



THE RECALL ELECTION PROCESS

Listed below are a number of sequential steps to conduct a recall election effort by citizens, including the procedures for the Recall Election Official who administers the process and the elected official in response to the recall effort. Citizens who wish to initiate a recall effort, as well as elected officials subject to recall, should refer to the Uniform Recall Election Law, Chapter 105, Laws of 1995 (N.J.S.A. 19-:27A-1 et seq.) for all requirements of the law.

THIS DOCUMENT IS FOR INFORMATION PURPOSES ONLY.

ANY SPECIFIC QUESTIONS OR INQUIRY REGARDING A PARTICULAR RECALL EFFORT OR ELECTION MUST BE DIRECTED TO THE RECALL ELECTION OFFICIALS LISTED BELOW:

ELECTIVE OFFICE

- School Election
- Municipal Office
- County Office
- State Office

RECALL ELECTION OFFICIAL

- School Board Secretary
- Municipal Clerk
- *County Clerk
- Secretary of State

**If a recall election is targeted against a county clerk, the Secretary of State is authorized to act as the recall election official.*

RECALL DRIVE BEGINS

A recall committee of at least three registered voters forms to initiate proceedings under the law. The recall drive may not commence before the 50th day preceding the completion of the elected official's first year of the current term in office.

FILING OF NOTICE OF INTENTION

The recall committee must notify the appropriate recall election official of the names and business or residence addresses of at least three members of the recall committee. They may provide a 200 word statement on the reasons for recall, but it is not required. The notice must also state if the committee is seeking a special election or to place the recall question on the ballot at the next regular scheduled election.

NOTICE REVIEW

The recall election official, who normally accepts candidates' petitions in that jurisdiction, reviews the notice of intention for compliance with statutory provisions, calculates the cost of a special election, if necessary, and notifies committee members of the acceptance or rejection of the notice, within three business days of receipt.

NOTIFICATION OF THE ELECTED OFFICIAL

The recall election official notifies the elected official of the notice of intention of recall by the committee within five business days, and publishes a notice of the recall effort.

ANSWER BY THE ELECTED OFFICIAL

The elected official acknowledges notice served and may elect to file an answer of up to 200 words to any statement provided by the recall committee, within five business days.

ACKNOWLEDGMENT OF ANSWER

The recall election official acknowledges receipt of the answer and provides a copy to the recall committee for petition preparation, within two business days.

PETITIONS DRAFTED FOR APPROVAL

A petition draft document, which must meet the statutory requirements for layout, type size and other information to be included, is submitted to the recall election official for review and approval. If the recall committee submitted a statement of reasons for the recall, it shall be published on the face of the petition with the answer of the elected official, if submitted.

SIGNATURE COLLECTION EFFORT

Upon approval of the petition, the recall committee and registered voters in the jurisdiction of the recall election may solicit signatures of other registered voters in that jurisdiction. Specific requirements on the method of soliciting signatures are listed in the law. The recall effort is limited to 320 days for a Governor or 160 days for other elected officials from the date of the notice of intention. The petition requires the signatures of 25 % of the registered voters in the jurisdiction, as of the last general election.

PETITION FILING

The complete recall petition must be filed before the filing deadline. Petitions filed in whole or in part after the deadline are void, and may not be utilized for another effort.

PETITION REVIEW

The recall election official certifies the number of signatures appearing on the petition and determines if the petition is valid within ten days of receipt.

RECALL ELECTION DATE

If the petition is accepted, the recall election official schedules the recall election at the next regular election or at a special election, if requested by the recall committee, on a date which does not conflict with a regular election in accordance with time periods set forth in the law.

RECALL ELECTION CAMPAIGN

All funds raised and expended on behalf of the recall effort or a recall defense effort are subject to laws governing campaign activity, as specified in the Uniform Recall Election Law and other statutes of Title 19, Election Laws of New Jersey.

RECALL ELECTION CAMPAIGN

The New Jersey Election Law Enforcement Commission is charged with administering campaign reporting, contribution limits, and other campaign financial disclosure requirements for recall elections.

All funds raised and expended on behalf of the recall effort or a recall defense effort are subject to laws governing campaign activity as specified in the Uniform Recall Election Law and the Campaign Contributions and Expenditures Reporting Act and the regulations.

Note that a recall committee is not permitted to solicit or accept contributions in connection with a recall effort until the recall committee notifies the elected official of the recall effort. A recall committee must appoint a treasurer and open a depository account for the purpose of receiving contributions and making expenditures not later than the date on which the recall committee first receives a contribution or makes or incurs an expenditure in connection with a recall effort.

For more information concerning reporting by recall and recall defense committees, please visit the Commission's website at: www.elec.state.nj.us

Or, you may contact the staff of the Commission as provided below:

Toll free within New Jersey: 1 (888) 313-ELEC
Outside New Jersey: (609) 292-8700

New Jersey Election Law Enforcement Commission
P.O. Box 185
Trenton, NJ 08625-0185