

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 647

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED FEBRUARY 1, 2018

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator NILSA CRUZ-PEREZ

District 5 (Camden and Gloucester)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate State Government, Wagering, Tourism & Historic Preservation Committee.



1 AN ACT concerning mail-in and sample ballots, amending various
2 parts of Title 19 of the Revised Statutes, and supplementing
3 chapters 14 and 63 of Title 19 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

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

10 3. a. A qualified voter shall be entitled to vote using a mail-in
11 ballot in any election held in this State.

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

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

26 d. Any voter who fails to apply for a mail-in ballot before the
27 seven-day period prescribed in subsection b. of this section may
28 apply in person to the county clerk for a mail-in ballot up to 3 p.m.
29 of the day before the election.

30 e. (1) A voter who wishes to vote only by mail-in ballot in all
31 future **general** elections, including general elections, in which the
32 voter is eligible to vote, and who states that on an application for a
33 mail-in ballot, shall be furnished such a ballot by the county clerk
34 without further request on the part of the voter and until the voter
35 requests that the voter no longer be sent a mail-in ballot. A voter
36 shall **also** have the option to indicate on an application for a mail-
37 in ballot that the voter would like to receive such a ballot for **each**
38 election that takes place during the remainder of the calendar year
39 in which the application is completed and submitted **for future**
40 elections. A voter who exercises this option shall be furnished with
41 a mail-in ballot for each future election that takes place during the
42 remainder of the calendar year without further request by the voter.
43 A person voting by mail-in ballot who registered by mail after
44 January 1, 2003, who did not provide personal identification
45 information when registering pursuant to section 16 of P.L.1974,

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.

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.

(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.

(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 **■** : (a) notifies the clerk in writing that the person no longer wishes to receive such a ballot for any election; or (b) is no longer eligible to vote and whose registration file has been transferred to the deleted file pursuant to R.S.19:31-19.

(3) 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)

1 **【**complete the application form below and send to the undersigned,
2 or write or apply in person to the undersigned at once requesting
3 that a mail-in ballot be forwarded to you. The request must state
4 your home address and the address to which the ballot should be
5 sent. The request must be dated and signed with your signature.

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

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

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

30 You must complete the application form below and send it to the
31 county clerk where you reside or write or apply in person to the
32 county clerk where you reside to request a mail-in ballot.

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

36 No person may serve as an authorized messenger or bearer for
37 more than three qualified voters in an election.

38 No person who is a candidate in the election for which the voter
39 requests a mail-in ballot may provide any assistance in the
40 completion of the ballot or serve as an authorized messenger or
41 bearer.

42 A person who applies for a mail-in ballot must submit his or her
43 application at least seven days before the election, but such person
44 may request an application in person from the county clerk up to 3
45 p.m. of the day before the election.

46 Voters who want to vote by mail in all future elections will, after
47 their initial request and without further action on their part, be

1 provided with a mail-in ballot until the voter requests otherwise in
 2 writing.

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

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

13 Dated.....
 14
 15 (signature and title of county clerk)
 16
 17 (address of county clerk)
 18
 19 (telephone no. of county clerk)

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

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

47 c. The mail-in ballot materials shall contain a notice that any
 48 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):

.....

- 1 (8) Date of Birth:
2
3 Month Day Year
4 (9) (a) Telephone Number (optional).....
5 (b) E-Mail Address (optional).....
6 (10) Name and address of Your Last Voter Registration
7
8
9
- 10 (11) If you are registering by mail to vote and will be voting for
11 the first time in your current county of residence, please provide
12 one of the following:
13 (a) your New Jersey driver's license
14 number:.....
15 (b) the last four digits of your Social Security
16 Number.....
- 17 OR submit with this form a copy of any one of the following
18 documents: a current and valid photo identification card; a current
19 utility bill, bank statement, government check, pay check or any
20 other government or other identifying document that shows your
21 name and current address. If you do not provide either your New
22 Jersey driver's license number or the last four digits of your Social
23 Security Number, or enclose a copy of one of the documents listed
24 above, you will be asked for identification when voting for the first
25 time, unless you are exempt from doing so under federal or State
26 law.
- 27 (12) Do you wish to declare a political party affiliation?
28 (Optional):
29 ☐ YES. Name of Party:
30 ☐ NO. I do not wish to declare a political party affiliation
31 at this time.
- 32 (13) ☐ I wish to receive a Mail-in Ballot for all future **[general]**
33 elections **[only]**, until I request otherwise in writing.
34 **[(13)](14)** Declaration - I swear or affirm that:
35 I am a U.S. citizen.
36 I live at the above address.
37 I will be at least 18 years old on or before the day of the next
38 election.
39 I am not on parole, probation or serving a sentence due to a
40 conviction for an indictable offense under any federal or State laws.
41 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
42 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO
43 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH
44 PURSUANT TO R.S.19:34-1.
45
46 Signature or mark of the registrant Date
47 **[(14)](15)** If applicant is unable to complete this form, print the
48 name and address of individual who completed this form.

1
2

3 Name
4

5
6

7 Address
8

9 The form shall state in an appropriate location: “This form shall
10 not be used if an applicant requires the assistance of another person
11 to complete a mail-in ballot or to return a completed mail-in ballot
12 to the county board of elections, pursuant to section 16 of P.L.2009,
13 c.79 (C.19:63-16).”
14

15 In addition, the form may include notice to the applicant of
16 information and options relating to the registration and voting
17 process, including but not limited to notice of qualifications
18 required of a registered voter; notice of the final day by which a
19 person must be registered to be eligible to vote in an election;
20 notice of the effect of a failure to provide required identification
21 information; a place at which the applicant may indicate availability
22 for service as a member of the district board of elections; a place at
23 which the applicant may indicate whether he or she requires a
24 polling place which is accessible to individuals with disabilities and
25 the elderly or whether he or she is legally blind; a place at which
26 the applicant may indicate a desire to receive additional information
27 concerning **【absentee】** voting by mail; and if the application
28 indicates a political party affiliation, the voter is permitted to vote
29 in the primary election of a political party other than the political
30 party in which the voter was affiliated previously only if the voter
31 registration form with the change of political party affiliation is
32 filed prior to the 50th day next preceding the primary election. The
33 form may also include a space for the voter registration agency to
34 record whether the applicant registered in person, by mail or by
35 other means.

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

40 c. The Secretary of State shall cause to be prepared registration
41 forms of the size, weight and form described in subsection a. of this
42 section in both the English and Spanish language and shall provide
43 such forms to each commissioner of registration of any county in
44 which there is at least one election district in which bilingual
45 sample ballots must be provided pursuant to R.S.19:14-21,
46 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

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

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

5 f. The Secretary of State shall also furnish such registration
6 forms and such instructions to the Director of the Division of
7 Workers' Compensation, the Director of the Division of
8 Employment Services, and the Director of the Division of
9 Unemployment and Temporary Disability Insurance in the
10 Department of Labor and Workforce Development; to the Director
11 of the Division of Taxation in the Department of the Treasury; to
12 the Executive Director of the New Jersey Transit Corporation; to
13 the appropriate administrative officer of any other public agency, as
14 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-
15 6.3); to the Adjutant General of the Department of Military and
16 Veterans' Affairs; and to the chief administrative officer of any
17 voter registration agency, as defined in subsection a. of section 26
18 of P.L.1994, c.182 (C.19:31-6.11).

19 g. All registration forms received by the Secretary of State in
20 the mail or forwarded to the Secretary of State shall be forwarded to
21 the commissioner of registration in the county of the registrant and
22 to the county clerk if the vote by mail option is selected on a form.

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

32 i. Each commissioner of registration shall make note in the
33 permanent registration file of each voter who is required to provide
34 the personal identification information required pursuant to this
35 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-
36 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of
37 identification provided by the voter and the date on which it is
38 provided. Prior to the June 2004 primary election, when such a
39 newly registered voter seeks to vote for the first time following his
40 or her registration, the voter will be required to provide such
41 personal identification information. Beginning with the June 2004
42 primary election, when such a newly registered voter seeks to vote
43 for the first time following his or her registration, the voter will not
44 be required to provide such information if he or she had previously
45 provided the personal identification information required pursuant
46 to this section. The required information shall be collected and
47 stored for the time and in the manner required pursuant to
48 regulations promulgated by the Secretary of State.

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

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

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

12
13 4. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to
14 read as follows:

15 1. a. There shall be established in the Department of State a
16 single Statewide voter registration system, as required pursuant to
17 section 303 of the federal "Help America Vote Act of 2002,"
18 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer
19 components of the system shall be under the direct control of the
20 Secretary of State. The Secretary of State shall be responsible for
21 creating the network necessary to maintain the system and
22 providing the computer software, hardware and security necessary
23 to ensure that the system is accessible only to those executive
24 departments and State agencies so designated by the Secretary of
25 State, each county commissioner of registration, each county and
26 municipal clerk, and individuals under certain circumstances, as
27 provided for by this section. The system shall be the official State
28 repository for voter registration information for every legally
29 registered voter in this State, and shall serve as the official voter
30 registration system for the conduct of all elections in the State.

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

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

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

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

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

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

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

12 (7) a Statewide street address index and map in electronic form
13 that can accurately identify the location of every legally registered
14 voter in this State;

15 (8) the ability to record and monitor all requests for mail-in
16 ballots; to enable the county clerk to verify the identity and
17 signature of each person requesting a mail-in ballot; to record the
18 name and address of each voter determined to be eligible to receive
19 a mail-in ballot for a particular election and to note when a mail-in
20 ballot has been transmitted to that voter by mail or hand delivery; to
21 update the system to allow the postal tracking of mail-in ballots
22 using Intelligent Mail barcodes, or a similar successor tracking
23 system, upon the finding by the Secretary of State that such
24 technology is viable; and to make such information available to the
25 Secretary of State so that a voter can be notified whether the
26 application for such a ballot was accepted or rejected, and the
27 reason for the rejection, using the free-access system established by
28 section 5 of P.L.2004, c.88 (C.19:61-5); and

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

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

35 (1) last, first and middle name;

36 (2) street address at time of registration or rural route, box
37 number or apartment number, if any;

38 (3) city or municipality, and zip code;

39 (4) date of birth;

40 (5) telephone number and e-mail address, if provided on voter
41 registration form;

42 (6) previous name or address if individual re-registered due to
43 change of name or address;

44 (7) ward and election district number, if either is available;

45 (8) (a) current and valid New Jersey driver's license number; or

46 (b) if the registrant has not been issued a New Jersey driver's
47 license number, the last four digits of the registrant's social security
48 number; or

1 (c) unique identifying number for any individual who has not
2 been issued the information sought in subparagraph (a) or (b) of this
3 paragraph;

4 (9) notation that a copy of one of the following documents has
5 been submitted with the voter registration application, if required:
6 current and valid photo identification card; a current utility bill,
7 bank statement, government check, pay check or any other
8 government document showing the registrant's name and current
9 address;

10 (10) the method by which the individual registered and whether
11 that person needs to provide additional identification information to
12 vote using a voting machine instead of a provisional ballot;

13 (11) political party affiliation, if designated;

14 (12) digitalized signature;

15 (13) date of registration or re-registration;

16 (14) name and street address of the individual assisting in the
17 completion of the form, if the applicant for registration is unable to
18 do so;

19 (15) voting participation record for ten-year period; and

20 (16) any other information required pursuant to Pub.L.107-252
21 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
22 that the Secretary of State determines is necessary to assess the
23 eligibility of an individual to be registered to vote and to vote in
24 this State.

25 (cf: P.L.2009, c.287, s.2)

26
27 5. Section 5 of P.L.2009, c.79 (C.19:63-5) is amended to read
28 as follows:

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

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

37 In the case of voter registration forms that include a selected vote
38 by mail option, a copy of each such form shall be transmitted to and
39 received by the appropriate county clerk, who shall be responsible
40 for providing mail-in ballots to each qualified voter requesting such
41 ballots for future elections, until the voter requests otherwise in
42 writing.

43 (cf: P.L.2009, c.79, s.5)

44
45 6. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to
46 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. 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.

1
2 (signature of person providing
3 assistance)
4
5 (printed name of person
6 providing assistance)
7
8
9 (address of person providing
10 assistance)
11 c. The clerk of each county shall be permitted to affix to the
12 margin of the flap on the inner envelope of the mail-in ballot
13 transmitted thereby to a mail-in ballot voter an alternative
14 certificate, substantially similar to the certificate provided for by
15 subsection a. or b. of this section, that permits the voter to certify
16 the correctness of the voter's name, street, mailing address or R.D.
17 number, and municipality as it appears on the label of the mail-in
18 ballot received by the voter.
19 (cf: P.L.2011, c.134, s.53)
20
21 7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to
22 read as follows:
23 20. a. Any person who has applied for a mail-in ballot and has
24 had the mail-in ballot either delivered in person or forwarded by
25 mail, and voted and returned the voted ballot to the county board,
26 shall not be permitted to vote in person at the polling place in the
27 voter's election district on the day of the election.
28 b. Any person who: (1) has applied for a mail-in ballot and not
29 received either the ballot or an explanation for not receiving such a
30 ballot pursuant to notification by the county clerk or from the free-
31 access system established pursuant to section 5 of P.L.2004, c.88
32 (C.19:61-5) to provide such information; **【or】** (2) has applied for
33 and received a mail-in ballot and has not transmitted it to the county
34 board of elections or given it to a bearer for delivery to the county
35 board before the time for the opening of the polls on the day of an
36 election; or (3) has applied for and received a mail-in ballot and has
37 not transmitted it to the county board of elections or given it to the
38 bearer for delivery to the county board, but appears at the polling
39 place without the ballot and wishes to vote, shall be permitted to
40 vote in person by provisional ballot at the polling place in the
41 voter's election district on the day of the election.
42 (cf: P.L.2009, c.79, s.20)
43
44 8. Section 22 of P.L.2009, c.22 (C.19:63-22) is amended to read
45 as follows:
46 22. On the day of each election each county board of elections
47 shall open in the presence of the commissioner of registration, or
48 the designee thereof, the inner envelopes that contain the mail-in

1 ballots with the votes cast for the election. The inner envelopes
2 containing the ballots that the board or the Superior Court has
3 rejected shall not be so opened, but shall be retained as provided for
4 by this act. The board shall then proceed to canvass the votes cast
5 on the mail-in ballots, but no such ballot shall be counted in any
6 primary election for the general election if the ballot of the political
7 party marked for voting thereon differs from the designation of the
8 political party in the primary election of which such ballot is
9 intended to be voted as marked on the envelope by the county board
10 of elections.

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

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

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

27 (cf: P.L.2011, c.134, s.56)

28

29 9. (New section) Notwithstanding the provisions of any law to
30 the contrary, the sample ballot for any election shall not be mailed
31 to a voter who has been sent a mail-in ballot for that election,
32 pursuant to section 3 of P.L.2009, c.79 (C.19:63-3), and whose
33 voted ballot has been received by the county board of elections
34 prior to the transmission of sample ballots to voters required by
35 R.S.19:14-25. A county board may send an acknowledgment to a
36 voter when his or her mail-in ballot has been received by the board.

37

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

39 19:19-1. The board of county canvassers of each county shall
40 meet on the **Monday** Wednesday next, after any such election, at
41 12 o'clock noon, at the courthouse of the county, for the purpose of
42 checking the canvass which shall have been made by the county
43 clerk from the statements of the district boards filed in his office as
44 hereinbefore provided. For such purpose the county clerk shall
45 have prepared a compilation in tabulated form of such statements
46 and the combined results shown thereby for the use of the board of
47 canvassers.

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

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

2 19:21-1. a. The Board of State Canvassers shall meet at Trenton
3 as soon as practicable but no later than the **【28th】** 30th day after the
4 day of election, for the purpose of canvassing and estimating the
5 votes cast for each person for whom any vote or votes shall have
6 been cast for one or more members of the United States senate or of
7 the house of representatives, or for electors of president and vice
8 president, or for governor and lieutenant governor, or for members
9 of the Legislature, and upon each public question voted upon by the
10 voters of the entire state or political division thereof greater than a
11 county and of determining and declaring the person or persons who
12 shall, by the greatest number of votes, have been duly elected to
13 such office or offices, and the result of the vote cast upon any
14 public question setting forth that it was approved or rejected.

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

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

21

22 12. R.S.19:28-1 is amended to read as follows:

23 19:28-1. When any candidate at any election shall have reason to
24 believe that an error has been made in counting the votes of that
25 election, the candidate may, within a period of **【15】** 17 days
26 following such election, apply to a judge of the Superior Court
27 assigned to the county wherein such district or districts are located,
28 for a recount of the votes cast at the election in any district or
29 districts.

30 When ten voters at any election shall have reason to believe that
31 an error has been so made in counting the votes upon any public
32 question at any election, such voters may, within a period of **【15】**
33 17 days following such election, apply to a judge of the Superior
34 Court assigned to the county wherein such district or districts are
35 located, for a recount of the votes cast at the election in any district
36 or districts on such public question.

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

38

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

40 19:29-3. The petition contesting any nomination to public office,
41 election to party office or position or the proposal of any
42 proposition shall be filed not later than **【10】** 12 days after the
43 primary election.

44 The petition contesting any election to public office or approval
45 or disapproval of any proposition shall be filed not later than **【30】**
46 32 days after such election, unless the ground of action is
47 discovered from the statements, deposit slips or vouchers filed

1 under this Title, subsequent to such primary or other election, in
2 which event such petition may be filed **【10】** 12 or **【30】** 32 days
3 respectively after such statements, deposit slips or vouchers are
4 filed.

5 Any petition of contest may be filed within **【10】** 12 days after
6 the result of any recount has been determined or announced.
7 (cf: P.L.2011, c.134, s.39)

8
9 14. (New section) a. The clerk of each county shall add to the
10 list of registered voters receiving a mail-in ballot for all future
11 elections without further request each voter in the county who
12 requested and received a mail-in ballot for the 2016 general
13 election. Each voter so added to the list shall have the option to
14 inform the clerk in writing that the voter does not wish to receive a
15 mail-in ballot automatically for all future elections.

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

22
23 15. This act shall take effect immediately if an election is to
24 occur more than 30 days prior to the day this act takes effect; except
25 that if this act would become operative less than 30 days before the
26 day of an election, this act shall instead take effect on the day
27 following that election.