as permitted by R.S.19:23-17. The county
39 clerk in the county in which a petition of nomination is filed shall
40 accept such requests made in compliance with this section, provided
41 that such notice is received prior to the date on which the draw for
42 ballot position is conducted pursuant to R.S.19:23-24. If any
43 candidate, following acceptance of such request by the county clerk,
44 wishes to modify, supplement, or revoke the terms of their
45 association, as indicated on their petitions at the time of filing, the
46 candidate shall notify the county clerk in writing and the clerk shall
47 accept such modification, supplement, or revocation, provided that
48 such notice is received prior to the date on which the draw for ballot

1 position is conducted pursuant to R.S.19:23-24. The clerk shall not
2 accept any request to modify, supplement, or revoke the terms of an
3 association received after the draw for ballot position is conducted
4 pursuant to R.S.19:23-24.

5 b. If two candidates or **【groups】** associations of candidates
6 seeking the same office shall select the same **【designation】** slogan,
7 the secretary of state, county clerk or municipal clerks, as the case
8 may be, shall notify the candidate or **【group】** associated candidates
9 whose petition was last filed, and such candidate or **【group】**
10 associated candidates shall select a new **【designation】** slogan.

11 c. If multiple candidates or associations of candidates shall
12 receive the endorsement of the same person or incorporated
13 association, such endorsement shall be printed next to or below all
14 candidates having indicated such endorsement on their petitions of
15 nomination, as permitted by R.S.19:23-17.

16 d. If candidates have requested to be associated pursuant to
17 subsection a. of this section, the associated candidates shall be
18 drawn together for position on the ballot pursuant to R.S.19:23-24.
19 The candidates, on their petitions, shall waive their right to be
20 drawn separately for ballot position.

21 (cf: R.S.19:23-18)

22

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

24 19:23-24. a. The position which the candidates **【and bracketed**
25 **groups of names of candidates】** for the primary for the general
26 election shall have upon the ballots used for the primary election for
27 the general election, in the case of candidates for nomination for
28 members of the United States Senate, Governor, members of the
29 House of Representatives, members of the State Senate, members of
30 the General Assembly, choice for President, delegates and
31 alternates-at-large to the national conventions of political parties,
32 district delegates and alternates to conventions of political parties,
33 candidates for party positions, other than State political party
34 committee, and county offices or party positions which are to be
35 voted for by the voters of the entire county or a portion thereof
36 greater than a single municipality, including a congressional district
37 which is wholly within a single municipality, shall be determined
38 by the county clerks in their respective counties **【;** and, excepting in
39 counties where R.S.19:49-2 applies, the **【** .

40 The position on the ballot used for the primary election for the
41 general election in the case of candidates for nomination for office
42 or party position wherein the candidates for office or party position
43 to be filled are to be voted for by the voters of a municipality only,
44 or a subdivision thereof (excepting in the case of members of the
45 House of Representatives), which nominating petitions are required
46 to be filed in the municipal clerk's office, shall be determined by
47 the municipal clerk in such municipalities, **【in the following**

1 manner: **】** except that, upon written notice by the county clerk to the
2 municipal clerk, the county clerk shall determine the position on the
3 ballot for such offices or party positions.

4 The position which the candidates shall have upon the ballots
5 used for the primary election shall be determined as specified in this
6 section.

7 b. The county clerk, or the county clerk's deputy, or the
8 municipal clerk or the municipal clerk's deputy, as the case may be,
9 shall at the clerk's office on the 61st day prior to the primary
10 election for the general election at three o'clock in the afternoon
11 draw from the box, as hereinafter described, each card separately
12 without knowledge on the clerk's part as to which card the clerk is
13 drawing. Any legal voter of the county or municipality, as the case
14 may be, shall have the privilege of witnessing such drawing. The
15 person making the drawing shall make public announcement at the
16 drawing of each name, the order in which the same is drawn, and
17 the office for which the drawing is made. When there is to be but
18 one person nominated for the office, the names of the several
19 candidates who have filed petitions for such office shall be written
20 upon cards (one name on a card) of the same size, substance and
21 thickness. The cards shall be deposited in a box with an aperture in
22 the cover of sufficient size to admit a man's hand. The box shall be
23 well shaken and turned over to thoroughly mix the cards, and the
24 cards shall then be withdrawn one at a time. The first name drawn
25 shall have first place, the second name drawn, second place, and so
26 on; the order of the withdrawal of the cards from the box
27 determining the order of arrangement in which the names shall
28 appear upon the primary election ballot. Where there is more than
29 one person to be nominated to an office where petitions have
30 designated that certain candidates shall be **【bracketed】** associated
31 pursuant to R.S.19:23-18, the position of such **【bracketed】** names
32 on the ballot **【(each bracket to be treated as a single name)】**,
33 together with individuals who have filed petitions for nomination
34 for such office, shall be determined as above described. Where
35 there is more than one person to be nominated for an office and
36 there are more candidates who have filed petitions than there are
37 persons to be nominated, the order of the printing of such names
38 upon the primary election ballots shall be determined as above
39 described.

40 c. Candidates for nomination to the same office with multiple
41 open seats to be voted on who wish to associate with one another
42 and who have filed a petition of nomination and waived their right
43 to be drawn individually in compliance with R.S.19:23-18 shall be
44 treated as one name and shall be drawn only once under subsection
45 b. of this section.

46 d. As prohibited by section 2 of P.L. , c. (C.) (pending
47 before the Legislature as this bill), no candidate shall have their

1 position on the ballot determined by the position of any candidate
2 for a different office.

3 e. (1) If there is only one candidate for an office to be voted
4 on at the primary election, the candidate shall be placed first in the
5 office block for the respective office being sought, and the drawing
6 procedures described in subsection b. of this section shall not be
7 required.

8 (2) If there are an equal number of candidates and open seats for
9 an office, and all the candidates seeking the office have filed a
10 petition of nomination indicating their intention to associate on the
11 ballot pursuant to R.S.19:23-18, the candidates shall be placed upon
12 the ballot in the order requested on their petitions of nomination,
13 and the drawing procedures described in subsection b. of this
14 section shall not be required.

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

30 (cf: P.L.2023, c.16, s.11)

31

32 6. R.S.19:23-25 is amended to read as follows:

33 19:23-25. The ballots shall be made up and printed consistent
34 with the requirements of section 2 of P.L. , c. (C.) (pending
35 before the Legislature as this bill) and in substantially the following
36 form:

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

1 which and extending across the ballot in one or more lines, as may
 2 be necessary, shall be printed the words
 3 name of county name of municipality ward
 4 election district date of
 5 election John Doe, **[municipal]** county clerk; the blank
 6 spaces shall be filled in with the name of the proper county,
 7 municipality, the ward and the district number and the date of
 8 election. The name of the **[municipal]** county clerk shall be a
 9 facsimile of **[his]** the county clerk's signature. This heading shall
 10 be set apart from the body of the ballot by a heavy diagram rule.
 11 Below this rule shall be printed the following directions instructing
 12 the voter how to indicate **[his]** the voter's choice for each office
 13 and position, and for how many persons to vote for each office and
 14 position: To vote for any person whose name is printed upon this
 15 ballot mark a cross x , plus + **[or]** , check **[with ink or pencil in the**
 16 **square at the left of]** , or an otherwise appropriate mark on the oval
 17 or space next to the name of such person. To vote for any person
 18 whose name is not printed upon this ballot write or paste the name
 19 in the blank space under the proper title of office and mark a cross x
 20 , plus + **[or]** , check **[with ink or pencil in the square at the left of]**
 21 , or an otherwise appropriate mark on the oval or space next to the
 22 name of such person. Below these instructions shall be printed a
 23 heavy diagram rule below which shall be printed the government
 24 levels describing the offices to be voted for below which shall be
 25 separate office blocks headed by the titles of offices and positions
 26 for which candidates are to be voted for at the primary election,
 27 together with such directions to the voter as may be necessary **[,as]**
 28 "Vote for one," "Vote for two," or a greater number, as the case
 29 may be, shall be included with any other directions to the voters,
 30 and shall be printed in an obvious and conspicuous manner.

31 The office blocks shall be arranged in the following order:

32 (1) federal offices, below which shall be printed separate office
 33 blocks for choice for President or electors for President; members
 34 of the United States Senate; and members of the House of
 35 Representatives;

36 (2) State offices, below which shall be printed separate office
 37 blocks for Governor; members of the State Senate; and members of
 38 the General Assembly;

39 (3) countywide offices, below which shall be printed separate
 40 office blocks for county executive; member of the board of county
 41 commissioners; county clerk; county sheriff; and any other county
 42 offices in their respective office blocks;

43 (4) municipal offices, below which shall be printed separate
 44 office blocks for mayor; member of the council or municipal
 45 governing body; and any other municipal offices in their respective
 46 office blocks;

1 (5) any other titles of office, below which shall be printed
2 separate office blocks for each office;

3 (6) delegates and alternates-at-large to the national conventions
4 of political parties, provided that the candidates for delegates and
5 alternates-at-large may be placed next to the office block for choice
6 for President or electors for President;

7 (7) district delegates and alternates to conventions of political
8 parties, provided that the candidates for district delegates and
9 alternates may be placed next to the office block for choice for
10 President or electors for President; and

11 (8) candidates for county party positions.

12 A heavy diagram rule shall be used to distinguish each office
13 block for the different offices. Underneath the proper title of office
14 and position shall be printed the names of all those persons certified
15 as candidates for the offices to the municipal clerk by the county
16 clerk as hereinbefore provided, and the names of persons
17 **【indorsed】** endorsed as such candidates in petitions on file in the
18 office of the municipal clerk as they appear signed to the certificate
19 of acceptance. The name of any person **【indorsed】** endorsed in a
20 petition as provided who shall fail to certify **【his】** the person's
21 consent and agreement to be a candidate for nomination to the
22 office specified therein shall not be printed upon the ballots to be
23 used at the primary election. In the case of a vacancy among
24 nominees the name of the person selected in the manner provided in
25 this Title to fill the same shall be printed upon the ballots in the
26 place of the person vacating such nomination.

27 The candidates shall be arranged **【in groups and the groups**
28 **bracketed】** as indicated on their petitions for nomination for the
29 same office with multiple open seats in all cases where the petitions
30 **【indorsing】** endorsing such candidates and filed in accordance with
31 R.S.19:23-18 request **【such grouping】** for such candidates to be
32 associated within the same office block. The **【designation】** slogan
33 or endorsement named by candidates in their petitions for
34 nomination, as provided by **【this Title】** R.S.19:23-17, shall be
35 printed **【to the right of】** next to or below the names of such
36 candidates **【or groups of candidates in as large type as the space**
37 **will allow】**.

38 Immediately next to **【the left and on the same line with】** the
39 name of each candidate for office and position shall be printed **【a**
40 **square approximately one-quarter of an inch in size, or by printing**
41 **vertical single line rules connecting the single line rules between**
42 **the names of the candidates and thus form a square】** an oval or
43 space in which the voter shall indicate **【his】** the voter's choice. **【A**
44 **single light-faced rule shall be used to separate the different names**
45 **in each group of candidates.】** A heavy diagram rule shall be used
46 between each **【group of candidates for different offices.** Where

1 candidates are arranged in groups and the groups bracketed, the
2 groups shall be separated from other groups and candidates by two
3 single line rules approximately one-eighth of an inch apart **】 office**
4 **block. The ballot shall be so arranged that all candidates seeking**
5 **the same office are listed in one contiguous office block. No**
6 **candidate shall be separated from other candidates seeking the same**
7 **office on the ballot.**

8 Each primary ballot shall contain, at the end of the list of
9 candidates for each different office, blank **【squares and】** spaces or
10 lines equal to the number of persons to be elected to the office, for
11 the purpose of allowing any voter to write or paste the name of any
12 person for whom **【he】** the voter desires to vote for any office or
13 party position.

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

15

16 7. R.S.19:49-2 is amended to read as follows:

17 19:49-2. All official general election ballots shall be in black ink
18 in type as large as space will reasonably permit; provided, however,
19 that **【any public question which shall be placed on the ballot shall**
20 **be in red and】** above any public question to be voted upon by the
21 voters of the entire State there shall be **【, also in red,】** a description
22 of the public question, which description shall not exceed six words
23 and shall be in type as large as is practicable. Party nominations
24 shall be arranged on each voting machine, either in columns or
25 horizontal rows; the caption of the various ballots on the machines
26 shall be so placed on the machines as to indicate to the voter what
27 device is to be used or operated in order to vote for the candidates
28 or candidate of **【his or her】** the voter's choice. The providing of the
29 official ballots, the order of the precedence and arrangement of
30 parties and of candidates, and the instructions for the use of a
31 device to be used or operated in order to vote for candidates shall be
32 as now required by law **【, except that in those counties where**
33 **voting machines are used, the】** . The county clerk in every county
34 shall have the authority to determine the specifications for, and the
35 final arrangement of, the official general election ballots, to the
36 extent not inconsistent with the provisions of this Title.

37 **【For the primary election for the general election in all counties**
38 **where voting machines are or shall be used, all candidates who shall**
39 **file a joint petition with the county clerk of their respective county**
40 **and who shall choose the same designation or slogan shall be drawn**
41 **for position on the ballot as a unit and shall have their names placed**
42 **on the same line of the voting machine; and provided further, that**
43 **all candidates for municipal or party office in municipalities in**
44 **counties where voting machines are or shall be used who shall file a**
45 **petition with the clerk of their municipality bearing the same**
46 **designation or slogan as that of the candidates filing a joint petition**
47 **with the county clerk as aforesaid, may request that his or her name**

1 be placed on the same line of the voting machine with the
2 candidates who have filed a joint petition with the county clerk as
3 aforesaid by so notifying the county clerk of said county in writing
4 within two days after the last day for filing nominating petitions and
5 thereupon the county clerk shall forthwith notify the campaign
6 manager of such candidates filing a joint petition as aforesaid of
7 said request, and if the said campaign manager shall file his consent
8 in writing with the said county clerk within two days after the
9 receipt of said notification from said county clerk, the clerk of said
10 county shall place the name of such candidate on the same line of
11 the voting machine on which appears the names of the candidates
12 who have filed the joint petition as aforesaid; provided, also, that
13 any candidate filing a petition with the Attorney General may
14 request that his or her name be placed on the same line of the voting
15 machine with the candidates who have filed a joint petition with the
16 county clerk as aforesaid by so notifying the county clerk of said
17 county in writing within two days after the last day for filing
18 nominating petitions, and thereupon the county clerk shall forthwith
19 notify the campaign manager of such candidates filing a joint
20 petition as aforesaid of said request, and if the said campaign
21 manager shall file his consent in writing with the said county clerk
22 within two days after the receipt of said notification from said
23 county clerk, the clerk of said county shall place the name of such
24 candidate on the same line of the voting machine on which appears
25 the names of the candidates who have filed the joint petition as
26 aforesaid.】

27 (cf: P.L.2011, c.202, s.46)

28

29 8. (New section) a. The Division of Elections in the
30 Department of State shall collect data from county and municipal
31 clerks and county boards of elections on their experiences regarding
32 the changes to ballot design and primary election procedures in this
33 State implemented pursuant to P.L. , c. (pending before the
34 Legislature as this bill), and shall develop and submit a report as
35 provided in this section. The report shall include data concerning
36 the conduct of primary elections, best practices to improve the
37 conduct of future primary elections, and any other relevant
38 information, research, guidance, and expertise regarding the
39 implementation of the new ballot designs and primary election
40 procedures.

41 b. In preparing the report required pursuant to this section, the
42 division shall, at a minimum, collect data on the following:

43 (1) experiences of election officials, candidates, and voters
44 regarding the ballot changes, including whether such changes
45 contributed to candidate or voter confusion, or increased the
46 difficulty for election officials to administer primary elections in
47 this State; and

48 (2) what the costs of implementation were.

1 At the discretion of the division, the report may also provide the
2 Governor and the Legislature with recommendations to improve
3 overall election experiences and voter participation.

4 c. The report shall be prepared and submitted to the Governor,
5 and Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-
6 19.1), within 180 days after the date of the second primary election
7 following the enactment of P.L. , c. (pending before the
8 Legislature as this bill).

9
10 9. R.S.19:1-1 is amended to read as follows:

11 19:1-1. As used in this Title:

12 "Election" means the procedure whereby the electors of this
13 State or any political subdivision thereof elect persons to fill public
14 office or pass on public questions.

15 "Fire district election" means an election to be held in and for a
16 fire district established pursuant to N.J.S.40A:14-70 et seq.

17 "General election" means the annual election to be held on the
18 first Tuesday after the first Monday in November and, where
19 applicable, includes annual school elections and annual fire district
20 elections held on that date.

21 "Primary election for the general election" means the procedure
22 whereby the members of a political party in this State or any
23 political subdivision thereof nominate candidates to be voted for at
24 general elections, or elect persons to fill party offices, other than for
25 a member of the State committee of a political party.

26 "Municipal election" means an election to be held in and for a
27 single municipality only, at regular intervals.

28 "Special election" means an election which is not provided for by
29 law to be held at stated intervals.

30 "Any election" includes all primary, general, municipal, school
31 and special elections, as defined herein.

32 "Municipality" includes any city, town, borough, village, or
33 township.

34 "School election" means any annual or special election to be held
35 in and for a local or regional school district established pursuant to
36 chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes.

37 "Public office" includes any office in the government of this
38 State or any of its political subdivisions filled at elections by the
39 electors of the State or political subdivision.

40 "Public question" includes any question, proposition or
41 referendum required by the legislative or governing body of this
42 State or any of its political subdivisions to be submitted by
43 referendum procedure to the voters of the State or political
44 subdivision for decision at elections.

45 "Political party" means a party which, at the election held for all
46 of the members of the General Assembly next preceding the holding
47 of any primary election held pursuant to this Title, polled for

1 members of the General Assembly at least 10% of the total vote cast
2 in this State.

3 "Party office" means the office of delegate or alternate to the
4 national convention of a political party or member of the State,
5 county or municipal committees of a political party.

6 "Masculine" includes the feminine, and the masculine pronoun
7 wherever used in this Title shall be construed to include the
8 feminine.

9 "Presidential year" means the year in which electors of President
10 and Vice-President of the United States are voted for at the general
11 election.

12 "Election district" means the territory within which or for which
13 there is a polling place or room for all voters in the territory to cast
14 their ballots at any election.

15 "District board" means the district board of registry and election
16 in an election district.

17 "County board" means the county board of elections in a county.

18 "Superintendent" means the superintendent of elections in
19 counties wherein the same shall have been appointed.

20 "Commissioner" means the commissioner of registration in
21 counties.

22 "File" or "filed" means deposited in the regularly maintained
23 office of the public official wherever said regularly maintained
24 office is designated by statute, ordinance or resolution.

25 (cf: P.L.2017, c.206, s.1)

26

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

28 19:3-3. Delegates and alternates to the national conventions of
29 the political parties shall be elected at the primary election to be
30 held on the Tuesday next after the first Monday in June in that year.

31 The members of **[State,]** county and municipal committees of
32 the political parties shall be chosen at the primary for the general
33 election as hereinafter provided.

34 (cf: P.L.2011, c.134, s.3)

35

36 11. R.S.19:12-7 is amended to read as follows:

37 19:12-7. a. The county board in each county shall cause to be
38 published in a newspaper or newspapers which, singly or in
39 combination, are of general circulation throughout the county, a
40 notice containing the information specified in subsection b. hereof,
41 except for such of the contents as may be omitted pursuant to
42 subsection c. or d. hereof. Such notice shall be published once
43 during the 30 days next preceding the day fixed for the closing of
44 the registration books for the primary election, once during the
45 calendar week preceding the week in which the early voting period
46 for the primary election for the general election begins, once during
47 the 30 days next preceding the day fixed for the closing of the
48 registration books for the general election, and once during the

1 calendar week preceding the week in which the early voting period
2 for the general election begins.

3 b. Such notice shall set forth:

4 (1) For the primary election for the general election:

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

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

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

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

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

26 (f) In the case of the notice published during the calendar week
27 preceding the week in which the early voting period for the primary
28 election begins, that a voter who, prior to the election, shall have
29 moved within the same county without (i) filing, on or before the
30 21st day preceding the election, a notice of change of residence
31 with the commissioner of registration of the county or the municipal
32 clerk of the municipality in which the voter resides on the day of
33 the election, (ii) returning the confirmation notice sent to the voter
34 by the commissioner of registration of the county, if such a notice
35 has been sent to the voter, or (iii) otherwise notifying the
36 commissioner of registration of the voter's change of address within
37 the county shall be permitted to correct the voter's registration and
38 to vote in the primary election by provisional ballot at the polling
39 place of the district in which the voter resides on the day of the
40 election. The notice shall further provide that the voter may contact
41 the county commissioner of registration or municipal clerk or may
42 view polling place location information on the Division of Elections
43 website to determine the proper polling place location for the voter.

44 (2) For the general election:

45 (a) That a general election will be held on the day and between
46 the hours provided for by or pursuant to this Title, and the days,
47 hours and places at which early voting shall be available in the

1 county, and, where applicable, shall include annual school elections
2 and annual fire district elections held on that date.

3 (b) The place or places at which and hours during which a
4 person may register, the procedure for transfer of registration, and
5 the date on which the books are closed for registration or transfer of
6 registration.

7 (c) The several State, county and municipal offices, and where
8 applicable, school board offices and fire district offices to be filled,
9 notice of any school district propositions to be submitted to the
10 people and, except as provided in R.S.19:14-33 of this Title as to
11 publication of notice of any Statewide proposition directed by the
12 Legislature to be submitted to the people, the State, county,
13 municipal and fire district public questions to be voted upon at such
14 general election.

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

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

22 (f) In the case of the notice published during the calendar week
23 preceding the week in which the early voting period for the general
24 election begins, that a voter who, prior to the election, shall have
25 moved within the same county without (i) filing, on or before the
26 21st day preceding the election, a notice of change of residence
27 with the commissioner of registration of the county or the municipal
28 clerk of the municipality in which the voter resides on the day of
29 the election, (ii) returning the confirmation notice sent to the voter
30 by the commissioner of registration of the county, if such a notice
31 has been sent to the voter, or (iii) otherwise notifying the
32 commissioner of registration of the voter's change of address within
33 the county shall be permitted to correct the voter's registration and
34 to vote in the general election by provisional ballot at the polling
35 place of the district in which the voter resides on the day of the
36 election. The notice shall further provide that the voter may contact
37 the county commissioner of registration or municipal clerk or may
38 view polling place location information on the Division of Elections
39 website to determine the proper polling place location for the voter.

40 (3) For a school election:

41 (a) The day and time thereof,

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

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

45 (d) That a voter who, prior to the election, shall have moved
46 within the same county without (i) filing, on or before the 21st day
47 preceding the election, a notice of change of residence with the
48 commissioner of registration of the county or the municipal clerk of

1 the municipality in which the voter resides on the day of the
2 election, (ii) returning the confirmation notice sent to the voter by
3 the commissioner of registration of the county, if such a notice has
4 been sent to the voter, or (iii) otherwise notifying the commissioner
5 of registration of the voter's change of address within the county
6 shall be permitted to correct the voter's registration and to vote in
7 the school election by provisional ballot at the polling place of the
8 district in which the voter resides on the day of the election,

9 (e) That if the voter has any questions as to where to vote on the
10 day of the election, the voter may contact the county commissioner
11 of registration or municipal clerk or may view polling place
12 location information on the Division of Elections website to
13 determine the proper polling place location for the voter; and

14 (f) Such other information as may be required by law.

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

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

23 (2) All offices to be filled, or nominations made therefor, or
24 public questions to be voted upon, by the voters of the entire State
25 or of the entire county shall be set forth in a newspaper or
26 newspapers which, singly or in combination, have general
27 circulation throughout the county;

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

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

36 e. (Deleted by amendment, P.L.1999, c.232.)

37 f. The cost of publishing the notices required by this section
38 shall be paid by the respective counties, unless otherwise provided
39 for by law.

40 g. Notices required to be published or posted pursuant to this
41 section shall set forth a general description of the contents of the
42 voter information notice provided for in section 1 of P.L.2005,
43 c.149 (C.19:12-7.1), how the notice may be viewed or obtained
44 prior to the day of an election, and that the notice will be posted in
45 each polling place on the day of an election.

46 (cf: P.L.2021, c.40, s.8)

1 12. (New section) a. Notwithstanding the provisions of any
2 other law, rule, or regulation to the contrary, the members of the
3 State committee of each of the political parties shall not be elected
4 at the primary election for the general election. The members shall
5 be elected by the members of the county committee of the
6 respective political parties, at a time and in a manner to be
7 determined by each respective political party, and in accordance
8 with the constitution and bylaws of such party.

9 b. A vacancy in the office of a member of the State committee
10 of any political party, howsoever caused, shall be filled for the
11 unexpired term by the members of the county committee of such
12 political party in the county in which the vacancy occurs, in
13 accordance with the constitution and bylaws of such party.

14 c. Any person elected as a member of the State committee of a
15 political party pursuant to subsection a. of this section, or selected
16 to fill a vacancy in the membership of a State committee, may
17 request, in writing and by certified mail, either access to the
18 complete financial records of the State committee or a copy of the
19 balance sheet of the State committee showing the assets and
20 liabilities of the State committee as of the close of business on the
21 date of their election or selection. The person requesting that
22 access or copy of the balance sheet shall receive the access or copy
23 so requested within 48 hours of the receipt of that request by the
24 committee.

25

26 13. (New section) The provisions of this act,
27 P.L. , c. (pending before the Legislature as this bill) shall be
28 severable, and if any of its provisions shall be held to be
29 unconstitutional, the decision of the court shall not affect the
30 validity of the remaining provisions of this act.

31

32 14. The following sections are repealed:

33 R.S.19:5-4;

34 Section 24 of P.L.1983, c.579 (C.19:5-4a);

35 Sections 6 and 7 of P.L.1978, c.15 (C.19:5-4.1 through

36 C.19:5-4.2);

37 P.L.1981, c.71 (C.19:23-26.1 through C.19:23-26.2); and

38 R.S.19:34-52.

39

40 15. This act shall take effect immediately.