

[First Reprint]

## **ASSEMBLY, No. 4276**

# **STATE OF NEW JERSEY**

## **219th LEGISLATURE**

INTRODUCED JUNE 15, 2020

**Sponsored by:**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

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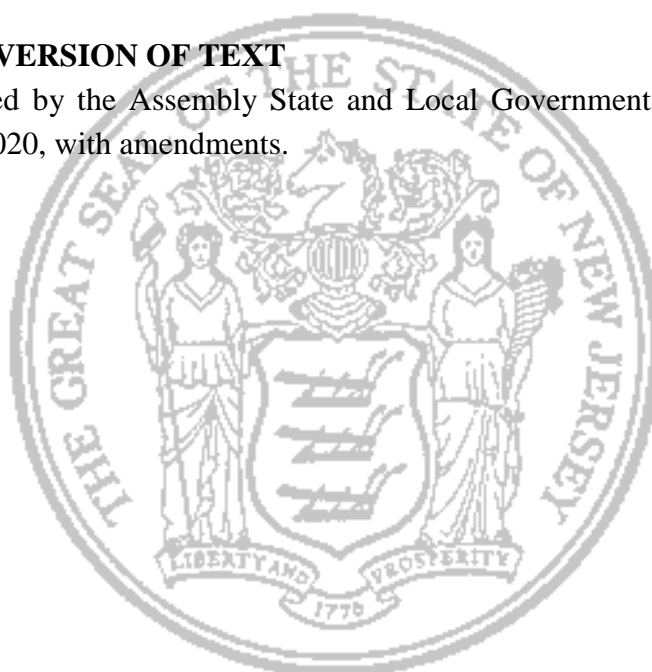
**Assemblywomen Reynolds-Jackson and Vainieri Huttie**

### **SYNOPSIS**

Establishes “The Ballot Cure Act” to modify and establish various voting procedures.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly State and Local Government Committee on August 13, 2020, with amendments.



**(Sponsorship Updated As Of: 8/24/2020)**

1 AN ACT concerning a voter's opportunity to cure their voted mail-in  
 2 ballot and amending various parts of the statutory law <sup>1</sup>and  
 3 supplementing P.L.2009, c.79 (C.19:63-1 et seq.)<sup>1</sup>.  
 4

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

8 1. Section 1 of P.L.2005, c.149 (C.19:12-7.1) is amended to  
 9 read as follows:

10 1. a. A county board of elections shall have posted a voter  
 11 information notice, which shall be referred to as a voter's bill of  
 12 rights, in a conspicuous location in each polling place before the  
 13 opening of the polls on the day of any election.

14 The notice shall contain:

15 the date of the election and the hours during which polling places  
 16 will be open;

17 a statement that sample ballots are available at the polling place  
 18 for review by the voter;

19 instruction for the use of the voting machine in that polling place  
 20 and an explanation of what instructions for voting are available at  
 21 the polling place for the voter;

22 instruction for a voter who is voting for the first time;

23 instruction for a voter who is required to provide identification  
 24 pursuant to the federal "Help America Vote Act of 2002" and  
 25 R.S.19:15-17 prior to casting a vote;

26 instruction on how to cast a vote if the voter cannot be present at  
 27 a polling place on the day of the election;

28 an explanation of the right of the voter to vote in privacy,  
 29 regardless of the voter's physical abilities;

30 an explanation of the right of the voter to a provisional ballot,  
 31 including in the event that a mail-in ballot has been applied for and  
 32 not received or not transmitted to the county board of elections  
 33 before the day of any election, and the other circumstances under  
 34 which a voter has a right to a provisional ballot;

35 an explanation of the right of the voter to receive a replacement  
 36 ballot for a ballot that has been spoiled, destroyed, lost or never  
 37 received;

38 an explanation of the right of the voter to ask for and receive  
 39 assistance in voting;

40 an explanation of the right of the voter to take a reasonable  
 41 amount of time in casting a vote on a voting machine;

42 an explanation of the right of the voter to bring written material  
 43 into the polling place for the voter's personal use in casting a vote;

**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:

<sup>1</sup>Assembly ASL committee amendments adopted August 13, 2020.

1 instruction on how to contact the appropriate officials if a voter's  
2 right to vote or right to otherwise participate in the electoral process  
3 has been challenged or violated;

4 general information on federal and State laws that prohibit acts  
5 of fraud or misrepresentation and the penalties for those acts; **[and]**

6 an explanation of the right of the voter to confidentially discover  
7 the status of their ballot using the "Track My Ballot" user portal;

8 an explanation that "All ballots are counted and your vote  
9 remains anonymous;"

10 an explanation of the right of the voter that if their ballot was  
11 rejected, they will be notified within '72 hours of the receipt of  
12 the ballot or, if the voter voted using a provisional ballot, within 48  
13 hours of the closing of the polls by email, mail, or phone with the  
14 reason for rejection] 24 hours after a decision is made to reject the  
15 ballot' . The voter will have up to '[5] 14' days after the close of  
16 the polls on Election Day to provide a cure for their ballot;

17 an explanation giving the options for the voter to provide the  
18 cure to their rejected ballot;

19 an explanation that no voters shall be intimidated or otherwise  
20 unduly influenced by political insignia while voting. No person  
21 shall wear, display, sell, give or provide any political or campaign  
22 slogan, badge, button or other insignia associated with any political  
23 party or candidate to be worn at or within one hundred feet of the  
24 polls or within the polling place or room, on any primary, general or  
25 special election day or on any commission government election day,  
26 except the badge furnished by the county board as provided by law.  
27 This includes any political gear representing the campaign slogans,  
28 logos, or depictions or representations of any political party or  
29 candidate such as merchandise sold directly from a political party,  
30 campaign, candidate, or by third parties and vendors representing  
31 any political party or campaign or candidate. A person violating any  
32 of these provisions is guilty of a disorderly persons offense and will  
33 not be permitted on the premises and can only return to vote after  
34 the removal of prohibited political insignia; and

35 such other statement, instruction or explanation the Secretary of  
36 State may deem appropriate to ensure the full and knowledgeable  
37 participation of the voter in the process.

38 The requirement to post this notice in each polling place shall  
39 not replace, supersede or void any other requirement set forth in law  
40 for the posting of information in each polling place apart from the  
41 voter information notice.

42 b. The Secretary of State shall prescribe the form and specific  
43 content of the voter information notice, which may be comprised of  
44 more than one page. If the notice is comprised of more than one  
45 page, each page shall be posted separately. For an election district  
46 in which the primary language of 10 percent or more of the  
47 registered voters is a language other than English, the Secretary of  
48 State shall prescribe an official version of the voter information

1 notice in that other language or languages for use in that election  
2 district. The notice shall be posted in English and in the other  
3 language or languages in the polling places in each such district.  
4 The alternate language shall be determined based on information  
5 from the latest federal decennial census.

6 c. A county board of elections may modify or supplement the  
7 voter information notice used in a county or municipality to provide  
8 additional information specific to that county or a municipality in  
9 that county, provided, however, that any such modification or  
10 supplementation shall be submitted to the Secretary of State for  
11 prior approval.

12 d. The voter information notice shall be printed on each sample  
13 ballot, to the extent practicable, or if not practicable, information on  
14 how to view or obtain a copy of the voter information notice shall  
15 be printed on each sample ballot.

16 e. The voter information notice, including one modified or  
17 supplemented pursuant to subsection c. of this section, shall be  
18 made accessible on the official Internet site of the State by the  
19 Secretary of State and each county board of elections shall ensure  
20 that the official Internet site of the county contains a link to that  
21 notice.

22 f. **【The provisions of this section shall not give rise to a legal**  
23 **cause of action.】** Deleted by amendment, P.L. , c. (pending  
24 before the Legislature as this bill)

25 g. The State shall be liable for the costs incurred by local  
26 government entities for compliance with this section, and they shall  
27 be reimbursed for those costs, upon application, by the State  
28 Treasurer.

29 (cf: P.L.2009, c.79, s.30)

30  
31 2. Section 4 of P.L.2004, c.88 (C.19:61-4) is amended to read  
32 as follows:

33 4. a. The **【Attorney General】** Secretary of State shall establish  
34 a free-access system, such as a toll-free telephone number, an  
35 Internet website or any combination thereof, that any individual  
36 who casts a provisional ballot, mail-in ballot, or overseas ballot in  
37 all elections where they are qualified to vote, may access to  
38 ascertain whether the ballot of that individual was accepted for  
39 counting and, if the vote was not counted, the reason for the  
40 rejection of the ballot. The system shall at all times preserve the  
41 confidentiality of each voter, and shall ensure that no person, other  
42 than the individual who cast the ballot, may discover whether or not  
43 that individual's ballot was accepted or rejected, unless so informed  
44 by the voter.

45 b. The free-access system shall be prominently displayed on  
46 the New Jersey Division of Elections website under a “Track My  
47 Ballot” user portal.

1     c. To applicable situations, the free-access system shall record  
2 the date that the mail-in ballot was mailed; the date that the  
3 overseas ballot was mailed or transmitted via electronic mail; the  
4 date the ballot was received; the notation that the ballot was  
5 “Accepted” or “Rejected;” the code for rejection; the date and  
6 method that the board of elections notified the voter (mail, email, or  
7 phone) and, in cases where the ballot was initially “Rejected” and  
8 the voter provided a cure as provided under section 17 of P.L.2009,  
9 c.79 (C.19:63-17), the date when the ballot was “Accepted.” If no  
10 cure was provided successfully or at all, no other input shall be  
11 required.

12     d. The free-access system shall provide a legend containing all  
13 the codes used for rejection and their explanation for rejection. The  
14 system shall provide voters with the methods to cure the ballot, and  
15 the deadline of ‘[5] 14’ days after the closing of the polls on  
16 Election Day to provide the cure.

17     e. The free-access system shall provide a publicly viewable  
18 macro-report of the total number of rejected ballots by county and  
19 by code along with the totals for votes cast by mail-in ballot,  
20 overseas ballots, and total ballots cast. This report shall be kept and  
21 made available on the Secretary of State’s website for a period of  
22 10 years.

23 (cf: P.L.2004, c.88, s.4)

24  
25     3. Section 17 of P.L.2009, c.79 ‘[, s.17]’ (C.19:63-17) is  
26 amended to read as follows:

27     17. a. The county board of elections shall, promptly after  
28 receiving each mail-in ballot, remove the inner envelope containing  
29 the ballot from the outer envelope and shall compare the signature  
30 and the information contained on the flap of the inner envelope with  
31 the digitized signature image and information contained in the  
32 【respective requests for mail-in ballots】 Statewide voter  
33 registration system ‘and the New Jersey Motor Vehicle  
34 Commission’s database’<sup>1</sup>. In addition, as to mail-in ballots issued  
35 less than seven days prior to an election, the county board of  
36 elections shall also check to establish that the mail-in voter did not  
37 vote in person. The county board shall reject such a ballot if it is  
38 not satisfied, pursuant to a comparison with the Statewide voter  
39 registration system, that the voter is legally entitled to vote and that  
40 the ballot conforms with the requirements of this act. The county  
41 board of elections shall conduct the determination of qualification  
42 of each voter in accordance with the requirements of the Certificate  
43 of Mail-in Voter pursuant to section 13 of P.L.2009, c.79 (C.19:63-  
44 13).

45     In the case of a mail-in ballot to be voted at a primary election  
46 for the general election, the ballot shall be rejected if the mail-in  
47 voter has indicated in the certificate the voter's intention to vote in a

1 primary election of any political party in which the voter is not  
2 entitled to vote according to the Statewide voter registration system,  
3 and if it shall appear from the record that the voter is not entitled to  
4 vote in a primary election of the political party which has been so  
5 indicated.

6 Any mail-in ballot which is received by a county board of  
7 elections shall be rejected if <sup>1</sup>‘[both]’ the inner <sup>1</sup>‘[and outer  
8 envelopes are] envelope is’<sup>1</sup> unsealed or if either <sup>1</sup>‘the inner or outer’<sup>1</sup>  
9 envelope has a seal that has been tampered with. Mail-in ballots  
10 shall not be rejected <sup>1</sup>‘[due to any defect arising out of or relating to  
11 the preparation or mailing of the ballot or envelope that was not  
12 reasonably caused by the voters, such as a torn envelope and  
13 missing or insufficient glue to allow the ballot to be sealed]’ when  
14 the defect is attributable to a physical defect in the inner envelope,  
15 outer envelope, certificate, or ballot outside the control of the  
16 voter.<sup>1</sup>

17 Disputes about the qualifications of a mail-in voter to vote or  
18 about whether or not or how any mail-in ballot shall be counted in  
19 such election shall be referred to the Superior Court for  
20 determination <sup>1</sup>, as provided under section 5 of P.L. , c. (C. )  
21 (pending before the Legislature as this bill)<sup>1</sup>.

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

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

36 b. The county board of elections shall, promptly after receiving  
37 each mail-in ballot, undertake the following procedures and  
38 requirements concerning the acceptance or rejection of each mail-in  
39 ballot:

40 (1) record in the Statewide voter registration system and the  
41 free-access system the acceptance or rejection of the voter’s ballot.  
42 Where the voter’s ballot is rejected, a code shall be input and  
43 displayed showing the reason <sup>1</sup>for rejection<sup>1</sup>;

44 <sup>1</sup>‘(2) \_\_\_\_\_ in rejecting a voter’s ballot, shall notify the voter  
45 within 72 hours of the receipt of the ballot or, if the voter voted by  
46 provisional ballot, within 48 hours of the closing of the polls, by  
47 email, mail, or phone with the reason for rejection. The voter shall

1 have up to 5 days after the close of the polls on Election Day to  
2 provide a cure for their ballot. The county board of elections shall  
3 provide an explanation giving the options for the voter to provide  
4 the cure to their rejected ballot. To the extent the county board of  
5 elections cannot provide such explanation and give the voter  
6 sufficient and reasonable time to provide a cure for their ballot  
7 within the deadlines for the counting of ballots as established by  
8 law, the county board of elections shall seek an order from a Judge  
9 of the Superior Court to reasonably extend the deadlines consistent  
10 with this State's liberal interpretation of election law statutes so as  
11 to prevent voter disenfranchisement;

12 (3) in cases of rejected ballots, retain the voter's outer envelope,  
13 inner envelope, self-certification certificate, and mail-in ballot in a  
14 bundle unique to each voter for a period of two years in accordance  
15 with section 24 of P.L.2009, c.79 (C.19:63-24); and

16 (4) where the rejection is due to signature mismatch, missing  
17 signature, or otherwise related to the questionable or inability to  
18 verify the voter's ballot by way of signature, the county board of  
19 elections shall allow and accept other methods from the voter to  
20 confirm their vote. These methods may include the voter providing  
21 a new signature, signing an affidavit attesting that they were the  
22 voter who sent in the mail-in ballot, and providing any form of  
23 identification that would satisfy the requirement of voter  
24 verification. Identification shall include a valid New Jersey driver's  
25 license number, a valid New Jersey non driver identification card  
26 number, or another form of identification issued or recognized as  
27 official by the federal government, the State, or any of its  
28 subdivisions, providing the identification carries the full address  
29 and signature of the person.

30 c. The Secretary of State shall prepare educational materials  
31 regarding the provisions of this section that all county boards of  
32 elections persons handling ballots shall be required to read or view  
33 prior to the election. The materials shall provide clear information  
34 regarding the standards for acceptance and rejection of mail-in  
35 ballots and the safe holding of all materials in the case of rejection.】

36 (2) within 24 hours after the decision has been made to  
37 tentatively reject or to reject a voter's mail-in or provisional ballot,  
38 issue a "Cure Letter" to the voter whose ballot was tentatively  
39 rejected or rejected, which shall inform the voter of that fact and  
40 provide the reasoning for rejection. The cure letter shall include a  
41 pre-printed "Cure Form" and the form shall include the voter's  
42 name and instruct the voter on how to cure the alleged or actual  
43 deficiency. Cure forms shall not be referred to as affidavits or  
44 certifications and shall not be required to be sworn;

45 (3) when the alleged or actual deficiency involves the signature  
46 of the voter, instruct the voter that they may cure the deficiency by  
47 completing the cure form and returning it to the county board of  
48 elections in person, by fax, or by email, not later than 14 days after

1 the date of the election, or by returning it to the county board of  
2 elections by mail, and that the completed cure form must be  
3 received by the county board of elections not later than 14 days  
4 after the date of the election;

5 (4) include, with the cure letter and cure form, a postage-paid  
6 return envelope addressed to the county board of elections which  
7 the voter may use to return the cure form; and

8 (5) inform voters that they shall not be required to submit any  
9 form of hard-copy identification document or copy thereof in order  
10 to cure a signature deficiency, but may do so by declaring that they  
11 submitted their provisional ballot or mail-in ballot, and verifying  
12 their identity by either: (a) providing a valid New Jersey driver's  
13 license number or Motor Vehicle Commission non-driver  
14 identification number; (b) providing the last four digits of their  
15 Social Security Number; or (c) attaching a legible copy of a New  
16 Jersey State-accepted form of identification, including either a  
17 sample ballot which lists the voter's name and address, an official  
18 federal, State, county, or municipal document which lists the voter's  
19 name and address, or a utility bill, telephone bill, or tax or rent  
20 receipt which lists the voter's name and address; and (d) signing  
21 and dating the cure form prior to returning it.

22 c. If a voter whose mail-in or provisional ballot was tentatively  
23 rejected or rejected based solely on a signature deficiency returns a  
24 completed cure form in a timely manner and the information  
25 provided verifies the voter's identity, pursuant to this section, their  
26 otherwise valid mail-in or provisional ballot shall be counted in the  
27 final election results irrespective of any signature deficiency  
28 previously identified and, under those circumstances, the cure form  
29 may not be verified or authenticated using signature matching.

30 d. If a voter whose mail-in or provisional ballot was tentatively  
31 rejected or rejected based solely on a signature deficiency returns a  
32 completed cure form in a timely manner and provides a copy of an  
33 identification document as set forth in paragraph (5) of subsection  
34 b. of this section, the address listed on the identification document  
35 shall not be required to match the voter registration address,  
36 provided that the identification document otherwise verifies the  
37 voter's identity.

38 e. In accordance with this section, variations in voter  
39 signatures caused by the substitution of initials for the first name,  
40 middle name, or both, shall not be grounds for the county board of  
41 elections to determine that the signatures are non-conforming or do  
42 not match.

43 f. In circumstances when it would be appropriate to do so, and  
44 not later than the day of the election, the county board of elections  
45 may provide the voter with a replacement mail-in ballot and return  
46 envelope.

47 g. To prevent voter disenfranchisement, and as needed to  
48 comply with this section, the county board of elections may seek an

1 order from a Judge of the Superior Court to reasonably extend any  
2 deadlines established herein.

3 h. In cases of rejected ballots, the county board of elections  
4 shall retain the voter's outer envelope, inner envelope, self-  
5 certification certificate, and mail-in ballot in a bundle unique to  
6 each voter for a period of two years in accordance with section 24  
7 of P.L.2009, c.79 (C.19:63-24).<sup>1</sup>  
8 (cf: P.L.2011, c.134, s.55)  
9

10 <sup>1</sup>4. (New section) a. Following the attempt to cure any alleged  
11 deficiencies in a mail-in ballot pursuant to section 17 of P.L.2009,  
12 c.79 (C.19:63-17), the county board of elections shall make a final  
13 determination about the qualifications of a mail-in voter and  
14 whether or not the mail-in ballot alleged to be deficient shall be  
15 counted. The failure or alleged failure of any voter to cure alleged  
16 deficiencies in the voter's mail-in ballot shall not create a  
17 presumption that the vote is improper or invalid, nor shall it be  
18 considered evidence that the vote is improper or invalid.

19 b. Following final determination under subsection a. of this  
20 section, disputes about the qualifications of a voter to vote, or about  
21 whether or not or how any mail-in ballot shall be counted in that  
22 election, shall be referred to the Superior Court for determination.

23 c. Upon referral to the Superior Court for determination, the  
24 Superior Court shall set a date and time for a hearing during which  
25 each of the county parties may designate an attorney to be present  
26 and provide limited argument to the Superior Court as to the  
27 qualifications of a mail-in voter to vote, or about whether or not or  
28 how any mail-in ballot shall be counted in that election. Prior to any  
29 hearing, the proofs presented to the Superior Court from the county  
30 board of elections shall be provided to the designated representative  
31 for each of the county parties. Any hearing shall be conducted in a  
32 summary manner to which there shall be no right to additional  
33 discovery or presentation of witnesses.<sup>1</sup>  
34

35 <sup>1</sup>5. (New section) a. The Secretary of State shall prepare  
36 educational materials regarding the provisions of section 17 of  
37 P.L.2009, c.79 (C.19:63-17) that all county boards of elections  
38 persons handling ballots shall be required to read or view prior to  
39 the election. The materials shall provide clear information regarding  
40 the standards for acceptance and rejection of mail-in ballots and the  
41 safe holding of all materials in the case of rejection.

42 b. Prior to each election, the Secretary of State shall direct all  
43 county boards of elections and their members, agents, employees,  
44 and representatives, who shall be collectively known as the  
45 "evaluators," and who are responsible for authenticating or  
46 verifying mail-in ballots pursuant to section 17 of P.L.2009, c.79  
47 (C.19:63-17), or authenticating or verifying provisional ballots

1 pursuant to section 19 of P.L.1999, c.232 (C.19:53C-13), to comply  
2 with the provisions of subsection c. of this section.

3 c. The Secretary of State and each county board of elections  
4 shall ensure that all evaluators receive, and are directed to comply  
5 with, written guidance stating as follows:

6 (1) when verifying signatures, evaluators shall keep in mind that  
7 everyone writes differently, and no one signs their name exactly the  
8 same way twice;

9 (2) some variation in signatures is to be expected;

10 (3) many factors can lead to signature variance, including, but  
11 not limited to, age, disability, underlying health conditions, writing  
12 implement or surface, level of concentration, and educational  
13 background;

14 (4) according to studies, evaluators are more likely to declare  
15 genuine signatures to be non-genuine than they are to accept a non-  
16 genuine signature as genuine, and the goal is to prevent these errors  
17 in signature verification; and

18 (5) evaluators shall presume that the documents were signed by  
19 the same person and shall accept a signature as valid unless there is  
20 a clear discrepancy that cannot be reasonably explained.

21 d. The Secretary of State shall, not later than 14 days prior to  
22 the election, publish the signature matching guidelines required  
23 under subsection c. of this section which each evaluator shall be  
24 required to follow in determining if mail-in voter signatures match.<sup>1</sup>  
25

26 <sup>1</sup>**[4.] 6.**<sup>1</sup> Section 23 of P.L.2009, c.79 (C.19:63-23) is  
27 amended to read as follows:

28 23. **[As soon as practicable after each election]** On an ongoing  
29 basis as each action is completed, the county clerk and the board of  
30 elections shall mark in the Statewide voter registration system and  
31 all duplicate voting records to show that mail-in ballots were  
32 delivered or forwarded to the respective registered voters. Pursuant  
33 to section 9 of P.L.2009, c.79 (C.19:63-9), whenever the clerk mails  
34 or hand-delivers a mail-in ballot, the county clerk shall input the  
35 information as such in the free-access system, including the date of  
36 mailing or delivery. For each mail-in ballot that has been voted,  
37 received and counted, the board of elections shall also, by reference  
38 to the certificates removed from the inner envelopes of such ballots,  
39 place the word "Voted" in the space provided in the Statewide voter  
40 registration system and duplicate voting record for recording the  
41 ballot number of the voter's ballot in the election. For each mail-in  
42 ballot that has been voted, received and rejected pursuant to section  
43 17 of P.L.2009, c.79 (C.19:63-17), the board of elections shall mark  
44 as "Rejected" in the Statewide voter registration system, the free-  
45 access system, and all duplicate voting records. For each of the  
46 rejected mail-in ballots where the voter provided a cure and  
47 therefore were accepted, the board of elections shall provide an  
48 additional input as "Accepted" in the same systems. In the case of

1 the primary election for the general election, the board shall also  
2 cause to be noted in the proper space of the Statewide voter  
3 registration system or other record of voting form the first three  
4 letters of the name of the political party primary in which such  
5 ballot was voted. The record contained in the Statewide voter  
6 registration system and of voting forms in the original permanent  
7 registration binders shall be conformed to the foregoing entries in  
8 the duplicate forms.

9 (cf: P.L.2011, c.134, s.57)

10  
11 <sup>1</sup>**[5.] 7.**<sup>1</sup> Section 24 of P.L.2009, c.79 (C.19:63-24) is  
12 amended to read as follows:

13 24. The county board of elections shall keep, for two years, all  
14 of the requests and applications for mail-in ballots, all voted mail-in  
15 ballots, and all of the certificates that have been detached or  
16 separated by them from the inner envelopes. The county board of  
17 elections shall also keep, for two years, all of the rejected mail-in  
18 ballots, accompanying outer and inner envelopes, and the self-  
19 certification certificates that have been detached or separated by  
20 them from the inner envelopes. These contents shall be kept in  
21 bundles unique and belonging to individual voters, and shall be  
22 made available for inspection by the voter for challenges. All inner  
23 envelopes together with their certificates, and the contents of those  
24 envelopes not opened by order of the county board or Superior  
25 Court, shall also be retained for the same period by the board. The  
26 superintendent of elections in counties having a superintendent of  
27 elections and the prosecutor in all other counties shall have the  
28 authority to impound all mail-in ballots whenever the  
29 superintendent or prosecutor, as may be appropriate, shall deem  
30 such action to be necessary.

31 (cf: P.L.2009, c.79, s.24)

32  
33 <sup>1</sup>**[6.] 8.**<sup>1</sup> This act shall take effect immediately <sup>1</sup>and shall  
34 apply to all future elections occurring after the bill's effective date<sup>1</sup>.