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LAW/RWH

# ASSEMBLY, No. 2564

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 5, 2008

**Sponsored by:**

**Assemblywoman JOAN M. QUIGLEY**

**District 32 (Bergen and Hudson)**

**Assemblyman VINCENT PRIETO**

**District 32 (Bergen and Hudson)**

**Co-Sponsored by:**

**Assemblywoman Watson Coleman, Assemblymen Amodeo, Polistina,  
Senators Scutari and Beck**

**SYNOPSIS**

Prohibits disqualification and replacement of cast absentee ballots because of withdrawal of candidate prior to election day.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/8/2010)**

A2564 QUIGLEY, PRIETO

2

1 AN ACT concerning the validity and replacement of certain absentee  
2 ballots and amending P.L.1953, c.211.

3

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

6

7 1. Section 27 of P.L.1953, c.211 (C.19:57-27) is amended to  
8 read as follows:

9 27. a. No absentee ballot shall be rejected or declared invalid  
10 because it does not contain all of the names of the candidates or all  
11 of the public questions to be voted for or upon in the election  
12 district in the election in which it is to be counted, and any  
13 absentee ballot shall be counted in determining the result of said  
14 election as to any office or public question, if the designation of the  
15 office and the name of the candidate for election to said office or  
16 the answer to such public question are written thereon so as to  
17 indicate the voter's choice, and notwithstanding that such  
18 designation, name or question may be or should have been printed  
19 or such choice indicated upon such military service ballot in the  
20 regular manner.

21 b. No absentee ballot received from an absentee voter for any  
22 election shall be rejected or declared invalid and replaced because  
23 of the withdrawal of any candidate occurring after the ballot is  
24 received from the voter prior to the date of the election in which the  
25 ballot is to be counted.

26 (cf: P.L.1953, c.211, s.27)

27

28 2. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill prohibits the invalidation and replacement of absentee  
34 ballots voted and returned to election officials by civilian and  
35 military absentee voters in any election because of the withdrawal  
36 of any candidate on the ballot. The prohibition would apply if a  
37 candidate withdraws from a race after an absentee voter has cast a  
38 ballot for that candidate but prior to the day of the election in which  
39 the ballot is to be counted.

40 This bill is intended to maintain fairness in the elections process.  
41 Allowing some voters to re-cast their ballots due to a candidate's  
42 withdrawal would be unfair to voters who reside overseas and who  
43 cast military absentee ballots, as these voters may not have the  
44 opportunity to re-cast their ballots in time for an election.

**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.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2564**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 22, 2008

The Assembly State Government Committee reports favorably Assembly Bill No. 2564.

This bill prohibits the invalidation and replacement of absentee ballots voted and returned to election officials by civilian and military absentee voters in any election because of the withdrawal of any candidate on the ballot. The prohibition would apply if a candidate withdraws from a race after an absentee voter has cast a ballot for that candidate but prior to the day of the election in which the ballot is to be counted.

The bill is intended to maintain fairness in the election process. Allowing some voters to re-cast their ballots due to a candidate's withdrawal would be unfair to voters who reside overseas and who cast military absentee ballots, as these voters may not have the opportunity to re-cast their ballots in time for an election.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2564**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 26, 2009

The Senate State Government Committee reports favorably Assembly, No. 2564.

This bill prohibits the invalidation and replacement of absentee ballots voted and returned to election officials by civilian and military absentee voters in any election because of the withdrawal of any candidate on the ballot. The prohibition would apply if a candidate withdraws from a race after an absentee voter has cast a ballot for that candidate but prior to the day of the election in which the ballot is to be counted.

This bill is identical to Senate, No. 2580 of 2009.

# SENATE, No. 2580

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 23, 2009

**Sponsored by:**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Senator JENNIFER BECK**

**District 12 (Mercer and Monmouth)**

**SYNOPSIS**

Prohibits disqualification and replacement of cast absentee ballots because of withdrawal of candidate prior to election day.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/27/2009)**

1 AN ACT concerning the validity and replacement of certain absentee  
2 ballots and amending P.L.1953, c.211.

3

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

6

7 1. Section 27 of P.L.1953, c.211 (C.19:57-27) is amended to  
8 read as follows:

9 27. a. No absentee ballot shall be rejected or declared invalid  
10 because it does not contain all of the names of the candidates or all  
11 of the public questions to be voted for or upon in the election  
12 district in the election in which it is to be counted, and any  
13 absentee ballot shall be counted in determining the result of said  
14 election as to any office or public question, if the designation of the  
15 office and the name of the candidate for election to said office or  
16 the answer to such public question are written thereon so as to  
17 indicate the voter's choice, and notwithstanding that such  
18 designation, name or question may be or should have been printed  
19 or such choice indicated upon such military service ballot in the  
20 regular manner.

21 b. No absentee ballot received from an absentee voter for any  
22 election shall be rejected or declared invalid and replaced because  
23 of the withdrawal of any candidate occurring after the ballot is  
24 received from the voter prior to the date of the election in which the  
25 ballot is to be counted.

26 (cf: P.L.1953, c.211, s.27)

27

28 2. This act shall take effect immediately.

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STATEMENT

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38 ballot for that candidate but prior to the day of the election in which  
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40 This bill is intended to maintain fairness in the elections process.  
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44 opportunity to re-cast their ballots in time for an election.

**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.



SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 2580**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 26, 2009

The Senate State Government Committee reports favorably Senate, No. 2580.

This bill prohibits the invalidation and replacement of absentee ballots voted and returned to election officials by civilian and military absentee voters in any election because of the withdrawal of any candidate on the ballot. The prohibition would apply if a candidate withdraws from a race after an absentee voter has cast a ballot for that candidate but prior to the day of the election in which the ballot is to be counted.

This bill is identical to Assembly, No. 2564 of 2008.