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SYNOPSIS
Permits two or more candidates for school board to circulate petitions jointly and be bracketed together on ballot for same term; permits short nonpolitical designation of principles on petitions and ballots.

CURRENT VERSION OF TEXT
As amended by the General Assembly on June 16, 2014.

(Sponsorship Updated As Of: 6/24/2014)
AN ACT concerning \[candidates for the office of member of a board of education\] annual school elections and amending P.L.1995, c.278.

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

1. Section 1 of P.L.1995, c.278 (C.19:60-1) is amended to read as follows:
   1. a. Except as otherwise provided in this section, an annual school election shall be held in a type II district on the third Tuesday in April. However, in any school year, the Commissioner of Education shall make any adjustments to the school budget and election calendar which may be necessary to change the annual school election date or any other school budget and election calendar date if that date coincides with a period of religious observance that limits significantly the usual activities of the followers of a particular religion or that would result in significant religious consequences for such followers. The commissioner shall inform local school boards, county clerks and boards of election of these adjustments no later than the first working day in January of the year in which the adjustments are to occur.

   As used in this subsection “a period of religious observance” means any day or portion thereof on which a religious observance imposes a substantial burden on an individual's ability to vote.

   An annual school election shall be held simultaneously with the general election on the first Tuesday after the first Monday in November in school districts in which the annual school election has been moved to that date pursuant to subsection a. of section 1 of P.L.2011, c.202 (C.19:60-1.1) or pursuant to section 1 of P.L.2012, c.78 (C.19:60-1.2). The annual school election in November shall be for the purpose of submitting a proposal to the voters for the approval of additional funds in a Type II district without a board of school estimate pursuant to paragraph (9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), for the purpose of electing members of the board of education, and for any other purpose authorized by law.

   b. All school elections shall be by ballot and, except as otherwise provided by P.L.1995, c.278 (C.19:60-1 et al.), shall be conducted in the manner provided for general elections pursuant to Title 19 of the Revised Statutes. No \[grouping of candidates or party designation\] shall appear on any ballot to be used in a school election. At the request of one or more candidates, the ballot for a

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:
\[Senate SSG committee amendments adopted March 24, 2014.\]
\[Assembly floor amendments adopted June 16, 2014.\]
school election may include a designation in not more than three
words that conveys the principles which the candidate or candidates
therein named represent, but such designation shall not contain the
name, or a derivative or any part thereof, as a noun or an adjective
of any political party entitled to participate in a primary election.\(^2\)
(cf: P.L.2012, c.78, s.5)

2. Section 7 of P.L.1995, c.278 (C.19:60-7) is amended to read
as follows:

7. Each candidate to be voted upon at a school election shall be
nominated directly by petition, and the procedures for such
nomination shall, to the extent not inconsistent with the provisions
of P.L.1995, c.278 (C.19:60-1 et al.), conform to the procedure for
nominating candidates by direct petition under chapter 13 of Title
19 of the Revised Statutes. Notwithstanding the provisions of
R.S.19:13-5, however, a petition of nomination for such office shall
be signed by at least 10 persons, one of whom may be the
candidate, and filed with the secretary of the board of education on
or before four p.m. of the 50th day preceding the date of the April
school election \(^2\) or with the county clerk on or before four p.m. of
the last Monday in July preceding the November school election, as
applicable. The signatures need not all appear upon a single petition
and any number of petitions may be filed on behalf of any candidate
[but no petition shall contain the endorsement of more than one
candidate] or on behalf of two or more candidates filing a joint
petition. \(^2\) A petition for one or more candidates may include a
designation in not more than three words that conveys the principles
which the candidate or candidates therein named represent, but such
designation shall not contain the name, or a derivative thereof or
any part thereof, as a noun or an adjective of any political party
entitled to participate in a primary election.\(^2\)

Any candidate may withdraw as a candidate in a school election
by filing a notice in writing, signed by the candidate, of such
withdrawal with the secretary of the board of education before the
44th day before the date of the April election or with the county
clerk on the \(^2\) [60th] 70th\(^2\) day before the date of the November
election, as applicable, and thereupon the name of that candidate
shall be withdrawn by the secretary of the board of education and
shall not be printed on the ballot.

A vacancy created by a declination of nomination or withdrawal
by, or death of, a nominee, or in any other manner, shall be filled

Whenever written objection to a petition of nomination
hereunder shall have been made and timely filed with the secretary
of the board of education or with the county clerk, as may be
appropriate, the board of education shall file its determination of the
objection on or before the 44th day preceding the April school
election or the county clerk shall file the clerk's determination of
the objection on or before the 10th day after the last day for the
filing of petitions for candidates seeking election as a member of a
board of education at the November school election, as applicable.
The last day upon which a candidate may file with the Superior
Court a verified complaint setting forth any invasion or threatened
invasion of the candidate's rights under the candidate's petition of
nomination shall be the 46th day before the April election or the
12th day after the last day for the filing of petitions for candidates
seeking election as a member of a board of education at the
November election, as applicable. The last day upon which a
candidate whose petition of nomination or any affidavit thereto is
defective may amend such petition or affidavit shall be the 44th day
before the April election or the 10th day after the last day for the
filing of petitions for candidates seeking election as a member of a
board of education at the November election, as applicable. In each
school district in which candidates for the office of member of a
board of education will seek election at the November school
election, the school business administrator thereof shall certify to
the county clerk no later than the day of the holding of the primary
election for the general election next occurring a statement
designating the public offices to be filled at such election, and the
number of such offices to be filled.

3. Section 8 of P.L.1995, c.278 (C.19:60-8) is amended to read
as follows:
8. The county clerk shall conduct the ballot draw for candidates
for school board member in those school districts that hold
November elections, in accordance with the procedures set forth in
R.S.19:14-12. In those school districts that elect school board
members at the annual April school election, the ballot draw shall
be conducted as follows:
a. The drawing shall be done by the secretary of the board of
education seven working days following the last day for filing a
petition for the nomination of such a candidate. The person making
the drawing shall make public announcement at the drawing of each
name, the order in which the name is drawn and the term of office
for which the drawing is made.
b. A separate drawing shall be made for each full term and for
each unexpired term, respectively. The names of the several
candidates for whom petitions have been filed for each of the terms
shall be written upon paper slips which shall be placed in capsules
of the same size, shape, color and substance and then placed in a
covered box with an aperture in the top large enough to admit a
person's hand and to allow the capsules to be drawn therefrom. The
box shall be turned and shaken thoroughly to mix the capsules and
the capsules shall be withdrawn one at a time.

c. Where there is more than one person to be elected for a
given term of office, the position of the names on the ballots for
each term of office shall be determined as above described. The
name of the candidate for each term of office first drawn from the
box shall be printed directly below the proper term for which the
person was nominated and the name of the candidate next drawn
shall be printed next in order, and so on, until the last name shall be
drawn from the box.

d. Two or more candidates for any given term of office may
notify the secretary of the board in writing or the county clerk if
the annual school election is to be held in November, at least seven
days before the drawing date that they wish to have their names
with their chosen designation, if any, bracketed together, so that
their names and designation, if any, are selected as a group at the
drawing and their names and designation are printed together on
the ballot. The candidates shall determine among themselves the
order in which their names are to appear within the bracket prior to
so notifying the secretary.

The secretary of the board of education shall, within two days
following the drawing, certify to the county clerk the results of the
drawing.
(cf: P.L.2012, c.78, s.7)

4. Section 9 of P.L.1995, c.278 (C.19:60-9) is amended to read
as follows:

9. The ballot for a school election shall be a single or blanket
form of ballot, upon which shall be printed in bold-faced type the
words "OFFICIAL SCHOOL ELECTION BALLOT" or
"OFFICIAL SPECIAL SCHOOL ELECTION BALLOT," as
appropriate.

Any public question which is to be submitted to the voters at a
school election shall be printed in a separate space below or to the
right of, as the county clerk shall determine, the listing of
candidates in the election.

In the columns in which are listed the titles of the offices to be
filled at a school election and the names of candidates for those
offices, the title of and the names of candidates for the office of
member of the regional board of education shall appear above the
title of and the names of candidates for the office of member of the
local board of education. With respect to either office, in the event
that one or more persons are to be elected to membership thereon
for a full term and one or more persons are to be elected to
membership thereon to fill an unexpired term, the ballots shall
designate which of the candidates to be voted for is to be elected for
a full term and which for an unexpired term. In all cases in which
one or more persons are to be elected for an unexpired term, the
ballots shall indicate the duration of that unexpired term. The
names of two or more candidates for any given term who have
notified the secretary of the board or the county clerk if the annual
school election is to be held in November in writing that they wish
to be bracketed together with their chosen designation, if any,
shall appear as a group in the appropriate location on the ballot,
depending on whether the candidates are to be elected to fill an
expired or an unexpired term.

All public questions to be voted upon at a school election by the
voters of more than one municipality shall be placed first before
any question to be voted upon at that election by the voters of a
single municipality. When the public question to be voted upon by
the voters of a regional school district is the amount of money to be
raised for the use of the regional schools of the district, the amount
of money determined to be the constituent municipality’s share
thereof may be identified on the ballot pursuant to N.J.S.18A:13-17.

Every county clerk shall have ready for the printer a copy of the
contents of official ballots required by law to be printed for use at a
school election, as follows: in the case of the annual April school
election, not later than the 17th day preceding that election; in the
case of any special school election, not later than two business days
following receipt by the clerk of official notice of the complete
content of the ballot to be voted upon at that election; and in the
case of the annual November school election, in accordance with
the provisions of R.S.19:14-1.

The ballots for an annual school election to be held
simultaneously with the general election shall be in accordance with
the provisions of chapter 14 of Title 19 of the Revised Statutes.

At an annual school election held simultaneously with the
general election, the names of the candidates for the office of
candidate member of the board of education shall appear on the ballot
separately from the names of candidates for other offices whenever
possible. Any proposals for additional funds pursuant to paragraph
(9) of subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5)
shall appear on the ballot near the names of the candidates for the
office of member of the board of education whenever possible.
(cf: P.L.2011, c.202, s.37)

5. This act shall take effect on January 1st following
the 30th day after the date of enactment immediately.