

GUIDE TO COLLECTING SIGNATURES FOR VOTER INITIATIVES AND REFERENDUMS

New Jersey Appleseed Public Interest Law Center

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Before starting:

1. Decide whether you will run your referendum at a general election or a special election (if allowed). In most instances, you will want to run the referendum at a general election.

2. Based on that decision, calculate the date by which you will need to submit the petitions and cure them if necessary. For referendums run at general elections, that date will generally be in early to mid-July.

3. Check the statute under which you are circulating your petition to determine the number of valid signatures that you need. Then check with the County Clerk and the website of the Division of Elections, for either the number of ballots cast at the previous General Assembly election in your jurisdiction, or the number of registered voters at the general election preceding the circulation of the petition. Retain a printed copy of the information you receive or locate on the web about ballots cast / registered voters.

4. Check the statute under which you are circulating your petition to determine whether a Committee of Petitioners is required, and if so, select the committee from five individuals who you know will be living at their address through petition collection, and who would not waver from being a circulator if they faced intimidation from local officials.

5. Design your petition in accordance with proper legal requirements, including the text of your proposed ordinance (if applicable), a proposed question and interpretive statement, signature lines, and the names of the Committee of Petitioners on the bottom of each page or page side of the petition.

6. Prepare fact sheets clearly and accurately describing the initiated ordinance or amendment or the ordinance you are seeking to repeal or not approve for

circulator use, including for questions involving change in government, runoff election, and elected vs. appointed board of education questions.

7. Prepare a simple flyer that can be given to and left with the people from whom you solicit.

8. File an OPRA request with the State Division of Elections to obtain the current statewide voter registration file. After extracting the correct county and/or municipality, you will have a list of all registered voters in the municipality or county at the time you are circulating. You can find an OPRA form at https://www-njlib.nj.gov/NJ_OPRA/departments.jsp. Fill in “Department of State” as the Department and “Division of Elections” as the agency/division.

9. Number blank petitions, and maintain a list of all circulators and which numbered petition they were given.

10. In most instances, the law allows anyone capable of making an oath to be a circulator, however, we suggest using registered voters of the municipality to forestall accusations that ‘out-of-towners’ are leading referendum efforts.

11. Recruit New Jersey notaries or attorneys who can notarize the circulator affidavits as petitions are completed. Out of state notaries or attorneys are not acceptable.

Petition collection

1. Bring both the petition and several voter registration forms for your county with you when you go out to engage in petitioning.

2. Think about different methods of petitioning. You could go door-to-door. Or you could collect petitions at town events. Commercial enterprises like supermarkets may, but are not required to, give permission to petition there.

3. Use a clipboard or other solid surface to help the voter legibly sign and fill in the petition.

4. Ask the signer if he or she is a registered voter, and if he or she resides in your municipality. Any registered voter residing in the municipality can sign the petition.

5. A person who is unsure if they're registered, or who has moved since last registering to vote should complete a voter registration form.

6. A person who is not registered to vote but is qualified to register (18 years old, US citizen, 30 days' residency in the county) may sign the petition if he or she immediately fills out a voter registration form.

7. Stay in possession of your own petition book at all times

8. Do not leave the petition somewhere, walk away, and return later. Do not pass a partially completed petition form to a second person.

9. Do not let a signer sign on behalf of someone else (e.g. a family member)

10. When asking people to sign the petition, tell them that they must sign using their legal name, print their name, and fill in the house and street address.

11. Watch each individual sign in their own handwriting, and make sure they fully and legibly complete the signature, printed name, and address blanks on the petition.

12. Make copies of any registration or change of address forms that you collect and mail them in the same day you receive them.

13. You do not need to use all lines on a petition form.

14. As you collect signatures, begin the process of vetting the signatures described below. Don't wait until the last minute to do vetting!

Finalizing the petition

1. When you are done collecting signatures, make an appointment with the campaign notary so you can fill out and notarize the circulator's affidavit portion of the petition.

2. When you are in the notary's presence, sign the circulator affidavit. The notary will then fill in the county and other required information (e.g. notary number and date commission expires).

3. Cross-checking: notaries should review petition forms to spot any obvious errors. Circulators should review notarizations to make sure they are done correctly.

4. Notarized petitions are returned to the campaign manager or member of the Committee of Petitioners.

Prior to submission:

1. Vetting: Check the petition against the SVRS printout that you received, making sure that voter's name and address on the petition match what is in the SVRS.

2. Rule of thumb is to file 30% more signatures than you need;

3. Make a list of people who are newly registered or who completed a change of address form. Include their current and previous address.

4. Make a list of people who are marked "inactive" in the SVRS. Reaffirm their current address if the same as that in the SVRS. If they have moved within the municipality have them complete a change of address form and include their current and previous address.

5. To help the clerk who will review the petitions, submit the above lists with the petitions on a separate sheet of paper.

Submission:

1. Develop a cover sheet signed by at least two members of the Committee of Petitioners (if such a committee is required), that sets forth the number of petition packets submitted and the number of signature entries included in each packet.

2. Make copies of all petitions submitted.

3. Provide contact information – address, email, and phone number – for members of the COP and/or circulators so clerk can contact them if have any questions as to procedure employed during circulation.