AN ACT concerning mail-in and sample ballots, amending various parts of Title 19 of the Revised Statutes, and supplementing chapters 14 and 63 of Title 19 of the Revised Statutes.

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

1. Section 3 of P.L.2009, c.79 (C.19:63-3) is amended to read as follows:

3. a. A qualified voter shall be entitled to vote using a mail-in ballot¹:

   (1) in all future elections, including general elections, held in this State, in which the voter is eligible to vote; or

   (2)¹ in any single election held in this State.

¹The qualified voter who chooses the option to vote using a mail-in ballot in all future elections shall be furnished with such a ballot by the county clerk without further request on the part of the voter and until the voter requests in writing that the voter no longer be sent a mail-in ballot.

The mail-in ballot application form prepared by the Secretary of State shall present the two options in the order provided above.¹

b. Not less than seven days before an election in which a voter wants to vote by mail, the voter may apply to the person designated in section 5 of P.L.2009, c.79 (C.19:63-5), for a mail-in ballot. The application shall be in writing, shall be signed by the applicant and shall state the applicant's place of voting residence and the address to which the ballot shall be sent. The Secretary of State shall prepare a mail-in application form and shall have the authority to promulgate any rules and regulations the secretary deems necessary to effectuate the purposes of this subsection.

c. Any voter wanting to vote by mail in any election may apply to the person designated in section 5 of P.L.2009, c.79 (C.19:63-5) for a mail-in ballot to be sent to the voter. A voter who is a member of the armed forces of the United States may use a federal postcard application form to apply for a mail-in ballot.

d. Any voter who fails to apply for a mail-in ballot before the seven-day period prescribed in subsection b. of this section may

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.
Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SBA committee amendments adopted February 15, 2018.
apply in person to the county clerk for a mail-in ballot up to 3 p.m. of the day before the election.

e. 1[(1) A voter who wishes to vote only by mail-in ballot in all future elections, including general elections, in which the voter is eligible to vote, and who states that on an application for a mail-in ballot, shall be furnished such a ballot by the county clerk without further request on the part of the voter and until the voter requests that the voter no longer be sent a mail-in ballot. A voter shall have the option to indicate on an application for a mail-in ballot that the voter would like to receive such a ballot for each election that takes place during the remainder of the calendar year in which the application is completed and submitted. A voter who exercises this option shall be furnished with a mail-in ballot for each future election that takes place during the remainder of the calendar year without further request by the voter.]

A person voting by mail-in ballot who registered by mail after January 1, 2003, who did not provide personal identification information when registering pursuant to section 16 of P.L.1974, c.30 (C.19:31-6.4) 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. Failure to include such information with the mail-in ballot shall result in its rejection.

1[(2)] In the event that a voter who has requested a mail-in ballot for all general elections does not complete and return such a ballot for canvassing for the fourth general election following the general election at which the voter last voted, the county clerk shall send a notice to that voter to ascertain whether he or she continues to reside at the address from which that voter is registered to vote and continues to be eligible to vote. If the notice is not completed and returned by the voter to the clerk before the 40th day prior to the next general election, a mail-in ballot shall not be sent to the voter for that election. The ability of such a voter to receive a mail-in ballot for all future general elections shall be suspended until the voter submits a new application for such a ballot that indicates that the voter wishes to receive the ballot for all future general elections.

1[(3)] The county clerk shall not transmit a mail-in ballot for any election to any person who [is deemed by a county commissioner of registration to be an inactive voter] is deemed by a county commissioner of registration to be an inactive voter; or notifies the clerk in writing that the person no longer wishes to receive such a ballot for any election; or is no longer eligible to vote and whose registration file has been transferred to the deleted file pursuant to R.S.19:31-19.
Any mail-in ballot that is sent to a qualified voter and that is returned to the county clerk for any reason shall be forwarded to the commissioner of registration, who shall so note the return in the voter record of that voter.

(cf: P.L.2009, c.79, s.3)

2. 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, 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 or as a bearer for more than three 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. You must complete the application form below and send it to the county clerk where you reside or write or apply in person to the county clerk where you reside to request a mail-in ballot.

The name, address, and signature of any person who has assisted you to complete the mail-in ballot application must be provided on the application, and you must sign and date the application.

No person may serve as an authorized messenger or bearer for more than three 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 serve as an authorized messenger or bearer.

A person who applies for a mail-in ballot must submit his or her application at least seven days before the election, but such person may 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 by mail in all future elections will, after their initial request and without further action on their part, be provided with a mail-in ballot until the voter requests otherwise in writing.

[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 ballots to each overseas 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 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 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 voters how to obtain valid overseas 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 55th 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.2015, c.84, s.2)

3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to 
read as follows:

16. a. The Secretary of State shall cause to be prepared and 
shall provide to each county commissioner of registration forms of
size and weight suitable for mailing, which shall require the
information required by R.S.19:31-3 in substantially the following
form:

VOTER REGISTRATION APPLICATION
Print clearly in ink. Use ballpoint pen or marker.

(1) This form is being used as: [ ] (check one): 
[ ] New registration
[ ] Address change
[ ] Name change

(2) Name: ....................................................
Last              First                 Middle

(3) Are you a citizen of the United States of America? [ ] Yes [ ] No

(4) Will you be 18 years of age on or before election
day? [ ] Yes [ ] No

If you checked 'No' in response to either of these questions, do
not complete this form.

(5) Street Address where you live:
..........................................................
Street Address                   Apt. No.
..........................................................

(6) City or Town  County Zip Code

(7) Address Where You Receive Your Mail (if different from
above):
............................................................

(8) Date of Birth:
..................................................
Month         Day           Year

(9) (a) Telephone Number (optional)......................
(b) E-Mail Address (optional)..........................

(10) Name and address of Your Last Voter Registration
..........................................................
..........................................................
..........................................................

(11) If you are registering by mail to vote and will be voting for
the first time in your current county of residence, please provide
one of the following:
(a) your New Jersey driver's license number: ..................
(b) the last four digits of your Social Security
Number: ...............  

OR submit with this form a copy of any one of the following
documents: a current and valid photo identification card; a current
utility bill, bank statement, government check, pay check or any
other government or other identifying document that shows your
name and current address. If you do not provide either your New
Jersey driver's license number or the last four digits of your Social
Security Number, or enclose a copy of one of the documents listed
above, you will be asked for identification when voting for the first
time, unless you are exempt from doing so under federal or State
law.

(12) Do you wish to declare a political party affiliation?
(Optional):

[] YES. Name of Party:

[] NO. I do not wish to declare a political party affiliation
at this time.

(13) Do I wish to receive a Mail-in Ballot for all future elections?
[general] [elections] [only] [ until I request otherwise in
writing] Do I wish to receive a Mail-in Ballot for all future elections,
until I request otherwise in writing.

(13) (14) Declaration - I swear or affirm that:

 I am a U.S. citizen.

 I live at the above address.

 I will be at least 18 years old on or before the day of the next
election.

 I am not on parole, probation or serving a sentence due to a
conviction for an indictable offense under any federal or State laws.

 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO
$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH
PURSUANT TO R.S.19:34-1.

...........................................................
Signature or mark of the registrant Date

(15) If applicant is unable to complete this form, print the name and address of individual who completed this form.

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

Name

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

Address

1This form shall state in an appropriate location: “This form
shall not be used if an applicant requires the assistance of another
person to complete a mail-in ballot or to return a completed mail-in
ballot to the county board of elections, pursuant to section 16 of
P.L.2009, c.79 (C.19:63-16).”

In addition, the form may include notice to the applicant of
information and options relating to the registration and voting
process, including but not limited to notice of qualifications
required of a registered voter; notice of the final day by which a
person must be registered to be eligible to vote in an election;
notice of the effect of a failure to provide required identification
information; a place at which the applicant may indicate availability
for service as a member of the district board of elections; a place at
which the applicant may indicate whether he or she requires a
polling place which is accessible to individuals with disabilities and
the elderly or whether he or she is legally blind; a place at which
the applicant may indicate a desire to receive additional information
concerning [absentee] voting by mail; and if the application
indicates a political party affiliation, the voter is permitted to vote
in the primary election of a political party other than the political
party in which the voter was affiliated previously only if the voter
registration form with the change of political party affiliation is
filed prior to the 50th day next preceding the primary election. The
form may also include a space for the voter registration agency to
record whether the applicant registered in person, by mail or by
other means.

b. The reverse side of the registration form shall bear the
address of the Secretary of State or the commissioner of registration
to whom such form is supplied, and a United States postal permit
the charges upon which shall be paid by the State.

c. The Secretary of State shall cause to be prepared registration
forms of the size, weight and form described in subsection a. of this
section in both the English and Spanish language and shall provide
such forms to each commissioner of registration of any county in
which there is at least one election district in which bilingual
sample ballots must be provided pursuant to R.S.19:14-21,

d. The commissioner of registration shall furnish such
registration forms upon request in person to any person or
organization in such reasonable quantities as such person or
organization shall request. The commissioner shall furnish no
fewer than two such forms to any person upon request by mail or by
telephone.

e. Each such registration form shall have annexed thereto
instructions specifying the manner and method of registration, and
the vote by mail option specified on the form, and stating the
qualifications for an eligible voter.

f. The Secretary of State shall also furnish such registration
forms and such instructions to the Director of the Division of
Workers' Compensation, the Director of the Division of
Employment Services, and the Director of the Division of
Unemployment and Temporary Disability Insurance in the
Department of Labor and Workforce Development; to the Director
of the Division of Taxation in the Department of the Treasury; to
the Executive Director of the New Jersey Transit Corporation; to
the appropriate administrative officer of any other public agency, as
defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3); to the Adjutant General of the Department of Military and
Veterans' Affairs; and to the chief administrative officer of any
voter registration agency, as defined in subsection a. of section 26
g. All registration forms received by the Secretary of State in
the mail or forwarded to the Secretary of State shall be forwarded to
the commissioner of registration in the county of the registrant
[\textit{and}] . Each such form, and any registration form received
otherwise by a commissioner of registration, shall be forwarded\textsuperscript{1} to
the county clerk if the vote by mail option is selected on a form.

h. An application to register to vote received from the New
Jersey Motor Vehicle Commission or a voter registration agency, as
defined in subsection \textit{a.} of section 26 of P.L.1994, c.182 (C.19:31-
6.11), shall be deemed to have been timely made for the purpose of
qualifying an eligible applicant as registered to vote in an election if
the date on which the commission or agency shall have received
that document in completed form, as indicated in the lower right
hand corner of the form, was not later than the 21st day preceding
that election.

i. Each commissioner of registration shall make note in the
permanent registration file of each voter who is required to provide
the personal identification information required pursuant to this
section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-
252 (42 U.S.C.s. 15301 et seq.), to indicate the type of
identification provided by the voter and the date on which it is
provided. Prior to the June 2004 primary election, when such a
newly registered voter seeks to vote for the first time following his
or her registration, the voter will be required to provide such
personal identification information. Beginning with the June 2004
primary election, when such a newly registered voter seeks to vote
for the first time following his or her registration, the voter will not
be required to provide such information if he or she had previously
provided the personal identification information required pursuant
to this section. The required information shall be collected and
stored for the time and in the manner required pursuant to
regulations promulgated by the Secretary of State.

j. The Secretary of State shall amend the voter registration
application form if necessary to conform to the requirements of
applicable federal or State law.

k. In the event that the name of any political party entered on
the voter registration form by a voter who wishes to declare a
political party affiliation is not legible, the commissioner of
registration shall mail the voter a political party declaration form
and a letter explaining that the voter's choice was not understood
and that the voter should complete and return the declaration form
in order to be affiliated with a party.

(cf: P.L.2009, c.287, s.1)

4. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to
read as follows:
1. a. There shall be established in the Department of State a
single Statewide voter registration system, as required pursuant to
section 303 of the federal "Help America Vote Act of 2002,"
components of the system shall be under the direct control of the
Secretary of State. The Secretary of State shall be responsible for
creating the network necessary to maintain the system and
providing the computer software, hardware and security necessary
to ensure that the system is accessible only to those executive
departments and State agencies so designated by the Secretary of
State, each county commissioner of registration, each county and
municipal clerk, and individuals under certain circumstances, as
provided for by this section. The system shall be the official State
repository for voter registration information for every legally
registered voter in this State, and shall serve as the official voter
registration system for the conduct of all elections in the State.

b. The Statewide voter registration system shall include, but
not be limited to, the following features:

(1) the name and registration information of every legally
registered voter in the State;

(2) the ability to assign a unique identifier to each legally
registered voter in the State;

(3) interactivity among appropriate State agencies so designated
by the Secretary of State, each county commissioner of registration,
each county board of elections, and each county clerk such that
these entities shall have immediate electronic access to all or
selected records in the system, as determined by the Secretary of
State, to receive or transmit all or selected files in the system and to
print or review all or selected files in the system;

(4) the ability to permit any county commissioner of registration
to enter voter registration information on an expedited basis at the
time the information is provided thereto and to permit the Secretary
of State to provide technical support to do so whenever needed;

(5) the ability to permit each municipal clerk to view or print
information in the system;

(6) the ability to permit an individual, by July 1, 2006, to verify
via the Internet whether that individual, and only that individual, is
included in the system as a legally registered voter, whether the
information pertaining to that individual required by subsection c.
of this section is correct, and if not, a means to notify the pertinent
county commissioner of registration of the corrections that must be
made and to so verify in a way that does not give one individual
access to the information required by subsection c. of this section
for any other individual;

(7) a Statewide street address index and map in electronic form
that can accurately identify the location of every legally registered
voter in this State;
(8) the ability to record and monitor all requests for mail-in ballots; to enable the county clerk to verify the identity and signature of each person requesting a mail-in ballot; to record the name and address of each voter determined to be eligible to receive a mail-in ballot for a particular election and to note when a mail-in ballot has been transmitted to that voter by mail or hand delivery; to update the system to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable; and to make such information available to the Secretary of State so that a voter can be notified whether the application for such a ballot was accepted or rejected, and the reason for the rejection, using the free-access system established by section 5 of P.L.2004, c.88 (C.19:61-5); and

(9) any other functions required pursuant to Pub.L.107-252 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that may be deemed necessary by the Secretary of State.

c. The Statewide voter registration system shall include, but not be limited to, the following information for every legally registered voter in this State:

(1) last, first and middle name;
(2) street address at time of registration or rural route, box number or apartment number, if any;
(3) city or municipality, and zip code;
(4) date of birth;
(5) telephone number and e-mail address, if provided on voter registration form;
(6) previous name or address if individual re-registered due to change of name or address;
(7) ward and election district number, if either is available;
(8) (a) current and valid New Jersey driver's license number; or
   (b) if the registrant has not been issued a New Jersey driver's license number, the last four digits of the registrant's social security number; or
   (c) unique identifying number for any individual who has not been issued the information sought in subparagraph (a) or (b) of this paragraph;
(9) notation that a copy of one of the following documents has been submitted with the voter registration application, if required: current and valid photo identification card; a current utility bill, bank statement, government check, pay check or any other government document showing the registrant's name and current address;
(10) the method by which the individual registered and whether that person needs to provide additional identification information to vote using a voting machine instead of a provisional ballot;
(11) political party affiliation, if designated;
(12) digitalized signature;
(13) date of registration or re-registration;
(14) name and street address of the individual assisting in the completion of the form, if the applicant for registration is unable to do so;
(15) voting participation record for ten-year period; and
(16) any other information required pursuant to Pub.L.107-252 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that the Secretary of State determines is necessary to assess the eligibility of an individual to be registered to vote and to vote in this State.
(cf: P.L.2009, c.287, s.2)

5. Section 5 of P.L.2009, c.79 (C.19:63-5) is amended to read as follows:

5. In the case of any election, the application for a mail-in ballot shall be made to the county clerk. The county clerk shall stamp thereon the date on which the application was received in the clerk's office.

In the case of applications for overseas federal election voter ballots, as provided for in P.L.1976, c.23 (C.19:59-1 et seq.), no application shall be refused on the grounds that it was submitted too early.

In the case of voter registration forms that include a selected vote by mail option, a copy of each such form shall be transmitted to and received by the appropriate county clerk, who shall be responsible for providing mail-in ballots to each qualified voter requesting such ballots for future elections, until the voter requests otherwise in writing.
(cf: P.L.2009, c.79, s.5)

6. 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, ........................., whose home address is ............ (print your name clearly) (street)
..............................................., DO HEREBY CERTIFY,
address or R.D. number) (municipality) [Subject] 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 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 of the ...... political party. 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)

c. The clerk of each county shall be permitted to 'print on or affix to the margin of the flap on the inner envelope of the mail-in ballot transmitted thereby to a mail-in ballot voter an alternative
7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to read as follows:
   20. a. Any person who has applied for a mail-in ballot and has had the mail-in ballot either delivered in person or forwarded by mail, and voted and returned the voted ballot to the county board, shall not be permitted to vote in person at the polling place in the voter's election district on the day of the election.
   b. Any person who: (1) 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 established pursuant to section 5 of P.L.2004, c.88 (C.19:61-5) to provide such information; or (2) 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; or (3) has applied for and received a mail-in ballot and has not transmitted it to the county board of elections or given it to the bearer for delivery to the county board, but appears at the polling place without the ballot and wishes to vote, shall be permitted to vote in person by provisional ballot at the polling place in the voter's election district on the day of the election.
   (cf: P.L.2009, c.79, s.20)

8. Section 22 of P.L.2009, c.22 (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 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.

   Every mail-in ballot that bears a postmark date of the day of the election and that is received by the county board within 48 hours
after the time of the closing of the polls for the election that the
ballot was prepared shall be considered valid and shall be
canvassed.

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.2011, c.134, s.56)

9. (New section) Notwithstanding the provisions of any law
to the contrary, the A county clerk shall not be required to send a
sample ballot for any election shall not be mailed to a voter
who has been sent a mail-in ballot for that election, pursuant to
section 3 of P.L.2009, c.79 (C.19:63-3), and whose voted ballot has
been received by the county board of elections prior to the
transmission of sample ballots to voters required by R.S.19:14-25.

A county board may send an acknowledgment to a voter when
his or her mail-in ballot has been received by the board.

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

19:19-1. The board of county canvassers of each county shall
meet on the Monday Wednesday next, after any such election, at
12 o'clock noon, at the courthouse of the county, for the purpose of
checking the canvass which shall have been made by the county
clerk from the statements of the district boards filed in his office as
hereinbefore provided. For such purpose the county clerk shall
have prepared a compilation in tabulated form of such statements
and the combined results shown thereby for the use of the board of
canvassers.

(cf: P.L.1959, c.117, s.1)

11. R.S.19:21-1 is amended to read as follows:

19:21-1. a. The Board of State Canvassers shall meet at Trenton
as soon as practicable but no later than the 28th 30th day after the
day of election, for the purpose of canvassing and estimating the
votes cast for each person for whom any vote or votes shall have
been cast for one or more members of the United States senate or of
the house of representatives, or for electors of president and vice
president, or for governor and lieutenant governor, or for members
of the Legislature, and upon each public question voted upon by the
voters of the entire state or political division thereof greater than a
county and of determining and declaring the person or persons who
shall, by the greatest number of votes, have been duly elected to
such office or offices, and the result of the vote cast upon any
public question setting forth that it was approved or rejected.

b. For the purpose of canvassing and estimating the votes cast
for each person for whom any vote or votes shall have been cast in
any special election, the board shall meet in Trenton as soon as
practicable but no later than the 28th 30th day after the day of the
special election.

(cf: P.L.2009, c.66, s.4)

12. R.S.19:28-1 is amended to read as follows:
19:28-1. When any candidate at any election shall have reason to
believe that an error has been made in counting the votes of that
election, the candidate may, within a period of 15 17 days
following such election, apply to a judge of the Superior Court
assigned to the county wherein such district or districts are located,
for a recount of the votes cast at the election in any district or
districts.

When ten voters at any election shall have reason to believe that
an error has been so made in counting the votes upon any public
question at any election, such voters may, within a period of 15 17 days
following such election, apply to a judge of the Superior
Court assigned to the county wherein such district or districts are
located, for a recount of the votes cast at the election in any district
or districts on such public question.

(cf: P.L.2005, c.150)

13. 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 or the proposal of any
proposition shall be filed not later than 10 12 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 32
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 12 or 30 32 days
respectively after such statements, deposit slips or vouchers are
filed.

Any petition of contest may be filed within 10 12 days after
the result of any recount has been determined or announced.

(cf: P.L.2011, c.134, s.39)
14. (New section) a. The clerk of each county shall add to the
list of registered voters receiving a mail-in ballot for all future
elections without further request each voter in the county who
requested and received a mail-in ballot for the 2016 general
election. Each voter so added to the list shall have the option to
inform the clerk in writing that the voter does not wish to receive a
mail-in ballot automatically for all future elections.

b. The county clerks shall transmit to each voter who will
automatically receive such a ballot for all future elections pursuant
to subsection a. of this section a notice informing the voter that he
or she will automatically receive a mail-in ballot for all future
elections unless the voter informs the clerk in writing that he or she
does not wish to receive a mail-in ballot for all future elections.

15. Notwithstanding the specified operative date, if applicable,
provided in section 16 of this act, P.L. , c. (pending before the
Legislature as this bill):
   a) the provisions of this act that are the responsibility of the
      Secretary of State shall take effect immediately and shall be
      completed within seven business days following the effective date;
      and
   b) a county clerk may, at the clerk’s discretion, implement any or
      all provisions of this act that are the responsibility of a county clerk
      immediately following the effective date, notwithstanding the
      specified operative date if applicable, if the clerk determines that
      such implementation is practical, and shall also inform the county
      board of elections of his or her determination as soon as possible
      after the determination is made. ¹

¹[15.] 16.¹ This act shall take effect immediately if an election
is to occur more than ¹[30] 60¹ days prior to the day this act takes
effect; except that if this act would become ¹[operative] effective¹
less than ¹[30] 60¹ days before the day of an election, this act shall
instead take effect ¹[on] immediately but remain inoperative until¹
the day following that election ¹, except as otherwise provided in
section 15 of this act¹.

Permits registered voters to receive mail-in ballots automatically
for all elections under certain conditions.