

# SENATE, No. 3109

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 5, 2020

**Sponsored by:**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senators A.M.Bucco, Oroho, Bateman, Testa and Holzapfel**

**SYNOPSIS**

Requires Secretary of State create website for voters to report irregularities regarding mail-in ballots; establishes "Vote by Mail Study Commission."

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/14/2020)**

1 AN ACT concerning the reporting of mail-in ballot irregularities and  
2 establishing the “Vote by Mail Study Commission.”

3

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

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7 1. The Secretary of State shall establish, on the Division of  
8 Elections website, a link for voters to report irregularities  
9 concerning a mail-in ballot received by the voter. The link shall  
10 enable the voter to complete a form containing the voter’s name,  
11 mailing address, and a telephone number where the voter may be  
12 contacted, along with sufficient space for the voter to describe the  
13 issues with the mail-in ballot received by the voter. The form may  
14 also include choices for the voter to select from among possible  
15 irregularities concerning a mail-in ballot, including, but not limited  
16 to, when the intended recipient of the ballot does not reside at that  
17 address or is deceased. The website shall automatically forward  
18 each form to the county clerk, county board of elections, and county  
19 superintendent of elections, as the case may be, of the county where  
20 the voter resides for the appropriate follow-up. The secretary shall  
21 report to the Governor and, pursuant to section 2 of P.L.1991, c.164  
22 (C.52:14-19.1), to the Legislature no later than January 15 of each  
23 year, a summary of the forms received through the website for the  
24 previous calendar year.

25

26 2. a. There is established the “Vote by Mail Study  
27 Commission.” The commission shall consist of nine members as  
28 follows:

29 (1) the Secretary of State, ex officio, or the secretary’s designee,  
30 who shall serve as chairperson of the commission;

31 (2) two county clerks, who shall not be members of the same  
32 political party, appointed by the Governor upon the  
33 recommendation of the Constitutional Officers Association – Clerk  
34 Section;

35 (3) one member representing the county boards of elections and  
36 one member representing the superintendents of elections, who  
37 shall not be members of the same political party, appointed by the  
38 Governor upon the recommendation of the New Jersey Election  
39 Officials Association;

40 (4) two members of the Senate to be appointed, one each, by the  
41 President of the Senate and the Minority Leader of the Senate; and

42 (5) two members of the General Assembly to be appointed, one  
43 each, by the Speaker of the General Assembly and the Minority  
44 Leader of the General Assembly.

45 b. Any vacancy in the membership of the commission shall be  
46 filled in the same manner in which the original appointment was  
47 made.

48 c. Members of the commission shall serve without  
49 compensation but shall be reimbursed for necessary and reasonable

1 expenses incurred in the performance of their duties within the  
2 limits of funds appropriated or otherwise made available to the  
3 commission for its purposes.

4 d. The commission shall organize as soon as possible after the  
5 appointment of a majority of the commission's members and shall  
6 meet at the call of the chairperson at the times and in the places it  
7 may deem appropriate and necessary to fulfill its duties.

8 e. It shall be the duty of the commission to investigate,  
9 research, and evaluate irregularities pertaining to the  
10 implementation, accuracy, and integrity of the vote-by-mail process  
11 and systems established in this State. The commission shall hold at  
12 least three public hearings, one each in the Northern, Central, and  
13 Southern parts of the State, to receive testimony from the public and  
14 elections experts on matters concerning voting by mail. The  
15 commission's inquiries shall include, but may not be limited to:

16 (1) procedures to prevent the mailing of more than one mail-in  
17 ballot to the same person;

18 (2) measures that may be implemented to prevent the mailing of  
19 mail-in ballots to inactive, deceased, and non-resident voters;

20 (3) maintenance activities that may be implemented to enhance  
21 the accuracy of the voter rolls and the mail-in voter designation in  
22 the Statewide Voter Registration System; and

23 (4) any other matter concerning voting by mail the commission  
24 deems appropriate.

25 f. The commission shall be entitled to call to its assistance and  
26 avail itself of the services of the officials and employees of the  
27 State and its political subdivisions and their departments, boards,  
28 bureaus, commissions, and agencies as it may require and as may be  
29 available to it for the purposes of the commission. The Division of  
30 Elections in the Department of State shall provide staff support  
31 services to the commission.

32 g. The commission shall report its findings, conclusions, and  
33 recommendations to the Governor and, pursuant to section 2 of  
34 P.L.1991, c.164 (C.52:14-19.1), to the Legislature no later than one  
35 year following the first meeting of the commission. The  
36 commission shall expire upon the submission of the commission's  
37 report, pursuant to this section.

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39 3. This act shall take effect immediately, and section 2 of this  
40 act shall expire upon the submission by the commission of its report  
41 pursuant to that section.

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#### STATEMENT

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46 This bill requires the Secretary of State to create a website for  
47 voters to report irregularities regarding mail-in ballots they receive.  
48 The bill also establishes the "Vote by Mail Study Commission."

1 Under the bill, the secretary would establish on the Division of  
2 Elections website a link for voters to report irregularities  
3 concerning a mail-in ballot received by the voter. The link would  
4 enable the voter to complete a form containing the voter's name,  
5 address, and contact information, and sufficient space for the voter  
6 to describe the issues with the mail-in ballot. The form may also  
7 include choices for the voter to select from among possible  
8 irregularities concerning a mail-in ballot, such as when the intended  
9 recipient of the ballot does not reside at that address or is deceased.  
10 The website would automatically forward each form to the  
11 appropriate county clerk, county board of elections, and county  
12 superintendent of elections, as the case may be, for follow-up. The  
13 bill also requires the secretary to report to the Governor and the  
14 Legislature, no later than January 15 of each year, a summary of the  
15 forms received through the website for the previous calendar year.

16 This bill also establishes the "Vote by Mail Study Commission,"  
17 consisting of the following nine members: (1) the Secretary of State  
18 or a designee, who would serve as chairperson; (2) two county  
19 clerks, who would not be members of the same political party,  
20 appointed by the Governor upon the recommendation of the  
21 Constitutional Officers Association – Clerk Section; (3) one  
22 member representing the county boards of elections and one  
23 member representing the superintendents of elections, who would  
24 not be members of the same political party, appointed by the  
25 Governor upon the recommendation of the New Jersey Election  
26 Officials Association; (4) two members of the Senate to be  
27 appointed, one each, by the President of the Senate and the Senate  
28 Minority Leader; and (5) two members of the General Assembly to  
29 be appointed, one each, by the Speaker of the General Assembly  
30 and the Minority Leader of the General Assembly.

31 The bill directs the commission to investigate, research, and  
32 evaluate irregularities pertaining to the implementation, accuracy,  
33 and integrity of the vote-by-mail process and systems established in  
34 this State. The commission would hold at least three public  
35 hearings, one each in the Northern, Central, and Southern parts of  
36 the State, to receive testimony from the public and elections experts  
37 on matters concerning voting by mail. The commission's inquiries  
38 would include, but may not be limited to: (1) procedures to prevent  
39 the mailing of more than one mail-in ballot to the same person; (2)  
40 measures that may be implemented to prevent the mailing of mail-in  
41 ballots to inactive, deceased, and non-resident voters; (3)  
42 maintenance activities that may be implemented to enhance the  
43 accuracy of the voter rolls and the mail-in voter designation in the  
44 Statewide Voter Registration System; and (4) any other matter  
45 concerning voting by mail the commission deems appropriate.

46 The bill directs the commission to report its findings,  
47 conclusions, and recommendations to the Governor and the  
48 Legislature no later than one year following its first meeting. The  
49 commission would expire upon the submission of its report.