SYNOPSIS

Eliminates separate presidential primary election; provides for delegates and alternates to political party national conventions to be elected at regular June primary election.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 5/10/2011)
AN ACT eliminating the separate presidential primary election and amending various parts of the statutory law.

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

1. R.S.19:1-1 is amended to read as follows:

19:1-1. As used in this Title:

"Election" means the procedure whereby the electors of this State or any political subdivision thereof elect persons to fill public office or pass on public questions.

"General election" means the annual election to be held on the first Tuesday after the first Monday in November.

"Primary election for the general election" means the procedure whereby the members of a political party in this State or any political subdivision thereof nominate candidates to be voted for at general elections, or elect persons to fill party offices.

"Presidential primary election" means the procedure whereby the members of a political party in this State or any political subdivision thereof elect persons to serve as delegates and alternates to national conventions.

"Municipal election" means an election to be held in and for a single municipality only, at regular intervals.

"Special election" means an election which is not provided for by law to be held at stated intervals.

"Any election" includes all primary, general, municipal, school and special elections, as defined herein.

"Municipality" includes any city, town, borough, village, or township.

"School election" means any annual or special election to be held in and for a local or regional school district established pursuant to chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes.

"Public office" includes any office in the government of this State or any of its political subdivisions filled at elections by the electors of the State or political subdivision.

"Public question" includes any question, proposition or referendum required by the legislative or governing body of this State or any of its political subdivisions to be submitted by referendum procedure to the voters of the State or political subdivision for decision at elections.

"Political party" means a party which, at the election held for all of the members of the General Assembly next preceding the holding of any primary election held pursuant to this Title, polled for members of the General Assembly at least 10% of the total vote cast in this State.

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.
"Party office" means the office of delegate or alternate to the national convention of a political party or member of the State, county or municipal committees of a political party.

"Masculine" includes the feminine, and the masculine pronoun wherever used in this Title shall be construed to include the feminine.

"Presidential year" means the year in which electors of President and Vice-President of the United States are voted for at the general election.

"Election district" means the territory within which or for which there is a polling place or room for all voters in the territory to cast their ballots at any election.

"District board" means the district board of registry and election in an election district.

"County board" means the county board of elections in a county.

"Superintendent" means the superintendent of elections in counties wherein the same shall have been appointed.

"Commissioner" means the commissioner of registration in counties.

"File" or "filed" means deposited in the regularly maintained office of the public official wherever said regularly maintained office is designated by statute, ordinance or resolution.

2. R.S.19:2-1 is amended to read as follows:

19:2-1. [Presidential primary] Primary elections for delegates and alternates to national conventions of political parties shall be held in each presidential year on the Tuesday next after the first Monday in February.

Primary elections and for the general election shall be held in each year on the Tuesday next after the first Monday in June.

All primary elections shall occur between the hours of 6:00 A.M. and 8:00 P.M., Standard Time. Primary elections for special elections shall be held not earlier than 30 nor later than 20 days prior to the special elections.

3. R.S.19:3-3 is amended to read as follows:

19:3-3. Delegates and alternates to the national conventions of the political parties [held in each presidential year] shall be elected at the [presidential] primary election to be held on the Tuesday next after the first Monday in [February] June in that year.

The members of State, county and municipal committees of the political parties shall be chosen at the primary for the general election as hereinafter provided.

(cf: P.L.2007, c.61, s.2)
4. Section 6 of P.L.1976, c.83 (C.19:4-15) is amended to read as follows:

6. a. No county board shall make division of an election district in any year in the period commencing 75 days before the presidential primary election in each presidential year or the primary election for the general election, and the day of the general election.

b. To facilitate the use of Federal decennial census populations for apportionment and redistricting purposes and notwithstanding the provisions of this or any other law, no election districts shall, except with the prior approval of the Attorney General, be created, abolished, divided or consolidated between January 1 of any year whose last digit is 7 and December 1 of any year whose last digit is 0.

(cf: P.L.2005, c.136, s.4)

5. R.S.19:6-2 is amended to read as follows:

19:6-2. a. The following persons may apply in writing to the county board, on a form prepared and furnished by the county board, for appointment as a member of a district board of any municipality in the county in which he or she resides: (1) a legal voter who is a member of a political party by virtue of having voted in a party primary or who has filed a party declaration form for the ensuing presidential primary or primary election for the general election with the commissioner of the county in which the voter is registered and who, for two years prior to making written application, has not espoused the cause of another political party or its candidates; (2) a legal voter who is not affiliated with a political party; (3) a United States citizen and resident of this State who is 16 or 17 years of age, attends a secondary school and has the written permission of his or her parent or guardian to serve as a member of the board if appointed; or (4) a United States citizen and resident of this State who is 16 or 17 years of age and has graduated from a secondary school or has passed a general educational development test, GED, and has the written permission of his or her parent or guardian to serve as a member of the board if appointed.

b. The application, signed by the applicant under his or her oath, shall state: (1) the applicant's name and address; (2) the applicant's age, if the applicant is less than 18 years of age; (3) the political party to which he or she belongs or, if the applicant is not affiliated with a political party, the fact that the applicant is not so affiliated; (4) that the applicant is of good moral character and has not been convicted of any crime involving moral turpitude; and (5) that the applicant possesses the following qualifications: eyesight, with or without correction, sufficient to read nonpareil type; ability to read the English language readily; ability to add and subtract figures correctly; ability to write legibly with reasonable facility; reasonable knowledge of the duties to be performed by the applicant.
as an election officer under the election laws of this State; and
health sufficient to discharge his or her duties as an election officer.
c. If an applicant for appointment to a district board is 16 or 17
years of age, then the applicant shall provide to the county board,
along with the application provided under subsection b. of this
section: (1) a written document signed by the applicant's parent or
guardian giving the applicant permission to serve as a member of a
district board if appointed and (2) if an election, meeting or training
is scheduled to take place when school is in session, a written
document from his or her school that acknowledges the applicant's
application for appointment as a member of a district board and
excuses the applicant from school on the dates of service if
appointed, except that the requirement contained in subparagraph
(2) of this subsection shall not apply to a United States citizen and
resident of this State who is 16 or 17 years of age and has graduated
from a secondary school or has passed a general educational
development test, GED.
d. No person shall be precluded from applying to serve as a
member of a district board of any municipality for failure to vote in
any year such person was ineligible to vote by reason of age or
residence.
e. In no case shall a person 16 or 17 years of age be permitted
to serve as a member of a district board on the day of an election for
more than the number of hours permitted for such a person to work
pursuant to P.L.1940, c.153 (C.34:2-21.1 et seq.), as amended and
supplemented.
(cf: P.L.2005, c.136, s.5)
6. R.S.19:6-3 is amended to read as follows:
19:6-3. a. (1) The county board shall, on or before [January 4
of each presidential year and on or before April 1 [of every other
year], appoint the members of the district boards in the manner
prescribed by paragraph (2) of this subsection. The members of any
district board shall be equally apportioned between the two political
parties which at the last preceding general election held for the
election of all of the members of the General Assembly cast the
largest and next largest number of votes respectively in this State
for members of the General Assembly, except that if the county
board is unable to fill all of the positions of the members of a
particular district board from among qualified members of those
two political parties, the county board shall appoint to any such
unfilled position an otherwise qualified person who is unaffiliated
with any political party, but no such appointment of an unaffiliated
person shall be made prior to [January 9 of each presidential year
and prior to] March 25 [of every other year], and in no event shall
more than two such unaffiliated persons serve at the same time on
any district board.
(2) In making appointments of members of the several district boards of the county, the county board shall consult with the chairperson of the county committee of each of the two political parties referred to in paragraph (1) of this subsection. On or before December 20 of the year preceding each presidential year and on or before [December 20 of the year preceding each presidential year and on or before] March 15 of [every other] each year, the county board shall transmit to each of those chairpersons a list of those positions on the membership of the several district boards that are subject to apportionment under that paragraph (1) to the political party of which that chairperson is a member, and to which the county board has been unable to make an appointment from among qualified members of that political party. The county board shall include with each such list a request that the chairperson to whom that list is transmitted return to the board a list of the names of candidates for those unfilled positions. On or before [December 30 of the year preceding each presidential year and on or before] March 25 [of every other year], the county board shall, on the basis of the lists so returned to it, fill as many of the remaining unfilled positions in the membership of the several district boards as possible, and shall assign or reassign appointees as necessary to ensure that the membership of each district board within the county shall include at least one member of each of the two political parties. The county board shall then appoint to any unfilled position on a district board an otherwise qualified person who is unaffiliated with any political party.

b. In case the county board shall neglect, refuse or be unable to appoint and certify the members of the district boards as herein provided, the Assignment Judge of the Superior Court shall, before January 15 of each presidential year or before [January 15 of each presidential year or before] April 10 of every other year, make such appointments and certifications. (cf: P.L.2007, c.61, s.3)

7. R.S.19:6-10 is amended to read as follows:

19:6-10. Each district board shall, on or before the second Tuesday next preceding the [presidential] primary election [in those years when such an election is held or the primary election for the general election in every other year], meet and organize by the election of one of its members as judge, who shall be chairman of the board, and another of its members as inspector. The judge and inspector shall not be members or voters of the same political party. In case of failure to elect a judge as herein provided, after balloting or voting three times, the senior member of the board in respect to length of continuous service as a member of such district board shall become judge, and in case of failure to elect an inspector after balloting or voting three times, the next senior member of the board in respect to length of continuous service as a member of such district board shall become inspector; provided, that both the
chairman and the inspector shall not be members or voters of the same political party. The other members of the board shall be clerks of election, and shall perform all the duties required by law of the clerks of district boards.

cf: P.L.2005, c.136, s.7

8. R.S.19:6-18 is amended to read as follows:

19:6-18. During the 30-day period immediately preceding November 25 of the year preceding each presidential year and February 15 of every other in each year, the chairman and vice-chairlady of each county committee and the State committeeman and State committeewoman of each of such two political parties, respectively shall meet and jointly, in writing, nominate one person residing in the county of such county committee chairman, duly qualified, for member of the county board in and for such county [for the succeeding year, in the case of the presidential year].

If more than two members are elected to the State committee of any party from a county, the State committeeman and State committeewoman who shall participate in the process of nomination shall be those holding full votes who received the greatest number of votes in their respective elections for members of the State committee.

If nomination be so made, the said county committee chairman shall certify the nomination so made to the State chairman and to the Governor, and the Governor shall commission such appointees, who shall be members of opposite parties, on or before December 20 of the year preceding each presidential year or on or before March 1 in every other year, as the case may be. If nomination be not so made on account of a tie vote in the said meeting of the county committee chairman, county committee vice-chairlady, State committeeman and State committeewoman, in respect to such nomination, the said county committee chairman shall certify the fact of such a tie vote to the State chairman, who shall have the deciding vote and who shall certify, in writing, to the Governor, the nomination made by his deciding vote. Appointees to county boards of election pursuant to this section shall continue in office for 2 years from either December 20 of the year preceding each presidential year or March 1, as the case may be, next after their appointment.

The first appointment having been made pursuant to law for terms of 1 and 2 years, respectively, the members subsequently appointed each year shall fill the offices of the appointees whose terms expire in that year.

cf: P.L.2007, c.61, s.4
9. R.S.19:6-22 is amended to read as follows:

19:6-22. a. (1) The county boards shall, at 10 a.m., on the first Tuesday in January of each presidential year and on the second Tuesday in March of every other year, or on such other day as they may agree on within the first 5 days in January or 15 days in March, as the case may be, in each year, meet at the courthouse, or other place as provided for, in their respective counties, and, subject to the provisions of paragraph (2) of this subsection, organize by electing one of their number to be chairman and one to be secretary; but the chairman and secretary shall not be members of the same political party.

(2) In case of failure to elect a chairman after three ballots or viva voce votes, the member having the greatest seniority on the board shall be the chairman thereof, except that if the member having the greatest seniority on the board so chooses, that member shall instead be secretary of the board; in the event that that senior member so chooses to become secretary, no election shall be held to choose a secretary of the board, the board shall elect one of its members who is not of the same political party as the secretary to be the chairman of the board, and in the case of a failure again to elect a chairman after three ballots or viva voce votes, the person among those members having the greatest seniority on the board shall be the chairman thereof.

In any case of failure to elect a chairman, if two or more members of the board who are eligible to become chairman have greatest and equal seniority on the board, then the board shall, not later than the fifth day following the organization meeting, notify the Governor of an inability to fill the position of chairman either by election or on the basis of seniority, including in that notice a certification of the names of those senior members of the board. In addition, if the position of secretary has not otherwise been filled under the foregoing provisions of this paragraph, the board shall defer for the time being the election of a secretary. Not later than the fifth day following receipt of the notice, the Governor shall designate one of those senior members to be chairman of the board and certify that designation to the board. If the position of secretary was not filled at the initial meeting of the county board to organize, then not later than the fifth day following receipt of that certification, the board shall reconvene at the call of the chairman so designated and shall elect a secretary of the board.

In case of failure to elect a secretary after three ballots or viva voce votes, the member of the board having the greatest seniority shall be secretary of the board, except that if that member has become chairman because of election to that position or because of designation as a result of the failure to elect a chairman, the member with the next greatest seniority shall be secretary. In no
case, however, shall the chairman and secretary be members of the same political party.

Seniority for the purposes of this section shall be determined by the total amount of time that a person has served as a member of the board, beginning from the date that that person took the oath of office as a member.

b. The boards shall have power in their discretion to hold their meetings for any purpose, except organization, in any part of their respective counties. Meetings may be called by either the chairman or the secretary of the board, or at the request of any two members.

(cf: P.L.2007, c.61, s.5)

10. R.S.19:7-2 is amended to read as follows:

19:7-2. A candidate who has filed a petition for an office to be voted for at any primary election, and a candidate for an office whose name may appear upon the ballot to be used in any election, may also act as a challenger as herein provided and may likewise appoint 2 challengers for each district in which he is to be voted for; but only 2 challengers shall be allowed for each election district to represent all the candidates nominated in and by the same original petition. The appointment of the challengers shall be in writing under the hand of the person or persons making same and shall specify the names and residences of the challengers and the election districts for which they are severally appointed. Whenever a public question shall appear on the ballot to be voted upon by the voters of an election district and application has been made by the proponents or opponents of such public question for the appointment of challengers, the county board may in its discretion appoint 2 challengers each to represent such proponents or opponents. Such challengers shall be in addition to those provided for in section 19:7-1 of this Title.

(cf: P.L.2005, c.136, s.10)

11. R.S.19:8-2 is amended to read as follows:

19:8-2. The clerk of every municipality, on or before January 4 of each presidential year and on or before April 1 of every other year shall certify to the county board of every county wherein such municipality is located a suggested list of places in the municipality suitable for polling places. The county board shall select the polling places for the election districts in the municipalities of the county for all elections in the municipalities thereof, including all commission government elections in the county. The county boards shall not be obliged to select the polling places so suggested by the municipal clerks, but may choose others where they may deem it expedient. Preference in locations shall be given to schools and public buildings where space shall be made available by the authorities in charge, upon request, if same can be done without detrimental interruption of school or the usual public services
thereof, and for which the authority in charge shall be reimbursed, by agreement, for expenses of light, janitorial and other attending services arising from such use. Each polling place selected shall be accessible to individuals with disabilities and the elderly. A polling place shall be considered accessible if it is in compliance with the federal "Americans with Disabilities Act of 1990" (42 U.S.C. s. 12101 et seq.). In no case shall the authorities in charge of a public school or other public building deny the request of the county board for the use, as a polling place, of any building they own or lease.

Where the county board shall fail to agree as to the selection of the polling place or places for any election district, within five days of an election, the county clerk shall select and designate the polling place or places in any such election district.

The county board may select a polling place other than a schoolhouse or public building outside of the district but such polling place shall not be located more than 1,000 feet distant from the boundary line of the district. The Attorney General Secretary of State may, however, permit a polling place to be more than 1,000 feet distant from the boundary line of the district if there is no suitable polling place accessible to individuals with disabilities and the elderly within the district or 1,000 feet distant from the boundary line of the district.

Whenever possible, the county board shall contact the managers or owners of commercial or private buildings that the board deems suitable to use as polling places, and are in or near an election district lacking an accessible polling place, to determine whether a portion of such a building may be used as a polling place on the day of an election. Reimbursement for the use of a portion of such a building shall be the same as provided by this section for schools and public buildings.

Neither the owner nor operator of a facility designated as a polling place by the county board is permitted or authorized to relocate the polling place room in the building without the express prior approval of the board.

(cf: P.L.2007, c.61, s.6)

12. Section 4 of P.L.1991, c.429 (C.19:8-3.4) is amended to read as follows:

4. No later than January 15 of each presidential year and no later than May 15 of every other year, beginning with May 15 next following the enactment of P.L.2005, c.146, each Voting Accessibility Advisory Committee, established pursuant to section 11 of P.L.1991, c.429 (C.19:8-3.7) shall report to the Attorney General Secretary of State and the county board of elections, on the form provided by the Attorney General Secretary of State, a list of all polling places in the county, specifying any found inaccessible. The committee shall indicate the reasons for
inaccessibility, according to guidelines established in the federal
"Americans with Disabilities Act of 1990" (42 U.S.C. s. 12101 et
seq.), and shall consult with the county board of elections to
determine the efforts made pursuant to P.L.1991, c.429 (C.19:8-3.1
et al.) to locate alternative polling places or the actions needed to
make the existing facilities accessible. Each county board of
elections shall notify the Attorney General Secretary of State and
the committee of any changes in polling place locations before the
next general election, including any changes required due to the
alteration of district boundaries.
(cf: P.L.2007, c.61, s.7)

13. R.S.19:8-4 is amended to read as follows:
19:8-4. The county board before January 15 of each
presidential year and May 15 of every other year shall
certify a list of polling places so selected to the sheriff and to the
clerk of the county and to the superintendent of elections of the
county if any there be and to each municipal clerk in the county.
(cf: P.L.2007, c.61, s.8)

14. R.S.19:9-2 is amended to read as follows:
19:9-2. The Director of the Division of Elections shall prepare
and distribute on or before January 4 of each presidential year and
on or before April 1 of every other in each year prior to the
primary election for the general election and the general election
such information as may be needed relative to election procedures
for the ensuing year.
The county board of elections shall prepare and distribute on or
before January 4 of each presidential year and on or before April
1 of every other in each year, registration and voting instructions
printed in at least 14-point type for conspicuous display at each
polling place at any election.
All other books, ballots, envelopes and other blank forms which
the county clerk is required to furnish under any other section of
this Title, stationery and supplies for the primary election for the
general election, the presidential primary election for delegates
and alternates to national conventions and the general election, shall
be furnished, prepared and distributed by the clerks of the various
counties; except that all books, blank forms, stationery and supplies,
articles and equipment which may be deemed necessary to be
furnished, used or issued by the county board or superintendent
shall be furnished, used or issued, prepared and distributed by such
county board or superintendent, as the case may be.
The county board shall furnish and deliver to the county clerk,
the municipal clerks and the district boards in municipalities having
more than one election district: a map or description of the district
lines of their respective election districts, together with the street
and house numbers where possible in such election districts and a
list or map of all of the polling places within the county to assist
any voter in identifying the correct location of the polling place at
which the voter should vote if that voter erroneously reports to the
municipal clerk or the wrong polling place.

Nothing in subtitle 2 of the Title, Municipalities and Counties
(R.S.40:16-1 et seq.), shall in any way be construed to affect,
restrict, or abridge the powers conferred on the county clerks,
county boards or superintendents by this Title.

(cf: P.L.2007, c.61, s.9)

15. R.S.19:12-1 is amended to read as follows:
19:12-1. The Secretary of State shall within thirty days after the
completion of the canvass by the board of State canvassers, certify
to each county clerk and county board the fact that at the next
preceding general election held for the election of all of the
members of the General Assembly ten per centum (10%) of the total
vote cast in the State for members of the General Assembly had
been cast for candidates having the same designation, thereby
creating, within the meaning of this Title, a political party, to be
known and recognized as such under the same designation as used
by the candidates for whom the required number of votes were cast.
The Secretary of State shall also not later than the sixtieth day
preceding the [presidential] primary election [in each presidential
election in every year] in which electors of
President and Vice-President of the United States [are to be
selected, and not later than the sixtieth day preceding the primary
election for the general election in which] a representative of the
United States Senate, members of the House of Representatives, a
Governor, a Lieutenant Governor, or Senator, or member or
members of the General Assembly for any county, or any of them,
are to be elected or any public question is to be submitted to the
voters of the entire State, direct and cause to be delivered to the
clerk of the county and the county board wherein any such election
is to be held, a notice stating that such officer or officers are to be
elected and that such public question is to be submitted to the voters
of the entire State at the ensuing general election.

(cf: P.L.2009, c.66, s.2)

16. R.S.19:12-3 is amended to read as follows:
19:12-3. The clerk of each county shall immediately upon the
receipt of the certificate from the [Attorney General] Secretary of
State setting forth that a political party has been created, forward a
certified copy of such certificate to each municipal clerk of his
county.

He shall also, not later than the fiftieth day preceding the
[presidential] primary election [in each presidential year and the
primary election] for the general election in every [other] year, cause a copy of the notice received from the [Attorney General] Secretary of State of the officer or officers to be elected at the ensuing general election, certified under his hand to be true and correct, to be delivered to the clerk of each municipality in the county.

(cf: P.L.2005, c.136, s.16)

17. R.S.19:12-5 is amended to read as follows:

19:12-5. The clerk of every county shall, not later than the fiftieth day preceding the [presidential] primary election [in each presidential year and the primary election] for the general election [in every other year], immediately preceding the expiration of the term of office of all other officers who are voted for by the voters of the entire county or of more than one municipality within the county, direct and cause to be delivered to the clerk of each municipality and the county board in counties of the first class, a notice that such officer or officers, as the case may be, will be chosen at the ensuing general election.

(cf: P.L.2005, c.136, s.17)

18. R.S.19:12-6 is amended to read as follows:

19:12-6. All municipal clerks, not later than the fiftieth day preceding the [presidential] primary election [in each presidential year and the primary election] for the general election [in every other year], shall make and certify under their hands and seals of office and forward to the clerk of the county in which the municipality is located a statement designating the public offices to be filled at such election, and the number of persons to be voted for each office. In counties of the first class such statement shall also be forwarded to the county board.

(cf: P.L. 2005, c.136, s.18)

19. R.S.19:12-7 is amended to read as follows:

19:12-7. a. The county board in each county shall cause to be published in a newspaper or newspapers which, singly or in combination, are of general circulation throughout the county, a notice containing the information specified in subsection b. hereof, except for such of the contents as may be omitted pursuant to subsection c. or d. hereof. Such notice shall be published once during the 30 days next preceding the day fixed for the closing of the registration books for the primary election, once during the calendar week next preceding the week in which the [presidential] primary election [or the primary election] for the general election is held. [as the case may be.] once during the 30 days next preceding the day fixed for the closing of the registration books for
the general election, and once during the calendar week next
preceding the week in which the general election is held.

b. Such notice shall set forth:
   (1) For the primary election for the general election:
      (a) That a primary election for making nominations for the
          general election for the selection of members of the county
          committees of each political party, and in each presidential year for
          the selection of delegates and alternates to national conventions of
          political parties, will be held on the day and between the hours and
          at the places provided for by or pursuant to this Title.
      (b) The place or places at which and hours during which a person
          may register, the procedure for the transfer of registration, and the
          date on which the books are closed for registration or transfer of
          registration.
      (c) The several State, county, municipal and party offices or
          positions to be filled, or for which nominations are to be made, at
          such primary election.
      (d) The existence of registration and voting aids, including: (i)
          the availability of registration and voting instructions at places of
          registration as provided under R.S.19:31-6; and (ii), if available, the
          accessibility of voter information to the deaf by means of a
          telecommunications device.
      (e) The availability of assistance to a person unable to vote due
          to blindness, disability or inability to read or write.
      (f) In the case of the notice published during the calendar week
          next preceding the week in which the primary election is held, that
          a voter who, prior to the election, shall have moved within the same
          county without (i) filing, on or before the 21st day preceding the
          election, a notice of change of residence with the commissioner of
          registration of the county or the municipal clerk of the municipality
          in which the voter resides on the day of the election, (ii) returning
          the confirmation notice sent to the voter by the commissioner of
          registration of the county, if such a notice has been sent to the voter,
          or (iii) otherwise notifying the commissioner of registration of the
          voter's change of address within the county shall be permitted to
          correct the voter's registration and to vote in the primary election by
          provisional ballot at the polling place of the district in which the
          voter resides on the day of the election. The notice shall further
          provide that the voter may contact the county commissioner of
          registration or municipal clerk to determine the proper polling place
          location for the voter.
   (2) For the general election:
      (a) That a general election will be held on the day and between
          the hours and at the places provided for by or pursuant to this Title.
      (b) The place or places at which and hours during which a person
          may register, the procedure for transfer of registration, and the date
          on which the books are closed for registration or transfer of
          registration.
(c) The several State, county and municipal offices to be filled and, except as provided in R.S.19:14-33 of this Title as to publication of notice of any Statewide proposition directed by the Legislature to be submitted to the people, the State, county and municipal public questions to be voted upon at such general election.

(d) The existence of registration and voting aids, including: (i) the availability of registration and voting instructions at places of registration as provided under R.S.19:31-6; and (ii) the accessibility of voter information to the deaf by means of a telecommunications device.

(e) The availability of assistance to a person unable to vote due to blindness, disability or inability to read or write.

(f) In the case of the notice published during the calendar week next preceding the week in which the general election is held, that a voter who, prior to the election, shall have moved within the same county without (i) filing, on or before the 21st day preceding the election, a notice of change of residence with the commissioner of registration of the county or the municipal clerk of the municipality in which the voter resides on the day of the election, (ii) returning the confirmation notice sent to the voter by the commissioner of registration of the county, if such a notice has been sent to the voter, or (iii) otherwise notifying the commissioner of registration of the voter's change of address within the county shall be permitted to correct the voter's registration and to vote in the general election by provisional ballot at the polling place of the district in which the voter resides on the day of the election. The notice shall further provide that the voter may contact the county commissioner of registration or municipal clerk to determine the proper polling place location for the voter.

(3) For a school election:
(a) The day, time and place thereof,
(b) The offices, if any, to be filled at the election,
(c) The substance of any public question to be submitted to the voters thereat,
(d) That a voter who, prior to the election, shall have moved within the same county without (i) filing, on or before the 21st day preceding the election, a notice of change of residence with the commissioner of registration of the county or the municipal clerk of the municipality in which the voter resides on the day of the election, (ii) returning the confirmation notice sent to the voter by the commissioner of registration of the county, if such a notice has been sent to the voter, or (iii) otherwise notifying the commissioner of registration of the voter's change of address within the county shall be permitted to correct the voter's registration and to vote in the school election by provisional ballot at the polling place of the district in which the voter resides on the day of the election,
(e) That if the voter has any questions as to where to vote on the day of the election, the voter may contact the county commissioner of registration or municipal clerk to determine the proper polling place location for the voter; and

(f) Such other information as may be required by law.

(4) For the presidential primary election:

(a) That a primary for the selection of delegates and alternates to national conventions of political parties will be held on the day and between the hours and at the places provided for pursuant to this Title.

(b) The place or places at which and hours during which a person may register, the procedure for the transfer of registration, and the date on which the books are closed for registration or transfer of registration.

(c) The existence of registration and voting aids, including: (i) the availability of registration and voting instructions at places of registration as provided under R.S.19:31-6; and (ii), if available, the accessibility of voter information to the deaf by means of a telecommunications device.

(d) The availability of assistance to a person unable to vote due to blindness, disability or inability to read or write.]

c. If such publication is made in more than one newspaper, it shall not be necessary to duplicate in the notice published in each such newspaper all the information required under this section, so long as:

(1) The municipal officers or party positions to be filled, or nominations made, or municipal public questions to be voted upon by the voters of any municipality, shall be set forth in at least one newspaper having general circulation in such municipality;

(2) All offices to be filled, or nominations made therefor, or public questions to be voted upon, by the voters of the entire State or of the entire county shall be set forth in a newspaper or newspapers which, singly or in combination, have general circulation throughout the county;

(3) Information relating to nominations and elections in each Legislative District comprised in whole or part in the county, shall be published in at least a newspaper or newspapers which singly or in combination, have general circulation in every municipality of the county which is comprised in such legislative district.

d. Such part or parts of the original notices as published which pertain to day of registration or primary election which has occurred shall be eliminated from such notice in succeeding insertions.

e. (Deleted by amendment, P.L.1999, c.232.)

f. The cost of publishing the notices required by this section shall be paid by the respective counties, unless otherwise provided for by law.

g. Notices required to be published or posted pursuant to this section shall set forth a general description of the contents of the
voter information notice provided for in section 1 of P.L.2005, c.149 (C.19:12-7.1), how the notice may be viewed or obtained prior to the day of an election, and that the notice will be posted in each polling place on the day of an election.

(cf: P.L.2005, c.149, s.2)

20. R.S.19:14-6 is amended to read as follows:

19:14-6. In each column, immediately below the six-point rule, shall be printed the proper word or words to designate the column, to be known as the "column designation."

In the columns at the extreme left shall be printed the name of each of the political parties which made nominations at the next preceding presidential primary election, during the same year such an election is held, and the next preceding primary election [for the general election] every year, directly under which shall appear the words "to vote for any candidate whose name appears in the column below, mark a cross x, plus + or check in the square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Such columns shall be three inches in width.

The column next to the right of such columns shall be designated "personal choice," under which shall appear the words in the blank column below, under the proper title of office, the voter may write or paste the name of any person for whom he desires to vote, whose name is not printed on this ballot, and shall mark a cross x, plus + or check in the square at the left of such name. Do not vote for more candidates than are to be elected to any office." There shall also be the same instructions regarding electors of president and vice-president which now appear at the head of all other columns. This column shall be four inches in width.

The remaining column or columns, as the case may be, shall each be designated "Nomination by Petition," under which shall be printed the words "to vote for any candidate whose name appears in the column below mark a cross x, plus + or check in the square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." These columns shall be four inches in width.

Below the column designations and accompanying instructions and not more than one and one-half inches below the six-point diagram rule and parallel thereto, shall be printed a six-point diagram rule extending across the entire ballot from one four point rule to the other.

(cf: P.L.2005, c.136, s.22)

21. R.S.19:14-8 is amended to read as follows:

19:14-8. In the columns of each of the political parties which made nominations at the next preceding primary election to the general election and in the personal choice column, within the space
between the two-point hair line rules, there shall be printed the title
of each office to be filled at such election, except as hereinafter
provided.

Such titles of office shall be arranged in the following order:
electors of President and Vice-President of the United States;
member of the United States Senate; Governor; member of the
House of Representatives; member of the State Senate; members of
the General Assembly; county executive, in counties that have
adopted the county executive plan of the "Optional County Charter
Law," P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff; county clerk;
surrogate; register of deeds and mortgages; county supervisor;
members of the board of chosen freeholders; coroners; mayor and
members of municipal governing bodies, and any other titles of
office. Above each of such titles of office, except the one at the
top, shall be printed a two-point diagram rule in place of the two-
point hair line rule. Below the titles of such offices shall be printed
the names of the candidates for the offices.

In the columns of each of the political parties which made
nominations at the next preceding presidential primary election and
in the personal choice column, within the space between the two-
point hair line rules, there shall be printed the title of office for
electors of President and Vice President of the United States.]

The arrangement of the names of candidates for any office for
which more than one are to be elected shall be determined in the
manner hereinafter provided, as in the case of candidates nominated
by petition.

When no nomination for an office has been made the words "No
Nomination Made" in type large enough to fill the entire space or
spaces below the title of office shall be printed upon the ballot.

Immediately to the left of the name of each candidate, at the
extreme left of each column, including the personal choice column,
shall be printed a square, one-quarter of an inch in size, formed by
two-point diagram rules. In the personal choice column no names
of candidates shall be printed.

To the right of the title of each office in the party columns and
the personal choice column shall be printed the words "Vote for,"
inserting in words the number of persons to be elected to such
office.

(cf: P.L.2005, c.136, s.23)

22. R.S.19:14-12 is amended to read as follows:
19:14-12. The county clerk shall draw lots in his county to
determine which columns the political parties which made
nominations at the next preceding [presidential] primary election
[in each presidential year and at the primary election for the general
election every year.] shall occupy on the ballot in the county. The
name of the party first drawn shall occupy the first column at the
left of the ballot, and the name of the party next drawn shall occupy
the second column, and so forth.

The position which the names of candidates, and bracketed
groups of names of candidates nominated by petitions for all
offices, shall have upon the general election ballot, shall be
determined by the county clerks in their respective counties.

The manner of drawing the lots shall be as follows: paper slips
with the names of each political party written thereon, 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 man’s hand and to allow the capsules to be drawn
dtherefrom. The box shall be well shaken and turned over to
thoroughly intermingle the capsules. The county clerk or his deputy
shall at his office, draw from the box each capsule separately
without knowledge on his part as to which capsule he is drawing.

The person making the drawing shall open the capsule and shall
make public announcement at the drawing of each name, the order
in which name is drawn and the office for which the drawing is
made.

Where there is but one person to be elected to an office, the
names of the several candidates who have filed petitions for such
office shall be written upon paper slips and placed in separate
capsules of the same size, shape, color and substance. The capsules
shall be placed in a covered box with an aperture in the top large
enough to admit a man’s hand and to allow the capsules to be drawn
dtherefrom. The box shall be turned and shaken thoroughly to mix
the capsules and the capsules shall be withdrawn one at a time.

When there is more than one person to be elected to an office
where petitions have designated that certain candidates shall be
bracketed, the position of such bracketed names on the ballot (each
bracketed group to be treated as a single name), together with
individuals who have filed petitions for such office, shall be
determined as above described.

Any legal voter of the county or municipality, as the case may
be, shall have the privilege of witnessing the drawing.

The name or names of the candidate or bracketed group of
candidates first drawn from the box shall be printed directly below
the proper title of the office for which they were nominated, and the
name or names of the candidate or bracketed group of candidates
next drawn shall be printed next in order, and so on, until the last
name or bracketed group of names shall be drawn from the box.

The arrangement of names of any bracketed group of candidates
for any office for which more than one are to be elected shall be
printed in the same order on the ballot as they were arranged on the
petition of nomination.

The drawing for the positions which the names of candidates and
bracketed groups of names of candidates, nominated by petition for
office, and for the columns which the political parties which made
nominations at the next preceding presidential primary election and [the preceding primary election] for the general election shall occupy upon the general election ballot, shall be held at 3 o’clock in the afternoon of the eighty-fifth day prior to the day of the general election.

(cf: P.L.2005, c.136, s.24)

23. R.S.19:23-1 is amended to read as follows:

19:23-1. The chairman of the State committee of a political party shall, on or before March 1 in the year when a Governor is to be elected, notify in writing the chairman of each county committee of such party of the number of male or female members or members with less than one full vote to be elected from the county at the ensuing primary election for the general election, and each such chairman shall, on or before April 1 of such year, send a copy of such notice to the county clerk.

The chairman of each county committee shall also, on or before January 4 of each presidential year and on or before April 1 of every other year, in each year, file with the clerks of the several municipalities the number of committeemen to be elected at the ensuing primary for the general election to the county committee.

(cf: P.L.2007, c.61, s.10)

24. R.S.19:23-24 is amended to read as follows:

19:23-24. The position which the candidates and bracketed groups of names of candidates for the primary for the general election shall have upon the ballots used for the primary election for the general election, in the case of candidates for nomination for members of the United States Senate, Governor, members of the House of Representatives, members of the State Senate, members of the General Assembly, choice for President, delegates and alternates-at-large to the national conventions of political parties, district delegates and alternates to conventions of political parties, candidates for party positions, and county offices or party positions which are to be voted for by the voters of the entire county or a portion thereof greater than a single municipality, including a congressional district which is wholly within a single municipality, shall be determined by the county clerks in their respective counties; and, excepting in counties where R.S.19:49-2 applies, the position on the ballot used for the primary election for the general election in the case of candidates for nomination for office or party position wherein the candidates for office or party position to be filled are to be voted for by the voters of a municipality only, or a subdivision thereof (excepting in the case of members of the House of Representatives) shall be determined by the municipal clerk in such municipalities, in the following manner: The county clerk, or his deputy, or the municipal clerk or his deputy, as the case may be, shall at his office on the 47th day prior to the primary election for
the general election at three o'clock in the afternoon draw from the box, as hereinafter described, each card separately without knowledge on his part as to which card he is drawing. Any legal voter of the county or municipality, as the case may be, shall have the privilege of witnessing such drawing. The person making the drawing shall make public announcement at the drawing of each name, the order in which same is drawn, and the office for which the drawing is made. When there is to be but one person nominated for the office, the names of the several candidates who have filed petitions for such office shall be written upon cards (one name on a card) of the same size, substance and thickness. The cards shall be deposited in a box with an aperture in the cover of sufficient size to admit a man's hand. The box shall be well shaken and turned over to thoroughly mix the cards, and the cards shall then be withdrawn one at a time. The first name drawn shall have first place, the second name drawn, second place, and so on; the order of the withdrawal of the cards from the box determining the order of arrangement in which the names shall appear upon the primary election ballot. Where there is more than one person to be nominated to an office where petitions have designated that certain candidates shall be bracketed, the position of such bracketed names on the ballot (each bracket to be treated as a single name), together with individuals who have filed petitions for nomination for such office, shall be determined as above described. Where there is more than one person to be nominated to an office and there are more candidates who have filed petitions than there are persons to be nominated, the order of the printing of such names upon the primary election ballots shall be determined as above described.

The county clerk in certifying to the municipal clerk the offices to be filled and the names of candidates to be printed upon the ballots used for the primary election for the general election, shall certify them in the order as drawn in accordance with the above described procedure, and the municipal clerk shall print the names upon the ballots as so certified and in addition shall print the names of such candidates as have filed petitions with him in the order as determined as a result of the drawing as above described. Candidates for the office of the county executive in counties that have adopted the county executive plan of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the candidates for other county offices for which there are candidates on the ballot used for the primary election for the general election.

(cf: P.L.2005, c.136, s.26)

25. R.S.19:23-40 is amended to read as follows:

19:23-40. [The presidential primary election shall be held for all political parties in each presidential year on the first Tuesday next after the first Monday in February.]
The primary election for the general election shall be held for all political parties upon the Tuesday next after the first Monday in June.

All primary elections shall occur between the hours of 6:00 A.M. and 8:00 P.M., Standard Time. It shall be held for all political parties in the same places as hereinbefore provided for the ensuing general election.

(cf: P.L.2007, c.61, s.11)

26. R.S.19:23-42 is amended to read as follows:

19:23-42. The primary election and the primary for the general election shall be conducted by the district boards substantially in the same manner as the general election, except as herein otherwise provided.

Each district board may allow one member thereof at a time to be absent from the polling place or room for a period not exceeding one hour between the hours of one o'clock and five o'clock in the afternoon or for such shorter time as it shall see fit; but at no time from the opening of the polls to the completion of the canvass shall there be less than a majority of the board present in the polling room or place.

(cf: P.L.2005, c.136, s.28)

27. R.S.19:23-45 is amended to read as follows:

19:23-45. No voter shall be allowed to vote at the primary election unless his name appears in the signature copy register. A voter who votes in a primary election of a political party or who signs and files with the municipal clerk or the county commissioner of registration a declaration that he desires to vote in the primary election of a political party, or who indicates on a voter registration form the voter's choice of political party affiliation and submits the form to the commissioner of registration of the county wherein the voter resides, to the employees or agents of a public agency, as defined in subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), or to the Attorney General Secretary of State, shall be deemed to be a member of that party until the voter signs and files with the municipal clerk or the commissioner of registration a declaration that he desires to vote in the primary election of another political party at which time he shall be deemed to be a member of such other political party. The Attorney General Secretary of State shall cause to be prepared political party affiliation declaration forms and shall provide such forms to the commissioners of registration of the several counties and to the clerks of the municipalities within such counties.
No voter, except a newly registered voter at the first primary at which he is eligible to vote, or a voter who has not previously voted in a primary election, may vote in a primary election of a political party unless he was deemed to be a member of that party on the 50th day next preceding such primary election.

A member of the county committee of a political party and a public official or public employee holding any office or public employment to which he has been elected or appointed as a member of a political party shall be deemed a member of such political party.

A voter may declare the voter's party affiliation or change the voter's party affiliation, or declare that the voter is unaffiliated with any party regardless of any previously declared party affiliation, by so indicating on a political party declaration form filed with the municipal clerk or the county commissioner of registration. A voter may also indicate that the voter wishes to declare a political party affiliation or that the voter does not want to declare a political party affiliation on a voter registration form filed at the time of initial registration.

Any person voting in the primary ballot box of any political party in any primary election in contravention of the election law shall be guilty of a disorderly persons offense, and any person who aids or assists any such person in such violation by means of public proclamation or order, or by means of any public or private direction or suggestions, or by means of any help or assistance or cooperation, shall likewise be guilty of a disorderly persons offense. (cf: P.L.2005, c.154, s.6)

28. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to read as follows:

2. a. The county commissioner of registration in each of the several counties shall cause a notice to be published in each municipality of their respective counties in a newspaper or newspapers circulating therein. The notice to be so published shall be published once during each of the two calendar weeks next preceding the week in which the 50th day next preceding [any] the primary election of a political party occurs.

b. The notice required to be published by the preceding paragraph shall inform the reader thereof that no voter, except a newly registered voter at the first primary at which he is eligible to vote, or a voter who has not previously voted in a primary election may vote in a primary election of a political party unless he was deemed to be a member of that party on the 50th day next preceding such primary election. It shall further inform the reader thereof that a voter who votes in [any] the primary election of a political party, or who signs and files with the municipal clerk or the county commissioner of registration a declaration that he desires to vote in [a] the primary election of a political party, or who indicates on a
voter registration form the voter's choice of political party affiliation and submits the form to the commissioner of registration of the county wherein the voter resides, to the employees or agents of a public agency, as defined in subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11) or to the [Attorney General] Secretary of State, shall be deemed to be a member of that party until the voter signs and files with the municipal clerk or the commissioner of registration a declaration that he desires to vote in [a] the primary election of another political party, at which time he shall be deemed to be a member of such other political party, or that the voter chooses not to be affiliated with any political party. The notice shall also state the time and location where a person may obtain political party affiliation declaration forms or voter registration forms. (cf: P.L.2005, c.153, s.2)

29. R.S.19:23-46 is amended to read as follows:

19:23-46. Each voter offering to vote shall announce his name and the party primary in which he wishes to vote. The district board shall thereupon ascertain by reference to the signature copy register or the primary election registry book required [for either the presidential primary or the primary election for the general election] by this title [as the case may be.] and, in municipalities not having permanent registration, if necessary by reference to the primary party poll books of the preceding [presidential primary election or] primary election for the general election, that such voter is registered as required by this title and also that he is not ineligible or otherwise disqualified by the provisions of section 19:23-45 of this title; in which event he shall be allowed to vote. (cf: P.L.2005, c.136, s.31)

30. R.S.19:23-49 is amended to read as follows:

19:23-49. At the close of [a presidential] the primary election [and a primary election] for the general election each district board shall immediately proceed to count the votes cast at the election and ascertain the results thereof for the candidates of each political party holding such elections, proceeding in the manner indicated by the statement hereinafter provided for, and as nearly as may be in the manner herein required for the counting by the district board of votes cast at the general election. (cf: P.L.2005, c.136, s.32)

31. R.S.19:23-58 is amended to read as follows:

19:23-58. Any provisions of this title which pertain particularly to any election or to the general election shall apply to the [presidential primary election or the] primary election for the
general election [, as the case may be,] insofar as they are not inconsistent with the special provisions of this title pertaining to the presidential primary election or the primary election for the general election.

(cf: P.L.2005, c.136, s.33)

32. R.S.19:24-1 is amended to read as follows:

19:24-1. In every year in which presidential primary elections are to be held as herein provided for the election of delegates and alternates to the national conventions of political parties, including any national mid-term convention or conference of a political party, the chairman of the State committee of each political party shall notify the Attorney General Secretary of State, on or before December 20 March 1 of that preceding year, of the number of delegates-at-large and the number of alternates-at-large to be elected to the next national convention of such party by the voters of the party throughout the State, and also of the number of delegates and alternates to be chosen to such convention in the respective congressional districts or other territorial subdivisions of the State as mentioned in such notification.

If the State chairmen, or either of them, shall fail to file notice, the Attorney General Secretary of State shall ascertain such facts from the call for its national convention issued by the National or State committee.

(cf: P.L.2007, c.61, s.12)

33. R.S.19:24-2 is amended to read as follows:

19:24-2. The Attorney General Secretary of State shall, on or before December 20 March 20 of the preceding each presidential election or January 1 of every other year, as the case may be, certify to the county clerk and county board of each county the number of delegates and alternates-at-large to be chosen by each such party and the number of delegates and alternates to be chosen in each congressional district or other territorial subdivision of the State, composed in whole or in part of the county of such county clerk.

Any provisions of this Title which pertain particularly to any election or to the general election or to the primary election for the general election shall apply to the presidential election for delegates and alternates to national conventions insofar as they are not inconsistent with the special provisions of this Title pertaining to the presidential primary election for delegates and alternates to national conventions.

Notwithstanding any provision of this Title, national and State party rules shall govern the selection of delegates and alternates to national party conventions, provided the State chairman of the political party notifies the Attorney General Secretary of State...
prior to \[\text{December 20 of the year preceding each presidential election or January}] March 1 of [\text{every other}] the year [\text{, as the case may be,}] in which delegates and alternates are elected of the applicable party rules governing the delegate selection process. The [\text{Attorney General}] Secretary of State shall notify the county clerks prior to [\text{December 20}] April 1 of the year [\text{preceding each presidential election or January 10 of every other year, as the case may be,}] in which delegates and alternates are elected of the applicable party rules, if any, which apply to matters within their jurisdiction. Pursuant to this section, the [\text{Attorney General}] Secretary of State shall issue to the county clerks uniform regulations governing the delegate selection process. (cf: P.L.2007, c.61, s.13)

34. R.S.19:24-4 is amended to read as follows:

\[19:24-4. \text{Not less than 100 members of each such political party may file with the [\text{Attorney General}] Secretary of State at least 57 days prior to the \text{primary election for the general election in any year of a national convention a petition requesting that the name of a person therein indorsed shall be printed on the \text{primary ticket of such political party as candidate for the position of delegate-at-large or alternate-at-large, to be chosen by the party voters throughout the State to the national convention of that party, or as a delegate or alternate to be chosen to that convention by the voters of any congressional district. The signers to the petition for any delegate-at-large or alternate-at-large shall be legal voters resident in the State; and the signers for any delegate or alternate from any Congressional district shall be voters of such district. The [\text{Attorney General}] Secretary of State shall not later than the 48th day preceding the \text{primary election for the general election} certify to each county clerk and county board such nominations for delegates and alternates-at-large and the nominations for delegate or alternate for any Congressional district. (cf: P.L.2005, c.136, s.36)}\]

35. Section 1 of P.L.1952, c.2 (C.19:25-3) is amended to read as follows:

\[1. \text{Not less than one thousand voters of any political party may file a petition with the [\text{Attorney General}] Secretary of State on or before the 57th day before a \text{primary election in any year in which a President of the United States is to be chosen, requesting that the name of the person indorsed therein as a candidate of such party for the office of President of the United States shall be printed upon the official \text{primary}}\]
ballot of that party for the then ensuing election for delegates and
alternates to the national convention of such party.

The petition shall be prepared and filed in the form and manner
herein required for the indorsement of candidates to be voted for at
the primary election for the general election, except that the
candidate shall not be permitted to have a designation or slogan
following his name, and that it shall not be necessary to have the
consent of such candidate for President indorsed on the petition.
(cf: P.L.2005, c.136, s.37)

36. Section 2 of P.L.1952, c.2 (C.19:25-4) is amended to read as
follows:

2. The Attorney General Secretary of State shall certify the
names so indorsed to the county clerk of each county not later than
the 48th day before such presidential primary election, but if any
person so indorsed shall on or before such date decline in writing,
filed in the office of the Attorney General Secretary of State, to
have his name printed upon the presidential primary election
ballot as a candidate for President, the Attorney General
Secretary of State shall not so certify such name.
(cf: P.L.2005, c.136, s.38)

37. R.S.19:26-1 is amended to read as follows:

19:26-1. At the close of all primary elections held according to
the provisions of this title, and after counting the ballots cast at such
primary and making the statements thereof as herein provided, each
district board shall place all ballots voted at the election and all
spoiled and unused ballots inside the ballot boxes used at such
election, and after locking and sealing the same, shall forthwith
deliver the ballot boxes to the municipal clerk and the keys thereof
to the county clerk. The signature copy register binders and the
current primary party poll books used at any the primary election
shall be returned by the district boards to the commissioner, not
later than noon of the day following the preceding primary
election for the general election.
The commissioner shall return the primary party poll books used
at any the primary election to the municipal clerks not later than
one month preceding the next primary election.
The county clerks, in counties other than counties of the first
class, shall, during the ten days next preceding the third registry day
deliver, at their offices or in any other way they may see fit, the
register of voters to the respective district boards.
The county clerks in counties of the first class shall deliver the
register of voters to the municipal clerks, who shall deliver such
register to the district boards at the same time and with the official
general election sample ballots.
(cf: P.L.2005, c.136, s.39)
38. R.S.19:27-11 is amended to read as follows:

19:27-11. In the event of any vacancy in any county or municipal office, except for the office of a member of the board of chosen freeholders, which vacancy shall occur after the 11th day preceding the last day for filing petitions for nominations for the primary election for the general election and on or before the 51st day preceding the general election, each political party may select a candidate for the office in question in the manner prescribed in R.S.19:13-20 for selecting candidates to fill vacancies among candidates nominated at primary elections [to] for the general elections. A statement of such selection shall be filed with the county clerk not later than the close of business of the 48th day preceding the date of the general election.

Besides the selection of candidates by each political party as before provided, candidates may also be nominated by petition in a similar manner as herein provided for direct nomination by petition for the general election but the petition shall be filed with the county clerk at least 48 days prior to such general election.

When the vacancy occurs in a county office the county clerk shall forthwith give notice thereof to the chairman of the county committee of each political party and in counties of the first class to the county board, and in case the vacancy occurs in a municipal office the municipal clerk shall forthwith give notice thereof to the county clerk, the chairman of the county committee of each political party and in counties of the first class the county board.

The county clerk shall print on the ballots for the territory affected, in the personal choice column, the title of office and leave a proper space under such title of office; and print the title of office and the names of such persons as have been duly nominated, in their proper columns.

(cf: P.L.2005, c.136, s.40)

39. Section 7 of P.L.1988, c.126 (C.19:27-11.1) is amended to read as follows:

7. When any vacancy happens in the Legislature otherwise than by expiration of term, it shall be filled by election for the unexpired term only at the next general election occurring not less than 51 days after the occurrence of the vacancy, except that no such vacancy shall be filled at the general election which immediately precedes the expiration of the term in which the vacancy occurs. In the event a vacancy eligible to be filled by election hereunder occurs on or before the sixth day preceding the last day for filing petitions for nomination for the primary election, such petitions may be prepared and filed for nomination in that primary election in the manner provided by article 3 of chapter 23 of this Title. In the event the vacancy occurs after that sixth day preceding the last day for filing petitions for nomination for the primary election for the general election, a political party may select a candidate for the
office in question in the manner prescribed in subsections a. and b. of R.S.19:13-20 for selecting candidates to fill vacancies among candidates nominated at primary elections for the general elections. A statement of such selection under R.S.19:13-20 shall be filed with the Attorney General Secretary of State not later than the 48th day preceding the date of the general election.

Besides the selection of candidates by each political party, candidates may also be nominated by petition in a manner similar to direct nomination by petition for the general election; but if the candidate of any party to fill the vacancy will be chosen at a primary election, such petition shall be filed with the Attorney General Secretary of State at least 55 days prior to the primary election; and if no candidate of any party will be chosen at a primary election, such petition shall be filed with the Attorney General not later than 12 o'clock noon of the day on which the first selection meeting by any party is held under this section to select a nominee to fill the vacancy.

When the vacancy occurs in the Senate or General Assembly, the county clerk of each county which is comprised in whole or part in the Senate or General Assembly district shall forthwith give notice thereof to the chairman of the county committee of each political party and in counties of the first class to the county board.

The county clerk shall print on the ballots for the territory affected, in the personal choice column, the title of office and leave a proper space under such title of office; and print the title of office and the names of such persons as have been duly nominated, in their proper columns.

(cf: P.L.2005, c.136, s.41)

40. R.S.19:29-3 is amended to read as follows:

19:29-3. The petition contesting any nomination to public office, election to party office or position [i.e., election as a delegate or alternate in a presidential primary] or the proposal of any proposition shall be filed not later than 10 days after the primary election.

The petition contesting any election to public office or approval or disapproval of any proposition shall be filed not later than 30 days after such election, unless the ground of action is discovered from the statements, deposit slips or vouchers filed under this Title, subsequent to such primary or other election, in which event such petition may be filed 10 or 30 days respectively after such statements, deposit slips or vouchers are filed.

Any petition of contest may be filed within 10 days after the result of any recount has been determined or announced.

(cf: P.L.2005, c.136, s.42)

41. R.S.19:31-16 is amended to read as follows:
19:31-16.  a. The health officer or other officer in charge of
teachs of death in each municipality shall file with the
ummer of registration for the county in which the
municipality is located once each month, during the first five days
thereof, the age, date of death, and the names and addresses of all
persons 18 years of age or older who have died within such
municipality during the previous month. Within 30 days after the
receipt of such list, the commissioner shall make and complete such
investigation as is necessary to establish to his satisfaction that such
decedent person is registered as a voter in the county. If such fact
is so established, the commissioner shall cause the registration and
record of voting forms of the deceased registrant to be transferred to
the death file as soon as possible. If the deceased person was not so
registered in the county, but the person maintained a residence in
another county of this State, the officer in charge of records of
death in the municipality in which the decedent died shall forward a
copy of the notice of death to the officer in charge of records of
death in the municipality in which the decedent resided. That
officer having received the notice shall notify the commissioner of
the county in which that municipality is located of the death of the
person. Any commissioner who receives such notification shall
undertake the procedures prescribed herein with respect to the
registration in that county of the decedent.

b. The State registrar of vital statistics shall file with the
commissioner of registration of each county no later than January
2 of each presidential year and no later than May 1 of every other year
an alphabetized list of the name, address, and date
of birth, if available, of each resident of the county 18 years of age
or older who died during the previous year. Within 30 days after
the receipt of the list the commissioner shall undertake and
complete such investigation as is necessary to establish that each
person on the list is not registered as a voter in the county. The
commissioner shall cause the registration and record of voting
forms of any deceased registrant found on the list to be transferred
to the death file as soon as possible.

(cf:  P.L.2007, c.61, s.14)

42. R.S.19:31-20 is amended to read as follows:

19:31-20. On or before the eighth day preceding the [primary
primary election, the] primary election for the general election and
the general election, respectively, the commissioner in counties not
having a superintendent of elections, shall deliver to the municipal
clerk in each municipality the signature copy registers for each
election district in such municipality and shall take a receipt for
same. The municipal clerk shall thereupon deliver at his office, or
in any other way he sees fit, such registers to a member or members
of the proper district boards at the same time and together with the
primary for the general election sample ballots or the general
election sample ballots, as the case may be. The registers shall be
used by the district boards on election days and for the purpose of
mailing the sample ballots. The commissioner in counties having a
superintendent of elections shall deliver such registers at his office,
or in any other way he may see fit, to the various district boards,
taking a receipt for same.

Before delivering the registers the commissioner shall cause to
be printed upon a separate sheet or sheets of paper, to be inserted
inside of the front cover of such registers in conspicuous type, such
instructions to election officers regarding the use and disposition of
the binders and forms as he deems necessary.

(cf: P.L.2005, c.139, s.18)

43. R.S.19:31-21 is amended to read as follows:

19:31-21. A person whose name appears in the signature copy
register and who upon applying for a ballot or voting authority shall
have given the information and signed the signature comparison
record as provided in this Title and whose signature in the signature
comparison record shall have been compared by a member of the
district board and in the presence and view of the challengers with
the signature of the applicant as recorded in the register shall be
eligible to receive a ballot or voting authority unless it be shown to
the satisfaction of a majority of the members of the district board
that he is not entitled to vote in the district or has otherwise become
disqualified.

No person shall be required to sign the signature comparison
record as a means of identification if he shall have been unable to
write his name when he registered, or if, having been able to write
his name when registered, he subsequently shall have lost his sight
or lost the hand with which he was accustomed to write or shall by
reason of disease or accident be unable to write his name when he
applies to vote, but each such person shall establish his identity in
the manner provided in this Title.

In addition to signing the signature comparison record and after
the comparison of the signature with the signature in the register, a
person offering to vote at [the presidential primary election or] the
primary election for the general election, as the case may be, shall
announce his name and the party primary in which he wishes to
vote.

After a person has voted the member of the district board having
charge of the signature copy registers shall place the number of the
person's ballot in the proper column on the record of voting form of
such person, which number shall constitute a record that the person
has voted. In the case of the [presidential primary election or the]}
primary election for the general election such member of the district
board shall also place in the proper column on the record of voting
form the first three letters of the name of the political party whose
primary ballot such person has voted.

In the event that the duplicate permanent registration form of any
person cannot be found in the signature copy register at the time he
applies for a ballot or voting authority, a member of the district
board shall promptly ascertain from the commissioner or a duly
authorized clerk if such person is permanently registered. Upon
information that such is the fact, such member of the district board
shall require the person applying for a ballot or voting authority to
obtain an order from the commissioner authorizing him to receive a
ballot or voting authority. The commissioner shall specially
authorize and deputize clerks to issue such orders in municipalities
within his county. The commissioner or his clerk shall require the
voter to sign his name upon such order for the purpose of signature
comparison. The district board shall require the voter to again sign
his name on said order, in the presence of the board, and if the
signatures compare, to permit him to vote. At primary elections the
commissioner or his duly authorized clerk shall endorse on the
order the political party whose ballot such person voted at the last
preceding primary election. The order shall be returned to the
commissioner at the same time and along with the signature copy
registers.

(cf: P.L.2005, c.136, s.45)

44. R.S.19:31-22 is amended to read as follows:

19:31-22. Not later than noon of the day following the canvass
of the votes cast at the [presidential primary election, the] primary
election for the general election or the general election, the
signature copy registers shall be returned by each district board to
the commissioner at his office or in any other way as the
commissioner may see fit.

Upon receipt of the registers the commissioner shall inspect them
and verify from the party primary poll books and the general
election poll books, as the case may be, that the entries required to
be made on the record of voting forms in such registers by the
district boards have been made. If the commissioner shall ascertain
that such entries have not been made or have been improperly
made, he shall cause such entries and corrections to be made
forthwith and also notify the county board of such failure of duty
and the members of such district board who have so failed in their
duty and shall be ineligible for appointment as members of any
district board thereafter.

(cf: P.L.2005, c.136, s.46)

45. Section 9 of P.L.1991, c.249 (C.19:32-4.1) is amended to
read as follows:

9. On the day of every municipal, primary, [presidential
primary,] general, special or annual school election the
superintendent of elections in counties having a superintendent of
elections or the county board of elections in all other counties shall
provide to each polling place in the county sufficient numbers of a
form on which voters or persons attempting to vote may register
any complaint regarding the conduct of the election at the polling
place where they voted or attempted to vote. In counties in which
the primary language of 10% or more of the registered voters is
Spanish, the form for the complaint shall appear in both English and
Spanish. The form shall protect the anonymity of the complainant,
if that person so wishes, and shall be accompanied by an envelope
with the proper postage and the name and address of the
superintendent of elections of the county or the chairman of the
county board of elections, as the case may be. A complaint may be
used by the superintendent of elections or any other municipal or
State investigatory agency to conduct an investigation into possible
violation of the State election law. Copies of the form containing
the complaint shall be available from the superintendent of
elections or the county board of elections, as the case may be. The
original form of the complaint, or a copy, shall be kept on file with
the superintendent of elections or the county board of elections, as
the case may be, for two years after the election for which it was
filed.

(cf: P.L.2005, c.136, s.47)

46. R.S.19:45-6 is amended to read as follows:

19:45-6. The compensation of each member of the district
boards for all services performed by them under the provisions of
this Title shall be as follows:

In all counties, for all services rendered including the counting of
the votes, and in counties wherein voting machines are used, the
tabulation of the votes registered on the voting machines, and the
delivery of the returns, registry binders, ballot boxes and keys for
the voting machines to the proper election officials, $200 each time
[any] the primary election, the general election or any special
election is held under this Title; provided, however, that:

a. (1) The member of the board charged with the duty of
obtaining and signing for the signature copy registers shall receive
an additional $12.50 per election, such remuneration being limited
to only one board member per election, or $6.25 to each of two
board members if they share such responsibility for the signature
copy registers, and (2) the member of the board charged with the
duty of returning the signature copy registers shall receive an
additional $12.50 per election, such remuneration being limited to
only one board member per election, or $6.25 to each of two board
members if they share such responsibility for the signature copy
registers;

b. In the case of any member of the board who is required
under R.S.19:50-1 to attend in a given year a training program for
district board members, but who fails to attend such a training
program in that year, that compensation shall be $50.00 for each of
those elections;

    c. In counties wherein voting machines are used no
compensation shall be paid for any services rendered at any special
election held at the same time as any primary or general election.
Such compensation shall be in lieu of all other fees and payments;
and

    d. Compensation for district board members serving at a school
election shall be paid by the board of education of the school
district conducting the election at an hourly rate of $5.77, except
that the board of education may compensate such district board
members at a pro-rated hourly rate consistent with the daily rate up
to a maximum of $14.29. The provisions of subsections a., b., and
c. of this section shall also apply to district board members serving
at a school election, except that in the case of subsection b., the
compensation shall be at an hourly rate of $3.85.

Compensation due each member shall be paid within 30 days but
not within 20 days after each election; provided, however, that no
compensation shall be paid to any member of any such district
board who may have been removed from office or application for
the removal of whom is pending under the provisions of R.S.19:6-4.
(cf: P.L.2005, c.136, s.48)

47. Section 1 of P.L.1944, c.213 (C.19:52-2.1) is amended to
read as follows:

    1. In all counties wherein voting machines are used the county
board of elections shall furnish for use in each election district at
any election, a sufficient number of voting authorities in
substantially the following form:

<table>
<thead>
<tr>
<th>City of</th>
<th>City of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward</td>
<td>District</td>
</tr>
<tr>
<td>Election Held</td>
<td>Election Held</td>
</tr>
<tr>
<td>...... day of........... 20... ........ day of............ 20....</td>
<td></td>
</tr>
<tr>
<td>Voting Authority</td>
<td>Voting Authority</td>
</tr>
<tr>
<td>No...............</td>
<td>No...............</td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Signature of Voter.</td>
<td>.........................</td>
</tr>
</tbody>
</table>

This certificate must be handed
to the election officer in charge
of the voting machines in order to
vote.

-------------------------------
County Board of Elections
Clerk.

The voting authorities shall be numbered consecutively, be
bound together in pads and shall be printed in two parts and
perforated so that one part may be given to the voter who shall
return the same to the district election officials in charge of the
operation of the voting machine in order that such official shall be
able to place the same in consecutive order on a string or wire. The
other part of the voting authority shall be signed by the voter in his
own handwriting before he be permitted to vote and shall remain
bound in the pad. All pads containing the portions of the voting
authorities on which the names of the persons who have voted have
been signed, together with that portion of the voting authority
which has been placed on a wire or string shall be returned to the
commissioner of registration of the county, who shall keep them for
a period of at least six months.

At any [presidential primary election or] primary election for
the general election, each voting authority shall be marked to
indicate the party primary in which the voter signing the same voted
and the used voting authorities shall be strung in such a manner so
that those used in one party primary shall remain separate from
those used in the other party primary.

(cf: P.L.2005, c.136, s.49)

48. Section 7 of P.L.1999, c.232 (C.19:53C-1) is amended to
read as follows:

7. a. (1) The county clerk or the municipal clerk, in the case of
a municipal election, shall arrange for the preparation of a
provisional ballot packet for each election district. It shall include
the appropriate number of provisional ballots, the appropriate
number of envelopes with an affirmation statement, the appropriate
number of written notices to be distributed to voters who vote by
provisional ballot and one provisional ballot inventory form affixed
to the provisional ballot bag. The clerk shall arrange for the
preparation of and placement in each provisional ballot bag of a
provisional ballot packet and an envelope containing a numbered
seal. The envelope shall contain, on its face, the instructions for the
use of the seal, the number and the election district location of the
provisional ballot bag, and the identification numbers of the seal
placed in the envelope. Each provisional ballot bag shall be sealed
with a numbered security seal before being forwarded to the
appropriate election district.

(2) Each provisional ballot bag and the inventory of the contents
of each such bag shall be delivered to the designated polling place
no later than the opening of the polls on the day of an election.

b. The county clerk or the municipal clerk, in the case of a
municipal election, shall arrange for the preparation of the
envelope, affirmation statement, and written notice that is to
accompany each provisional ballot. The envelope shall be of
sufficient size to accommodate the provisional ballot, and the
affirmation statement shall be affixed thereto in a manner that
enables it to be detached once completed and verified by the county
commissioner of registration. The statement shall require the voter
to provide the voter's name, and to indicate whether the voter is
registered to vote in a county but has moved within that county
since registering to vote; or is registered to vote in the election
district in which that polling place is located but the voter's
registration information is missing or otherwise deficient; or
indicate the voter has applied for a mail-in ballot and not received
either the ballot or an explanation for not receiving such a ballot
pursuant to notification by the county clerk or from the free-access
system, or has applied for and received a mail-in ballot and has not
transmitted it to the county board of elections or given it to a bearer
for delivery to the county board before the time for the opening of
the polls on the day of an election but wants, nevertheless, to vote
in the election. The statement shall further require the voter to
provide the voter's most recent prior voter registration address and
address on the day of the election and date of birth. The statement
shall include the statement: "I swear or affirm, that the foregoing
statements made by me are true and correct and that I understand
that any fraudulent voting may subject me to a fine of up to
$15,000, imprisonment up to five years or both, pursuant to
R.S.19:34-11." It shall be followed immediately by spaces for the
voter's signature and printed name, and in the case of a name
change, the voter's printed old and new name and a signature for
each name, the date the statement was completed, political party
affiliation, if used in a primary election, and the name of the person
providing assistance to the voter, if applicable. Each statement
shall also note the number of the election district, or ward, and
name of the municipality at which the statement will be used. The
Secretary of State shall prepare for inclusion in the affirmation
statement language for the voter to submit the information required
in the registration form described in section 16 of P.L.1974, c.30
(C.19:31-6.4) in order to enable the county commissioner of
registration to process the statement as a voter registration
application, which shall be valid for future elections if the
individual who submitted the provisional ballot is determined not to
be a registered voter. The Secretary of State shall also prepare and
shall provide language for any written instructions necessary to
assure proper completion of the statement.

The written notice shall contain information to be distributed to
each voter who votes by provisional ballot. The notice shall state
that, if the voter is a mail-in registrant voting for the first time in his
or her current county of residence following registration and was
given a provisional ballot because he or she did not provide
required personal identification information, the voter shall be
given until the close of business on the second day after the election
to provide identification to the applicable county commissioner of
registration, and the notice shall contain a telephone number at
which the commissioner may be contacted. The notice shall further
state that failure to provide the required personal identification
information within that time period shall result in the rejection of the ballot. The notice shall state that pursuant to section 4 of P.L.2004, c.88 (C.19:61-4), any individual who casts a provisional ballot will be able to ascertain under a system established by the State whether the ballot was accepted for counting, and if the vote was not counted, the reason for the rejection of the ballot. The notice shall include instructions on how to access such information.

c. For the primary for the general election, the provisional ballots shall be printed in ink on paper of a color that matches the color of the voting authority, which shall indicate the party primary of the voter. The provisional ballots shall be uniform in size, quality and type and of a thickness that the printing thereon cannot be distinguished from the back of the paper, and without any mark, device or figure on the front or back other than as provided in P.L.1999, c.232 (C.19:53C-1 et seq.). Each such ballot shall include near the top thereof and in large type the designation PROVISIONAL BALLOT. In all other respects, the provisional ballots shall conform generally to the other ballots to be used in the election district for the primary election.

The clerk of the county or municipality shall arrange for the preparation of each provisional ballot package with an appropriate number of provisional ballots for each political party, a corresponding number of envelopes with affirmation statements, and a corresponding number of written notices. Additional provisional ballots, envelopes, and notices shall be available for delivery to that election district on the day of the election, if necessary.

d. For the general election the provisional ballots shall be printed in ink. The provisional ballots shall be uniform in size, quality and type and of a thickness that the printing thereon cannot be distinguished from the back of the paper, and without any mark, device or figure on the front or back other than as provided in this act. Each such ballot shall include near the top thereof and in large type the designation PROVISIONAL BALLOT. In all other respects, the provisional ballots shall conform generally to the other ballots to be used in the election district for the general election.

The clerk of the county or municipality shall arrange for the preparation of each provisional ballot package with an appropriate number of provisional ballots, a corresponding number of envelopes with affirmation statements, and a corresponding number of written notices. Additional provisional ballots, envelopes, and notices shall be available for delivery to that election district on the day of the election, if necessary.

e. For a school election the provisional ballots shall be printed in ink. The provisional ballots shall be uniform in size, quality and type and of a thickness that the printing thereon cannot be distinguished from the back of the paper, and without any mark, device or figure on the front or back other than as provided in this
act. Each such ballot shall include near the top thereof and in large
type the designation PROVISIONAL BALLOT. In all other
respects, the provisional ballots shall conform generally to the other
ballots to be used in the election district for the school election.

The clerk of the county shall arrange for the preparation of each
provisional ballot package with an appropriate number of
provisional ballots, a corresponding number of envelopes with
affirmation statements, and a corresponding number of written
notices. Additional provisional ballots, envelopes, and notices shall
be available for delivery to that election district on the day of the
election, if necessary.

f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et
al.), a provisional ballot that requires the voter to punch out a hole
in the ballot as a means of recording the voter's vote shall not be
used in any election in this State.

g. [For the presidential primary election, the provisional
ballots shall be printed in ink on paper of a color that matches the
color of the voting authority, which shall indicate the party of the
voter. The provisional ballots shall be uniform in size, quality and
type and of a thickness that the printing thereon cannot be
distinguished from the back of the paper, and without any mark,
device or figure on the front or back other than as provided in
P.L.1999, c.232 (C.19:53C-1 et al.). Each such ballot shall include
near the top thereof and in large type the designation
PROVISIONAL BALLOT. In all other respects, the provisional
ballots shall conform generally to the other ballots to be used in the
election district for the primary election for the general election.

The clerk of the county or municipality shall arrange for the
preparation of each provisional ballot package with an appropriate
number of provisional ballots for each political party and a
corresponding number of envelopes with affirmation statements.
Additional provisional ballots and envelopes shall be available for
delivery to that election district on the day of the election, if
necessary.] (Deleted by amendment, P.L. , c. ) (pending before
the Legislature as this bill)
(cf: P.L.2009, c.79, s.33)

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

2. a. Except as otherwise provided pursuant to subsection c. of
this section, the board of education of a type II district may call a
special election of the legal voters of the district on only the fourth
Tuesday in January [other than in a year when a presidential
primary election occurs, in which case no such election on that date
may be called], the second Tuesday in March, the last Tuesday in
September, or the second Tuesday in December when in its
judgment the interests of the schools require such an election. The
board of education shall give the municipal clerk or clerks, as the
case may be, and the county board of elections no less than 60 days' notice, in writing, of its intention to hold a special election.

b. No business shall be transacted at any special election except such as shall have been set forth in the notices by which the election was called.

c. The Commissioner of Education may change in any school year any date authorized for a special school election pursuant to subsection a. of this section 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 the adjustment no later than the first working day in January of the year in which the adjustments are to occur.

As used in this section "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.

(cf: P.L.2008, c.129, s.2)

50. Section 2 of P.L.2009, c.79 (C.19:63-2) is amended to read as follows:

2. As used in this act, unless otherwise indicated by the context:

"Election," "general election," "primary election for the general election," ["presidential primary election,"] "municipal election," "school election," and "special election" mean, respectively, such elections as defined in R.S.19:1-1 et seq.

"Family member" means an adult who is a spouse, parent, child, grandparent, grandchild or sibling of a voter, whether by adoption or natural relationship. It shall also include any adult occupant regularly living with a voter in any residential building or part of a building intended for the use of no more than one family.

"Mail-in ballot" means any ballot used by a mail-in voter to vote by mail in any election.

"Mail-in voter" means any qualified and registered voter of this State who wants to vote in any election using a mail-in ballot under the provisions of this act.

(cf: P.L.2009, c.79, s.2)

51. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read as follows:

6. a. The county clerk, in the case of any Statewide election, countywide election, or school election in a regional or other school district comprising more than one municipality; the municipal clerk, in the case of any municipal election or school election in a school district comprising a single municipality; and the commissioners or other governing or administrative body of the district, in the case of any election to be held in any fire district or other special district,
other than a municipality, created for specified public purposes
within one or more municipalities, shall publish the following
notice in substantially the following form:

NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

If you are a qualified and registered voter of the State who wants
to vote by mail in the.......................... (school, municipal, primary,
[presidential primary, general, or other) election to be held
on...................... (date of election) complete the application form
below and send to the undersigned, or write or apply in person to
the undersigned at once requesting that a mail-in ballot be
forwarded to you. The request must state your home address and
the address to which the ballot should be sent. The request must be
dated and signed with your signature.

If any person has assisted you to complete the mail-in ballot
application, the name, address and signature of the assistor must be
provided on the application, and you must sign and date the
application for it to be valid and processed. No person shall serve
as an authorized messenger for more than 10 qualified voters in an
election. No person who is a candidate in the election for which the
voter requests a mail-in ballot may provide any assistance in the
completion of the ballot or may serve as an authorized messenger or
bearer.

No mail-in ballot will be provided to any applicant who submits
a request therefor by mail unless the request is received at least
seven days before the election and contains the requested
information. A voter may, however, request an application in
person from the county clerk up to 3 p.m. of the day before the
election.

Voters who want to vote only by mail in all future general
elections in which they are eligible to vote, and who state that on
their application shall, after their initial request and without further
action on their part, be provided a mail-in ballot by the county clerk
until the voter requests that the voter no longer be sent such a
ballot. A voter's failure to vote in the fourth general election
following the general election at which the voter last voted may
result in the suspension of that voter's ability to receive a mail-in
ballot for all future general elections unless a new application is
completed and filed with the county clerk.

Voters also have the option of indicating on their mail-in ballot
applications that they would prefer to receive mail-in ballots for
each election that takes place during the remainder of this calendar
year. Voters who exercise this option will be furnished with mail-in
ballots for each election that takes place during the remainder of
this calendar year, without further action on their part.

Application forms may be obtained by applying to the
undersigned either in writing or by telephone, or the application
form provided below may be completed and forwarded to the
undersigned.
Dated.....................................................

............................................................................

(signature and title of county clerk)

........................................

(address of county clerk)

........................................

(telephone no. of county clerk)

b. (1) The Secretary of State shall be responsible for providing all information regarding overseas federal election voter ballots to each voter eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et seq.). The secretary shall also make available valid overseas federal election voter registration and ballot applications to any voter who is a member of the armed forces of the United States and who is a permanent resident of this State, or who is an overseas federal election voter who wishes to register to vote or to vote in any jurisdiction in this State. The secretary shall provide such public notice as may be deemed necessary to inform members of the armed forces of the United States and overseas federal election voters how to obtain valid overseas federal election voter registration and ballot applications.

(2) The Secretary of State shall undertake a program to inform voters in this State about their eligibility to vote by mail pursuant to this act. Dissemination of this information shall be included in the standard notices required by this section and other provisions of current law, including but not limited to the notice requirements of R.S.19:12-7, and shall be effectuated by such means as the secretary deems appropriate and to the extent that funds for such dissemination are appropriated including, but not limited to, by means of Statewide or local electronic media, public service announcements broadcast by such media, notices on the Internet site of the Department of State or any other department or agency of the Executive Branch of State government or its political subdivisions deemed appropriate by the secretary, and special mailings or notices in newspapers or other publications circulating in the counties or municipalities of this State.

c. The mail-in ballot materials shall contain a notice that any person voting by mail-in ballot who has registered by mail after January 1, 2003, who did not provide personal identification information when registering and is voting for the first time in his or her current county of residence following registration shall include copies of the required identification information with the mail-in ballot, and that failure to include such information shall result in the rejection of the ballot.

d. The notice provided for in subsection a. of this section shall be published before the 50th day immediately preceding the holding of any election.

Notices relating to any Statewide or countywide election shall be published in at least two newspapers published in each county. All
officials charged with the duty of publishing such notices shall publish the same in at least one newspaper published in each municipality or district in which the election is to be held, or if no newspaper is published in the municipality or district, then in a newspaper published in the county and circulating in the municipality or district. All such notices shall be display advertisements.

(cf: P.L.2009, c.79, s.6)

52. Section 7 of P.L.2009, c.79 (C.19:63-7) is amended to read as follows:

7. a. Each county clerk shall have printed sufficient mail-in ballots for each [presidential primary election,] primary election for the general election, and for the general election. Along with such ballots the clerk shall also furnish inner and outer envelopes and printed directions for the preparation and transmitting of such ballots used in the election in the county.

b. The mail-in ballots shall be printed on paper of a different color from that used for any primary or general election ballot, but in all other respects, shall be as nearly as possible facsimiles of the election ballot to be voted at the election.

(cf: P.L.2009, c.79, s.7)

53. Section 11 of P.L.2009, c.79 (C.19:63-11) is amended to read as follows:

11. a. Each mail-in ballot to be used at any election shall conform generally to the ballot to be used at the election in the voter's district but the ballots shall be clearly marked "Official Mail-In Ballot."

At the top of every mail-in ballot there shall be printed or stamped in a prominent size the following:

To protect your vote:

IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU THE VOTER TO MARK OR INSPECT THIS BALLOT.

However, a family member may assist you in doing so.

b. Each mail-in ballot to be used pursuant to this act shall be printed entirely in black ink. In addition to conforming generally to the ballot used in the election, the mail-in ballot shall be so prepared that the voter may indicate on it the voter's choice of the candidates for the offices to be filled, and the public questions to be voted on at the election by the voters of the entire State, county or municipality in which the voter is a resident, as known on the 48th day preceding the election. Sufficient space shall be provided on the ballot for the voter to write in the name of and vote for any candidate for, or the voter's personal choice for, any public office to be voted for at the election in the voter's election district. A list of the candidates for the offices to be filled in each election district in the county, whose names are known on the day on which the ballot
is forwarded but do not appear on the ballot, with a statement of the office for which each is a candidate, shall be forwarded with such ballot.

When mail-in ballots are prepared, the name of any candidate who has been nominated for any office shall be placed on the ballot to be used in the general election to be held in the year in each election district in which he is a candidate, whether or not such candidate has accepted nomination prior to when the ballot was prepared, provided that the candidate has not declined the nomination before the ballot was prepared.

c. Each mail-in ballot to be used at any [presidential primary election or] primary election for the general election shall, except as otherwise provided, conform to the ballot to be used at the election in the voter's election district and to the form herein prescribed for mail-in ballots to be used in such general elections. It shall be prepared so that the voter may indicate the voter's choice of the candidates of one political party for each of the officers to be voted on at the election by the voters of the election district and shall be separated into party ballots, which shall be printed upon one sheet when the voting system so allows.

Each such mail-in ballot shall be plainly marked to indicate that only one party ballot is to be voted by each voter and that the party ballot voted by the voter must conform to the name of the political party indicated by the county clerk.

If the county clerk has determined by investigating a voter's registration record that the voter is qualified to vote only in the primary of a particular party, the clerk shall so note on the primary ballot the party primary in which the voter is entitled to vote.

In the case where the county clerk has ascertained through investigating the voter's registration record that such applicant is requesting a ballot to vote in the first primary for which the voter is eligible after registration, the clerk shall note on the primary ballot that the voter can vote in the primary of any political party.

d. Any county may adopt a system of electronic scanning, or other mechanical or electronic device if the system has been approved previously by the Secretary of State to count or canvass mail-in ballots. The county clerk in any county adopting such a system may prepare and use mail-in ballots that do not conform generally to the ballot to be used at the election to the extent that such nonconformance is necessary in the operation of the electronic or mechanical canvassing system.

(cf: P.L.2009, c.79, s.11)

54. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to read as follows:

13. a. On the margin of the flap on the inner envelopes to be sent to mail-in voters there shall be printed a certificate in the following form:
CERTIFICATE OF MAIL-IN VOTER

I, ..............................................................................................................................................................................
(print your name clearly) (street address or R.D. number) (municipality)

..............................................., DO HEREBY CERTIFY,

Subject to the penalties for fraudulent voting, that I am the person who applied for the enclosed ballot. I MARKED AND SEALED THIS BALLOT AND CERTIFICATE IN SECRET. However, a family member may assist me in doing so.

...............................................

(signature of voter)

Any person providing assistance shall complete the following:

I do hereby certify that I am the person who provided assistance to this voter and declare that I will maintain the secrecy of this ballot.

...............................................

(signature of person providing assistance)

...............................................

(printed name of person providing assistance)

...............................................

(address of person providing assistance)

b. On the margin of the flap on the inner envelope forwarded with any mail-in ballot intended to be voted in any presidential primary election or primary election for the general election, as the case may be, there shall be printed a certificate in the following form:

CERTIFICATE OF MAIL-IN VOTER

I, ................................., whose home address is ............... (print your name clearly) (street address or R.D. number) (municipality)

..............................................., DO HEREBY CERTIFY,

subject to the penalties for fraudulent voting, that I am the person who applied for the enclosed ballot for the primary election. I MARKED AND SEALED THIS BALLOT AND CERTIFICATE IN SECRET. However, a family member may assist me in doing so.

...............................................

(signature of voter)

Any person providing assistance shall complete the following:

I do hereby certify that I am the person who provided assistance to this voter and declare that I will maintain the secrecy of this ballot.

...............................................

(signature of person providing assistance)
55. Section 16 of P.L.2009, c.79 (C.19:63-16) is amended to read as follows:

   16. a. A mail-in voter shall be entitled to mark any mail-in ballot forwarded to the voter for voting at any election by indicating the voter's choice of candidates for the offices named, and as to public questions, if any, stated thereon, in accordance with current law. In the case of ballots to be voted for any [presidential primary election or] primary election for the general election, as the case may be, the voter's choice shall be limited to the candidates of the voter's political party or to any person or persons whose names are written thereon by the voter. When so marked, such ballot shall be placed in the inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to the inner envelope, at the end of which the voter shall sign and print the voter's name. The inner envelope with the certificate shall then be placed in the outer envelope, which shall then be sealed.

   b. No mail-in voter shall permit any person in any way, except as provided by this act, to unseal, mark or inspect the voter's ballot, interfere with the secrecy of the voter's vote, complete or sign the certificate, or seal the inner or outer envelope, nor shall any person do so.

   c. A mail-in voter shall be entitled to assistance from a family member in performing any of the actions provided for in this section. The family member or other person providing such assistance shall certify that he or she assisted the voter and will maintain the secrecy of the vote by both printing and signing his or her name in the space provided on the certificate. In no event may a candidate for election provide such assistance, nor may any person, at the time of providing such assistance, campaign or electioneer on behalf of any candidate.

   d. (1) The sealed outer envelope with the inner envelope and the ballot enclosed therein shall then either be mailed to the county board of elections to which it is addressed or delivered personally by the voter or a bearer designated by the voter to the board. To be counted, the ballot must be received by the board or its designee before the time designated by R.S.19:15-2 or R.S.19:23-40 for the closing of the polls, as may be appropriate, on the day of an election.
(2) Whenever a person delivers a ballot to the county board, that person shall sign a record maintained by the county of all mail-in ballots personally delivered to it.

(3) No person shall serve as an authorized messenger for more than 10 qualified voters in an election. No person who is a candidate in the election for which the voter requests a mail-in ballot shall be permitted to serve as an authorized messenger or bearer. The bearer, by signing the certification provided for in section 12 of P.L.2009, c.79 (C.19:63-12), certifies that he or she received a mail-in ballot directly from the voter, and no other person, and is authorized to deliver the ballot to the appropriate board of election or designee on behalf of the voter.

(cf: P.L.2009, c.79, s.16)

56. Section 17 of P.L.2009, c.79 (C.19:63-17) is amended to read as follows:

17. The county board of elections shall, promptly after receiving each mail-in ballot, remove the inner envelope containing the ballot from the outer envelope and shall compare the signature and the information contained on the flap of the inner envelope with the signature and information contained in the respective requests for mail-in ballots. In addition, as to mail-in ballots issued less than seven days prior to an election, the county board of elections shall also check to establish that the mail-in voter did not vote in person. The county board shall reject such a ballot if it is not satisfied, pursuant to a comparison with the Statewide voter registration system, that the voter is legally entitled to vote and that the ballot conforms with the requirements of this act.

In the case of a mail-in ballot to be voted at a presidential primary election or a primary election for the general election, the ballot shall be rejected if the mail-in voter has indicated in the certificate the voter's intention to vote in a primary election of any political party in which the voter is not entitled to vote according to the Statewide voter registration system, and if it shall appear from the record that the voter is not entitled to vote in a primary election of the political party which has been so indicated.

Any mail-in ballot which is received by a county board of elections shall be rejected if both the inner and outer envelopes are unsealed or if either envelope has a seal that has been tampered with.

Disputes about the qualifications of a mail-in voter to vote or about whether or not or how any mail-in ballot shall be counted in such election shall be referred to the Superior Court for determination.

After such investigation, the county board of elections shall detach or separate the certificate from the inner envelope containing the mail-in ballot, unless it has been rejected by it or by the Superior Court, marking the envelope so as to identify the election
district in which the ballot contained therein is to be voted as indicated by the voter's home address appearing on the certificate attached to or accompanying the inner envelope and, in the case of ballots to be voted at a primary election for a general election, so as to identify the political party in the primary election of which it is to be voted.

The location at which a county board of elections determines whether a mail-in ballot shall be accepted or rejected shall be considered an election district for the purposes of appointment of challengers.

(cf: P.L.2009, c.79, s.17)

57. Section 22 of P.L.2009, c.79 (C.19:63-22) is amended to read as follows:

22. On the day of each election each county board of elections shall open in the presence of the commissioner of registration, or the designee thereof, the inner envelopes that contain the mail-in ballots with the votes cast for the election. The inner envelopes containing the ballots that the board or the Superior Court has rejected shall not be so opened, but shall be retained as provided for by this act. The board shall then proceed to canvass the votes cast on the mail-in ballots, but no such ballot shall be counted in any presidential primary election or primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the primary election of which such ballot is intended to be voted as marked on the envelope by the county board of elections.

Immediately after the canvass is completed, the respective county boards of election shall certify the result of the canvass to the county clerk or the municipal or district clerk or other appropriate officer, as the case may be, showing the result of the canvass by municipality and ward. The votes thus canvassed shall be counted in determining the result of the election.

The county board of elections shall, immediately after the canvass is completed for any primary election, certify the results of the votes cast for members of the county committees to the respective municipal clerks, and those votes shall be counted in determining the result of the election.

(cf: P.L.2009, c.79, s.22)

58. Section 23 of P.L.2009, c.79 (C.19:63-23) is amended to read as follows:

23. As soon as practicable after each election, the board of elections shall mark in the Statewide voter registration system and all duplicate voting records to show that mail-in ballots were delivered or forwarded to the respective registered voters. For each mail-in ballot that has been voted, received and counted, the board of elections shall also, by reference to the certificates removed from
the inner envelopes of such ballots, place the word "Voted" in the space provided in the Statewide voter registration system and duplicate voting record for recording the ballot number of the voter's ballot in the election. In the case of a presidential primary election or the primary election for the general election, the board shall also cause to be noted in the proper space of the Statewide voter registration system or other record of voting form the first three letters of the name of the political party primary in which such ballot was voted. The record contained in the Statewide voter registration system and of voting forms in the original permanent registration binders shall be conformed to the foregoing entries in the duplicate forms.

(cf: P.L.2009, c.79, s.23)

59. R.S.40:20-9 is amended to read as follows:

40:20-9. The election provided for in section 40:20-8 of this title shall be deemed, so far as the question of the acceptance or rejection of sections 40:20-2 to 40:20-19 of this title is concerned, to be a special election, and shall be conducted by the county and district boards of registry and election in the same manner as other elections.

Notice of the election shall be given at the time and in the manner required for the primary election held on the same day, and the same boxes shall be used for the purposes of this election as are to be used for the purposes of the primary election, except that there shall be provided in each polling place, in addition to the boxes provided by law, a box to be known as the "nonpartisan box".

Any person entitled to vote at the presidential primary election for the general election, and any person who would be entitled to vote at the presidential primary if he were a member of one of the two political parties for which primary boxes are provided, may vote hereunder on that day.

Transfers shall be issued as provided by the laws relating to elections.

(cf: R.S.40:20-9)

60. R.S.40:20-18 is amended to read as follows:

40:20-18. The district boards of registry and elections shall make returns of the election held under sections 40:20-8 to 40:20-13 of this Title in the case of elections held on presidential primary election for the general election day, in the manner provided by law for making returns in cases of special elections, and in the case of elections held on the day of a general election, in the manner provided by law for making returns of general elections.
The statements of the results of each election held hereunder shall be transmitted by the district boards of registry and elections to the officers designated by law for the purpose, and the votes shall be canvassed and determined by the county board of elections in the manner provided by law, and it shall certify the result to the county clerk.

(cf: P.L.1948, c.5, s.2)

61. Section 11 of P.L.2007, c.62 (C.40A:4-45.46) is amended to read as follows:

11. a. (Deleted by amendment, P.L.2009, c.44)
   b. (1) The governing body of a local unit may request approval, through a public question submitted to the legal voters residing in its territory to increase the amount to be raised by taxation by more than the allowable adjusted tax levy. Approval shall be by an affirmative vote of in excess of 50 percent of the people voting on the question at the election. The local unit budget proposing the increase shall be introduced and approved in the manner otherwise provided for budgets of that local unit at least 20 days prior to the date on which the referendum is to be held, and shall be published in the manner otherwise provided for budgets of the local unit at least 12 days prior to the referendum date, unless otherwise directed by the Director of the Division of Local Government Services in the Department of Community Affairs.

   (2) The public question to be submitted to the voters at the referendum shall state only the amount by which the adjusted tax levy shall be increased by more than the otherwise allowable adjusted tax levy, and the percentage rate of increase which that amount represents over the allowable adjusted tax levy. The public question shall include an accompanying explanatory statement that identifies the changes in appropriations or revenues that warranted the governing body's decision to ask the public question; or, in the alternative and subject to the approval of the Director of the Division of Local Government Services in the Department of Community Affairs, a clear and concise narrative explanation of the circumstances for the increased adjusted tax levy being proposed.

   (3) Unless otherwise provided pursuant to section 1 of P.L.1989, c.31 (C.40A:4-5.1), a referendum conducted pursuant to this subsection shall be held:

   (a) for calendar year budgets only on the fourth Tuesday in January and the second Tuesday in March other than in a year when a [presidential] primary election for the general election occurs, in which case no such election on that date may be called; and

   (b) for fiscal year budgets, only the last Tuesday in September, or the second Tuesday in December;

provided, however, that no referendum shall be held on the same day as a referendum to exceed the school district levy cap.
(4) Any decision of the voters rejecting an increase to the tax levy cap under this subsection shall be final and conclusive, and no appeal or review shall be taken therefrom and no waiver application shall be made to the Local Finance Board.

(5) The director is authorized to act as necessary in order to consolidate ballot questions and procedures when a governing body elects to hold a referendum under both this section and section 9 of P.L.1983, c.49 (C.40A:4-45.16).

c. (Deleted by amendment, P.L.2010, c.44)

d. The adjusted tax levy shall be increased or decreased accordingly whenever the responsibility and associated cost of an activity performed by a local unit is transferred to or from a local unit, other government entity, or other service provider.

(cf: P.L.2010, c.44, s.10)

62. Section 8 of P.L.1981, c.496 (C.40:44-16) is amended to read as follows:

8. Within 2 weeks immediately following the filing of the certified report by the ward commissioners, the municipal clerk shall cause to be published at least once in at least one newspaper generally circulating in the municipality a notice of the ward boundaries as fixed and determined in the report.

Upon completion of the publication, the former wards, if any, shall be superseded, and thereafter all officers elected or appointed in the municipality for or representing the wards thereof shall be elected from, or appointed for, the wards fixed and determined by the ward commissioners; except that, in municipalities wherein municipal officers are elected at the general election held on the first Tuesday after the first Monday in November, if the publication shall be completed in a year in which municipal officers are elected during the period between the date of the primary election for the general election and the date of the general election, the wards so fixed and determined shall take effect on the day following the holding of that general election; and, in municipalities wherein municipal officers are elected at a regular municipal election held on the second Tuesday in May, if the publication shall be completed in a year in which municipal officers are elected during the period between the date 75 days before the regular municipal election and the date of the election, the wards so fixed and determined shall take effect on the day following the holding of that regular municipal election.

(cf: P.L.2005, c.136, s.63)

63. This act shall take effect immediately.
STATEMENT

This bill eliminates the separate presidential primary election held in February of presidential election years. It provides, instead, that delegates and alternates to national conventions of political parties will be elected at the regular June primary election, which was the practice prior to the enactment of P.L.2005, c.136. This change would save the State between $8 million and $10 million every four years.