

## CHAPTER 27

**AN ACT** concerning the date of annual school district elections and creating the School District Annual Election Study Commission.

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

1. When the date of an annual school election has been moved pursuant to section 1 of P.L.2011, c.202 (C.19:60-1.1) to the first Tuesday after the first Monday in November from the third Tuesday in April for a school district, or a Type II school district with a board of school estimate, any petition filed or resolution adopted by a board of education or a municipal government, or action taken by a Type II school district with a board of school estimate, after June 1, 2016 but prior to May 31, 2018 pursuant to subsection b. of section 1 of P.L.2011, c.202 (C.19:60-1.1) to move the election from the first Tuesday after the first Monday in November to the third Tuesday in April shall be invalid and without effect. No action shall be taken by any public employee or official after the effective date of P.L.2016, c.27 to effectuate or implement the purpose of such a petition, resolution, or action, including any proceeding in progress for the holding of an election in April for a school district or a Type II school district with a board of school estimate. Appropriate written notices shall be given to relevant boards of education, boards of school estimate, municipal governing bodies, and petition circulators by the appropriate board or governing body that a petition or resolution has been invalidated by this section.

2. a. There is established a School District Annual Election Study Commission. The purpose of the commission shall be to study: (1) the voter turnout data and the fiscal impact and cost savings of moving the date of the annual school election for school districts to the first Tuesday after the first Monday in November, to be held simultaneously with the general election; (2) the voter turnout estimates and implications and the fiscal impact and cost savings of moving the date of the annual school election for school districts from the first Tuesday after the first Monday in November to the third Tuesday in April; and (3) the implications of moving the annual election as described in (1) and (2) on proposed school budgets.

b. The commission shall consist of 10 members as follows:

Two members, to be appointed by the Governor, including the Secretary of State who shall serve *ex officio*, or the Secretary's designee;

Two members, to be appointed by the President of the Senate, including one member upon the recommendation of the New Jersey School Boards Association;

Two members, to be appointed by the Speaker of the General Assembly, including one member upon the recommendation of the New Jersey League of Municipalities;

Two members, to be appointed by the Minority Leader of the Senate, including one member upon the recommendation of the New Jersey Association of Election Officials; and

Two members, to be appointed by the Minority Leader of the General Assembly, including one member upon the recommendation of the New Jersey Association of Counties.

Vacancies in the membership of the commission shall be filled in the same manner provided for the original appointments.

c. All appointments to the commission shall be made not later than the 30th day after the effective date of this act. The commission shall convene its first meeting within 15 days following the date on which the majority of its members have been appointed.

The members of the commission shall select a chairperson and a vice-chairperson from among the membership.

A majority of the authorized membership of the commission shall constitute a quorum for the transaction of any business.

The chairperson may appoint a secretary who need not be a member of the commission. The Department of State shall provide professional and clerical support to the commission.

The members shall serve without compensation, but may be reimbursed for expenses incurred in the performance of their duties, except for the Secretary of State, within the limits of funds appropriated or made available for such a purpose.

The commission shall hold at least one public hearing in a place and at a time convenient for the participation of members of the public. The public hearing shall take place in a county in the central region of this State.

The commission shall also be entitled to call to its assistance and avail itself of the services of the employees of any State department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes.

d. The commission shall issue, within 10 months from the date of its first meeting, a final report to the Governor, and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), detailing its findings. Following the issuance of its final report, the commission shall convene at the call of the chairperson to consider and respond to any written request submitted to it by a legislator or officer or employee of the Executive Branch of State government on any issue or item.

The commission shall expire six months after the date of issuance of its final report.

3. This act shall take effect immediately.

Approved August 18, 2016.