

Governor Phil Murphy

Governor Murphy Signs Legislation Revising Process for Filling Vacant U.S. House of Representatives Seats

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Legislation Aims to Prevent Delays and Voter Confusion When Filling Vacant Seats

TRENTON – Governor Phil Murphy today signed into law

[A5886/S4664 \(https://pub.njleg.state.nj.us/Bills/2024/A6000/5886_R2.PDF\)](https://pub.njleg.state.nj.us/Bills/2024/A6000/5886_R2.PDF), revising the requirements for filling a U.S. House of Representatives seat following a vacancy. The revised requirements seek to eliminate previous challenges that have led to delays in electing a new representative.

“Securing a consistent voice for New Jersey’s congressional districts is critical to making sure our government is working for every New Jerseyan,” **said Governor Murphy**. “This law eliminates barriers to ensuring House seats are filled as quickly as possible without unnecessary confusion for voters or long periods without representation when a seat becomes vacant.”

Recent experience in New Jersey under previous law has demonstrated that the legal requirements for filling a House vacancy could result in lengthy delays that left New Jerseyans unrepresented for extended periods of time. In addition, previous law did not allow the New Jersey Department of State to modify the numerous deadlines of New Jersey’s election statutes, which led to significant administrative burdens as candidates and election officials struggled to meet those deadlines within the compressed time frames for special primary and special general elections (70-76 days and 64-70 days, respectively).

A5886/S4664 imposes new time constraints by requiring the Governor to issue a writ of election within 10 days of the vacancy. It also requires the Governor to issue a writ of election whenever there are at least 135 days remaining in the term. The Governor was previously only required to issue a writ of election if there were six months remaining in the term at the time of the vacancy. The bill also clarifies that the Governor may decide to issue a writ even if there are fewer than 135 days remaining in the term – clarifying previous ambiguity in the law.

The legislation also aims to prevent administrative burdens and voter confusion over election dates for vacant House seats by requiring the Governor to designate the regular primary or general election day as the date for a special election whenever the special election falls within 45 days before the regular primary or general election day. The law also prevents a special election from being held in the 25 days following the regular primary or general election day.

In addition, A5886/S4664 clarifies the circumstances for a special primary or special general election. Under the



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legislation, when a House seat becomes vacant with at least 180 days remaining in the term, both a special primary and a special general election will be held (70-76 days after issuance of the writ and 64-70 days following the special primary election, respectively). When there are between 135 and 180 days remaining in the term, the special election will be held on the day of the regular general election, and the parties will select the candidates consistent with the requirement under previous law.

The primary sponsors of A5886/S4664 are Assemblywoman Alixon Collazos-Gill, Assemblywoman Michelle Drulis, Senator Andrew Zwicker, and Senator John McKeon.

“Today marks a meaningful step forward for New Jersey voters and democratic accountability,” **said Assemblywoman Alixon Collazos-Gill**. “With the enactment of this legislation, we are ensuring that when a vacancy occurs in the United States House of Representatives, the process to fill it is clearer, fairer, and more responsive to the voices of our communities.”

“Voters deserve predictability and fairness when it comes to filling a vacancy for their federal representative,” **said Assemblywoman Michelle Drulis**. “This important reform modernizes how we fill House vacancies and brings greater transparency and consistency to an essential function of our government.”

“Our democracy only works when everyone has a voice in Washington. When a U.S. House seat becomes vacant, hundreds of thousands of people are left without a representative to advocate for their district’s specific needs,” **said Senator Andrew Zwicker**. “The way New Jersey’s current system is set up, seats could be left empty for upwards of a year, which is completely unacceptable. This bill will ensure vacancies are filled in a timelier manner.”

“When seats in the U.S. House of Representatives become vacant, whether it be from the member’s death, resignation, or otherwise, everyday people are left without someone to voice their concerns, or to turn to for constituent services, like navigating issues with federal agencies,” **said Senator John McKeon**. “This legislation will bring more transparency to the process of filling congressional vacancies and ensure that everyone has the consistent representation they deserve.”

Governor Phil Murphy

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