



**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:**

**HEARINGS:**

**NEWSPAPER ARTICLES:**

# SENATE, No. 647

---

## STATE OF NEW JERSEY 218th LEGISLATURE

---

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**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**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning mail-in and sample ballots, amending various  
2 parts of Title 19 of the Revised Statutes, and supplementing  
3 chapter 14 of Title 19 of the Revised Statutes and P.L.2009,  
4 c.79 (C.19:63-1 et seq.).

5

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

8

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

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

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

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

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

31 e. (1) A voter who wishes to vote only by mail-in ballot in all  
32 future **[general]** elections, including general elections, in which the  
33 voter is eligible to vote, and who states that on an application for a  
34 mail-in ballot, shall be furnished such a ballot by the county clerk  
35 without further request on the part of the voter and until the voter  
36 requests that the voter no longer be sent a mail-in ballot. A voter  
37 shall also have the option to indicate on an application for a mail-in  
38 ballot that the voter would like to receive such a ballot for **[each**  
39 **election that takes place during the remainder of the calendar year**  
40 **in which the application is completed and submitted]** future general  
41 elections only. A voter who exercises this option shall be furnished  
42 with a mail-in ballot for each future general election **[that takes**  
43 **place during the remainder of the calendar year]** without further  
44 request by the voter. A person voting by mail-in ballot who

**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.**

1 registered by mail after January 1, 2003, who did not provide  
2 personal identification information when registering pursuant to  
3 section 16 of P.L.1974, c.30 (C.19:31-6.4) and is voting for the first  
4 time in his or her current county of residence following registration  
5 shall include copies of the required identification information with  
6 the mail-in ballot. Failure to include such information with the  
7 mail-in ballot shall result in its rejection.

8 (2) In the event that a voter who has requested a mail-in ballot  
9 for all future elections does not complete and return such a ballot  
10 for canvassing for four consecutive elections following the election  
11 at which the voter last voted, the voter shall be treated as if he or  
12 she requested a mail-in ballot for future general elections only and  
13 shall continue to be furnished with mail-in ballots for future general  
14 elections in accordance with paragraph (3) of this subsection, and  
15 the ability of such a voter to receive a mail-in ballot for future  
16 elections other than general elections shall be suspended until the  
17 voter submits a new application for such a ballot that indicates that  
18 the voter wishes to receive a ballot for all future elections.

19 **[(2)]** (3) In the event that a voter who has requested a mail-in  
20 ballot for **[all]** future general elections only does not complete and  
21 return such a ballot for canvassing for the fourth general election  
22 following the general election at which the voter last voted, the  
23 county clerk shall send a notice to that voter to ascertain whether he  
24 or she continues to reside at the address from which that voter is  
25 registered to vote and continues to be eligible to vote. If the notice  
26 is not completed and returned by the voter to the clerk before the  
27 **[40th]** 45th day prior to the next general election, a mail-in ballot  
28 shall not be sent to the voter for that general election. The ability of  
29 such a voter to receive a mail-in ballot for **[all]** future general  
30 elections only shall be suspended until the voter submits a new  
31 application for such a ballot that indicates that the voter wishes to  
32 receive **[the]** a ballot for **[all]** future general elections only or for  
33 all future elections.

34 **[(3)]** (4) The county clerk shall not transmit a mail-in ballot  
35 for any election to any person who is deemed by a county  
36 commissioner of registration to be an inactive voter or whose  
37 registration file has been transferred to the deleted file pursuant to  
38 R.S.19:31-19.

39 (5) Any mail-in ballot that is sent to a qualified voter and that is  
40 returned to the county clerk for any reason shall be forwarded to the  
41 commissioner of registration, who shall so note the return in the  
42 voter record of that voter.

43 (cf: P.L.2009, c.79, s.3)

44

45 2. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read  
46 as follows:

1       6. a. The county clerk, in the case of any Statewide election,  
2 countywide election, or school election in a regional or other school  
3 district comprising more than one municipality; the municipal clerk,  
4 in the case of any municipal election or school election in a school  
5 district comprising a single municipality; and the commissioners or  
6 other governing or administrative body of the district, in the case of  
7 any election to be held in any fire district or other special district,  
8 other than a municipality, created for specified public purposes  
9 within one or more municipalities, shall publish the following  
10 notice in substantially the following form:

11       NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

12       If you are a qualified and registered voter of the State who wants  
13 to vote by mail in the..... (school, municipal, primary,  
14 general, or other) election to be held on..... (date of election)  
15 **【**complete the application form below and send to the undersigned,  
16 or write or apply in person to the undersigned at once requesting  
17 that a mail-in ballot be forwarded to you. The request must state  
18 your home address and the address to which the ballot should be  
19 sent. The request must be dated and signed with your signature.

20       If any person has assisted you to complete the mail-in ballot  
21 application, the name, address and signature of the assistor must be  
22 provided on the application, and you must sign and date the  
23 application for it to be valid and processed. No person shall serve  
24 as an authorized messenger or as a bearer for more than three  
25 qualified voters in an election. No person who is a candidate in the  
26 election for which the voter requests a mail-in ballot may provide  
27 any assistance in the completion of the ballot or may serve as an  
28 authorized messenger or bearer.

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

34       Voters who want to vote only by mail in all future general  
35 elections in which they are eligible to vote, and who state that on  
36 their application shall, after their initial request and without further  
37 action on their part, be provided a mail-in ballot by the county clerk  
38 until the voter requests that the voter no longer be sent such a  
39 ballot. A voter's failure to vote in the fourth general election  
40 following the general election at which the voter last voted may  
41 result in the suspension of that voter's ability to receive a mail-in  
42 ballot for all future general elections unless a new application is  
43 completed and filed with the county clerk. **】**, the following applies:

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

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

4     No person may serve as an authorized messenger for more than  
5 10 qualified voters in an election.

6     No person who is a candidate in the election for which the voter  
7 requests a mail-in ballot may provide assistance in the completion  
8 of the ballot or serve as an authorized messenger or bearer.

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

13     Voters who want to vote by mail in all future elections will, after  
14 their initial request and without further action on their part, be  
15 provided with a mail-in ballot until the voter requests otherwise.

16     Voters who want to vote only by mail in future general elections  
17 only will, after their initial request and without further action on  
18 their part, be provided with a mail-in ballot until the voter requests  
19 otherwise.

20     A voter's failure to vote in four consecutive elections will result  
21 in the suspension of that voter's ability to receive a mail-in ballot  
22 for future elections, unless a new application is completed and filed  
23 with the county clerk.

24     **【Voters also have the option of indicating on their mail-in ballot**  
25 **applications that they would prefer to receive mail-in ballots for**  
26 **each election that takes place during the remainder of this calendar**  
27 **year. Voters who exercise this option will be furnished with mail-in**  
28 **ballots for each election that takes place during the remainder of**  
29 **this calendar year, without further action on their part.】**

30     Application forms may be obtained by applying to the  
31 undersigned either in writing or by telephone, or the application  
32 form provided below may be completed and forwarded to the  
33 undersigned.

34     Dated.....  
35 .....  
36         (signature and title of county clerk)  
37 .....  
38         (address of county clerk)  
39 .....  
40         (telephone no. of county clerk)

41     b. (1) The Secretary of State shall be responsible for providing  
42 all information regarding overseas ballots to each overseas voter  
43 eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et  
44 seq.). The secretary shall also make available valid overseas voter  
45 registration and ballot applications to any voter who is a member of  
46 the armed forces of the United States and who is a permanent  
47 resident of this State, or who is an overseas voter who wishes to  
48 register to vote or to vote in any jurisdiction in this State. The

1 secretary shall provide such public notice as may be deemed  
2 necessary to inform members of the armed forces of the United  
3 States and overseas voters how to obtain valid overseas voter  
4 registration and ballot applications.

5 (2) The Secretary of State shall undertake a program to inform  
6 voters in this State about their eligibility to vote by mail pursuant to  
7 this act. Dissemination of this information shall be included in the  
8 standard notices required by this section and other provisions of  
9 current law, including but not limited to the notice requirements of  
10 R.S.19:12-7, and shall be effectuated by such means as the secretary  
11 deems appropriate and to the extent that funds for such  
12 dissemination are appropriated including, but not limited to, by  
13 means of Statewide or local electronic media, public service  
14 announcements broadcast by such media, notices on the Internet site  
15 of the Department of State or any other department or agency of the  
16 Executive Branch of State government or its political subdivisions  
17 deemed appropriate by the secretary, and special mailings or notices  
18 in newspapers or other publications circulating in the counties or  
19 municipalities of this State.

20 c. The mail-in ballot materials shall contain a notice that any  
21 person voting by mail-in ballot who has registered by mail after  
22 January 1, 2003, who did not provide personal identification  
23 information when registering and is voting for the first time in his  
24 or her current county of residence following registration shall  
25 include copies of the required identification information with the  
26 mail-in ballot, and that failure to include such information shall  
27 result in the rejection of the ballot.

28 d. The notice provided for in subsection a. of this section shall  
29 be published before the 55th day immediately preceding the holding  
30 of any election.

31 Notices relating to any Statewide or countywide election shall be  
32 published in at least two newspapers published in each county. All  
33 officials charged with the duty of publishing such notices shall  
34 publish the same in at least one newspaper published in each  
35 municipality or district in which the election is to be held, or if no  
36 newspaper is published in the municipality or district, then in a  
37 newspaper published in the county and circulating in the  
38 municipality or district. All such notices shall be display  
39 advertisements.

40 (cf: P.L.2015, c.84, s.2)

41

42 3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to  
43 read as follows:

44 16. a. The Secretary of State shall cause to be prepared and  
45 shall provide to each county commissioner of registration forms of  
46 size and weight suitable for mailing, which shall require the  
47 information required by R.S.19:31-3 in substantially the following  
48 form:

1 VOTER REGISTRATION APPLICATION

2 Print clearly in ink. Use ballpoint pen or marker.

3 (1) This form is being used as: **[(check one)]**:

4 New registration

5 Address change

6 Name change

7  Vote by mail in future elections

8 (2) Name:.....

9 Last First Middle

10 (3) Are you a citizen of the United States of America?YesNo

11 (4) Will you be 18 years of age on or before election  
12 day?Yes No

13 If you checked 'No' in response to either of these questions, do  
14 not complete this form.

15 (5) Street Address where you live:

16 .....

17 Street Address Apt. No.

18 .....

19 (6) City or Town County Zip Code

20 (7) Address Where You Receive Your Mail (if different from  
21 above):

22 .....

23 (8) Date of Birth:

24 .....

25 Month Day Year

26 (9) (a) Telephone Number (optional).....

27 (b) E-Mail Address (optional).....

28 (10) Name and address of Your Last Voter Registration

29 .....

30 .....

31 .....

32 (11)If you are registering by mail to vote and will be voting for  
33 the first time in your current county of residence, please provide  
34 one of the following:

35 (a) your New Jersey driver's license  
36 number:.....

37 (b) the last four digits of your Social Security  
38 Number.....

39 OR submit with this form a copy of any one of the following  
40 documents: a current and valid photo identification card; a current  
41 utility bill, bank statement, government check, pay check or any  
42 other government or other identifying document that shows your  
43 name and current address. If you do not provide either your New  
44 Jersey driver's license number or the last four digits of your Social  
45 Security Number, or enclose a copy of one of the documents listed  
46 above, you will be asked for identification when voting for the first  
47 time, unless you are exempt from doing so under federal or State  
48 law.

1 (12) Do you wish to declare a political party affiliation?  
2 (Optional):

3  YES. Name of Party:

4  NO. I do not wish to declare a political party affiliation  
5 at this time.

6 (13) You may choose to receive ballots to vote by mail in future  
7 elections by selecting either option listed below. YOU ARE NOT  
8 REQUIRED TO CHOOSE EITHER OPTION.

9  I wish to receive a Mail-in Ballot for all future elections,  
10 until I request otherwise.

11  I wish to receive a Mail-in Ballot for all future general  
12 elections only, until I request otherwise.

13 **[(13)](14) Declaration - I swear or affirm that:**

14 I am a U.S. citizen.

15 I live at the above address.

16 I will be at least 18 years old on or before the day of the next  
17 election.

18 I am not on parole, probation or serving a sentence due to a  
19 conviction for an indictable offense under any federal or State laws.

20 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
21 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
22 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH  
23 PURSUANT TO R.S.19:34-1.

24 .....  
25 Signature or mark of the registrant Date

26 **[(14)](15) If applicant is unable to complete this form, print the**  
27 **name and address of individual who completed this form.**

28 .....  
29 Name

30 .....  
31 Address

32 The form shall state in an appropriate location: "This form shall  
33 not be used if an applicant requires the assistance of another person  
34 to complete a mail-in ballot or to return a completed mail-in ballot  
35 to the county board of elections, pursuant to section 16 of P.L.2009,  
36 c.79 (C.19:63-16)."

37 In addition, the form may include notice to the applicant of  
38 information and options relating to the registration and voting  
39 process, including but not limited to notice of qualifications  
40 required of a registered voter; notice of the final day by which a  
41 person must be registered to be eligible to vote in an election;  
42 notice of the effect of a failure to provide required identification  
43 information; a place at which the applicant may indicate availability  
44 for service as a member of the district board of elections; a place at  
45 which the applicant may indicate whether he or she requires a  
46 polling place which is accessible to individuals with disabilities and  
47 the elderly or whether he or she is legally blind; a place at which  
48 the applicant may indicate a desire to receive additional information

1 concerning **【absentee】** voting by mail; and if the application  
2 indicates a political party affiliation, the voter is permitted to vote  
3 in the primary election of a political party other than the political  
4 party in which the voter was affiliated previously only if the voter  
5 registration form with the change of political party affiliation is  
6 filed prior to the 50th day next preceding the primary election. The  
7 form may also include a space for the voter registration agency to  
8 record whether the applicant registered in person, by mail or by  
9 other means.

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

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

21 d. The commissioner of registration shall furnish such  
22 registration forms upon request in person to any person or  
23 organization in such reasonable quantities as such person or  
24 organization shall request. The commissioner shall furnish no  
25 fewer than two such forms to any person upon request by mail or by  
26 telephone.

27 e. Each such registration form shall have annexed thereto  
28 instructions specifying the manner and method of registration, and  
29 the vote by mail options specified on the form, and stating the  
30 qualifications for an eligible voter.

31 f. The Secretary of State shall also furnish such registration  
32 forms and such instructions to the Director of the Division of  
33 Workers' Compensation, the Director of the Division of  
34 Employment Services, and the Director of the Division of  
35 Unemployment and Temporary Disability Insurance in the  
36 Department of Labor and Workforce Development; to the Director  
37 of the Division of Taxation in the Department of the Treasury; to  
38 the Executive Director of the New Jersey Transit Corporation; to  
39 the appropriate administrative officer of any other public agency, as  
40 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-  
41 6.3); to the Adjutant General of the Department of Military and  
42 Veterans' Affairs; and to the chief administrative officer of any  
43 voter registration agency, as defined in subsection a. of section 26  
44 of P.L.1994, c.182 (C.19:31-6.11).

45 g. All registration forms received by the Secretary of State in  
46 the mail or forwarded to the Secretary of State shall be forwarded to  
47 the commissioner of registration in the county of the registrant and  
48 to the county clerk if the vote by mail option is selected on a form.

1 h. An application to register to vote received from the New  
2 Jersey Motor Vehicle Commission or a voter registration agency, as  
3 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-  
4 6.11), shall be deemed to have been timely made for the purpose of  
5 qualifying an eligible applicant as registered to vote in an election if  
6 the date on which the commission or agency shall have received  
7 that document in completed form, as indicated in the lower right  
8 hand corner of the form, was not later than the 21st day preceding  
9 that election.

10 i. Each commissioner of registration shall make note in the  
11 permanent registration file of each voter who is required to provide  
12 the personal identification information required pursuant to this  
13 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-  
14 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of  
15 identification provided by the voter and the date on which it is  
16 provided. Prior to the June 2004 primary election, when such a  
17 newly registered voter seeks to vote for the first time following his  
18 or her registration, the voter will be required to provide such  
19 personal identification information. Beginning with the June 2004  
20 primary election, when such a newly registered voter seeks to vote  
21 for the first time following his or her registration, the voter will not  
22 be required to provide such information if he or she had previously  
23 provided the personal identification information required pursuant  
24 to this section. The required information shall be collected and  
25 stored for the time and in the manner required pursuant to  
26 regulations promulgated by the Secretary of State.

27 j. The Secretary of State shall amend the voter registration  
28 application form if necessary to conform to the requirements of  
29 applicable federal or State law.

30 k. In the event that the name of any political party entered on  
31 the voter registration form by a voter who wishes to declare a  
32 political party affiliation is not legible, the commissioner of  
33 registration shall mail the voter a political party declaration form  
34 and a letter explaining that the voter's choice was not understood  
35 and that the voter should complete and return the declaration form  
36 in order to be affiliated with a party.

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

38  
39 4. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to  
40 read as follows:

41 1. a. There shall be established in the Department of State a  
42 single Statewide voter registration system, as required pursuant to  
43 section 303 of the federal "Help America Vote Act of 2002,"  
44 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer  
45 components of the system shall be under the direct control of the  
46 Secretary of State. The Secretary of State shall be responsible for  
47 creating the network necessary to maintain the system and  
48 providing the computer software, hardware and security necessary

1 to ensure that the system is accessible only to those executive  
2 departments and State agencies so designated by the Secretary of  
3 State, each county commissioner of registration, each county and  
4 municipal clerk, and individuals under certain circumstances, as  
5 provided for by this section. The system shall be the official State  
6 repository for voter registration information for every legally  
7 registered voter in this State, and shall serve as the official voter  
8 registration system for the conduct of all elections in the State.

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

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

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

15 (3) interactivity among appropriate State agencies so designated  
16 by the Secretary of State, each county commissioner of registration,  
17 each county board of elections, and each county clerk such that  
18 these entities shall have immediate electronic access to all or  
19 selected records in the system, as determined by the Secretary of  
20 State, to receive or transmit all or selected files in the system and to  
21 print or review all or selected files in the system;

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

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

28 (6) the ability to permit an individual, by July 1, 2006, to verify  
29 via the Internet whether that individual, and only that individual, is  
30 included in the system as a legally registered voter, whether the  
31 information pertaining to that individual required by subsection c.  
32 of this section is correct, and if not, a means to notify the pertinent  
33 county commissioner of registration of the corrections that must be  
34 made and to so verify in a way that does not give one individual  
35 access to the information required by subsection c. of this section  
36 for any other individual;

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

40 (8) the ability to record and monitor all requests for mail-in  
41 ballots; to enable the county clerk to verify the identity and  
42 signature of each person requesting a mail-in ballot; to record the  
43 name and address of each voter determined to be eligible to receive  
44 a mail-in ballot for a particular election and to note when a mail-in  
45 ballot has been transmitted to that voter by mail or hand delivery; to  
46 update the system to allow the postal tracking of mail-in ballots  
47 using Intelligent Mail barcodes, or a similar successor tracking  
48 system; and to make such information available to the Secretary of

1 State so that a voter can be notified whether the application for such  
2 a ballot was accepted or rejected, and the reason for the rejection,  
3 using the free-access system established by section 5 of P.L.2004,  
4 c.88 (C.19:61-5); and  
5 (9) any other functions required pursuant to Pub.L.107-252 (42  
6 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that  
7 may be deemed necessary by the Secretary of State.  
8 c. The Statewide voter registration system shall include, but  
9 not be limited to, the following information for every legally  
10 registered voter in this State:  
11 (1) last, first and middle name;  
12 (2) street address at time of registration or rural route, box  
13 number or apartment number, if any;  
14 (3) city or municipality, and zip code;  
15 (4) date of birth;  
16 (5) telephone number and e-mail address, if provided on voter  
17 registration form;  
18 (6) previous name or address if individual re-registered due to  
19 change of name or address;  
20 (7) ward and election district number, if either is available;  
21 (8) (a) current and valid New Jersey driver's license number; or  
22 (b) if the registrant has not been issued a New Jersey driver's  
23 license number, the last four digits of the registrant's social security  
24 number; or  
25 (c) unique identifying number for any individual who has not  
26 been issued the information sought in subparagraph (a) or (b) of this  
27 paragraph;  
28 (9) notation that a copy of one of the following documents has  
29 been submitted with the voter registration application, if required:  
30 current and valid photo identification card; a current utility bill,  
31 bank statement, government check, pay check or any other  
32 government document showing the registrant's name and current  
33 address;  
34 (10) the method by which the individual registered and whether  
35 that person needs to provide additional identification information to  
36 vote using a voting machine instead of a provisional ballot;  
37 (11) political party affiliation, if designated;  
38 (12) digitalized signature;  
39 (13) date of registration or re-registration;  
40 (14) name and street address of the individual assisting in the  
41 completion of the form, if the applicant for registration is unable to  
42 do so;  
43 (15) voting participation record for ten-year period; and  
44 (16) any other information required pursuant to Pub.L.107-252  
45 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or  
46 that the Secretary of State determines is necessary to assess the  
47 eligibility of an individual to be registered to vote and to vote in

1 this State.  
2 (cf: P.L.2009, c.287, s.2)

3  
4 5. Section 5 of P.L.2009, c.79 (C.19:63-5) is amended to read  
5 as follows:

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

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

14 In the case of voter registration forms that include a selected vote  
15 by mail option, a copy of each such form shall be transmitted to and  
16 received by the appropriate county clerk, who shall be responsible  
17 for providing mail-in ballots to each qualified voter requesting such  
18 ballots for the future elections indicated on the voter registration  
19 form, until the voter requests otherwise.

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

21  
22 6. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to  
23 read as follows:

24 13. a. On the margin of the flap on the inner envelopes to be  
25 sent to mail-in voters there shall be printed a certificate in the  
26 following form:

27 CERTIFICATE OF MAIL-IN VOTER

28 I, ....., whose home address is .....

29 (print your name clearly) (street

30 ....., DO HEREBY CERTIFY,

31 address or R.D. number) (municipality) **【Subject】** subject to the  
32 penalties for fraudulent voting, that I am the person who applied for  
33 the enclosed ballot. I MARKED AND SEALED THIS BALLOT  
34 AND CERTIFICATE IN SECRET. However, a family member  
35 may assist me in doing so.

36 .....

37 (signature of voter)

38 Any person providing assistance shall complete the following:

39 I do hereby certify that I am the person who provided assistance  
40 to this voter and declare that I will maintain the secrecy of this  
41 ballot.

42 .....

43 (signature of person providing  
44 assistance)

45 .....

46 (printed name of person providing  
47 assistance)

48 .....

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

.....  
(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.

.....  
(signature of person providing  
assistance)

.....  
(printed name of person  
providing assistance)

.....  
(address of person providing  
assistance)

c. The clerk of each county shall be permitted to affix to the margin of the flap on the inner envelope of the mail-in ballot transmitted thereby to a mail-in ballot voter an alternative certificate, substantially similar to the certificate provided for by subsection a. or b. of this section, that permits the voter to certify the correctness of the voter's name, street, mailing address or R.D. number, and municipality as it appears on the label of the mail-in ballot received by the voter.

(cf: P.L.2011, c.134, s.53)

7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to read as follows:

20. a. Any person who has applied for a mail-in ballot and has had the mail-in ballot either delivered in person or forwarded by mail, and voted and returned the voted ballot to the county board,

1 shall not be permitted to vote in person at the polling place in the  
2 voter's election district on the day of the election.

3 b. Any person who: (1) has applied for a mail-in ballot and not  
4 received either the ballot or an explanation for not receiving such a  
5 ballot pursuant to notification by the county clerk or from the free-  
6 access system established pursuant to section 5 of P.L.2004, c.88  
7 (C.19:61-5) to provide such information; **【or】** (2) has applied for  
8 and received a mail-in ballot and has not transmitted it to the county  
9 board of elections or given it to a bearer for delivery to the county  
10 board before the time for the opening of the polls on the day of an  
11 election; or (3) has applied for and received a mail-in ballot and has  
12 not transmitted it to the county board of elections or given it to the  
13 bearer for delivery to the county board, but appears at the polling  
14 place without the ballot and wishes to vote, shall be permitted to  
15 vote in person by provisional ballot at the polling place in the  
16 voter's election district on the day of the election.

17 (cf: P.L.2009, c.79, s.20)

18

19 8. (New section) Notwithstanding the provisions of R.S.19:14-  
20 25 or R.S.19:23-30 to the contrary, the sample ballot for a general  
21 election, or any other election, shall not be mailed to any qualified  
22 voter who has been sent a mail-in ballot for that election, pursuant  
23 to section 3 of P.L.2009, c.79 (C.19:63-3).

24

25 9. This act shall take effect on the January 1 next following the  
26 day of enactment.

27

28

29

#### STATEMENT

30

31 This bill changes current law to enable a registered voter to vote  
32 by mail-in ballot in all future elections or for future general  
33 elections only. The bill also provides that, if a voter who requested  
34 a mail-in ballot for all future elections does not vote by such means  
35 in four consecutive elections, the voter will receive a mail-in ballot  
36 for future general elections only and the ability of the voter to  
37 receive a mail-in ballot for all other elections would be suspended  
38 until the voter submits a new application indicating that the voter  
39 wishes to vote in all future elections.

40 Under current law, a registered voter can choose to vote by mail-  
41 in ballot in all future general elections, until the voter notifies the  
42 county clerk that the voter no longer wishes to do so, or unless the  
43 voter fails to vote in the fourth general election following the  
44 general election in which the voter last voted. Current law also  
45 gives the registered voter who applies for a mail-in ballot the option  
46 to receive a mail-in ballot for each election occurring in the  
47 remainder of that calendar year.

1 Current law provides that if a voter who has requested a mail-in  
2 ballot for future general elections only does not vote in the fourth  
3 general election following the general election at which the voter  
4 last voted, the county clerk will send a notice to that voter to  
5 ascertain whether he or she continues to reside at the address from  
6 which that voter is registered to vote. The bill provides that if the  
7 notice is not completed and returned before the next subsequent  
8 general election, a mail-in ballot will not be sent to the voter for  
9 that general election. The ability of such a voter to receive a mail-  
10 in ballot for future general elections only would be suspended until  
11 the voter submits a new application for such a ballot that indicates  
12 that the voter wishes to receive a mail-in ballot for all future  
13 elections, or for future general elections only.

14 Finally, the bill: 1) provides that a sample ballot for an election  
15 would not be sent to any qualified voter who has applied for and has  
16 been sent a mail-in ballot for that election; 2) requires the Secretary  
17 of State to update the Statewide Voter Registration System to allow  
18 the postal tracking of mail-in ballots using Intelligent Mail  
19 barcodes, or a similar successor tracking system; 3) reformats the  
20 text of the required public notice concerning the use of mail-in  
21 ballots that appears in newspapers before an election; and 4)  
22 permits the clerk of each county to use an alternative mail-in ballot  
23 certification that permits the voter to certify the correctness of the  
24 identifying information contained on the label of the ballot instead  
25 of requiring the voter to provide the voter's name and address on  
26 the certification.

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.

1 c.30 (C.19:31-6.4) and is voting for the first time in his or her  
2 current county of residence following registration shall include  
3 copies of the required identification information with the mail-in  
4 ballot. Failure to include such information with the mail-in ballot  
5 shall result in its rejection.

6 (2) **【**In the event that a voter who has requested a mail-in ballot  
7 for all general elections does not complete and return such a ballot  
8 for canvassing for the fourth general election following the general  
9 election at which the voter last voted, the county clerk shall send a  
10 notice to that voter to ascertain whether he or she continues to  
11 reside at the address from which that voter is registered to vote and  
12 continues to be eligible to vote. If the notice is not completed and  
13 returned by the voter to the clerk before the 40th day prior to the  
14 next general election, a mail-in ballot shall not be sent to the voter  
15 for that election. The ability of such a voter to receive a mail-in  
16 ballot for all future general elections shall be suspended until the  
17 voter submits a new application for such a ballot that indicates that  
18 the voter wishes to receive the ballot for all future general elections.

19 (3)**】** The county clerk shall not transmit a mail-in ballot for any  
20 election to any person who **【**is deemed by a county commissioner of  
21 registration to be an inactive voter**】** : (a) notifies the clerk in writing  
22 that the person no longer wishes to receive such a ballot for any  
23 election; or (b) is no longer eligible to vote and whose registration  
24 file has been transferred to the deleted file pursuant to R.S.19:31-  
25 19.

26 (3) Any mail-in ballot that is sent to a qualified voter and that is  
27 returned to the county clerk for any reason shall be forwarded to the  
28 commissioner of registration, who shall so note the return in the  
29 voter record of that voter.

30 (cf: P.L.2009, c.79, s.3)

31

32 2. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read  
33 as follows:

34 6. a. The county clerk, in the case of any Statewide election,  
35 countywide election, or school election in a regional or other school  
36 district comprising more than one municipality; the municipal clerk,  
37 in the case of any municipal election or school election in a school  
38 district comprising a single municipality; and the commissioners or  
39 other governing or administrative body of the district, in the case of  
40 any election to be held in any fire district or other special district,  
41 other than a municipality, created for specified public purposes  
42 within one or more municipalities, shall publish the following  
43 notice in substantially the following form:

44 NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

45 If you are a qualified and registered voter of the State who wants  
46 to vote by mail in the..... (school, municipal, primary,  
47 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

1 January 1, 2003, who did not provide personal identification  
2 information when registering and is voting for the first time in his  
3 or her current county of residence following registration shall  
4 include copies of the required identification information with the  
5 mail-in ballot, and that failure to include such information shall  
6 result in the rejection of the ballot.

7 d. The notice provided for in subsection a. of this section shall  
8 be published before the 55th day immediately preceding the holding  
9 of any election.

10 Notices relating to any Statewide or countywide election shall be  
11 published in at least two newspapers published in each county. All  
12 officials charged with the duty of publishing such notices shall  
13 publish the same in at least one newspaper published in each  
14 municipality or district in which the election is to be held, or if no  
15 newspaper is published in the municipality or district, then in a  
16 newspaper published in the county and circulating in the  
17 municipality or district. All such notices shall be display  
18 advertisements.

19 (cf: P.L.2015, c.84, s.2)

20

21 3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to  
22 read as follows:

23 16. a. The Secretary of State shall cause to be prepared and  
24 shall provide to each county commissioner of registration forms of  
25 size and weight suitable for mailing, which shall require the  
26 information required by R.S.19:31-3 in substantially the following  
27 form:

28 VOTER REGISTRATION APPLICATION

29 Print clearly in ink. Use ballpoint pen or marker.

30 (1) This form is being used as: **[(check one)]**:

31 New registration

32 Address change

33 Name change

34 (2) Name:.....

35 Last First Middle

36 (3) Are you a citizen of the United States of America?YesNo

37 (4) Will you be 18 years of age on or before election  
38 day?Yes No

39 If you checked 'No' in response to either of these questions, do  
40 not complete this form.

41 (5) Street Address where you live:

42 .....

43 Street Address Apt. No.

44 .....

45 (6) City or Town County Zip Code

46 (7) Address Where You Receive Your Mail (if different from  
47 above):

48 .....

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 Name

3 .....

4 Address

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

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

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

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

42 d. The commissioner of registration shall furnish such  
43 registration forms upon request in person to any person or  
44 organization in such reasonable quantities as such person or  
45 organization shall request. The commissioner shall furnish no  
46 fewer than two such forms to any person upon request by mail or by  
47 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:

1 13. a. On the margin of the flap on the inner envelopes to be  
2 sent to mail-in voters there shall be printed a certificate in the  
3 following form:

4 CERTIFICATE OF MAIL-IN VOTER

5 I, ....., whose home address is .....

6 (print your name clearly) (street

7 ....., DO HEREBY CERTIFY,

8 address or R.D. number) (municipality) **【Subject】** subject to the  
9 penalties for fraudulent voting, that I am the person who applied for  
10 the enclosed ballot. I MARKED AND SEALED THIS BALLOT  
11 AND CERTIFICATE IN SECRET. However, a family member  
12 may assist me in doing so.

13 .....

14 (signature of voter)

15 Any person providing assistance shall complete the following:

16 I do hereby certify that I am the person who provided assistance  
17 to this voter and declare that I will maintain the secrecy of this  
18 ballot.

19 .....

20 (signature of person providing  
21 assistance)

22 .....

23 (printed name of person providing  
24 assistance)

25 .....

26 .....

27 (address of person providing  
28 assistance)

29 b. On the margin of the flap on the inner envelope forwarded  
30 with any mail-in ballot intended to be voted in any primary election  
31 for the general election, as the case may be, there shall be printed a  
32 certificate in the following form:

33 CERTIFICATE OF MAIL-IN VOTER

34 I, ....., whose home address is.....

35 (print your name clearly) (street address or R.D.  
36 number) (municipality)

37 ....., DO HEREBY CERTIFY,

38 subject to the penalties for fraudulent voting, that I am the person  
39 who applied for the enclosed ballot for the primary election. I  
40 MARKED AND SEALED THIS BALLOT AND CERTIFICATE  
41 IN SECRET. However, a family member may assist me in doing  
42 so.

43 .....

44 (signature of voter)

45 Any person providing assistance shall complete the following:

46 I do hereby certify that I am the person who provided assistance  
47 to this voter and declare that I will maintain the secrecy of this  
48 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)

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)

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.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 647**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 1, 2018

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Committee Substitute for Senate, No. 647.

This committee substitute changes current law to enable a registered voter to vote by mail-in ballot in all future elections. The bill also provides that a person who requested a mail-in ballot for all future elections, including future general elections, will continue to receive a mail-in ballot for such elections until the person notifies the appropriate county clerk in writing that the person no longer wishes to receive such a ballot, or is no longer eligible to vote.

Current law provides that if a voter who has requested a mail-in ballot for future general elections only does not vote in the fourth general election following the general election at which the voter last voted, the county clerk will 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.

The substitute also:

1) provides that a sample ballot for an election would not be mailed to any voter who has been sent a mail-in ballot for that election and whose voted ballot has been received by the county board of elections prior to the transmission of sample ballots to voters required by current law;

2) permits a county board to send an acknowledgement to a voter when his or her mail-in ballot has been received;

3) requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable;

4) reformats the text of the required public notice concerning the use of mail-in ballots that appears in newspapers before an election;

5) permits the clerk of each county to use an alternative mail-in ballot certification that permits the voter to certify the correctness of the identifying information contained on the label of the ballot

instead of requiring the voter to provide the voter's name and address on the certification;

6) provides that every mail-in ballot that bears a postmark date of the day of an election and that is received within 48 hours after the time of the closing of the polls for that election is to be considered valid and canvassed;

7) adds two days to the deadline by which county and State canvassers boards must meet after an election, a recount may be requested, and a petition challenging any nomination or election to elective office may be filed; and

8) provides that clerk of each county must add to the list of registered voters receiving a mail-in ballot for all future elections without further request each voter in the county who requested and received a mail-in ballot for the 2016 general election. Each voter so added would have the option to inform the clerk in writing that the voter does not wish to receive a mail-in ballot automatically for all future elections. The county clerks are to transmit to such voters a notice that he or she will automatically receive a mail-in ballot for all future elections unless the voter informs the clerk in writing that he or she does not wish to receive such a ballot.

The substitute would take effect immediately if an election is to occur more than 30 days prior to its effective date, except that if the substitute becomes operative less than 30 days before the day of an election, it would instead take effect on the day following that election.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 647**

with committee amendments

# STATE OF NEW JERSEY

DATED: FEBRUARY 15, 2018

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 647 (SCS), with committee amendments.

As amended, this bill changes current law to enable a qualified voter to vote by mail-in ballot in all future elections. The bill also provides that a voter who requested a mail-in ballot for all future elections, including future general elections, will continue to receive a mail-in ballot for such elections until the voter notifies the appropriate county clerk in writing that he or she no longer wishes to receive such a ballot, or is no longer eligible to vote.

Current law provides that if a voter who has requested a mail-in ballot for future general elections only does not vote in the fourth general election following the general election at which the voter last voted, the county clerk will 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.

The bill also:

1) provides that a sample ballot for an election would not be mailed to any voter who has been sent a mail-in ballot for that election and whose voted ballot has been received by the county board of elections prior to the transmission of sample ballots to voters required by current law;

2) permits a county board to send an acknowledgement to a voter when his or her mail-in ballot has been received;

3) requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable;

4) reformats the text of the required public notice concerning the use of mail-in ballots that appears in newspapers before an election;

5) permits the clerk of each county to use an alternative mail-in ballot certification that permits the voter to certify the correctness of the identifying information contained on the label of the ballot instead

of requiring the voter to provide the voter's name and address on the certification;

6) provides that every mail-in ballot that bears a postmark date of the day of an election and that is received within 48 hours after the time of the closing of the polls for that election is to be considered valid and canvassed;

7) adds two days to the deadline by which county and State canvassers boards must meet after an election, a recount may be requested, and a petition challenging any nomination or election to elective office may be filed; and

8) provides that the clerk of each county must add to the list of registered voters receiving a mail-in ballot for all future elections without further request each voter in the county who requested and received a mail-in ballot for the 2016 general election. Each voter so added would have the option to inform the clerk in writing that the voter does not wish to receive a mail-in ballot automatically for all future elections. The county clerks are to transmit to each such voter a notice that he or she will automatically receive a mail-in ballot for all future elections unless the voter informs the clerk in writing that he or she does not wish to receive such a ballot.

#### COMMITTEE AMENDMENTS:

Amendments have been adopted for the bill to:

1) reformat existing law so that at the top of a vote by mail ballot application, the first option a qualified voter will have is to vote in all future elections, including general elections, and the second option a qualified voter will have is to vote in any single election held in this State;

2) continue to provide that the county clerk cannot 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;

3) fix an error in the bill that presents as current law the option for a person registering to vote to be able to request a mail-in ballot for all future elections, and make that option an amendment to current law;

4) delete proposed language for the voter registration form that prohibits its use by applicants requiring the assistance of another person to complete a mail-in ballot or to return a completed mail-in ballot to a county board of elections;

5) provide that any registration form received by a commissioner of registration is to be forwarded to the clerk of the county of the registrant if the vote by mail option is selected;

6) include on the certificate of a mail-in ballot used in a primary election a space to allow the voter to fill-in the name of the political party;

7) permit the clerk of each county to print on the margin of the flap of the inner envelope of the mail-in ballot an alternative certificate that

permits the voter to certify the correctness of the voter's name and address;

8) clarify that a county clerk is not required to send a sample ballot to a voter who has been sent a mail-in ballot and whose voted ballot has been received; and

9) provide that the bill would take effect immediately if an election is to occur more than 60 days prior to the day the bill would take effect, except that: 1) if the bill would become effective less than 60 days before the day of an election, it would take effect immediately but remain inoperative until the day following that election; and 2) the provisions of the bill that are the responsibility of the Secretary of State are to take effect immediately and are to be completed within seven business days following the effective date. The bill also provides that a county clerk may implement any or all provisions of the bill that are the responsibility of the clerk immediately following its effect date, notwithstanding the operative date, if the clerk determines that such implementation is practical, and requires the clerk to inform the county board of elections of his or her determination as soon as possible after the determination is made.

**FISCAL IMPACT:**

The Office of Legislative Services (OLS) believes that the fiscal impact of this bill is indeterminate, and notes that if the bill is enacted, it is likely that there will be an increase in the number of mail-in ballots sent to voters for future elections, but there will also be a reduction in the number of sample ballots produced, mailed, and returned as undeliverable, so that the cost or saving associated with the bill will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county. The OLS also notes that because the bill requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, there may be an increase in expenditures by the Secretary of State to cover this cost.

**LEGISLATIVE FISCAL ESTIMATE**  
 [First Reprint]  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE, No. 647**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: FEBRUARY 28, 2018

**SUMMARY**

- Synopsis:** Permits registered voters to receive mail-in ballots automatically for all elections under certain conditions.
- Type of Impact:** Indeterminate expenditure increase to State General fund.  
 Indeterminate expenditure increase and decrease to local government funds.
- Agencies Affected:** Department of State, Division of Elections; County Clerks Offices; County Boards of Elections.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost</b>		Indeterminate—See comments below	
<b>Local Cost</b>		Indeterminate—See comments below	
<b>Local Savings</b>		Indeterminate—See comments below	

- This bill changes current law to provide that a registered voter can choose to vote by mail-in ballot in all future elections, including general elections, held in this State.
- This bill provides that a sample ballot for an election would not be sent to any qualified voter who has been sent a mail-in ballot for an election and whose voted ballot has been received by the county board of elections.
- The Office of Legislative Services (OLS) estimates that if this bill is enacted, it is likely that there will be an increase in the number of mail-in ballots sent for all future elections, but there will also be a reduction in the number of sample ballots produced, mailed, and returned as undeliverable, so the associated costs or savings will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county.
- This bill also makes administrative changes to current law, which may result in fiscal consequences for the county clerks and the county boards of elections.



- The bill requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, which may result in an increased expenditure by the Secretary of State.
- The bill requires each county clerk to add to the list of registered voters receiving a mail-in ballot for all future elections without request, each voter who requested a mail-in ballot for the 2016 general election, and requires the clerk to transmit to each such voter a notice informing the voter that he or she will automatically receive a mail-in ballot unless the voter informs the clerk otherwise, which may result in an increased expenditure by each county clerk.

## **BILL DESCRIPTION**

This bill changes current law to enable a qualified voter to vote by mail-in ballot in all future elections. The bill also provides that a voter who requested a mail-in ballot for all future elections, including future general elections, will continue to receive a mail-in ballot for such elections until the voter notifies the appropriate county clerk in writing that he or she no longer wishes to receive such a ballot, or is no longer eligible to vote.

Current law provides that if a voter who has requested a mail-in ballot for future general elections only does not vote in the fourth general election following the general election at which the voter last voted, the county clerk will 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.

The bill also:

1) provides that a sample ballot for an election would not be mailed to any voter who has been sent a mail-in ballot for that election and whose voted ballot has been received by the county board of elections prior to the transmission of sample ballots to voters required by current law;

2) requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable;

3) reformats the text of the required public notice concerning the use of mail-in ballots that appears in newspapers before an election;

4) permits the clerk of each county to use an alternative mail-in ballot certification that permits the voter to certify the correctness of the identifying information contained on the label of the ballot instead of requiring the voter to provide the voter's name and address on the certification; and

8) adds to the list of registered voters receiving a mail-in ballot for all future elections without further request, each voter who requested and received a mail-in ballot for the 2016 general election. The county clerks are to transmit to each such voter a notice that he or she will automatically receive a mail-in ballot for all future elections unless the voter otherwise informs the clerk.

In addition, amended bill:

1) reformats existing law so that at the top of a vote by mail ballot application, the first option a qualified voter will have is to vote in all future elections, including general elections, and the second option a qualified voter will have is to vote in any single election held in this State;

2) includes on the certificate of a mail-in ballot used in a primary election a space to allow the voter to fill-in the name of the political party; and

3) permits the clerk of each county to print on the margin of the flap of the inner envelope of the mail-in ballot an alternative certificate that permits the voter to certify the correctness of the voter's name and address.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that there will be an increase in the number of mail-in ballots sent for all future elections, including general elections, pursuant to the provisions of this bill, but there will also be a reduction in the number of sample ballots produced, mailed and returned as undeliverable. Thus, the associated costs or savings will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county. The exact amount of money that would be expended on mail-in ballots, and the amount of money saved on sample ballots, would likely vary from county to county and cannot be estimated at this time due to a lack of information.

With respect to mail-in ballots, OLS estimates that the bill could potentially increase the number of mail-in ballots that would be requested, thus adding to the costs of the county clerks and the county boards of elections for the ballot's production, mailing, and processing upon return. Determining the number of additional ballots needed is difficult, with perhaps more requested for general elections than all other elections, as general elections tend to result in the largest number of voters voting.

The OLS notes that the bill also makes administrative changes to current law, which may have fiscal consequences. One potential cost-saving change is the reformatting of the text of the required public advertisement concerning the use of mail-in ballots that appears in newspapers before an election. The reformatted text may require less advertising space, perhaps reducing the costs of each such advertisement. One change that may increase costs is the cost to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system. This change would likely require at least a one-time programming expense for the Secretary of State and may require additional monitoring. Another change that may increase costs for the county clerks is the cost of informing each voter who voted by mail-in ballot in the 2016 general election that he or she will automatically receive a mail-in ballot for all future elections, unless the voter informs the clerk in writing that he or she does not wish to receive such a ballot. The fiscal impact of this change will likely vary from county to county, depending on the format and cost of the notice, and the number of voters from the county who voted in the 2016 general election. Finally, one change that may result in little or no increase or decrease in costs to the county clerk may be the provision that permits a clerk to use an alternative mail-in ballot certificate to enable a voter using a mail-in ballot to certify the correctness of the voter's name and address.

FE to [1R] SCS for S647

4

*Section: State Government*

*Analyst: Frank J. Parisi  
Principal Research Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR

[First Reprint]

**SENATE, No. 647**

# **STATE OF NEW JERSEY**

DATED: JUNE 18, 2018

The Assembly Budget Committee reports favorably Senate Bill No. 647 SCS (1R).

This substitute changes current law to enable a qualified voter to vote by mail-in ballot in all future elections. The substitute also provides that a voter who requested a mail-in ballot for all future elections, including future general elections, will continue to receive a mail-in ballot for such elections until the voter notifies the appropriate county clerk in writing that he or she no longer wishes to receive such a ballot, or is no longer eligible to vote.

The substitute also:

1) provides that a sample ballot for an election would not be mailed to any voter who has been sent a mail-in ballot for that election and whose voted ballot has been received by the county board of elections prior to the transmission of sample ballots to voters required by current law;

2) permits a county board to send an acknowledgement to a voter when his or her mail-in ballot has been received;

3) requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, upon the finding by the Secretary of State that such technology is viable;

4) reformats the text of the required public notice concerning the use of mail-in ballots that appears in newspapers before an election;

5) permits the clerk of each county to use an alternative mail-in ballot certification that permits the voter to certify the correctness of the identifying information contained on the label of the ballot instead of requiring the voter to provide the voter's name and address on the certification;

6) provides that every mail-in ballot that bears a postmark date of the day of an election and that is received within 48 hours after the time of the closing of the polls for that election is to be considered valid and canvassed;

7) adds two days to the deadline by which county and State canvassers boards must meet after an election, a recount may be requested, and a petition challenging any nomination or election to elective office may be filed; and

8) provides that the clerk of each county must add to the list of registered voters receiving a mail-in ballot for all future elections without further request each voter in the county who requested and received a mail-in ballot for the 2016 general election. Each voter so added would have the option to inform the clerk in writing that the voter does not wish to receive a mail-in ballot automatically for all future elections. The county clerks are to transmit to each such voter a notice that he or she will automatically receive a mail-in ballot for all future elections unless the voter informs the clerk in writing that he or she does not wish to receive such a ballot.

FISCAL IMPACT:

The Office of Legislative Services (OLS) believes that the fiscal impact of this substitute is indeterminate, and notes that if the substitute is enacted, it is likely that there will be an increase in the number of mail-in ballots sent to voters for future elections, but there will also be a reduction in the number of sample ballots produced, mailed, and returned as undeliverable, so that the cost or saving associated with the substitute will most likely depend on the number of ballots needed or not needed, and the cost for each ballot in each county. The OLS also notes that because the substitute requires the Secretary of State to update the Statewide Voter Registration System to allow the postal tracking of mail-in ballots using Intelligent Mail barcodes, or a similar successor tracking system, there may be an increase in expenditures by the Secretary of State to cover this cost.

[First Reprint]

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)**  
**Assemblywoman PATRICIA EGAN JONES**  
**District 5 (Camden and Gloucester)**  
**Assemblywoman PAMELA R. LAMPITT**  
**District 6 (Burlington and Camden)**  
**Assemblyman ARTHUR BARCLAY**  
**District 5 (Camden and Gloucester)**  
**Assemblyman ADAM J. TALIAFERRO**  
**District 3 (Cumberland, Gloucester and Salem)**

**Co-Sponsored by:**

**Senator Stack, Assemblymen Zwicker, Mukherji, Assemblywomen McKnight, Mosquera and Lopez**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on February 15, 2018, with amendments.

(Sponsorship Updated As Of: 6/22/2018)

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 as  
9 follows:

10 3. a. A qualified voter shall be entitled to vote using a mail-in  
11 ballot<sup>1</sup>:

12 (1) in all future elections, including general elections, held in this  
13 State, in which the voter is eligible to vote; or

14 (2)<sup>1</sup> in any <sup>1</sup>single<sup>1</sup> election held in this State.

15 <sup>1</sup>The qualified voter who chooses the option to vote using a mail-  
16 in ballot in all future elections shall be furnished with such a ballot  
17 by the county clerk without further request on the part of the voter  
18 and until the voter requests in writing that the voter no longer be  
19 sent a mail-in ballot.

20 The mail-in ballot application form prepared by the Secretary of  
21 State shall present the two options in the order provided above.<sup>1</sup>

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

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

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

40 e. <sup>1</sup>**[(1) A voter who wishes to vote only by mail-in ballot in**  
41 **all future]<sup>1</sup> [general] <sup>1</sup>**[elections, including general elections, in**  
42 **which the voter is eligible to vote, and who states that on an**  
43 **application for a mail-in ballot, shall be furnished such a ballot by**  
44 **the county clerk without further request on the part of the voter and****

**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> **Senate SBA committee amendments adopted February 15, 2018.**

1 until the voter requests that the voter no longer be sent a mail-in  
2 ballot. A voter shall<sup>1</sup> ~~also~~<sup>1</sup> ~~have the option to indicate on an~~  
3 application for a mail-in ballot that the voter would like to receive  
4 such a ballot for<sup>1</sup> ~~each election that takes place during the~~  
5 remainder of the calendar year in which the application is  
6 completed and submitted<sup>1</sup> ~~for future elections.~~ A voter who  
7 exercises this option shall be furnished with a mail-in ballot for  
8 each future election that takes place during the remainder of the  
9 calendar year without further request by the voter.<sup>1</sup>

10 A person voting by mail-in ballot who registered by mail after  
11 January 1, 2003, who did not provide personal identification  
12 information when registering pursuant to section 16 of P.L.1974,  
13 c.30 (C.19:31-6.4) and is voting for the first time in his or her  
14 current county of residence following registration shall include  
15 copies of the required identification information with the mail-in  
16 ballot. Failure to include such information with the mail-in ballot  
17 shall result in its rejection.

18 <sup>1</sup>~~[(2)]~~<sup>1</sup> ~~In the event that a voter who has requested a mail-in~~  
19 ballot for all general elections does not complete and return such a  
20 ballot for canvassing for the fourth general election following the  
21 general election at which the voter last voted, the county clerk shall  
22 send a notice to that voter to ascertain whether he or she continues  
23 to reside at the address from which that voter is registered to vote  
24 and continues to be eligible to vote. If the notice is not completed  
25 and returned by the voter to the clerk before the 40th day prior to  
26 the next general election, a mail-in ballot shall not be sent to the  
27 voter for that election. The ability of such a voter to receive a mail-  
28 in ballot for all future general elections shall be suspended until the  
29 voter submits a new application for such a ballot that indicates that  
30 the voter wishes to receive the ballot for all future general elections.

31 ~~(3)~~<sup>1</sup> ~~f.~~<sup>1</sup> The county clerk shall not transmit a mail-in ballot for  
32 any election to any person who ~~is deemed by a county~~  
33 ~~commissioner of registration to be an inactive voter~~ ; <sup>1</sup>~~[(a)]~~<sup>1</sup> is  
34 deemed by a county commissioner of registration to be an inactive  
35 voter; or<sup>1</sup> notifies the clerk in writing that the person no longer  
36 wishes to receive such a ballot for any election; or <sup>1</sup>~~[(b)]~~<sup>1</sup> is no  
37 longer eligible to vote and whose registration file has been  
38 transferred to the deleted file pursuant to R.S.19:31-19.

39 <sup>1</sup>~~[(3)]~~<sup>1</sup> g.<sup>1</sup> Any mail-in ballot that is sent to a qualified voter and  
40 that is returned to the county clerk for any reason shall be  
41 forwarded to the commissioner of registration, who shall so note the  
42 return in the voter record of that voter.

43 (cf: P.L.2009, c.79, s.3)

44

45 2. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read  
46 as follows:

1       6. a. The county clerk, in the case of any Statewide election,  
2 countywide election, or school election in a regional or other school  
3 district comprising more than one municipality; the municipal clerk,  
4 in the case of any municipal election or school election in a school  
5 district comprising a single municipality; and the commissioners or  
6 other governing or administrative body of the district, in the case of  
7 any election to be held in any fire district or other special district,  
8 other than a municipality, created for specified public purposes  
9 within one or more municipalities, shall publish the following  
10 notice in substantially the following form:

11       NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

12       If you are a qualified and registered voter of the State who wants  
13 to vote by mail in the..... (school, municipal, primary,  
14 general, or other) election to be held on..... (date of election)  
15 **【**complete the application form below and send to the undersigned,  
16 or write or apply in person to the undersigned at once requesting  
17 that a mail-in ballot be forwarded to you. The request must state  
18 your home address and the address to which the ballot should be  
19 sent. The request must be dated and signed with your signature.

20       If any person has assisted you to complete the mail-in ballot  
21 application, the name, address and signature of the assistor must be  
22 provided on the application, and you must sign and date the  
23 application for it to be valid and processed. No person shall serve  
24 as an authorized messenger or as a bearer for more than three  
25 qualified voters in an election. No person who is a candidate in the  
26 election for which the voter requests a mail-in ballot may provide  
27 any assistance in the completion of the ballot or may serve as an  
28 authorized messenger or bearer.

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

34       Voters who want to vote only by mail in all future general  
35 elections in which they are eligible to vote, and who state that on  
36 their application shall, after their initial request and without further  
37 action on their part, be provided a mail-in ballot by the county clerk  
38 until the voter requests that the voter no longer be sent such a  
39 ballot. A voter's failure to vote in the fourth general election  
40 following the general election at which the voter last voted may  
41 result in the suspension of that voter's ability to receive a mail-in  
42 ballot for all future general elections unless a new application is  
43 completed and filed with the county clerk. **】**, the following applies:

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

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

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

6       No person who is a candidate in the election for which the voter  
7 requests a mail-in ballot may provide any assistance in the  
8 completion of the ballot or serve as an authorized messenger or  
9 bearer.

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

14       Voters who want to vote by mail in all future elections will, after  
15 their initial request and without further action on their part, be  
16 provided with a mail-in ballot until the voter requests otherwise in  
17 writing.

18       **【Voters also have the option of indicating on their mail-in ballot**  
19 **applications that they would prefer to receive mail-in ballots for**  
20 **each election that takes place during the remainder of this calendar**  
21 **year. Voters who exercise this option will be furnished with mail-in**  
22 **ballots for each election that takes place during the remainder of**  
23 **this calendar year, without further action on their part.】**

24       Application forms may be obtained by applying to the  
25 undersigned either in writing or by telephone, or the application  
26 form provided below may be completed and forwarded to the  
27 undersigned.

28       Dated.....  
29 .....  
30       (signature and title of county clerk)  
31 .....  
32       (address of county clerk)  
33 .....  
34       (telephone no. of county clerk)

35       b. (1) The Secretary of State shall be responsible for providing  
36 all information regarding overseas ballots to each overseas voter  
37 eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et  
38 seq.). The secretary shall also make available valid overseas voter  
39 registration and ballot applications to any voter who is a member of  
40 the armed forces of the United States and who is a permanent  
41 resident of this State, or who is an overseas voter who wishes to  
42 register to vote or to vote in any jurisdiction in this State. The  
43 secretary shall provide such public notice as may be deemed  
44 necessary to inform members of the armed forces of the United  
45 States and overseas voters how to obtain valid overseas voter  
46 registration and ballot applications.

47       (2) The Secretary of State shall undertake a program to inform  
48 voters in this State about their eligibility to vote by mail pursuant to

1 this act. Dissemination of this information shall be included in the  
2 standard notices required by this section and other provisions of  
3 current law, including but not limited to the notice requirements of  
4 R.S.19:12-7, and shall be effectuated by such means as the secretary  
5 deems appropriate and to the extent that funds for such  
6 dissemination are appropriated including, but not limited to, by  
7 means of Statewide or local electronic media, public service  
8 announcements broadcast by such media, notices on the Internet site  
9 of the Department of State or any other department or agency of the  
10 Executive Branch of State government or its political subdivisions  
11 deemed appropriate by the secretary, and special mailings or notices  
12 in newspapers or other publications circulating in the counties or  
13 municipalities of this State.

14 c. The mail-in ballot materials shall contain a notice that any  
15 person voting by mail-in ballot who has registered by mail after  
16 January 1, 2003, who did not provide personal identification  
17 information when registering and is voting for the first time in his  
18 or her current county of residence following registration shall  
19 include copies of the required identification information with the  
20 mail-in ballot, and that failure to include such information shall  
21 result in the rejection of the ballot.

22 d. The notice provided for in subsection a. of this section shall  
23 be published before the 55th day immediately preceding the holding  
24 of any election.

25 Notices relating to any Statewide or countywide election shall be  
26 published in at least two newspapers published in each county. All  
27 officials charged with the duty of publishing such notices shall  
28 publish the same in at least one newspaper published in each  
29 municipality or district in which the election is to be held, or if no  
30 newspaper is published in the municipality or district, then in a  
31 newspaper published in the county and circulating in the  
32 municipality or district. All such notices shall be display  
33 advertisements.

34 (cf: P.L.2015, c.84, s.2)

35  
36 3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to  
37 read as follows:

38 16. a. The Secretary of State shall cause to be prepared and  
39 shall provide to each county commissioner of registration forms of  
40 size and weight suitable for mailing, which shall require the  
41 information required by R.S.19:31-3 in substantially the following  
42 form:

43 VOTER REGISTRATION APPLICATION

44 Print clearly in ink. Use ballpoint pen or marker.

45 (1) This form is being used as: **[(check one)]**:

46 New registration

47 Address change

48 Name change

1 (2) Name:.....  
2 Last First Middle  
3 (3) Are you a citizen of the United States of America?  Yes  No  
4 (4) Will you be 18 years of age on or before election  
5 day?  Yes  No  
6 If you checked 'No' in response to either of these questions, do  
7 not complete this form.  
8 (5) Street Address where you live:  
9 .....  
10 Street Address Apt. No.  
11 .....  
12 (6) City or Town County Zip Code  
13 (7) Address Where You Receive Your Mail (if different from  
14 above):  
15 .....  
16 (8) Date of Birth:  
17 .....  
18 Month Day Year  
19 (9) (a) Telephone Number (optional).....  
20 (b) E-Mail Address (optional).....  
21 (10) Name and address of Your Last Voter Registration  
22 .....  
23 .....  
24 .....  
25 (11) If you are registering by mail to vote and will be voting for  
26 the first time in your current county of residence, please provide  
27 one of the following:  
28 (a) your New Jersey driver's license  
29 number:.....  
30 (b) the last four digits of your Social Security  
31 Number.....  
32 OR submit with this form a copy of any one of the following  
33 documents: a current and valid photo identification card; a current  
34 utility bill, bank statement, government check, pay check or any  
35 other government or other identifying document that shows your  
36 name and current address. If you do not provide either your New  
37 Jersey driver's license number or the last four digits of your Social  
38 Security Number, or enclose a copy of one of the documents listed  
39 above, you will be asked for identification when voting for the first  
40 time, unless you are exempt from doing so under federal or State  
41 law.  
42 (12) Do you wish to declare a political party affiliation?  
43 (Optional):  
44  YES. Name of Party:  
45  NO. I do not wish to declare a political party affiliation  
46 at this time.  
47 (13)  **I wish to receive a Mail-in Ballot for all future<sup>1</sup>**  
48  **[general] <sup>1</sup>[elections] <sup>1</sup> [only] <sup>1</sup>], until I request otherwise in**

1 writing]  I wish to receive a Mail-in Ballot for all future elections,  
2 until I request otherwise in writing<sup>1</sup>.

3 ~~[(13)]~~ <sup>1</sup>~~[(14)]~~ (14)<sup>1</sup> Declaration - I swear or affirm that:

4 I am a U.S. citizen.

5 I live at the above address.

6 I will be at least 18 years old on or before the day of the next  
7 election.

8 I am not on parole, probation or serving a sentence due to a  
9 conviction for an indictable offense under any federal or State laws.

10 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
11 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
12 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH  
13 PURSUANT TO R.S.19:34-1.

14 .....  
15 Signature or mark of the registrant Date

16 ~~[(14)]~~ <sup>1</sup>~~[(15)]~~ (15)<sup>1</sup> If applicant is unable to complete this form,  
17 print the name and address of individual who completed this form.

18 .....  
19 Name

20 .....  
21 Address

22 <sup>1</sup>["The form shall state in an appropriate location: "This form  
23 shall not be used if an applicant requires the assistance of another  
24 person to complete a mail-in ballot or to return a completed mail-in  
25 ballot to the county board of elections, pursuant to section 16 of  
26 P.L.2009, c.79 (C.19:63-16)."]"<sup>1</sup>

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

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

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

12       d. The commissioner of registration shall furnish such  
13 registration forms upon request in person to any person or  
14 organization in such reasonable quantities as such person or  
15 organization shall request. The commissioner shall furnish no  
16 fewer than two such forms to any person upon request by mail or by  
17 telephone.

18       e. Each such registration form shall have annexed thereto  
19 instructions specifying the manner and method of registration, and  
20 the vote by mail option specified on the form, and stating the  
21 qualifications for an eligible voter.

22       f. The Secretary of State shall also furnish such registration  
23 forms and such instructions to the Director of the Division of  
24 Workers' Compensation, the Director of the Division of  
25 Employment Services, and the Director of the Division of  
26 Unemployment and Temporary Disability Insurance in the  
27 Department of Labor and Workforce Development; to the Director  
28 of the Division of Taxation in the Department of the Treasury; to  
29 the Executive Director of the New Jersey Transit Corporation; to  
30 the appropriate administrative officer of any other public agency, as  
31 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-  
32 6.3); to the Adjutant General of the Department of Military and  
33 Veterans' Affairs; and to the chief administrative officer of any  
34 voter registration agency, as defined in subsection a. of section 26  
35 of P.L.1994, c.182 (C.19:31-6.11).

36       g. All registration forms received by the Secretary of State in  
37 the mail or forwarded to the Secretary of State shall be forwarded to  
38 the commissioner of registration in the county of the registrant  
39 <sup>1</sup>[and] . Each such form, and any registration form received  
40 otherwise by a commissioner of registration, shall be forwarded<sup>1</sup> to  
41 the county clerk if the vote by mail option is selected on a form.

42       h. An application to register to vote received from the New  
43 Jersey Motor Vehicle Commission or a voter registration agency, as  
44 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-  
45 6.11), shall be deemed to have been timely made for the purpose of  
46 qualifying an eligible applicant as registered to vote in an election if  
47 the date on which the commission or agency shall have received  
48 that document in completed form, as indicated in the lower right

1 hand corner of the form, was not later than the 21st day preceding  
2 that election.

3 i. Each commissioner of registration shall make note in the  
4 permanent registration file of each voter who is required to provide  
5 the personal identification information required pursuant to this  
6 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-  
7 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of  
8 identification provided by the voter and the date on which it is  
9 provided. Prior to the June 2004 primary election, when such a  
10 newly registered voter seeks to vote for the first time following his  
11 or her registration, the voter will be required to provide such  
12 personal identification information. Beginning with the June 2004  
13 primary election, when such a newly registered voter seeks to vote  
14 for the first time following his or her registration, the voter will not  
15 be required to provide such information if he or she had previously  
16 provided the personal identification information required pursuant  
17 to this section. The required information shall be collected and  
18 stored for the time and in the manner required pursuant to  
19 regulations promulgated by the Secretary of State.

20 j. The Secretary of State shall amend the voter registration  
21 application form if necessary to conform to the requirements of  
22 applicable federal or State law.

23 k. In the event that the name of any political party entered on  
24 the voter registration form by a voter who wishes to declare a  
25 political party affiliation is not legible, the commissioner of  
26 registration shall mail the voter a political party declaration form  
27 and a letter explaining that the voter's choice was not understood  
28 and that the voter should complete and return the declaration form  
29 in order to be affiliated with a party.

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

31

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

34 1. a. There shall be established in the Department of State a  
35 single Statewide voter registration system, as required pursuant to  
36 section 303 of the federal "Help America Vote Act of 2002,"  
37 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer  
38 components of the system shall be under the direct control of the  
39 Secretary of State. The Secretary of State shall be responsible for  
40 creating the network necessary to maintain the system and  
41 providing the computer software, hardware and security necessary  
42 to ensure that the system is accessible only to those executive  
43 departments and State agencies so designated by the Secretary of  
44 State, each county commissioner of registration, each county and  
45 municipal clerk, and individuals under certain circumstances, as  
46 provided for by this section. The system shall be the official State  
47 repository for voter registration information for every legally

1 registered voter in this State, and shall serve as the official voter  
2 registration system for the conduct of all elections in the State.

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

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

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

9 (3) interactivity among appropriate State agencies so designated  
10 by the Secretary of State, each county commissioner of registration,  
11 each county board of elections, and each county clerk such that  
12 these entities shall have immediate electronic access to all or  
13 selected records in the system, as determined by the Secretary of  
14 State, to receive or transmit all or selected files in the system and to  
15 print or review all or selected files in the system;

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

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

22 (6) the ability to permit an individual, by July 1, 2006, to verify  
23 via the Internet whether that individual, and only that individual, is  
24 included in the system as a legally registered voter, whether the  
25 information pertaining to that individual required by subsection c.  
26 of this section is correct, and if not, a means to notify the pertinent  
27 county commissioner of registration of the corrections that must be  
28 made and to so verify in a way that does not give one individual  
29 access to the information required by subsection c. of this section  
30 for any other individual;

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

34 (8) the ability to record and monitor all requests for mail-in  
35 ballots; to enable the county clerk to verify the identity and  
36 signature of each person requesting a mail-in ballot; to record the  
37 name and address of each voter determined to be eligible to receive  
38 a mail-in ballot for a particular election and to note when a mail-in  
39 ballot has been transmitted to that voter by mail or hand delivery; to  
40 update the system to allow the postal tracking of mail-in ballots  
41 using Intelligent Mail barcodes, or a similar successor tracking  
42 system, upon the finding by the Secretary of State that such  
43 technology is viable; and to make such information available to the  
44 Secretary of State so that a voter can be notified whether the  
45 application for such a ballot was accepted or rejected, and the  
46 reason for the rejection, using the free-access system established by  
47 section 5 of P.L.2004, c.88 (C.19:61-5); and

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

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

7 (1) last, first and middle name;

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

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

11 (4) date of birth;

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

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

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

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

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

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

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

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

33 (11) political party affiliation, if designated;

34 (12) digitalized signature;

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

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

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

40 (16) any other information required pursuant to Pub.L.107-252  
41 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or  
42 that the Secretary of State determines is necessary to assess the  
43 eligibility of an individual to be registered to vote and to vote in  
44 this State.

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

46  
47 5. Section 5 of P.L.2009, c.79 (C.19:63-5) is amended to read  
48 as follows:

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

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

9 In the case of voter registration forms that include a selected vote  
10 by mail option, a copy of each such form shall be transmitted to and  
11 received by the appropriate county clerk, who shall be responsible  
12 for providing mail-in ballots to each qualified voter requesting such  
13 ballots for future elections, until the voter requests otherwise in  
14 writing.

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

16

17 6. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to  
18 read as follows:

19 13. a. On the margin of the flap on the inner envelopes to be  
20 sent to mail-in voters there shall be printed a certificate in the  
21 following form:

22 CERTIFICATE OF MAIL-IN VOTER

23 I, ....., whose home address is .....

24 (print your name clearly) (street

25 ....., DO HEREBY CERTIFY,

26 address or R.D. number) (municipality) **【Subject】** subject to the  
27 penalties for fraudulent voting, that I am the person who applied for  
28 the enclosed ballot. I MARKED AND SEALED THIS BALLOT  
29 AND CERTIFICATE IN SECRET. However, a family member  
30 may assist me in doing so.

31 .....

32 (signature of voter)

33 Any person providing assistance shall complete the following:

34 I do hereby certify that I am the person who provided assistance  
35 to this voter and declare that I will maintain the secrecy of this  
36 ballot.

37 .....

38 (signature of person providing  
39 assistance)

40 .....

41 (printed name of person providing  
42 assistance)

43 .....

44 .....

45 (address of person providing  
46 assistance)

47 b. On the margin of the flap on the inner envelope forwarded  
48 with any mail-in ballot intended to be voted in any primary election

1 for the general election, as the case may be, there shall be printed a  
2 certificate in the following form:

3 CERTIFICATE OF MAIL-IN VOTER

4 I, ....., whose home address is.....  
5 (print your name clearly) (street address or R.D.  
6 number) (municipality)

7 ....., DO HEREBY CERTIFY,  
8 subject to the penalties for fraudulent voting, that I am the person  
9 who applied for the enclosed ballot for the primary election <sup>1</sup>of the  
10 ..... political party<sup>1</sup>. I MARKED AND SEALED THIS BALLOT  
11 AND CERTIFICATE IN SECRET. However, a family member  
12 may assist me in doing so.

13 .....  
14 (signature of voter)

15 Any person providing assistance shall complete the following:  
16 I do hereby certify that I am the person who provided assistance  
17 to this voter and declare that I will maintain the secrecy of this  
18 ballot.

19 .....  
20 (signature of person providing  
21 assistance)

22 .....  
23 (printed name of person  
24 providing assistance)

25 .....  
26 .....  
27 (address of person providing  
28 assistance)

29 c. The clerk of each county shall be permitted to <sup>1</sup>print on or<sup>1</sup>  
30 affix to the margin of the flap on the inner envelope of the mail-in  
31 ballot transmitted thereby to a mail-in ballot voter an alternative  
32 certificate, substantially similar to the certificate provided for by  
33 subsection a. or b. of this section, that permits the voter to certify  
34 the correctness of the voter's name, street, mailing address or R.D.  
35 number, and municipality as it appears on the label of the mail-in  
36 ballot received by the voter.  
37 (cf: P.L.2011, c.134, s.53)

38  
39 7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to  
40 read as follows:

41 20. a. Any person who has applied for a mail-in ballot and has  
42 had the mail-in ballot either delivered in person or forwarded by  
43 mail, and voted and returned the voted ballot to the county board,  
44 shall not be permitted to vote in person at the polling place in the  
45 voter's election district on the day of the election.

46 b. Any person who: (1) has applied for a mail-in ballot and not  
47 received either the ballot or an explanation for not receiving such a  
48 ballot pursuant to notification by the county clerk or from the free-

1 access system established pursuant to section 5 of P.L.2004, c.88  
2 (C.19:61-5) to provide such information; **or** (2) has applied for  
3 and received a mail-in ballot and has not transmitted it to the county  
4 board of elections or given it to a bearer for delivery to the county  
5 board before the time for the opening of the polls on the day of an  
6 election; or (3) has applied for and received a mail-in ballot and has  
7 not transmitted it to the county board of elections or given it to the  
8 bearer for delivery to the county board, but appears at the polling  
9 place without the ballot and wishes to vote, shall be permitted to  
10 vote in person by provisional ballot at the polling place in the  
11 voter's election district on the day of the election.

12 (cf: P.L.2009, c.79, s.20)

13

14 8. Section 22 of P.L.2009, c.22 (C.19:63-22) is amended to read  
15 as follows:

16 22. On the day of each election each county board of elections  
17 shall open in the presence of the commissioner of registration, or  
18 the designee thereof, the inner envelopes that contain the mail-in  
19 ballots with the votes cast for the election. The inner envelopes  
20 containing the ballots that the board or the Superior Court has  
21 rejected shall not be so opened, but shall be retained as provided for  
22 by this act. The board shall then proceed to canvass the votes cast  
23 on the mail-in ballots, but no such ballot shall be counted in any  
24 primary election for the general election if the ballot of the political  
25 party marked for voting thereon differs from the designation of the  
26 political party in the primary election of which such ballot is  
27 intended to be voted as marked on the envelope by the county board  
28 of elections.

29 Every mail-in ballot that bears a postmark date of the day of the  
30 election and that is received by the county board within 48 hours  
31 after the time of the closing of the polls for the election that the  
32 ballot was prepared shall be considered valid and shall be  
33 canvassed.

34 Immediately after the canvass is completed, the respective  
35 county boards of election shall certify the result of the canvass to  
36 the county clerk or the municipal or district clerk or other  
37 appropriate officer, as the case may be, showing the result of the  
38 canvass by municipality and ward. The votes thus canvassed shall  
39 be counted in determining the result of the election.

40 The county board of elections shall, immediately after the  
41 canvass is completed for any primary election, certify the results of  
42 the votes cast for members of the county committees to the  
43 respective municipal clerks, and those votes shall be counted in  
44 determining the result of the election.

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

46

47 9. (New section) <sup>1</sup>**Notwithstanding the provisions of any law**  
48 **to the contrary, the** A county clerk shall not be required to send a<sup>1</sup>

1 sample ballot for any election **1** ~~shall not be mailed~~ **1** to a voter  
2 who has been sent a mail-in ballot for that election, pursuant to  
3 section 3 of P.L.2009, c.79 (C.19:63-3), and whose voted ballot has  
4 been received by the county board of elections prior to the  
5 transmission of sample ballots to voters required by R.S.19:14-25.  
6 A county **1** ~~board~~ **1** may send an acknowledgment to a voter when  
7 his or her mail-in ballot has been received by the board.

8

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

10 19:19-1. The board of county canvassers of each county shall  
11 meet on the ~~Monday~~ Wednesday next, after any such election, at  
12 12 o'clock noon, at the courthouse of the county, for the purpose of  
13 checking the canvass which shall have been made by the county  
14 clerk from the statements of the district boards filed in his office as  
15 hereinbefore provided. For such purpose the county clerk shall  
16 have prepared a compilation in tabulated form of such statements  
17 and the combined results shown thereby for the use of the board of  
18 canvassers.

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

20

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

22 19:21-1. a. The Board of State Canvassers shall meet at Trenton  
23 as soon as practicable but no later than the ~~28th~~ 30th day after the  
24 day of election, for the purpose of canvassing and estimating the  
25 votes cast for each person for whom any vote or votes shall have  
26 been cast for one or more members of the United States senate or of  
27 the house of representatives, or for electors of president and vice  
28 president, or for governor and lieutenant governor, or for members  
29 of the Legislature, and upon each public question voted upon by the  
30 voters of the entire state or political division thereof greater than a  
31 county and of determining and declaring the person or persons who  
32 shall, by the greatest number of votes, have been duly elected to  
33 such office or offices, and the result of the vote cast upon any  
34 public question setting forth that it was approved or rejected.

35 b. For the purpose of canvassing and estimating the votes cast  
36 for each person for whom any vote or votes shall have been cast in  
37 any special election, the board shall meet in Trenton as soon as  
38 practicable but no later than the ~~28th~~ 30th day after the day of the  
39 special election.

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

41

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

43 19:28-1. When any candidate at any election shall have reason to  
44 believe that an error has been made in counting the votes of that  
45 election, the candidate may, within a period of ~~15~~ 17 days  
46 following such election, apply to a judge of the Superior Court  
47 assigned to the county wherein such district or districts are located,

1 for a recount of the votes cast at the election in any district or  
2 districts.

3 When ten voters at any election shall have reason to believe that  
4 an error has been so made in counting the votes upon any public  
5 question at any election, such voters may, within a period of **[15]**  
6 17 days following such election, apply to a judge of the Superior  
7 Court assigned to the county wherein such district or districts are  
8 located, for a recount of the votes cast at the election in any district  
9 or districts on such public question.  
10 (cf: P.L.2005, c.150)

11

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

13 19:29-3. The petition contesting any nomination to public office,  
14 election to party office or position or the proposal of any  
15 proposition shall be filed not later than **[10]** 12 days after the  
16 primary election.

17 The petition contesting any election to public office or approval  
18 or disapproval of any proposition shall be filed not later than **[30]**  
19 32 days after such election, unless the ground of action is  
20 discovered from the statements, deposit slips or vouchers filed  
21 under this Title, subsequent to such primary or other election, in  
22 which event such petition may be filed **[10]** 12 or **[30]** 32 days  
23 respectively after such statements, deposit slips or vouchers are  
24 filed.

25 Any petition of contest may be filed within **[10]** 12 days after  
26 the result of any recount has been determined or announced.

27 (cf: P.L.2011, c.134, s.39)

28

29 14. (New section) a. The clerk of each county shall add to the  
30 list of registered voters receiving a mail-in ballot for all future  
31 elections without further request each voter in the county who  
32 requested and received a mail-in ballot for the 2016 general  
33 election. Each voter so added to the list shall have the option to  
34 inform the clerk in writing that the voter does not wish to receive a  
35 mail-in ballot automatically for all future elections.

36 b. The county clerks shall transmit to each voter who will  
37 automatically receive such a ballot for all future elections pursuant  
38 to subsection a. of this section a notice informing the voter that he  
39 or she will automatically receive a mail-in ballot for all future  
40 elections unless the voter informs the clerk in writing that he or she  
41 does not wish to receive a mail-in ballot for all future elections.

42

43 <sup>1</sup>15. Notwithstanding the specified operative date, if applicable,

44 provided in section 16 of this act, P.L. , c. (pending before the

45 Legislature as this bill):

46 a) the provisions of this act that are the responsibility of the

47 Secretary of State shall take effect immediately and shall be

1 completed within seven business days following the effective date;  
2 and

3 b) a county clerk may, at the clerk's discretion, implement any or  
4 all provisions of this act that are the responsibility of a county clerk  
5 immediately following the effective date, notwithstanding the  
6 specified operative date if applicable, if the clerk determines that  
7 such implementation is practical, and shall also inform the county  
8 board of elections of his or her determination as soon as possible  
9 after the determination is made.<sup>1</sup>

10

11 <sup>1</sup>~~15.~~ 16.<sup>1</sup> This act shall take effect immediately if an election  
12 is to occur more than <sup>1</sup>~~30~~ 60<sup>1</sup> days prior to the day this act takes  
13 effect; except that if this act would become <sup>1</sup>~~operative~~ effective<sup>1</sup>  
14 less than <sup>1</sup>~~30~~ 60<sup>1</sup> days before the day of an election, this act shall  
15 instead take effect <sup>1</sup>~~on~~ immediately but remain inoperative until<sup>1</sup>  
16 the day following that election <sup>1</sup>, except as otherwise provided in  
17 section 15 of this act<sup>1</sup>.

(CORRECTED COPY)

P.L. 2018, CHAPTER 72, *approved August 10, 2018*

Senate Committee Substitute (*First Reprint*) for

Senate, No. 647

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 as  
9 follows:

10 3. a. A qualified voter shall be entitled to vote using a mail-in  
11 ballot<sup>1</sup>:

12 (1) in all future elections, including general elections, held in this  
13 State, in which the voter is eligible to vote; or

14 (2)<sup>1</sup> in any <sup>1</sup>single<sup>1</sup> election held in this State.

15 <sup>1</sup>The qualified voter who chooses the option to vote using a mail-  
16 in ballot in all future elections shall be furnished with such a ballot  
17 by the county clerk without further request on the part of the voter  
18 and until the voter requests in writing that the voter no longer be  
19 sent a mail-in ballot.

20 The mail-in ballot application form prepared by the Secretary of  
21 State shall present the two options in the order provided above.<sup>1</sup>

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

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

36 d. Any voter who fails to apply for a mail-in ballot before the  
37 seven-day period prescribed in subsection b. of this section may

**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> Senate SBA committee amendments adopted February 15, 2018.

1 apply in person to the county clerk for a mail-in ballot up to 3 p.m.  
2 of the day before the election.

3 e. <sup>1</sup>[(1) A voter who wishes to vote only by mail-in ballot in  
4 all future]<sup>1</sup> [general] <sup>1</sup>[elections, including general elections, in  
5 which the voter is eligible to vote, and who states that on an  
6 application for a mail-in ballot, shall be furnished such a ballot by  
7 the county clerk without further request on the part of the voter and  
8 until the voter requests that the voter no longer be sent a mail-in  
9 ballot. A voter shall]<sup>1</sup> [also] <sup>1</sup>[have the option to indicate on an  
10 application for a mail-in ballot that the voter would like to receive  
11 such a ballot for]<sup>1</sup> [each election that takes place during the  
12 remainder of the calendar year in which the application is  
13 completed and submitted] <sup>1</sup>[for future elections. A voter who  
14 exercises this option shall be furnished with a mail-in ballot for  
15 each future election that takes place during the remainder of the  
16 calendar year without further request by the voter. ]<sup>1</sup>

17 A person voting by mail-in ballot who registered by mail after  
18 January 1, 2003, who did not provide personal identification  
19 information when registering pursuant to section 16 of P.L.1974,  
20 c.30 (C.19:31-6.4) and is voting for the first time in his or her  
21 current county of residence following registration shall include  
22 copies of the required identification information with the mail-in  
23 ballot. Failure to include such information with the mail-in ballot  
24 shall result in its rejection.

25 <sup>1</sup>[(2)]<sup>1</sup> [In the event that a voter who has requested a mail-in  
26 ballot for all general elections does not complete and return such a  
27 ballot for canvassing for the fourth general election following the  
28 general election at which the voter last voted, the county clerk shall  
29 send a notice to that voter to ascertain whether he or she continues  
30 to reside at the address from which that voter is registered to vote  
31 and continues to be eligible to vote. If the notice is not completed  
32 and returned by the voter to the clerk before the 40th day prior to  
33 the next general election, a mail-in ballot shall not be sent to the  
34 voter for that election. The ability of such a voter to receive a mail-  
35 in ballot for all future general elections shall be suspended until the  
36 voter submits a new application for such a ballot that indicates that  
37 the voter wishes to receive the ballot for all future general elections.

38 (3) <sup>1</sup>f.<sup>1</sup> The county clerk shall not transmit a mail-in ballot for  
39 any election to any person who [is deemed by a county  
40 commissioner of registration to be an inactive voter] : <sup>1</sup>[(a)] is  
41 deemed by a county commissioner of registration to be an inactive  
42 voter; or<sup>1</sup> notifies the clerk in writing that the person no longer  
43 wishes to receive such a ballot for any election; or <sup>1</sup>[(b)]<sup>1</sup> is no  
44 longer eligible to vote and whose registration file has been  
45 transferred to the deleted file pursuant to R.S.19:31-19.

1       <sup>1</sup>~~[(3)]~~ g.<sup>1</sup> Any mail-in ballot that is sent to a qualified voter and  
2 that is returned to the county clerk for any reason shall be  
3 forwarded to the commissioner of registration, who shall so note the  
4 return in the voter record of that voter.

5 (cf: P.L.2009, c.79, s.3)

6  
7       2. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read  
8 as follows:

9       6. a. The county clerk, in the case of any Statewide election,  
10 countywide election, or school election in a regional or other school  
11 district comprising more than one municipality; the municipal clerk,  
12 in the case of any municipal election or school election in a school  
13 district comprising a single municipality; and the commissioners or  
14 other governing or administrative body of the district, in the case of  
15 any election to be held in any fire district or other special district,  
16 other than a municipality, created for specified public purposes  
17 within one or more municipalities, shall publish the following  
18 notice in substantially the following form:

19       NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

20       If you are a qualified and registered voter of the State who wants  
21 to vote by mail in the..... (school, municipal, primary,  
22 general, or other) election to be held on..... (date of election)  
23 **[**complete the application form below and send to the undersigned,  
24 or write or apply in person to the undersigned at once requesting  
25 that a mail-in ballot be forwarded to you. The request must state  
26 your home address and the address to which the ballot should be  
27 sent. The request must be dated and signed with your signature.

28       If any person has assisted you to complete the mail-in ballot  
29 application, the name, address and signature of the assistor must be  
30 provided on the application, and you must sign and date the  
31 application for it to be valid and processed. No person shall serve  
32 as an authorized messenger or as a bearer for more than three  
33 qualified voters in an election. No person who is a candidate in the  
34 election for which the voter requests a mail-in ballot may provide  
35 any assistance in the completion of the ballot or may serve as an  
36 authorized messenger or bearer.

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

42       Voters who want to vote only by mail in all future general  
43 elections in which they are eligible to vote, and who state that on  
44 their application shall, after their initial request and without further  
45 action on their part, be provided a mail-in ballot by the county clerk  
46 until the voter requests that the voter no longer be sent such a  
47 ballot. A voter's failure to vote in the fourth general election

1 following the general election at which the voter last voted may  
2 result in the suspension of that voter's ability to receive a mail-in  
3 ballot for all future general elections unless a new application is  
4 completed and filed with the county clerk. **】**, the following applies:

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

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

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

13 No person who is a candidate in the election for which the voter  
14 requests a mail-in ballot may provide any assistance in the  
15 completion of the ballot or serve as an authorized messenger or  
16 bearer.

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

21 Voters who want to vote by mail in all future elections will, after  
22 their initial request and without further action on their part, be  
23 provided with a mail-in ballot until the voter requests otherwise in  
24 writing.

25 **【**Voters also have the option of indicating on their mail-in ballot  
26 applications that they would prefer to receive mail-in ballots for  
27 each election that takes place during the remainder of this calendar  
28 year. Voters who exercise this option will be furnished with mail-in  
29 ballots for each election that takes place during the remainder of  
30 this calendar year, without further action on their part. **】**

31 Application forms may be obtained by applying to the  
32 undersigned either in writing or by telephone, or the application  
33 form provided below may be completed and forwarded to the  
34 undersigned.

35 Dated.....

36 .....

37 (signature and title of county clerk)

38 .....

39 (address of county clerk)

40 .....

41 (telephone no. of county clerk)

42 b. (1) The Secretary of State shall be responsible for providing  
43 all information regarding overseas ballots to each overseas voter  
44 eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et  
45 seq.). The secretary shall also make available valid overseas voter  
46 registration and ballot applications to any voter who is a member of  
47 the armed forces of the United States and who is a permanent

1 resident of this State, or who is an overseas voter who wishes to  
2 register to vote or to vote in any jurisdiction in this State. The  
3 secretary shall provide such public notice as may be deemed  
4 necessary to inform members of the armed forces of the United  
5 States and overseas voters how to obtain valid overseas voter  
6 registration and ballot applications.

7 (2) The Secretary of State shall undertake a program to inform  
8 voters in this State about their eligibility to vote by mail pursuant to  
9 this act. Dissemination of this information shall be included in the  
10 standard notices required by this section and other provisions of  
11 current law, including but not limited to the notice requirements of  
12 R.S.19:12-7, and shall be effectuated by such means as the secretary  
13 deems appropriate and to the extent that funds for such  
14 dissemination are appropriated including, but not limited to, by  
15 means of Statewide or local electronic media, public service  
16 announcements broadcast by such media, notices on the Internet site  
17 of the Department of State or any other department or agency of the  
18 Executive Branch of State government or its political subdivisions  
19 deemed appropriate by the secretary, and special mailings or notices  
20 in newspapers or other publications circulating in the counties or  
21 municipalities of this State.

22 c. The mail-in ballot materials shall contain a notice that any  
23 person voting by mail-in ballot who has registered by mail after  
24 January 1, 2003, who did not provide personal identification  
25 information when registering and is voting for the first time in his  
26 or her current county of residence following registration shall  
27 include copies of the required identification information with the  
28 mail-in ballot, and that failure to include such information shall  
29 result in the rejection of the ballot.

30 d. The notice provided for in subsection a. of this section shall  
31 be published before the 55th day immediately preceding the holding  
32 of any election.

33 Notices relating to any Statewide or countywide election shall be  
34 published in at least two newspapers published in each county. All  
35 officials charged with the duty of publishing such notices shall  
36 publish the same in at least one newspaper published in each  
37 municipality or district in which the election is to be held, or if no  
38 newspaper is published in the municipality or district, then in a  
39 newspaper published in the county and circulating in the  
40 municipality or district. All such notices shall be display  
41 advertisements.

42 (cf: P.L.2015, c.84, s.2)

43

44 3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to  
45 read as follows:

46 16. a. The Secretary of State shall cause to be prepared and  
47 shall provide to each county commissioner of registration forms of

1 size and weight suitable for mailing, which shall require the  
2 information required by R.S.19:31-3 in substantially the following  
3 form:

4 VOTER REGISTRATION APPLICATION

5 Print clearly in ink. Use ballpoint pen or marker.

6 (1) This form is being used as: **[(check one)]**:

7 New registration

8 Address change

9 Name change

10 (2) Name:.....

11 Last First Middle

12 (3) Are you a citizen of the United States of America?YesNo

13 (4) Will you be 18 years of age on or before election  
14 day?Yes No

15 If you checked 'No' in response to either of these questions, do  
16 not complete this form.

17 (5) Street Address where you live:

18 .....

19 Street Address Apt. No.

20 .....

21 (6) City or Town County Zip Code

22 (7) Address Where You Receive Your Mail (if different from  
23 above):

24 .....

25 (8) Date of Birth:

26 .....

27 Month Day Year

28 (9) (a) Telephone Number (optional).....

29 (b) E-Mail Address (optional).....

30 (10) Name and address of Your Last Voter Registration

31 .....

32 .....

33 .....

34 (11)If you are registering by mail to vote and will be voting for  
35 the first time in your current county of residence, please provide  
36 one of the following:

37 (a) your New Jersey driver's license  
38 number:.....

39 (b) the last four digits of your Social Security  
40 Number.....

41 OR submit with this form a copy of any one of the following  
42 documents: a current and valid photo identification card; a current  
43 utility bill, bank statement, government check, pay check or any  
44 other government or other identifying document that shows your  
45 name and current address. If you do not provide either your New  
46 Jersey driver's license number or the last four digits of your Social  
47 Security Number, or enclose a copy of one of the documents listed

1 above, you will be asked for identification when voting for the first  
2 time, unless you are exempt from doing so under federal or State  
3 law.

4 (12) Do you wish to declare a political party affiliation?  
5 (Optional):

6  YES. Name of Party:

7  NO. I do not wish to declare a political party affiliation  
8 at this time.

9 (13)  I wish to receive a Mail-in Ballot for all future<sup>1</sup>  
10  general  elections<sup>1</sup>  only  , until I request otherwise in  
11 writing  I wish to receive a Mail-in Ballot for all future elections,  
12 until I request otherwise in writing<sup>1</sup>.

13  (13)  (14) (14)<sup>1</sup> Declaration - I swear or affirm that:

14 I am a U.S. citizen.

15 I live at the above address.

16 I will be at least 18 years old on or before the day of the next  
17 election.

18 I am not on parole, probation or serving a sentence due to a  
19 conviction for an indictable offense under any federal or State laws.

20 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
21 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
22 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH  
23 PURSUANT TO R.S.19:34-1.

24 .....

25 Signature or mark of the registrant Date

26  (14)  (15) (15)<sup>1</sup> If applicant is unable to complete this form,  
27 print the name and address of individual who completed this form.

28 .....

29 Name

30 .....

31 Address

32 <sup>1</sup>The form shall state in an appropriate location: "This form  
33 shall not be used if an applicant requires the assistance of another  
34 person to complete a mail-in ballot or to return a completed mail-in  
35 ballot to the county board of elections, pursuant to section 16 of  
36 P.L.2009, c.79 (C.19:63-16)."<sup>1</sup>

37 In addition, the form may include notice to the applicant of  
38 information and options relating to the registration and voting  
39 process, including but not limited to notice of qualifications  
40 required of a registered voter; notice of the final day by which a  
41 person must be registered to be eligible to vote in an election;  
42 notice of the effect of a failure to provide required identification  
43 information; a place at which the applicant may indicate availability  
44 for service as a member of the district board of elections; a place at  
45 which the applicant may indicate whether he or she requires a  
46 polling place which is accessible to individuals with disabilities and

1 the elderly or whether he or she is legally blind; a place at which  
2 the applicant may indicate a desire to receive additional information  
3 concerning **【absentee】** voting by mail; and if the application  
4 indicates a political party affiliation, the voter is permitted to vote  
5 in the primary election of a political party other than the political  
6 party in which the voter was affiliated previously only if the voter  
7 registration form with the change of political party affiliation is  
8 filed prior to the 50th day next preceding the primary election. The  
9 form may also include a space for the voter registration agency to  
10 record whether the applicant registered in person, by mail or by  
11 other means.

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

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

23 d. The commissioner of registration shall furnish such  
24 registration forms upon request in person to any person or  
25 organization in such reasonable quantities as such person or  
26 organization shall request. The commissioner shall furnish no  
27 fewer than two such forms to any person upon request by mail or by  
28 telephone.

29 e. Each such registration form shall have annexed thereto  
30 instructions specifying the manner and method of registration, and  
31 the vote by mail option specified on the form, and stating the  
32 qualifications for an eligible voter.

33 f. The Secretary of State shall also furnish such registration  
34 forms and such instructions to the Director of the Division of  
35 Workers' Compensation, the Director of the Division of  
36 Employment Services, and the Director of the Division of  
37 Unemployment and Temporary Disability Insurance in the  
38 Department of Labor and Workforce Development; to the Director  
39 of the Division of Taxation in the Department of the Treasury; to  
40 the Executive Director of the New Jersey Transit Corporation; to  
41 the appropriate administrative officer of any other public agency, as  
42 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-  
43 6.3); to the Adjutant General of the Department of Military and  
44 Veterans' Affairs; and to the chief administrative officer of any  
45 voter registration agency, as defined in subsection a. of section 26  
46 of P.L.1994, c.182 (C.19:31-6.11).

1 g. All registration forms received by the Secretary of State in  
2 the mail or forwarded to the Secretary of State shall be forwarded to  
3 the commissioner of registration in the county of the registrant  
4 ~~and~~ . Each such form, and any registration form received  
5 otherwise by a commissioner of registration, shall be forwarded<sup>1</sup> to  
6 the county clerk if the vote by mail option is selected on a form.

7 h. An application to register to vote received from the New  
8 Jersey Motor Vehicle Commission or a voter registration agency, as  
9 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-  
10 6.11), shall be deemed to have been timely made for the purpose of  
11 qualifying an eligible applicant as registered to vote in an election if  
12 the date on which the commission or agency shall have received  
13 that document in completed form, as indicated in the lower right  
14 hand corner of the form, was not later than the 21st day preceding  
15 that election.

16 i. Each commissioner of registration shall make note in the  
17 permanent registration file of each voter who is required to provide  
18 the personal identification information required pursuant to this  
19 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-  
20 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of  
21 identification provided by the voter and the date on which it is  
22 provided. Prior to the June 2004 primary election, when such a  
23 newly registered voter seeks to vote for the first time following his  
24 or her registration, the voter will be required to provide such  
25 personal identification information. Beginning with the June 2004  
26 primary election, when such a newly registered voter seeks to vote  
27 for the first time following his or her registration, the voter will not  
28 be required to provide such information if he or she had previously  
29 provided the personal identification information required pursuant  
30 to this section. The required information shall be collected and  
31 stored for the time and in the manner required pursuant to  
32 regulations promulgated by the Secretary of State.

33 j. The Secretary of State shall amend the voter registration  
34 application form if necessary to conform to the requirements of  
35 applicable federal or State law.

36 k. In the event that the name of any political party entered on  
37 the voter registration form by a voter who wishes to declare a  
38 political party affiliation is not legible, the commissioner of  
39 registration shall mail the voter a political party declaration form  
40 and a letter explaining that the voter's choice was not understood  
41 and that the voter should complete and return the declaration form  
42 in order to be affiliated with a party.

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

44

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

1       1. a. There shall be established in the Department of State a  
2 single Statewide voter registration system, as required pursuant to  
3 section 303 of the federal "Help America Vote Act of 2002,"  
4 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer  
5 components of the system shall be under the direct control of the  
6 Secretary of State. The Secretary of State shall be responsible for  
7 creating the network necessary to maintain the system and  
8 providing the computer software, hardware and security necessary  
9 to ensure that the system is accessible only to those executive  
10 departments and State agencies so designated by the Secretary of  
11 State, each county commissioner of registration, each county and  
12 municipal clerk, and individuals under certain circumstances, as  
13 provided for by this section. The system shall be the official State  
14 repository for voter registration information for every legally  
15 registered voter in this State, and shall serve as the official voter  
16 registration system for the conduct of all elections in the State.

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

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

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

23       (3) interactivity among appropriate State agencies so designated  
24 by the Secretary of State, each county commissioner of registration,  
25 each county board of elections, and each county clerk such that  
26 these entities shall have immediate electronic access to all or  
27 selected records in the system, as determined by the Secretary of  
28 State, to receive or transmit all or selected files in the system and to  
29 print or review all or selected files in the system;

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

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

36       (6) the ability to permit an individual, by July 1, 2006, to verify  
37 via the Internet whether that individual, and only that individual, is  
38 included in the system as a legally registered voter, whether the  
39 information pertaining to that individual required by subsection c.  
40 of this section is correct, and if not, a means to notify the pertinent  
41 county commissioner of registration of the corrections that must be  
42 made and to so verify in a way that does not give one individual  
43 access to the information required by subsection c. of this section  
44 for any other individual;

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

1 (8) the ability to record and monitor all requests for mail-in  
2 ballots; to enable the county clerk to verify the identity and  
3 signature of each person requesting a mail-in ballot; to record the  
4 name and address of each voter determined to be eligible to receive  
5 a mail-in ballot for a particular election and to note when a mail-in  
6 ballot has been transmitted to that voter by mail or hand delivery; to  
7 update the system to allow the postal tracking of mail-in ballots  
8 using Intelligent Mail barcodes, or a similar successor tracking  
9 system, upon the finding by the Secretary of State that such  
10 technology is viable; and to make such information available to the  
11 Secretary of State so that a voter can be notified whether the  
12 application for such a ballot was accepted or rejected, and the  
13 reason for the rejection, using the free-access system established by  
14 section 5 of P.L.2004, c.88 (C.19:61-5); and

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

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

21 (1) last, first and middle name;

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

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

25 (4) date of birth;

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

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

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

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

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

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

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

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

47 (11) political party affiliation, if designated;

- 1 (12) digitalized signature;
- 2 (13) date of registration or re-registration;
- 3 (14) name and street address of the individual assisting in the
- 4 completion of the form, if the applicant for registration is unable to
- 5 do so;
- 6 (15) voting participation record for ten-year period; and
- 7 (16) any other information required pursuant to Pub.L.107-252
- 8 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
- 9 that the Secretary of State determines is necessary to assess the
- 10 eligibility of an individual to be registered to vote and to vote in
- 11 this State.

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

13

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

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

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

24 In the case of voter registration forms that include a selected vote  
25 by mail option, a copy of each such form shall be transmitted to and  
26 received by the appropriate county clerk, who shall be responsible  
27 for providing mail-in ballots to each qualified voter requesting such  
28 ballots for future elections, until the voter requests otherwise in  
29 writing.

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

31

32 6. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to  
33 read as follows:

34 13. a. On the margin of the flap on the inner envelopes to be  
35 sent to mail-in voters there shall be printed a certificate in the  
36 following form:

37 CERTIFICATE OF MAIL-IN VOTER

38 I, ....., whose home address is .....

39 (print your name clearly) (street

40 ....., DO HEREBY CERTIFY,

41 address or R.D. number) (municipality) **【Subject】** subject to the  
42 penalties for fraudulent voting, that I am the person who applied for  
43 the enclosed ballot. I MARKED AND SEALED THIS BALLOT  
44 AND CERTIFICATE IN SECRET. However, a family member  
45 may assist me in doing so.

46 .....

47 (signature of voter)

1 Any person providing assistance shall complete the following:

2 I do hereby certify that I am the person who provided assistance  
3 to this voter and declare that I will maintain the secrecy of this  
4 ballot.

5 .....  
6 (signature of person providing  
7 assistance)

8 .....  
9 (printed name of person providing  
10 assistance)

11 .....  
12 .....  
13 (address of person providing  
14 assistance)

15 b. On the margin of the flap on the inner envelope forwarded  
16 with any mail-in ballot intended to be voted in any primary election  
17 for the general election, as the case may be, there shall be printed a  
18 certificate in the following form:

19 CERTIFICATE OF MAIL-IN VOTER

20 I, ....., whose home address is.....  
21 (print your name clearly) (street address or R.D.  
22 number) (municipality)

23 ....., DO HEREBY CERTIFY,  
24 subject to the penalties for fraudulent voting, that I am the person  
25 who applied for the enclosed ballot for the primary election <sup>1</sup>of the  
26 ..... political party<sup>1</sup>. I MARKED AND SEALED THIS BALLOT  
27 AND CERTIFICATE IN SECRET. However, a family member  
28 may assist me in doing so.

29 .....  
30 (signature of voter)

31 Any person providing assistance shall complete the following:

32 I do hereby certify that I am the person who provided assistance  
33 to this voter and declare that I will maintain the secrecy of this  
34 ballot.

35 .....  
36 (signature of person providing  
37 assistance)

38 .....  
39 (printed name of person  
40 providing assistance)

41 .....  
42 .....  
43 (address of person providing  
44 assistance)

45 c. The clerk of each county shall be permitted to <sup>1</sup>print on or<sup>1</sup>  
46 affix to the margin of the flap on the inner envelope of the mail-in  
47 ballot transmitted thereby to a mail-in ballot voter an alternative

1 certificate, substantially similar to the certificate provided for by  
2 subsection a. or b. of this section, that permits the voter to certify  
3 the correctness of the voter's name, street, mailing address or R.D.  
4 number, and municipality as it appears on the label of the mail-in  
5 ballot received by the voter.

6 (cf: P.L.2011, c.134, s.53)

7  
8 7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to  
9 read as follows:

10 20. a. Any person who has applied for a mail-in ballot and has  
11 had the mail-in ballot either delivered in person or forwarded by  
12 mail, and voted and returned the voted ballot to the county board,  
13 shall not be permitted to vote in person at the polling place in the  
14 voter's election district on the day of the election.

15 b. Any person who: (1) has applied for a mail-in ballot and not  
16 received either the ballot or an explanation for not receiving such a  
17 ballot pursuant to notification by the county clerk or from the free-  
18 access system established pursuant to section 5 of P.L.2004, c.88  
19 (C.19:61-5) to provide such information; **[or]** (2) has applied for  
20 and received a mail-in ballot and has not transmitted it to the county  
21 board of elections or given it to a bearer for delivery to the county  
22 board before the time for the opening of the polls on the day of an  
23 election; or (3) has applied for and received a mail-in ballot and has  
24 not transmitted it to the county board of elections or given it to the  
25 bearer for delivery to the county board, but appears at the polling  
26 place without the ballot and wishes to vote, shall be permitted to  
27 vote in person by provisional ballot at the polling place in the  
28 voter's election district on the day of the election.

29 (cf: P.L.2009, c.79, s.20)

30  
31 8. Section 22 of P.L.2009, c.22 (C.19:63-22) is amended to read  
32 as follows:

33 22. On the day of each election each county board of elections  
34 shall open in the presence of the commissioner of registration, or  
35 the designee thereof, the inner envelopes that contain the mail-in  
36 ballots with the votes cast for the election. The inner envelopes  
37 containing the ballots that the board or the Superior Court has  
38 rejected shall not be so opened, but shall be retained as provided for  
39 by this act. The board shall then proceed to canvass the votes cast  
40 on the mail-in ballots, but no such ballot shall be counted in any  
41 primary election for the general election if the ballot of the political  
42 party marked for voting thereon differs from the designation of the  
43 political party in the primary election of which such ballot is  
44 intended to be voted as marked on the envelope by the county board  
45 of elections.

46 Every mail-in ballot that bears a postmark date of the day of the  
47 election and that is received by the county board within 48 hours

1 after the time of the closing of the polls for the election that the  
2 ballot was prepared shall be considered valid and shall be  
3 canvassed.

4 Immediately after the canvass is completed, the respective  
5 county boards of election shall certify the result of the canvass to  
6 the county clerk or the municipal or district clerk or other  
7 appropriate officer, as the case may be, showing the result of the  
8 canvass by municipality and ward. The votes thus canvassed shall  
9 be counted in determining the result of the election.

10 The county board of elections shall, immediately after the  
11 canvass is completed for any primary election, certify the results of  
12 the votes cast for members of the county committees to the  
13 respective municipal clerks, and those votes shall be counted in  
14 determining the result of the election.

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

16

17 9. (New section) <sup>1</sup>**【Notwithstanding the provisions of any law**  
18 **to the contrary, the】** A county clerk shall not be required to send a<sup>1</sup>  
19 sample ballot for any election <sup>1</sup>**【shall not be mailed】<sup>1</sup>** to a voter  
20 who has been sent a mail-in ballot for that election, pursuant to  
21 section 3 of P.L.2009, c.79 (C.19:63-3), and whose voted ballot has  
22 been received by the county board of elections prior to the  
23 transmission of sample ballots to voters required by R.S.19:14-25.  
24 A county <sup>1</sup>**【board】<sup>1</sup>** may send an acknowledgment to a voter when  
25 his or her mail-in ballot has been received by the board.

26

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

28 19:19-1. The board of county canvassers of each county shall  
29 meet on the **【Monday】** Wednesday next, after any such election, at  
30 12 o'clock noon, at the courthouse of the county, for the purpose of  
31 checking the canvass which shall have been made by the county  
32 clerk from the statements of the district boards filed in his office as  
33 hereinbefore provided. For such purpose the county clerk shall  
34 have prepared a compilation in tabulated form of such statements  
35 and the combined results shown thereby for the use of the board of  
36 canvassers.

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

38

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

40 19:21-1. a. The Board of State Canvassers shall meet at Trenton  
41 as soon as practicable but no later than the **【28th】** 30th day after the  
42 day of election, for the purpose of canvassing and estimating the  
43 votes cast for each person for whom any vote or votes shall have  
44 been cast for one or more members of the United States senate or of  
45 the house of representatives, or for electors of president and vice  
46 president, or for governor and lieutenant governor, or for members

1 of the Legislature, and upon each public question voted upon by the  
2 voters of the entire state or political division thereof greater than a  
3 county and of determining and declaring the person or persons who  
4 shall, by the greatest number of votes, have been duly elected to  
5 such office or offices, and the result of the vote cast upon any  
6 public question setting forth that it was approved or rejected.

7 b. For the purpose of canvassing and estimating the votes cast  
8 for each person for whom any vote or votes shall have been cast in  
9 any special election, the board shall meet in Trenton as soon as  
10 practicable but no later than the **[28th]** 30th day after the day of the  
11 special election.

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

13

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

15 19:28-1. When any candidate at any election shall have reason to  
16 believe that an error has been made in counting the votes of that  
17 election, the candidate may, within a period of **[15]** 17 days  
18 following such election, apply to a judge of the Superior Court  
19 assigned to the county wherein such district or districts are located,  
20 for a recount of the votes cast at the election in any district or  
21 districts.

22 When ten voters at any election shall have reason to believe that  
23 an error has been so made in counting the votes upon any public  
24 question at any election, such voters may, within a period of **[15]**  
25 17 days following such election, apply to a judge of the Superior  
26 Court assigned to the county wherein such district or districts are  
27 located, for a recount of the votes cast at the election in any district  
28 or districts on such public question.

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

30

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

32 19:29-3. The petition contesting any nomination to public office,  
33 election to party office or position or the proposal of any  
34 proposition shall be filed not later than **[10]** 12 days after the  
35 primary election.

36 The petition contesting any election to public office or approval  
37 or disapproval of any proposition shall be filed not later than **[30]**  
38 32 days after such election, unless the ground of action is  
39 discovered from the statements, deposit slips or vouchers filed  
40 under this Title, subsequent to such primary or other election, in  
41 which event such petition may be filed **[10]** 12 or **[30]** 32 days  
42 respectively after such statements, deposit slips or vouchers are  
43 filed.

44 Any petition of contest may be filed within **[10]** 12 days after  
45 the result of any recount has been determined or announced.

46 (cf: P.L.2011, c.134, s.39)

1 14. (New section) a. The clerk of each county shall add to the  
2 list of registered voters receiving a mail-in ballot for all future  
3 elections without further request each voter in the county who  
4 requested and received a mail-in ballot for the 2016 general  
5 election. Each voter so added to the list shall have the option to  
6 inform the clerk in writing that the voter does not wish to receive a  
7 mail-in ballot automatically for all future elections.

8 b. The county clerks shall transmit to each voter who will  
9 automatically receive such a ballot for all future elections pursuant  
10 to subsection a. of this section a notice informing the voter that he  
11 or she will automatically receive a mail-in ballot for all future  
12 elections unless the voter informs the clerk in writing that he or she  
13 does not wish to receive a mail-in ballot for all future elections.

14  
15 <sup>1</sup>15. Notwithstanding the specified operative date, if applicable,  
16 provided in section 16 of this act, P.L. , c. (pending before the  
17 Legislature as this bill):

18 a) the provisions of this act that are the responsibility of the  
19 Secretary of State shall take effect immediately and shall be  
20 completed within seven business days following the effective date;  
21 and

22 b) a county clerk may, at the clerk's discretion, implement any or  
23 all provisions of this act that are the responsibility of a county clerk  
24 immediately following the effective date, notwithstanding the  
25 specified operative date if applicable, if the clerk determines that  
26 such implementation is practical, and shall also inform the county  
27 board of elections of his or her determination as soon as possible  
28 after the determination is made.<sup>1</sup>

29  
30 <sup>1</sup>~~[15.]~~ 16.<sup>1</sup> This act shall take effect immediately if an election  
31 is to occur more than <sup>1</sup>~~[30]~~ 60<sup>1</sup> days prior to the day this act takes  
32 effect; except that if this act would become <sup>1</sup>~~[operative]~~ effective<sup>1</sup>  
33 less than <sup>1</sup>~~[30]~~ 60<sup>1</sup> days before the day of an election, this act shall  
34 instead take effect <sup>1</sup>~~[on]~~ immediately but remain inoperative until<sup>1</sup>  
35 the day following that election <sup>1</sup>, except as otherwise provided in  
36 section 15 of this act<sup>1</sup>.

37  
38  
39  
40  
41 \_\_\_\_\_  
42 Permits registered voters to receive mail-in ballots automatically  
for all elections under certain conditions.

**CHAPTER 72**  
**(CORRECTED COPY)**

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

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

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

C.19:63-3 Procedure for user of mail-in ballot.

3. a. A qualified voter shall be entitled to vote using a mail-in ballot:

(1) in all future elections, including general elections, held in this State, in which the voter is eligible to vote; or

(2) in any single election held in this State.

The qualified voter who chooses the option to vote using a mail-in ballot in all future elections shall be furnished with such a ballot by the county clerk without further request on the part of the voter and until the voter requests in writing that the voter no longer be sent a mail-in ballot.

The mail-in ballot application form prepared by the Secretary of State shall present the two options in the order provided above.

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

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

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

e. A person voting by mail-in ballot who registered by mail after January 1, 2003, who did not provide personal identification information when registering pursuant to section 16 of P.L.1974, 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.

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

g. 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.

2. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read as follows:

C.19:63-6 Publication of notice.

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), the following applies:

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

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

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

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

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

Voters who want to vote by mail in all future elections will, after their initial request and without further action on their part, be provided with a mail-in ballot until the voter requests otherwise in writing.

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

Dated.....  
.....  
(signature and title of county clerk)  
.....  
(address of county clerk)  
.....  
(telephone no. of county clerk)

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

United States and overseas voters how to obtain valid overseas voter registration and ballot applications.

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

c. The mail-in ballot materials shall contain a notice that any 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.

3. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to read as follows:

C.19:31-6.4 Registration forms, contents, availability; duties of officials.

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:

- 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):

.....

(8) Date of Birth:

.....

Month Day Year

(9) (a) Telephone Number (optional).....

(b) E-Mail Address (optional).....

(10) Name and address of Your Last Voter Registration

.....

.....

.....

(11)If you are registering by mail to vote and will be voting for the first time in your current county of residence, please provide one of the following:

(a) your New Jersey driver's license number:.....

(b) the last four digits of your Social Security Number.....

OR submit with this form a copy of any one of the following documents: a current and valid photo identification card; a current utility bill, bank statement, government check, pay check or any other government or other identifying document that shows your name and current address. If you do not provide either your New Jersey driver's license number or the last four digits of your Social Security Number, or enclose a copy of one of the documents listed above, you will be asked for identification when voting for the first time, unless you are exempt from doing so under federal or State law.

(12) Do you wish to declare a political party affiliation? (Optional):

YES. Name of Party:

NO. I do not wish to declare a political party affiliation at this time.

(13) I wish to receive a Mail-in Ballot for all future elections, until I request otherwise in writing.

(14)Declaration - I swear or affirm that:

I am a U.S. citizen.

I live at the above address.

I will be at least 18 years old on or before the day of the next election.

I am not on parole, probation or serving a sentence due to a conviction for an indictable offense under any federal or State laws.

I UNDERSTAND THAT ANY FALSE OR FRAUDULENT REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH PURSUANT TO R.S.19:34-1.

.....

Signature or mark of the registrant Date

(15)If applicant is unable to complete this form, print the name and address of individual who completed this form.

.....

Name

.....

Address

In addition, the form may include notice to the applicant of information and options relating to the registration and voting process, including but not limited to notice of

qualifications required of a registered voter; notice of the final day by which a person must be registered to be eligible to vote in an election; notice of the effect of a failure to provide required identification information; a place at which the applicant may indicate availability for service as a member of the district board of elections; a place at which the applicant may indicate whether he or she requires a polling place which is accessible to individuals with disabilities and the elderly or whether he or she is legally blind; a place at which the applicant may indicate a desire to receive additional information concerning voting by mail; and if the application indicates a political party affiliation, the voter is permitted to vote in the primary election of a political party other than the political party in which the voter was affiliated previously only if the voter registration form with the change of political party affiliation is filed prior to the 50th day next preceding the primary election. The form may also include a space for the voter registration agency to record whether the applicant registered in person, by mail or by other means.

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

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

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

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

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

g. All registration forms received by the Secretary of State in the mail or forwarded to the Secretary of State shall be forwarded to the commissioner of registration in the county of the registrant. Each such form, and any registration form received otherwise by a commissioner of registration, shall be forwarded to the county clerk if the vote by mail option is selected on a form.

h. An application to register to vote received from the New Jersey Motor Vehicle Commission or a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), shall be deemed to have been timely made for the purpose of qualifying an eligible applicant as registered to vote in an election if the date on which the commission or agency shall have received that document in completed form, as indicated in

the lower right hand corner of the form, was not later than the 21st day preceding that election.

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

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

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

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

C.19:31-31 Establishment of single Statewide voter registration system.

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

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

- (1) the name and registration information of every legally registered voter in the State;
- (2) the ability to assign a unique identifier to each legally registered voter in the State;
- (3) interactivity among appropriate State agencies so designated by the Secretary of State, each county commissioner of registration, each county board of elections, and each county clerk such that these entities shall have immediate electronic access to all or selected records in the system, as determined by the Secretary of State, to receive or transmit all or selected files in the system and to print or review all or selected files in the system;

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

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

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

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

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

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

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

(1) last, first and middle name;

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

(3) city or municipality, and zip code;

(4) date of birth;

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

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

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

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

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

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

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

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

(11) political party affiliation, if designated;

(12) digitalized signature;

(13) date of registration or re-registration;

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

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

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

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

C.19:63-5 Application for mail-in ballot to county clerk.

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

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

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

6. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to read as follows:

C.19:63-13 Certificate of mail-in voter.

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 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 of the ..... political party. 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)

c. The clerk of each county shall be permitted to print on or affix to the margin of the flap on the inner envelope of the mail-in ballot transmitted thereby to a mail-in ballot voter an alternative certificate, substantially similar to the certificate provided for by subsection a. or b. of this section, that permits the voter to certify the correctness of the voter's name, street, mailing address or R.D. number, and municipality as it appears on the label of the mail-in ballot received by the voter.

7. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to read as follows:

C.19:63-20 Mail-in voters, certain, not permitted to vote in person.

20. a. Any person who has applied for a mail-in ballot and has had the mail-in ballot either delivered in person or forwarded by mail, and voted and returned the voted ballot to the county board, shall not be permitted to vote in person at the polling place in the voter's election district on the day of the election.

b. Any person who: (1) has applied for a mail-in ballot and not received either the ballot or an explanation for not receiving such a ballot pursuant to notification by the county clerk or from the free-access system established pursuant to section 5 of P.L.2004, c.88 (C.19:61-5) to provide such information; (2) has applied for and received a mail-in ballot and has not transmitted it to the county board of elections or given it to a bearer for delivery to the county board before the time for the opening of the polls on the day of an election; or (3) has applied for and received a mail-in ballot and has not transmitted it to the county board of elections or given it to the bearer for delivery to the county board, but appears at the polling place without the ballot and wishes to vote, shall be permitted to vote in person by provisional ballot at the polling place in the voter's election district on the day of the election.

8. Section 22 of P.L.2009, c.79 (C.19:63-22) is amended to read as follows:

C.19:63-22 Opening of mail-in ballot.

22. On the day of each election each county board of elections shall open in the presence of the commissioner of registration, or the designee thereof, the inner envelopes that contain the mail-in ballots with the votes cast for the election. The inner envelopes containing the ballots that the board or the Superior Court has rejected shall not be so opened, but shall be retained as provided for by this act. The board shall then proceed to canvass the votes cast on the mail-in ballots, but no such ballot shall be counted in any primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the primary election of which such ballot is intended to be voted as marked on the envelope by the county board of elections.

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

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

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

C.19:14-25.1 Sample ballot not required to be sent under certain circumstances.

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

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

Meeting of board of county canvassers.

19:19-1. The board of county canvassers of each county shall meet on the Wednesday next, after any such election, at 12 o'clock noon, at the courthouse of the county, for the

purpose of checking the canvass which shall have been made by the county clerk from the statements of the district boards filed in his office as hereinbefore provided. For such purpose the county clerk shall have prepared a compilation in tabulated form of such statements and the combined results shown thereby for the use of the board of canvassers.

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

Meeting times.

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

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

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

Application for recount.

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

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

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

Filing of certain petitions.

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

The petition contesting any election to public office or approval or disapproval of any proposition shall be filed not later than 32 days after such election, unless the ground of action is discovered from the statements, deposit slips or vouchers filed under this Title, subsequent to such primary or other election, in which event such petition may be filed 12 or 32 days respectively after such statements, deposit slips or vouchers are filed.

Any petition of contest may be filed within 12 days after the result of any recount has been determined or announced.

C.19:63-3.1 Additions to list of mail-in voters.

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

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

15. Notwithstanding the specified operative date, if applicable, provided in section 16 of this act, P.L.2018, c.72:

a) the provisions of this act that are the responsibility of the Secretary of State shall take effect immediately and shall be completed within seven business days following the effective date; and

b) a county clerk may, at the clerk's discretion, implement any or all provisions of this act that are the responsibility of a county clerk immediately following the effective date, notwithstanding the specified operative date if applicable, if the clerk determines that such implementation is practical, and shall also inform the county board of elections of his or her determination as soon as possible after the determination is made.

16. This act shall take effect immediately if an election is to occur more than 60 days prior to the day this act takes effect; except that if this act would become effective less than 60 days before the day of an election, this act shall instead take effect immediately but remain inoperative until the day following that election, except as otherwise provided in section 15 of this act.

Approved August 10, 2018.