

SENATE, No. 649

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Provides primary and school election sample ballots may be sent to registered voter by electronic mail if so requested.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the electronic delivery of sample ballots to
2 registered voters for primary and school elections, and
3 supplementing various parts of the statutory law.

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

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8 1. Notwithstanding the provisions of R.S.19:23-30 or any
9 provision of chapter 23 of Title 19 of the Revised Statutes to the
10 contrary, the district board or the commissioner of registration, as
11 the case may be, shall deliver a copy of the official primary election
12 sample ballot of each political party, and any additional documents
13 that may be required to be provided therewith, by electronic mail
14 instead of regular mail to any registered voter of the district who is
15 eligible to participate in the primary election and who requests to
16 receive the sample ballot and documents by electronic mail. The
17 electronic mail address of any voter who requests to receive a
18 sample ballot by electronic mail pursuant to this section shall not be
19 a government record as defined in section 1 of P.L.1995, c.23
20 (C.47:1A-1.1) and shall not be available for public inspection or
21 copying, and shall be redacted from any document that it is a part
22 of.

23
24 2. Notwithstanding the provisions of R.S.19:60-10 or any
25 provision of chapter 60 of Title 19 of the Revised Statutes to the
26 contrary, the district board or the commissioner of registration, as
27 the case may be, shall deliver a copy of the official school election
28 sample ballot, and any additional documents that may be required to
29 be provided therewith, by electronic mail instead of regular mail to
30 any registered voter who is eligible to participate in the school
31 election and who requests to receive the sample ballot and
32 documents by electronic mail. The electronic mail address of any
33 voter who requests to receive a sample ballot by electronic mail
34 pursuant to this section shall not be a government record as defined
35 in section 1 of P.L.1995, c.23 (C.47:1A-1.1) and shall not be
36 available for public inspection or copying, and shall be redacted
37 from any document that it is a part of.

38
39 3. The Secretary of State, in collaboration with the election
40 officials in this State, shall develop standard procedures to
41 effectuate the provisions of sections 1 and 2 of P.L. , c. , (C. ,
42 and C. , respectively) (pending before the Legislature as this bill).
43 The procedures shall:

44 a. establish a method to inform all voters of the opportunity to
45 receive a sample ballot and other materials by electronic mail, and
46 by which a voter can notify election officials of his or her desire to
47 obtain a ballot and other materials by electronic mail in lieu of
48 receiving them by regular mail;

d. address any additional necessary measures for the proper implementation of these provisions.

4. This act shall take effect immediately, but shall not apply with respect to a primary or school election that is scheduled to occur within 30 days of the bill's effective date.

This bill allows the district board of election or the commissioner of registration, as the case may be, to provide a copy of the primary election and school election sample ballots by electronic mail instead of regular mail to any registered voter in the election district who is eligible to participate in that election, and who requests to receive the sample ballot by electronic mail. Under current law, such sample ballots must be printed and mailed to each eligible registered voter. The bill further provides that the electronic mail address of any voter who requests to receive a sample ballot by electronic mail would not be a government record as defined in section 1 of P.L.1995, c.23 (C.47:1A-1.1), also known as the “Open Public Records Act,” would not be available for public inspection or copying, and must be redacted from any document that it is a part of.

The bill directs the Secretary of State, in collaboration with the election officials in this State, to develop standard procedures to effectuate the provisions of the bill. These procedures would include, but may not be limited to: (1) establishing a method to inform all voters of the opportunity to receive a sample ballot and other materials by electronic mail, and by which a voter can notify election officials of his or her desire to obtain a ballot and other materials by electronic mail in lieu of receiving them by regular mail; (2) maintaining the confidentiality of the voter electronic mail addresses; and (3) providing notice and opportunity for a voter who has requested to receive a sample ballot and other materials by electronic mail to request to again receive the sample ballot and other materials by regular mail.