

# 19:62-1

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 148

**NJSA:** 19:62-1 (Permits elections in municipalities with 500 or fewer residents to be conducted by mail)

**BILL NO:** S2389 (Substituted for A43)

**SPONSOR(S):** Bryant and others

**DATE INTRODUCED:** March 14, 2004

**COMMITTEE:** **ASSEMBLY:**  
**SENATE:** State Government

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** June 30, 2005

**SENATE:** June 20, 2005

**DATE OF APPROVAL:** July 12, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

**S2389**

[SPONSOR'S STATEMENT:](#) (Begins on page 6 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

[LEGISLATIVE FISCAL ESTIMATE:](#) [Yes](#)

**A43**

[SPONSOR'S STATEMENT:](#) (Begins on page 6 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

[LEGISLATIVE FISCAL ESTIMATE:](#) [Yes](#)

**VETO MESSAGE:** No

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**REPORTS:**

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No

**NEWSPAPER ARTICLES:**

No

IS 8/1/07

Title 19.  
Chapter 62. (New)  
Election Conducted  
by Mail  
§§1-13 -  
C.19:62-1  
to 19:62-13  
§14 - Note to §§1-13

P.L. 2005, CHAPTER 148, *approved July 12, 2005*  
Senate, No. 2389

1 AN ACT permitting elections in certain municipalities to be conducted  
2 by mail and supplementing Title 19 of the Revised Statutes.

3

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

6

7 1. Notwithstanding any other law, regulation or rule to the  
8 contrary, a municipality with a population of 500 or fewer persons,  
9 according to the latest federal decennial census, may conduct all  
10 elections by mail, provided there is an affirmative vote to do so by the  
11 governing body of the municipality and by the governing body of the  
12 county in which the municipality is located. An election conducted by  
13 mail shall be conducted pursuant to the provisions of this act, P.L. ,  
14 c. (C. )(now pending before the Legislature as this bill).

15

16 2. If an election by mail is authorized pursuant to section 1 of this  
17 act, P.L. , c. (C. )(now pending before the Legislature as this  
18 bill), the county clerk shall:

19 a. publish, in advance of the election and pursuant to rules and  
20 regulations promulgated by the Attorney General, official notice that  
21 the election shall be conducted by mail together with such other  
22 information regarding the conduct of the election as shall be deemed  
23 necessary by the Attorney General;

24 b. mail a ballot, including an outer envelope and an inner envelope  
25 substantially similar to the envelopes provided for absentee ballots  
26 pursuant to section 16 of P.L.1953, c.211 (C.19:57-16), not sooner  
27 than the 20th day prior to the day of the election nor later than the  
28 14th day prior to the day of the election, to each person registered to  
29 vote in the municipality at that election;

30 c. designate the county clerk's office or the municipal clerk's office  
31 as the places to obtain a replacement ballot pursuant to section 5 of  
32 this act, P.L. , c. (C. )(now pending before the Legislature as  
33 this bill);

34 d. designate, after consultation with the county board of elections  
35 and pursuant to criteria established by the Attorney General, places  
36 within the county or municipality that shall be available for the deposit  
37 of voted ballots for the election;

38 e. make a provisional ballot available at the office of the county  
39 clerk and the office of the municipal clerk so that each person who has

1 been a resident of the county or municipality in which the person seeks  
2 to register and vote at least 29 days prior to the day of the election and  
3 has moved to a location within the municipality after that 29th day and  
4 prior to the day of the election may vote;

5 f. suspend distribution to each registered voter in the municipality  
6 samples of the official ballot of any election, but distribute to each  
7 registered voter in the municipality with each ballot a copy of the voter  
8 information notice provided for in section 1 of P.L. , c.  
9 (C. )(now pending before the Legislature as Assembly, No. 32 of  
10 2005) as modified and supplemented by the Attorney General as  
11 deemed appropriate for use in municipalities conducting elections by  
12 mail, and such instruction about the completion of the ballot as  
13 deemed necessary by the Attorney General;

14 g. make certain that all qualified voters in the municipality  
15 requesting an absentee ballot between the 40th day and the 21st day  
16 prior to the day of an election receive such ballot after the 20th day  
17 prior to the day of an election and voters requesting a ballot on or  
18 before the seventh day prior to the date of the election shall receive a  
19 ballot authorized pursuant to this section; and

20 h. establish, after consultation with the county board of elections  
21 and in accordance with rules and regulations adopted by the Attorney  
22 General, the time by which all ballots must be received by the board on  
23 the day of an election to be considered valid and counted.

24

25 3. If an election by mail is authorized pursuant to section 1 of this  
26 act, P.L. , c. (C. )(now pending before the Legislature as this  
27 bill), the county board of elections shall:

28 a. consult with the county clerk and the municipal clerk with  
29 respect to the conduct of the election, as provided for in subsections  
30 d. and h. of section 2 of P.L. , c. (C. )(now pending before  
31 the Legislature as this bill);

32 b. receive all ballots for the election returned by United States mail  
33 and collect all ballots for the election which were deposited in  
34 designated places of deposit prior to the time established for the  
35 closing of the polls;

36 c. verify the signature of the voter on the outer envelope of each  
37 ballot returned by comparing it with the signature on that person's  
38 voter registration form, in accordance with the rules and regulations  
39 adopted by the Attorney General, and if it is determined that the voter  
40 to whom a ballot or a replacement ballot has been issued has voted  
41 more than once, not count any ballot by that voter;

42 d. remove the inner envelope from the outer envelope of each  
43 ballot on the day of the election and proceed with the canvass of such  
44 ballots; and

45 e. conduct the canvass of the ballots and the certification of the  
46 results of the election in accordance with the procedures provided for

1 such actions in this act, P.L. , c. (C. )(now pending before  
2 the Legislature as this bill) and in Title 19 of the Revised Statutes.

3  
4 4. If an election by mail is authorized pursuant to section 1 of this  
5 act, P.L. , c. (C. )(now pending before the Legislature as this  
6 act), the superintendent of elections or the commissioner of  
7 registration, as may be appropriate, shall make certain that at least one  
8 voting machine that is fully accessible to individuals with disabilities  
9 shall be located in the office of the municipal clerk and available for  
10 use by such individuals. Other than as provided for in section 9 of  
11 P.L. , c. (C. )(now pending before the Legislature as this  
12 bill), all the provisions of this Title concerning polling places shall  
13 apply to the office of a municipal clerk used for this purpose, as  
14 deemed appropriate by the Attorney General.

15  
16 5. A registered voter may obtain a replacement ballot if a ballot has  
17 not been received by that person, or if it has been destroyed, spoiled  
18 or lost. A registered voter seeking a replacement ballot shall proceed  
19 to the office of the county clerk or municipal clerk to obtain such a  
20 ballot and sign a sworn statement that the ballot was destroyed,  
21 spoiled, lost or not received and present the statement to the county  
22 clerk or the municipal clerk prior to the time designated by law for the  
23 closing of the polls for that election. The county clerk and municipal  
24 clerk shall each keep a record of each replacement ballot provided.

25 Nothing in this section shall prevent a voter seeking a replacement  
26 ballot from obtaining such a ballot from the county clerk or municipal  
27 clerk anytime after ballots have been mailed to registered voters  
28 pursuant to subsection b. of section 2 of P.L. , c. (C. )(now  
29 pending before the Legislature as this bill) and before the day of the  
30 election or from mailing a replacement ballot to the county board of  
31 elections prior to the day of the election.

32  
33 6. Each ballot obtained from the county clerk or the municipal  
34 clerk shall have printed or stamped on it the following statement:

35 ANY PERSON WHO, BY USE OF FORCE OR ANY OTHER  
36 MEANS, UNDULY INFLUENCES A VOTER TO VOTE IN ANY  
37 PARTICULAR MANNER OR TO REFRAIN FROM VOTING IS  
38 GUILTY OF A CRIME.

39  
40 7. For a primary election for the general election:

41 a. the county clerk shall mail the ballot of a political party to each  
42 voter in the municipality who is registered as being affiliated with the  
43 political party as of the 21st day before the day of the primary election;  
44 and

45 b. a voter who is not affiliated with any political party who wishes  
46 to vote in the primary of a political party shall apply to the county  
47 clerk or municipal clerk in writing for the ballot of the political party

1 in whose primary the voter wishes to vote, or designate a political  
2 party affiliation for the first time by whatever means permitted by law,  
3 and the application or designation shall be presented to the clerk  
4 through the day of the election.

5  
6 8. Prior to transmitting a ballot to the county board of elections,  
7 a registered voter shall mark it and place it in the inner envelope. The  
8 inner envelope shall then be placed in the outer envelope and that  
9 envelope shall be signed and certified by the voter pursuant to  
10 instructions provided with the ballot. The voter may return the  
11 envelopes containing the marked ballot to the county board by United  
12 States mail or by depositing it at the office of the county board or any  
13 other place of deposit designated for that purpose. If the voter returns  
14 the ballot by United States mail, the voter shall provide the postage.

15  
16 9. The office of the municipal clerk shall be open from 6:00 a.m.  
17 to 8:00 p.m. on the day of an election to provide replacement ballots  
18 or provisional ballots to voters, receive voted ballots being deposited  
19 in person by voters and permit individuals with disabilities to vote  
20 using a voting machine that is fully accessible to such individuals.  
21 During this time, such appropriate staff shall be available for election  
22 purposes at the office of the municipal clerk as may be required by the  
23 county board of elections to ensure the proper administration of the  
24 election process.

25  
26 10. a. For a ballot to be counted, it shall be received by the county  
27 board of elections no later than the time established for the closing of  
28 the polls for that election, pursuant to subsection h. of section 2 of this  
29 act, P.L. , c. (C. )(now pending before the Legislature as this  
30 bill).

31 Nothing in this subsection shall preclude the board from starting to  
32 count the ballots it has received for an election prior to the time  
33 designated for the closing of the polls for that election.

34 b. A vote that is cast on a voting machine that is fully accessible to  
35 individuals with disabilities shall be counted and canvassed in the same  
36 manner as all other votes cast by voting machine pursuant to the  
37 provisions of this Title.

38  
39 11. If received in a timely manner, a ballot shall be counted only if:

40 a. the ballot is returned in the inner envelope and the inner  
41 envelope is enclosed in the outer envelope;

42 b. the envelopes in which it is returned manifest no signs of  
43 tampering or improper handling;

44 c. the outer envelope is signed by the registered voter to whom the  
45 ballot has been issued; and

46 d. the signature is verified as provided in subsection c. of section

1 3 of this act, P.L. , c. (C. )(now pending before the Legislature  
2 as this bill).

3

4 12. Any ballot and any voter casting a ballot in an election held by  
5 mail may be challenged pursuant to rules and regulations adopted by  
6 the Attorney General.

7

8 13. The Attorney General shall promulgate, pursuant to the  
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
10 seq.), such rules and regulations as may be deemed necessary to  
11 effectuate the purposes of this act.

12

13 14. This act shall take effect immediately and shall be applicable to  
14 any election held on or after the 180th day following enactment.

15

16

17

#### STATEMENT

18

19 This bill provides that a municipality with a population of 500 or  
20 fewer persons, according to the latest federal decennial census, may  
21 conduct all elections by mail, provided there is an affirmative vote to  
22 do so by the governing body of the municipality and by the governing  
23 body of the county in which the municipality is located.

24 The bill establishes certain procedures for the county clerk and the  
25 municipal clerk to follow prior to the day when an elections is held.  
26 These include publishing information about the election prior to the  
27 date it is held, mailing a ballot at least 14 days prior to the election to  
28 each person registered to vote, and making a replacement ballot  
29 available to a voter if that person's ballot has been destroyed, spoiled,  
30 lost or not received. Many of these procedures would be pursuant to  
31 rules and regulations promulgated by the Attorney General.

32 The bill establishes certain procedures for the county board of  
33 elections to follow in regard to the elections. These include  
34 cooperating with the county clerk and the municipal clerk to designate  
35 places within the county at which ballots may be deposited for an  
36 election and establishing the time by which all ballots must be received  
37 by the board on the day of an election to be considered valid and  
38 counted. Once received, the board would be responsible for the  
39 canvass of the ballots in accordance with the procedure provided for  
40 such actions in this bill and Title 19 of the Revised Statutes.

41 The bill also provides that the superintendent of elections or the  
42 commissioner of registration, as may be appropriate, is to make certain  
43 that at least one voting machine that is fully accessible to individuals  
44 with disabilities is located in the office of the municipal clerk and  
45 available for use by such individuals.

46 Under the bill, the new mail-in ballot procedure would be applicable

1 to any election held on or after the 180th day following enactment.

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3

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6 Permits elections in municipalities with fewer than 500 residents to be

7 conducted by mail.



# SENATE, No. 2389

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MARCH 14, 2005

**Sponsored by:**

**Senator WAYNE R. BRYANT**

**District 5 (Camden and Gloucester)**

**Senator ELLEN KARCHER**

**District 12 (Mercer and Monmouth)**

**Senator LEONARD T. CONNORS, JR.**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Camden)**

**Assemblyman ROBERT GORDON**

**District 38 (Bergen)**

**Assemblyman WILLIAM D. PAYNE**

**District 29 (Essex and Union)**

**Assemblywoman MARY T. PREVITE**

**District 6 (Camden)**

**Co-Sponsored by:**

**Assemblyman Connors**

**SYNOPSIS**

Permits elections in municipalities with fewer than 500 residents to be conducted by mail.

**CURRENT VERSION OF TEXT**

As introduced.

(Sponsorship Updated As Of: 7/1/2005)

1 AN ACT permitting elections in certain municipalities to be conducted  
2 by mail and supplementing Title 19 of the Revised Statutes.

3

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

6

7 1. Notwithstanding any other law, regulation or rule to the  
8 contrary, a municipality with a population of 500 or fewer persons,  
9 according to the latest federal decennial census, may conduct all  
10 elections by mail, provided there is an affirmative vote to do so by the  
11 governing body of the municipality and by the governing body of the  
12 county in which the municipality is located. An election conducted by  
13 mail shall be conducted pursuant to the provisions of this act, P.L. ,  
14 c. (C. )(now pending before the Legislature as this bill).

15

16 2. If an election by mail is authorized pursuant to section 1 of this  
17 act, P.L. , c. (C. )(now pending before the Legislature as this  
18 bill), the county clerk shall:

19 a. publish, in advance of the election and pursuant to rules and  
20 regulations promulgated by the Attorney General, official notice that  
21 the election shall be conducted by mail together with such other  
22 information regarding the conduct of the election as shall be deemed  
23 necessary by the Attorney General;

24 b. mail a ballot, including an outer envelope and an inner envelope  
25 substantially similar to the envelopes provided for absentee ballots  
26 pursuant to section 16 of P.L.1953, c.211 (C.19:57-16), not sooner  
27 than the 20th day prior to the day of the election nor later than the  
28 14th day prior to the day of the election, to each person registered to  
29 vote in the municipality at that election;

30 c. designate the county clerk's office or the municipal clerk's office  
31 as the places to obtain a replacement ballot pursuant to section 5 of  
32 this act, P.L. , c. (C. )(now pending before the Legislature as  
33 this bill);

34 d. designate, after consultation with the county board of elections  
35 and pursuant to criteria established by the Attorney General, places  
36 within the county or municipality that shall be available for the deposit  
37 of voted ballots for the election;

38 e. make a provisional ballot available at the office of the county  
39 clerk and the office of the municipal clerk so that each person who has  
40 been a resident of the county or municipality in which the person seeks  
41 to register and vote at least 29 days prior to the day of the election and  
42 has moved to a location within the municipality after that 29th day and  
43 prior to the day of the election may vote;

44 f. suspend distribution to each registered voter in the municipality  
45 samples of the official ballot of any election, but distribute to each  
46 registered voter in the municipality with each ballot a copy of the voter

1 information notice provided for in section 1 of P.L. , c.  
2 (C. )(now pending before the Legislature as Assembly, No. 32 of  
3 2005) as modified and supplemented by the Attorney General as  
4 deemed appropriate for use in municipalities conducting elections by  
5 mail, and such instruction about the completion of the ballot as  
6 deemed necessary by the Attorney General;

7 g. make certain that all qualified voters in the municipality  
8 requesting an absentee ballot between the 40th day and the 21st day  
9 prior to the day of an election receive such ballot after the 20th day  
10 prior to the day of an election and voters requesting a ballot on or  
11 before the seventh day prior to the date of the election shall receive a  
12 ballot authorized pursuant to this section; and

13 h. establish, after consultation with the county board of elections  
14 and in accordance with rules and regulations adopted by the Attorney  
15 General, the time by which all ballots must be received by the board on  
16 the day of an election to be considered valid and counted.

17

18 3. If an election by mail is authorized pursuant to section 1 of this  
19 act, P.L. , c. (C. )(now pending before the Legislature as this  
20 bill), the county board of elections shall:

21 a. consult with the county clerk and the municipal clerk with  
22 respect to the conduct of the election, as provided for in subsections  
23 d. and h. of section 2 of P.L. , c. (C. )(now pending before  
24 the Legislature as this bill);

25 b. receive all ballots for the election returned by United States mail  
26 and collect all ballots for the election which were deposited in  
27 designated places of deposit prior to the time established for the  
28 closing of the polls;

29 c. verify the signature of the voter on the outer envelope of each  
30 ballot returned by comparing it with the signature on that person's  
31 voter registration form, in accordance with the rules and regulations  
32 adopted by the Attorney General, and if it is determined that the voter  
33 to whom a ballot or a replacement ballot has been issued has voted  
34 more than once, not count any ballot by that voter;

35 d. remove the inner envelope from the outer envelope of each  
36 ballot on the day of the election and proceed with the canvass of such  
37 ballots; and

38 e. conduct the canvass of the ballots and the certification of the  
39 results of the election in accordance with the procedures provided for  
40 such actions in this act, P.L. , c. (C. )(now pending before  
41 the Legislature as this bill) and in Title 19 of the Revised Statutes.

42

43 4. If an election by mail is authorized pursuant to section 1 of this  
44 act, P.L. , c. (C. )(now pending before the Legislature as this  
45 act), the superintendent of elections or the commissioner of  
46 registration, as may be appropriate, shall make certain that at least one

1 voting machine that is fully accessible to individuals with disabilities  
2 shall be located in the office of the municipal clerk and available for  
3 use by such individuals. Other than as provided for in section 9 of  
4 P.L. , c. (C. )(now pending before the Legislature as this  
5 bill), all the provisions of this Title concerning polling places shall  
6 apply to the office of a municipal clerk used for this purpose, as  
7 deemed appropriate by the Attorney General.

8  
9 5. A registered voter may obtain a replacement ballot if a ballot has  
10 not been received by that person, or if it has been destroyed, spoiled  
11 or lost. A registered voter seeking a replacement ballot shall proceed  
12 to the office of the county clerk or municipal clerk to obtain such a  
13 ballot and sign a sworn statement that the ballot was destroyed,  
14 spoiled, lost or not received and present the statement to the county  
15 clerk or the municipal clerk prior to the time designated by law for the  
16 closing of the polls for that election. The county clerk and municipal  
17 clerk shall each keep a record of each replacement ballot provided.

18 Nothing in this section shall prevent a voter seeking a replacement  
19 ballot from obtaining such a ballot from the county clerk or municipal  
20 clerk anytime after ballots have been mailed to registered voters  
21 pursuant to subsection b. of section 2 of P.L. , c. (C. )(now  
22 pending before the Legislature as this bill) and before the day of the  
23 election or from mailing a replacement ballot to the county board of  
24 elections prior to the day of the election.

25  
26 6. Each ballot obtained from the county clerk or the municipal  
27 clerk shall have printed or stamped on it the following statement:

28 ANY PERSON WHO, BY USE OF FORCE OR ANY OTHER  
29 MEANS, UNDULY INFLUENCES A VOTER TO VOTE IN ANY  
30 PARTICULAR MANNER OR TO REFRAIN FROM VOTING IS  
31 GUILTY OF A CRIME.

32  
33 7. For a primary election for the general election:

34 a. the county clerk shall mail the ballot of a political party to each  
35 voter in the municipality who is registered as being affiliated with the  
36 political party as of the 21st day before the day of the primary election;  
37 and

38 b. a voter who is not affiliated with any political party who wishes  
39 to vote in the primary of a political party shall apply to the county  
40 clerk or municipal clerk in writing for the ballot of the political party  
41 in whose primary the voter wishes to vote, or designate a political  
42 party affiliation for the first time by whatever means permitted by law,  
43 and the application or designation shall be presented to the clerk  
44 through the day of the election.

45  
46 8. Prior to transmitting a ballot to the county board of elections,  
47 a registered voter shall mark it and place it in the inner envelope. The

1 inner envelope shall then be placed in the outer envelope and that  
2 envelope shall be signed and certified by the voter pursuant to  
3 instructions provided with the ballot. The voter may return the  
4 envelopes containing the marked ballot to the county board by United  
5 States mail or by depositing it at the office of the county board or any  
6 other place of deposit designated for that purpose. If the voter returns  
7 the ballot by United States mail, the voter shall provide the postage.

8  
9 9. The office of the municipal clerk shall be open from 6:00 a.m.  
10 to 8:00 p.m. on the day of an election to provide replacement ballots  
11 or provisional ballots to voters, receive voted ballots being deposited  
12 in person by voters and permit individuals with disabilities to vote  
13 using a voting machine that is fully accessible to such individuals.  
14 During this time, such appropriate staff shall be available for election  
15 purposes at the office of the municipal clerk as may be required by the  
16 county board of elections to ensure the proper administration of the  
17 election process.

18  
19 10. a. For a ballot to be counted, it shall be received by the county  
20 board of elections no later than the time established for the closing of  
21 the polls for that election, pursuant to subsection h. of section 2 of this  
22 act, P.L. , c. (C. )(now pending before the Legislature as this  
23 bill).

24 Nothing in this subsection shall preclude the board from starting to  
25 count the ballots it has received for an election prior to the time  
26 designated for the closing of the polls for that election.

27 b. A vote that is cast on a voting machine that is fully accessible to  
28 individuals with disabilities shall be counted and canvassed in the same  
29 manner as all other votes cast by voting machine pursuant to the  
30 provisions of this Title.

31  
32 11. If received in a timely manner, a ballot shall be counted only if:

33 a. the ballot is returned in the inner envelope and the inner  
34 envelope is enclosed in the outer envelope;

35 b. the envelopes in which it is returned manifest no signs of  
36 tampering or improper handling;

37 c. the outer envelope is signed by the registered voter to whom the  
38 ballot has been issued; and

39 d. the signature is verified as provided in subsection c. of section  
40 3 of this act, P.L. , c. (C. )(now pending before the Legislature  
41 as this bill).

42  
43 12. Any ballot and any voter casting a ballot in an election held by  
44 mail may be challenged pursuant to rules and regulations adopted by  
45 the Attorney General.

1 13. The Attorney General shall promulgate, pursuant to the  
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
3 seq.), such rules and regulations as may be deemed necessary to  
4 effectuate the purposes of this act.

5  
6 14. This act shall take effect immediately and shall be applicable to  
7 any election held on or after the 180th day following enactment.

8  
9  
10 STATEMENT

11  
12 This bill provides that a municipality with a population of 500 or  
13 fewer persons, according to the latest federal decennial census, may  
14 conduct all elections by mail, provided there is an affirmative vote to  
15 do so by the governing body of the municipality and by the governing  
16 body of the county in which the municipality is located.

17 The bill establishes certain procedures for the county clerk and the  
18 municipal clerk to follow prior to the day when an elections is held.  
19 These include publishing information about the election prior to the  
20 date it is held, mailing a ballot at least 14 days prior to the election to  
21 each person registered to vote, and making a replacement ballot  
22 available to a voter if that person's ballot has been destroyed, spoiled,  
23 lost or not received. Many of these procedures would be pursuant to  
24 rules and regulations promulgated by the Attorney General.

25 The bill establishes certain procedures for the county board of  
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28 places within the county at which ballots may be deposited for an  
29 election and establishing the time by which all ballots must be received  
30 by the board on the day of an election to be considered valid and  
31 counted. Once received, the board would be responsible for the  
32 canvass of the ballots in accordance with the procedure provided for  
33 such actions in this bill and Title 19 of the Revised Statutes.

34 The bill also provides that the superintendent of elections or the  
35 commissioner of registration, as may be appropriate, is to make certain  
36 that at least one voting machine that is fully accessible to individuals  
37 with disabilities is located in the office of the municipal clerk and  
38 available for use by such individuals.

39 Under the bill, the new mail-in ballot procedure would be applicable  
40 to any election held on or after the 180th day following enactment.

# SENATE STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **SENATE, No. 2389**

# **STATE OF NEW JERSEY**

DATED: MAY 26, 2005

The Senate State Government Committee reports favorably Senate, No. 2389.

This bill provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.

The bill establishes certain procedures for the county clerk and the municipal clerk to follow prior to the day when an elections is held. These include publishing information about the election prior to the date it is held, mailing a ballot at least 14 days prior to the election to each person registered to vote, and making a replacement ballot available to a voter if that person's ballot has been destroyed, spoiled, lost or not received.

The bill establishes certain procedures for the county board of elections to follow in regard to the elections. These include cooperating with the county clerk and the municipal clerk to designate places within the county at which ballots may be deposited for an election and establishing the time by which all ballots must be received by the board on the day of an election to be considered valid and counted. Once received, the board would be responsible for the canvass of the ballots in accordance with the procedure provided for such actions in this bill and current law. The bill also provides that the superintendent of elections or the commissioner of registration, as may be appropriate, is to make certain that at least one voting machine that is fully accessible to individuals with disabilities is located in the office of the municipal clerk and available for use by such individuals.

Under the bill, the new mail-in ballot procedure would be available to an eligible municipality for elections held on or after the 180th day following enactment.

As reported, this bill is identical to Assembly, No. 43.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 2389**  
**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

DATED: MAY 10, 2005

**SUMMARY**

**Synopsis:** Permits elections in municipalities with fewer than 500 residents to be conducted by mail.

**Type of Impact:** Minimal expenditures increase--local government funds.

**Agencies Affected:** Department of Law and Public Safety; Counties and Municipalities.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>Local Cost</b>	Minimal	Minimal	Minimal

- ! Provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.
- ! The Office of Legislative Services estimates that if municipalities with 500 or fewer persons conducted voting in elections by mail pursuant to this bill, the overall cost may increase somewhat but would probably be minimal.
- ! There is an increase in cost for local government under this bill for the printing and postage necessary to produce and transmit the vote by mail ballots. These mail ballots are to be substantially similar to absentee ballots.
- ! The impact of the cost is lessened by the relatively small number of voters who may actually vote by mail.

**BILL DESCRIPTION**

Senate Bill No. 2389 of 2005 provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.

The bill establishes certain procedures for the county clerk and the municipal clerk to follow prior to the day when an election is held. These include publishing information about the election prior to the date it is held, mailing a ballot at least 14 days prior to the election to each



person registered to vote, and making a replacement ballot available to a voter if that person's ballot has been destroyed, spoiled, lost or not received.

The bill establishes certain procedures for the county board of elections to follow in regard to the elections. These include cooperating with the county clerk and the municipal clerk to designate places within the county at which ballots may be deposited for an election and establishing the time by which all ballots must be received by the board on the day of an election to be considered valid and counted. Once received, the board would be responsible for the canvass of the ballots in accordance with the procedure provided for such actions in this bill and current law. The bill also provides that the superintendent of elections or the commissioner of registration, as may be appropriate, is to make certain that at least one voting machine that is fully accessible to individuals with disabilities is located in the office of the municipal clerk and available for use by such individuals.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The Office of Legislative Services estimates that if municipalities with 500 or fewer persons conducting voting in elections by mail as provided for in this bill, the overall cost may increase somewhat but would probably be minimal. This is because most of the costs associated with holding an election by mail would remain about the same as the cost of holding an election by conventional methods. The costs that would decrease for the unit of local government would include the cost of printing and mailing sample ballots, which is not required by the bill. Other costs borne by a unit of local government, such as the cost of legal advertising for the election, would remain at the level it is currently. One of the largest costs, the cost of transporting voting machines to the municipality and having them attended by four poll workers, pursuant to N.J.S.A.19:6-1, would also remain as it is currently. This is because, although most of the balloting would be by mail, the bill requires that at least one handicap-accessible voting machine be made available for use by voters in the municipality conducting the election by mail.

What does increase in cost for local government under this bill is the printing and postage necessary to produce and transmit the vote by mail ballots. These mail ballots are to be substantially similar to absentee ballots. Information received from several municipalities indicates that while sample ballots cost approximately \$0.23 each to produce and mail, absentee ballots cost approximately \$1.80 each for the same purpose. This difference is due to the greater amount of printed material that makes up absentee ballots and the higher postage cost for transmitting those documents to voters and the cost of having the completed ballots returned by mail.

The impact of the cost is lessened by the relatively small number of voters who may actually vote by mail. According to the 2000 federal decennial census for New Jersey, there are 12 municipalities in the State with 500 or fewer residents, with a total of approximately 3,500 residents. The actual number of registered voters in those municipalities is a smaller number. At the same time, since the bill provides that both the municipality and the county must vote affirmatively to permit voting by mail, the number of municipalities that choose to conduct

elections pursuant to the bill may be very few.

Section: *State Government*

Analyst: *Frank J. Parisi*  
*Principal Research Analyst*

Approved: *David J. Rosen*  
*Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

**ASSEMBLY, No. 43**

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**STATE OF NEW JERSEY**

**211th LEGISLATURE**

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INTRODUCED MARCH 7, 2005

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Camden)**

**Assemblyman ROBERT GORDON**

**District 38 (Bergen)**

**Assemblyman WILLIAM D. PAYNE**

**District 29 (Essex and Union)**

**Assemblywoman MARY T. PREVITE**

**District 6 (Camden)**

**Co-Sponsored by:**

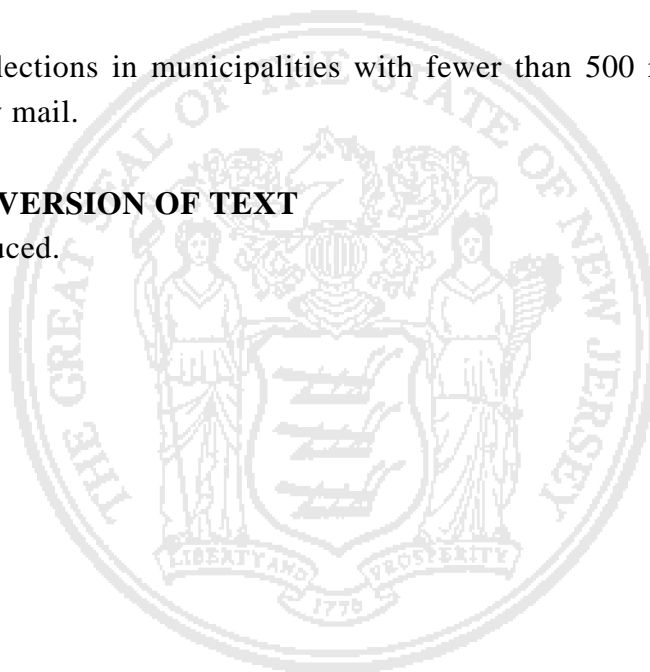
**Assemblyman Connors**

**SYNOPSIS**

Permits elections in municipalities with fewer than 500 residents to be conducted by mail.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/21/2005)**

1 AN ACT permitting elections in certain municipalities to be conducted  
2 by mail and supplementing Title 19 of the Revised Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Notwithstanding any other law, regulation or rule to the  
8 contrary, a municipality with a population of 500 or fewer persons,  
9 according to the latest federal decennial census, may conduct all  
10 elections by mail, provided there is an affirmative vote to do so by the  
11 governing body of the municipality and by the governing body of the  
12 county in which the municipality is located. An election conducted by  
13 mail shall be conducted pursuant to the provisions of this act, P.L. ,  
14 c. (C. )(now pending before the Legislature as this bill).

15  
16 2. If an election by mail is authorized pursuant to section 1 of this  
17 act, P.L. , c. (C. )(now pending before the Legislature as this  
18 bill), the county clerk shall:

19 a. publish, in advance of the election and pursuant to rules and  
20 regulations promulgated by the Attorney General, official notice that  
21 the election shall be conducted by mail together with such other  
22 information regarding the conduct of the election as shall be deemed  
23 necessary by the Attorney General;

24 b. mail a ballot, including an outer envelope and an inner envelope  
25 substantially similar to the envelopes provided for absentee ballots  
26 pursuant to section 16 of P.L.1953, c.211 (C.19:57-16), not sooner  
27 than the 20th day prior to the day of the election nor later than the  
28 14th day prior to the day of the election, to each person registered to  
29 vote in the municipality at that election;

30 c. designate the county clerk's office or the municipal clerk's office  
31 as the places to obtain a replacement ballot pursuant to section 5 of  
32 this act, P.L. , c. (C. )(now pending before the Legislature as  
33 this bill);

34 d. designate, after consultation with the county board of elections  
35 and pursuant to criteria established by the Attorney General, places  
36 within the county or municipality that shall be available for the deposit  
37 of voted ballots for the election;

38 e. make a provisional ballot available at the office of the county  
39 clerk and the office of the municipal clerk so that each person who has  
40 been a resident of the county or municipality in which the person seeks  
41 to register and vote at least 29 days prior to the day of the election and  
42 has moved to a location within the municipality after that 29th day and  
43 prior to the day of the election may vote;

44 f. suspend distribution to each registered voter in the municipality  
45 samples of the official ballot of any election, but distribute to each  
46 registered voter in the municipality with each ballot a copy of the voter

1 information notice provided for in section 1 of P.L. , c.  
2 (C. )(now pending before the Legislature as Assembly, No. 32 of  
3 2005) as modified and supplemented by the Attorney General as  
4 deemed appropriate for use in municipalities conducting elections by  
5 mail, and such instruction about the completion of the ballot as  
6 deemed necessary by the Attorney General;

7 g. make certain that all qualified voters in the municipality  
8 requesting an absentee ballot between the 40th day and the 21st day  
9 prior to the day of an election receive such ballot after the 20th day  
10 prior to the day of an election and voters requesting a ballot on or  
11 before the seventh day prior to the date of the election shall receive a  
12 ballot authorized pursuant to this section; and

13 h. establish, after consultation with the county board of elections  
14 and in accordance with rules and regulations adopted by the Attorney  
15 General, the time by which all ballots must be received by the board on  
16 the day of an election to be considered valid and counted.

17

18 3. If an election by mail is authorized pursuant to section 1 of this  
19 act, P.L. , c. (C. )(now pending before the Legislature as this  
20 bill), the county board of elections shall:

21 a. consult with the county clerk and the municipal clerk with  
22 respect to the conduct of the election, as provided for in subsections  
23 d. and h. of section 2 of P.L. , c. (C. )(now pending before  
24 the Legislature as this bill);

25 b. receive all ballots for the election returned by United States mail  
26 and collect all ballots for the election which were deposited in  
27 designated places of deposit prior to the time established for the  
28 closing of the polls;

29 c. verify the signature of the voter on the outer envelope of each  
30 ballot returned by comparing it with the signature on that person's  
31 voter registration form, in accordance with the rules and regulations  
32 adopted by the Attorney General, and if it is determined that the voter  
33 to whom a ballot or a replacement ballot has been issued has voted  
34 more than once, not count any ballot by that voter;

35 d. remove the inner envelope from the outer envelope of each  
36 ballot on the day of the election and proceed with the canvass of such  
37 ballots; and

38 e. conduct the canvass of the ballots and the certification of the  
39 results of the election in accordance with the procedures provided for  
40 such actions in this act, P.L. , c. (C. )(now pending before  
41 the Legislature as this bill) and in Title 19 of the Revised Statutes.

42

43 4. If an election by mail is authorized pursuant to section 1 of this  
44 act, P.L. , c. (C. )(now pending before the Legislature as this  
45 act), the superintendent of elections or the commissioner of  
46 registration, as may be appropriate, shall make certain that at least one

1 voting machine that is fully accessible to individuals with disabilities  
2 shall be located in the office of the municipal clerk and available for  
3 use by such individuals. Other than as provided for in section 9 of  
4 P.L. , c. (C. )(now pending before the Legislature as this  
5 bill), all the provisions of this Title concerning polling places shall  
6 apply to the office of a municipal clerk used for this purpose, as  
7 deemed appropriate by the Attorney General.

8  
9 5. A registered voter may obtain a replacement ballot if a ballot has  
10 not been received by that person, or if it has been destroyed, spoiled  
11 or lost. A registered voter seeking a replacement ballot shall proceed  
12 to the office of the county clerk or municipal clerk to obtain such a  
13 ballot and sign a sworn statement that the ballot was destroyed,  
14 spoiled, lost or not received and present the statement to the county  
15 clerk or the municipal clerk prior to the time designated by law for the  
16 closing of the polls for that election. The county clerk and municipal  
17 clerk shall each keep a record of each replacement ballot provided.

18 Nothing in this section shall prevent a voter seeking a replacement  
19 ballot from obtaining such a ballot from the county clerk or municipal  
20 clerk anytime after ballots have been mailed to registered voters  
21 pursuant to subsection b. of section 2 of P.L. , c. (C. )(now  
22 pending before the Legislature as this bill) and before the day of the  
23 election or from mailing a replacement ballot to the county board of  
24 elections prior to the day of the election.

25  
26 6. Each ballot obtained from the county clerk or the municipal  
27 clerk shall have printed or stamped on it the following statement:

28 ANY PERSON WHO, BY USE OF FORCE OR ANY OTHER  
29 MEANS, UNDULY INFLUENCES A VOTER TO VOTE IN ANY  
30 PARTICULAR MANNER OR TO REFRAIN FROM VOTING IS  
31 GUILTY OF A CRIME.

32  
33 7. For a primary election for the general election:

34 a. the county clerk shall mail the ballot of a political party to each  
35 voter in the municipality who is registered as being affiliated with the  
36 political party as of the 21st day before the day of the primary election;  
37 and

38 b. a voter who is not affiliated with any political party who wishes  
39 to vote in the primary of a political party shall apply to the county  
40 clerk or municipal clerk in writing for the ballot of the political party  
41 in whose primary the voter wishes to vote, or designate a political  
42 party affiliation for the first time by whatever means permitted by law,  
43 and the application or designation shall be presented to the clerk  
44 through the day of the election.

45  
46 8. Prior to transmitting a ballot to the county board of elections,

1 a registered voter shall mark it and place it in the inner envelope. The  
2 inner envelope shall then be placed in the outer envelope and that  
3 envelope shall be signed and certified by the voter pursuant to  
4 instructions provided with the ballot. The voter may return the  
5 envelopes containing the marked ballot to the county board by United  
6 States mail or by depositing it at the office of the county board or any  
7 other place of deposit designated for that purpose. If the voter returns  
8 the ballot by United States mail, the voter shall provide the postage.

9  
10 9. The office of the municipal clerk shall be open from 6:00 a.m.  
11 to 8:00 p.m. on the day of an election to provide replacement ballots  
12 or provisional ballots to voters, receive voted ballots being deposited  
13 in person by voters and permit individuals with disabilities to vote  
14 using a voting machine that is fully accessible to such individuals.  
15 During this time, such appropriate staff shall be available for election  
16 purposes at the office of the municipal clerk as may be required by the  
17 county board of elections to ensure the proper administration of the  
18 election process.

19  
20 10. a. For a ballot to be counted, it shall be received by the county  
21 board of elections no later than the time established for the closing of  
22 the polls for that election, pursuant to subsection h. of section 2 of this  
23 act, P.L. , c. (C. )(now pending before the Legislature as this  
24 bill).

25 Nothing in this subsection shall preclude the board from starting to  
26 count the ballots it has received for an election prior to the time  
27 designated for the closing of the polls for that election.

28 b. A vote that is cast on a voting machine that is fully accessible to  
29 individuals with disabilities shall be counted and canvassed in the same  
30 manner as all other votes cast by voting machine pursuant to the  
31 provisions of this Title.

32  
33 11. If received in a timely manner, a ballot shall be counted only if:

34 a. the ballot is returned in the inner envelope and the inner  
35 envelope is enclosed in the outer envelope;

36 b. the envelopes in which it is returned manifest no signs of  
37 tampering or improper handling;

38 c. the outer envelope is signed by the registered voter to whom the  
39 ballot has been issued; and

40 d. the signature is verified as provided in subsection c. of section  
41 3 of this act, P.L. , c. (C. )(now pending before the Legislature  
42 as this bill).

43  
44 12. Any ballot and any voter casting a ballot in an election held by  
45 mail may be challenged pursuant to rules and regulations adopted by  
46 the Attorney General.

1 13. The Attorney General shall promulgate, pursuant to the  
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
3 seq.), such rules and regulations as may be deemed necessary to  
4 effectuate the purposes of this act.

5  
6 14. This act shall take effect immediately and shall be applicable to  
7 any election held on or after the 180th day following enactment.

8  
9  
10 STATEMENT

11  
12 This bill provides that a municipality with a population of 500 or  
13 fewer persons, according to the latest federal decennial census, may  
14 conduct all elections by mail, provided there is an affirmative vote to  
15 do so by the governing body of the municipality and by the governing  
16 body of the county in which the municipality is located.

17 The bill establishes certain procedures for the county clerk and the  
18 municipal clerk to follow prior to the day when an elections is held.  
19 These include publishing information about the election prior to the  
20 date it is held, mailing a ballot at least 14 days prior to the election to  
21 each person registered to vote, and making a replacement ballot  
22 available to a voter if that person's ballot has been destroyed, spoiled,  
23 lost or not received. Many of these procedures would be pursuant to  
24 rules and regulations promulgated by the Attorney General.

25 The bill establishes certain procedures for the county board of  
26 elections to follow in regard to the elections. These include  
27 cooperating with the county clerk and the municipal clerk to designate  
28 places within the county at which ballots may be deposited for an  
29 election and establishing the time by which all ballots must be received  
30 by the board on the day of an election to be considered valid and  
31 counted. Once received, the board would be responsible for the  
32 canvass of the ballots in accordance with the procedure provided for  
33 such actions in this bill and Title 19 of the Revised Statutes.

34 The bill also provides that the superintendent of elections or the  
35 commissioner of registration, as may be appropriate, is to make certain  
36 that at least one voting machine that is fully accessible to individuals  
37 with disabilities is located in the office of the municipal clerk and  
38 available for use by such individuals.

39 Under the bill, the new mail-in ballot procedure would be applicable  
40 to any election held on or after the 180th day following enactment.



# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 43

# STATE OF NEW JERSEY

DATED: JUNE 9, 2005

The Assembly Appropriations Committee reports favorably Assembly Bill No. 43.

Assembly Bill No. 43 provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.

The bill establishes certain procedures for the county clerk and the municipal clerk to follow prior to the day when an elections is held. These include publishing information about the election prior to the date it is held, mailing a ballot at least 14 days prior to the election to each person registered to vote, and making a replacement ballot available to a voter if that person's ballot has been destroyed, spoiled, lost or not received.

The bill establishes certain procedures for the county board of elections to follow in regard to the elections. These include cooperating with the county clerk and the municipal clerk to designate places within the county at which ballots may be deposited for an election and establishing the time by which all ballots must be received by the board on the day of an election to be considered valid and counted. Once received, the board would be responsible for the canvass of the ballots in accordance with the procedure provided for such actions in this bill and current law. The bill also provides that the superintendent of elections or the commissioner of registration, as may be appropriate, is to make certain that at least one voting machine that is fully accessible to individuals with disabilities is located in the office of the municipal clerk and available for use by such individuals.

Under the bill, the new mail-in ballot procedure would be available to an eligible municipality for elections held on or after the 180th day following enactment.

#### FISCAL IMPACT:

In the fiscal estimate to this bill, the Office of Legislative Services estimated that the overall costs may increase somewhat but would probably be minimal. According to the 2000 federal census, there are 12 municipalities that would qualify, for a total of 3,500 residents. The actual number of registered voters is fewer than this.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 43**  
**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

DATED: MAY 12, 2005

**SUMMARY**

**Synopsis:** Permits elections in municipalities with fewer than 500 residents to be conducted by mail.

**Type of Impact:** Minimal expenditures increase--local government funds.

**Agencies Affected:** Department of Law and Public Safety; Counties and Municipalities.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>Local Cost</b>	Minimal	Minimal	Minimal

- ! Provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.
- ! The Office of Legislative Services estimates that if municipalities with 500 or fewer persons conducted voting in elections by mail pursuant to this bill, the overall cost may increase somewhat but would probably be minimal.
- ! There is an increase in cost for units of local government under this bill for the printing and postage necessary to produce and transmit the vote by mail ballots. These mail ballots are to be substantially similar to absentee ballots.
- ! The impact of the cost is lessened by the relatively small number of voters who may actually vote by mail.

**BILL DESCRIPTION**

Assembly Bill No. 43 of 2005 provides that a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, may conduct all elections by mail, provided there is an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located.

The bill establishes certain procedures for the county clerk and the municipal clerk to follow prior to the day when an election is held. These include publishing information about the election prior to the date it is held, mailing a ballot at least 14 days prior to the election to each person registered to vote, and making a replacement ballot available to a voter if that person's ballot has been destroyed, spoiled, lost or not received.

The bill establishes certain procedures for the county board of elections to follow in regard to the elections. These include cooperating with the county clerk and the municipal clerk to designate places within the county at which ballots may be deposited for an election and establishing the time by which all ballots must be received by the board on the day of an election to be considered valid and counted. Once received, the board would be responsible for the canvass of the ballots in accordance with the procedure provided for such actions in this bill and current law. The bill also provides that the superintendent of elections or the commissioner of registration, as may be appropriate, is to make certain that at least one voting machine that is fully accessible to individuals with disabilities is located in the office of the municipal clerk and available for use by such individuals.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

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

The Office of Legislative Services estimates that if municipalities with 500 or fewer persons conducting voting in elections by mail as provided for in this bill, the overall cost may increase somewhat but would probably be minimal. This is because most of the costs associated with holding an election by mail would remain about the same as the cost of holding an election by conventional methods. The costs that would decrease for the unit of local government would include the cost of printing and mailing sample ballots, which is not required by the bill. Other costs borne by a unit of local government, such as the cost of legal advertising for the election, would remain at the level it is currently. One of the largest costs, the cost of transporting voting machines to the municipality and having them attended by four poll workers, pursuant to N.J.S.A.19:6-1, would also remain as it is currently. This is because, although most of the balloting would be by mail, the bill requires that at least one handicap-accessible voting machine be made available for use by voters in the municipality conducting the election by mail.

What does increase in cost for units of local government under this bill is the printing and postage necessary to produce and transmit the vote by mail ballots. These mail ballots are to be substantially similar to absentee ballots. Information received from several municipalities indicates that while sample ballots cost approximately \$0.23 each to produce and mail, absentee ballots cost approximately \$1.80 each for the same purpose. This difference is due to the greater amount of printed material that makes up absentee ballots and the higher postage cost for transmitting those documents to voters and the cost of having the completed ballots returned by mail.

The impact of the cost is lessened by the relatively small number of voters who may actually vote by mail. According to the 2000 federal decennial census for New Jersey, there are 12

municipalities in the State with 500 or fewer residents, with a total of approximately 3,500 residents. The actual number of registered voters in those municipalities is a smaller number. At the same time, since the bill provides that both the municipality and the county must vote affirmatively to permit voting by mail, the number of municipalities that choose to conduct elections pursuant to the bill may be very few.

Section: *State Government*

Analyst: *Frank J. Parisi*  
*Principal Research Analyst*

Approved: *David J. Rosen*  
*Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.