

P.L. 2022, CHAPTER 69, *approved July 28, 2022*  
Assembly, No. 3820 (*Third Reprint*)

1 AN ACT concerning unaffiliated mail-in voters during a primary  
2 election<sup>1</sup>, political affiliation or designation on mail-in ballot  
3 <sup>2</sup>[outer]<sup>2</sup> envelopes,<sup>1</sup> and amending <sup>1</sup>[R.S.19:23-45 and  
4 P.L.1976, c.16] various parts of the statutory law<sup>1</sup>.

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

8  
9 <sup>3</sup>[1. R.S.19:23-45 is amended to read as follows:  
10 19:23-45. No voter shall be allowed to vote at the primary  
11 election unless his name appears in the signature copy register.

12 A voter who votes in a primary election of a political party or  
13 who signs and files with the municipal clerk or the county  
14 commissioner of registration a declaration that **[he]** the voter  
15 desires to vote in the primary election of a political party, or who  
16 indicates on a voter registration form the voter's choice of political  
17 party affiliation and submits the form to the commissioner of  
18 registration of the county wherein the voter resides, to the  
19 employees or agents of a public agency, as defined in subsection a.  
20 of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration  
21 agency, as defined in subsection a. of section 26 of P.L.1994, c.182  
22 (C.19:31-6.11), or to the Secretary of State, shall be deemed to be a  
23 member of that party until the voter signs and files with the  
24 municipal clerk or the commissioner of registration a declaration  
25 that **[he]** the voter desires to vote in the primary election of another  
26 political party at which time **[he]** the voter shall be deemed to be a  
27 member of such other political party. The Secretary of State shall  
28 cause to be prepared political party affiliation declaration forms and  
29 shall provide such forms to the commissioners of registration of the  
30 several counties and to the clerks of the municipalities within such  
31 counties.

32 No voter, except a newly registered voter at the first primary at  
33 which **[he]** the voter is eligible to vote, or a voter who has not  
34 previously voted in a primary election, may vote in a primary  
35 election of a political party unless he was deemed to be a member  
36 of that party on the 55th day next preceding such primary election.

37 <sup>2</sup>[Notwithstanding the provisions of this section, or any law,  
38 rule, or regulation to the contrary, a] A<sup>2</sup> voter who is listed to

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ASL committee amendments adopted May 12, 2022.

<sup>2</sup>Assembly AJU committee amendments adopted June 9, 2022.

<sup>3</sup>Assembly AAP committee amendments adopted June 13, 2022.

1 receive mail-in ballots for all future elections, pursuant to the  
2 provisions of section 3 of P.L.2009, c.79 (C.19:63-3) or section 14  
3 of P.L.2018, c.72 (C.19:63-3.1), and who is not affiliated with any  
4 political party, shall <sup>2</sup>[not]<sup>2</sup> receive a <sup>2</sup>[mail-in ballot for a primary  
5 election. A voter who is not affiliated with any political party who  
6 wishes to vote by mail-in ballot in the primary election of a political  
7 party shall apply to the county clerk in the manner and within the  
8 timeframe specified under section 3 of P.L.2009, c.79 (C.19:63-3)  
9 for the ballot of the political party in whose primary the voter  
10 wishes to vote, or designate a political party affiliation for the first  
11 time by whatever means permitted by law. Nothing in this section  
12 shall be construed to prohibit any unaffiliated mail-in voter from  
13 voting in-person by provisional ballot and affiliate with a political  
14 party at a polling place on the day of the primary election.

15 A voter who is listed to receive mail-in ballots for all future  
16 elections, pursuant to the provisions of section 3 of P.L.2009, c.79  
17 (C.19:63-3) or section 14 of P.L.2018, c.72 (C.19:63-3.1), and who  
18 is not affiliated with any political party shall receive a notification  
19 that the voter is not affiliated with any political party and shall not  
20 receive a primary ballot for a primary election of a political party.  
21 The notification shall include instructions on how to register with a  
22 political party through a <sup>2</sup>[political party affiliation declaration  
23 form and <sup>2</sup>[instructions on] information concerning<sup>2</sup> how to vote in  
24 person <sup>2</sup>[by provisional ballot]<sup>2</sup> and affiliate with a political party  
25 at a polling place on the day of a primary election. The Secretary of  
26 State shall cause to be prepared uniform language for such  
27 notifications. The commissioners of registration of the several  
28 counties and the clerks of the municipalities within such counties  
29 shall distribute such <sup>2</sup>[notifications] forms and information<sup>2</sup> to  
30 <sup>2</sup>[a] such<sup>2</sup> registered <sup>2</sup>[voter who is not affiliated with any political  
31 party] voters<sup>2</sup>.

32 A member of the county committee of a political party and a  
33 public official or public employee holding any office or public  
34 employment to which he has been elected or appointed as a member  
35 of a political party shall be deemed a member of such political  
36 party.

37 A voter may declare the voter's party affiliation or change the  
38 voter's party affiliation, or declare that the voter is unaffiliated with  
39 any party regardless of any previously declared party affiliation, by  
40 so indicating on a political party declaration form filed with the  
41 municipal clerk or the county commissioner of registration. A voter  
42 may also indicate that the voter wishes to declare a political party  
43 affiliation or that the voter does not want to declare a political party  
44 affiliation on a voter registration form filed at the time of initial  
45 registration.

46 Any person voting in the primary ballot box of any political  
47 party in any primary election in contravention of the election law  
48 shall be guilty of a disorderly persons offense, and any person who

1 aids or assists any such person in such violation by means of public  
2 proclamation or order, or by means of any public or private  
3 direction or suggestions, or by means of any help or assistance or  
4 cooperation, shall likewise be guilty of a disorderly persons offense.  
5 (cf: P.L.2011, c.134, s.27)】<sup>3</sup>

6  
7 <sup>3</sup>【2. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to  
8 read as follows:

9 2. a. The county commissioner of registration in each of the  
10 several counties shall cause a notice to be published in each  
11 municipality of their respective counties in a newspaper or  
12 newspapers circulating therein. The notice to be so published shall  
13 be published once during each of the two calendar weeks next  
14 preceding the week in which the 55th day next preceding the  
15 primary election of a political party occurs.

16 b. (1) The notice required to be published by the preceding  
17 paragraph shall inform the reader thereof that:

18 (a) no voter, except a newly registered voter at the first primary  
19 at which he is eligible to vote, or a voter who has not previously  
20 voted in a primary election may vote in a primary election of a  
21 political party unless he was deemed to be a member of that party  
22 on the 55th day next preceding such primary election【. It shall  
23 further inform the reader thereof that】;

24 (b) a voter who is listed to receive mail-in ballots for all future  
25 elections, pursuant to the provisions of section 3 of P.L.2009, c.79  
26 (C.19:63-3) or section 14 of P.L.2018, c.72 (C.19:63-3.1), and who  
27 is not affiliated with any political party shall <sup>2</sup>【not】<sup>2</sup> receive a  
28 <sup>2</sup>【mail-in ballot for a primary election. A voter who is not affiliated  
29 with any political party who wishes to vote by mail-in ballot in the  
30 primary election of a political party shall apply to the county clerk  
31 in the manner and within the timeframe specified under section 3 of  
32 P.L.2009, c.79 (C.19:63-3) for the ballot of the political party in  
33 whose primary the voter wishes to vote, or designate a】<sup>2</sup> political  
34 party affiliation <sup>2</sup>【for the first time by whatever means permitted by  
35 law. An unaffiliated mail-in voter shall be permitted to vote in  
36 person by provisional ballot and affiliate with a political party at a  
37 polling place on the day of the primary election】 declaration form<sup>2</sup>;  
38 and

39 (c) a voter who votes in the primary election of a political party,  
40 or who signs and files with the municipal clerk or the county  
41 commissioner of registration a declaration that he desires to vote in  
42 the primary election of a political party, or who indicates on a voter  
43 registration form the voter's choice of political party affiliation and  
44 submits the form to the commissioner of registration of the county  
45 wherein the voter resides, to the employees or agents of a public  
46 agency, as defined in subsection a. of section 15 of P.L.1974, c.30  
47 (C.19:31-6.3), or a voter registration agency, as defined in  
48 subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11) or to

1 the Secretary of State, shall be deemed to be a member of that party  
2 until the voter signs and files with the municipal clerk or the  
3 commissioner of registration a declaration that he desires to vote in  
4 the primary election of another political party, at which time he  
5 shall be deemed to be a member of such other political party, or that  
6 the voter chooses not to be affiliated with any political party.

7 (2) The notice shall also state the time and location where a  
8 person may obtain political party affiliation declaration forms or  
9 voter registration forms.

10 (cf: P.L.2011, c.134, s.28)]<sup>3</sup>

11

12 <sup>3</sup>1. R.S.19:23-45 is amended to read as follows:

13 19:23-45. No voter shall be allowed to vote at the primary  
14 election unless his name appears in the signature copy register.

15 A voter who votes in a primary election of a political party or  
16 who signs and files with the municipal clerk or the county  
17 commissioner of registration a declaration that **[he]** the voter  
18 desires to vote in the primary election of a political party, or who  
19 indicates on a voter registration form the voter's choice of political  
20 party affiliation and submits the form to the commissioner of  
21 registration of the county wherein the voter resides, to the  
22 employees or agents of a public agency, as defined in subsection a.  
23 of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration  
24 agency, as defined in subsection a. of section 26 of P.L.1994, c.182  
25 (C.19:31-6.11), or to the Secretary of State, shall be deemed to be a  
26 member of that party until the voter signs and files with the  
27 municipal clerk or the commissioner of registration a declaration  
28 that **[he]** the voter desires to vote in the primary election of another  
29 political party at which time **[he]** the voter shall be deemed to be a  
30 member of such other political party. The Secretary of State shall  
31 cause to be prepared political party affiliation declaration forms and  
32 shall provide such forms to the commissioners of registration of the  
33 several counties and to the clerks of the municipalities within such  
34 counties.

35 No voter, except a newly registered voter at the first primary at  
36 which **[he]** the voter is eligible to vote, or a voter who has not  
37 previously voted in a primary election, may vote in a primary  
38 election of a political party unless **[he]** the voter was deemed to be  
39 a member of that party on the 55th day next preceding such primary  
40 election.

41 Notwithstanding the provisions of this section, or any law, rule,  
42 or regulation to the contrary, a voter who is listed to receive mail-in  
43 ballots for all future elections, pursuant to the provisions of section  
44 3 of P.L.2009, c.79 (C.19:63-3) or section 14 of P.L.2018, c.72  
45 (C.19:63-3.1), and who is not affiliated with any political party,  
46 shall not receive a mail-in ballot for a primary election. Such  
47 unaffiliated mail-in voters shall receive a political party affiliation  
48 declaration form and information concerning how to affiliate with a

1 political party and how to vote in person at a polling place on the  
2 day of a primary election. The Secretary of State shall cause to be  
3 prepared uniform language for such notifications. The  
4 commissioners of registration and the county clerks of the several  
5 counties and the clerks of the municipalities within such counties  
6 shall distribute such forms and information to such registered  
7 voters.

8 A member of the county committee of a political party and a  
9 public official or public employee holding any office or public  
10 employment to which **[he]** the person has been elected or appointed  
11 as a member of a political party shall be deemed a member of such  
12 political party.

13 A voter may declare the voter's party affiliation or change the  
14 voter's party affiliation, or declare that the voter is unaffiliated with  
15 any party regardless of any previously declared party affiliation, by  
16 so indicating on a political party declaration form filed with the  
17 municipal clerk or the county commissioner of registration. A voter  
18 may also indicate that the voter wishes to declare a political party  
19 affiliation or that the voter does not want to declare a political party  
20 affiliation on a voter registration form filed at the time of initial  
21 registration.

22 Any person voting in the primary ballot box of any political  
23 party in any primary election in contravention of the election law  
24 shall be guilty of a disorderly persons offense, and any person who  
25 aids or assists any such person in such violation by means of public  
26 proclamation or order, or by means of any public or private  
27 direction or suggestions, or by means of any help or assistance or  
28 cooperation, shall likewise be guilty of a disorderly persons  
29 offense.<sup>3</sup>

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

31

32 <sup>3</sup>2. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to  
33 read as follows:

34 2. a. The county commissioner of registration in each of the  
35 several counties shall cause a notice to be published in each  
36 municipality of their respective counties in a newspaper or  
37 newspapers circulating therein. The notice to be so published shall  
38 be published once during each of the two calendar weeks next  
39 preceding the week in which the 55th day next preceding the  
40 primary election of a political party occurs.

41 b. (1) The notice required to be published by the preceding  
42 paragraph shall inform the reader thereof that:

43 (a) no voter, except a newly registered voter at the first primary  
44 at which **[he]** the voter is eligible to vote, or a voter who has not  
45 previously voted in a primary election may vote in a primary  
46 election of a political party unless **[he]** the voter was deemed to be  
47 a member of that party on the 55th day next preceding such primary  
48 election**].** It shall further inform the reader thereof that**];**

1       **(b) a voter who is listed to receive mail-in ballots for all future**  
 2 **elections, pursuant to the provisions of section 3 of P.L.2009, c.79**  
 3 **(C.19:63-3) or section 14 of P.L.2018, c.72 (C.19:63-3.1), and who**  
 4 **is not affiliated with any political party shall not receive a mail-in**  
 5 **ballot for a primary election. Such unaffiliated mail-in voters shall**  
 6 **receive a political party affiliation declaration form and information**  
 7 **concerning how to affiliate with a political party and how to vote in**  
 8 **person at a polling place on the day of a primary election; and**

9       **(c) a voter who votes in the primary election of a political party,**  
 10 **or who signs and files with the municipal clerk or the county**  
 11 **commissioner of registration a declaration that [he] the voter**  
 12 **desires to vote in the primary election of a political party, or who**  
 13 **indicates on a voter registration form the voter's choice of political**  
 14 **party affiliation and submits the form to the commissioner of**  
 15 **registration of the county wherein the voter resides, to the**  
 16 **employees or agents of a public agency, as defined in subsection a.**  
 17 **of section 15 of P.L.1974, c.30 (C.19:31-6.3), or a voter registration**  
 18 **agency, as defined in subsection a. of section 26 of P.L.1994, c.182**  
 19 **(C.19:31-6.11) or to the Secretary of State, shall be deemed to be a**  
 20 **member of that party until the voter signs and files with the**  
 21 **municipal clerk or the commissioner of registration a declaration**  
 22 **that [he] the voter desires to vote in the primary election of another**  
 23 **political party, at which time [he] the voter shall be deemed to be a**  
 24 **member of such other political party, or that the voter chooses not**  
 25 **to be affiliated with any political party.**

26       **(2) The notice shall also state the time and location where a**  
 27 **person may obtain political party affiliation declaration forms or**  
 28 **voter registration forms.<sup>3</sup>**

29 (cf: P.L.2011, c.134, s.28)

30  
 31       <sup>1</sup>3. Section 2 of P.L.2005, c.148 (C.19:62-2) is amended to read  
 32 as follows:

33       2. If an election by mail is authorized pursuant to section 1 of  
 34 this act, P.L.2005, c.148 (C.19:62-1), the county clerk shall:

35       a. publish, in advance of the election and pursuant to rules and  
 36 regulations promulgated by the Secretary of State, official notice  
 37 that the election shall be conducted by mail together with such other  
 38 information regarding the conduct of the election as shall be  
 39 deemed necessary by the Secretary of State;

40       b. mail a ballot, including an outer envelope and an inner  
 41 envelope substantially similar to the envelopes provided for mail-in  
 42 ballots pursuant to sections 12 and 13 of P.L.2009, c.79 (C.19:63-12  
 43 and C.19:63-13), not sooner than the 20th day prior to the day of  
 44 the election nor later than the 14th day prior to the day of the  
 45 election, to each person registered to vote in the municipality at that  
 46 election, ensuring that<sup>2</sup>, except for a primary election for the  
 47 general election,<sup>2</sup> the <sup>2</sup>[outer] delivery<sup>2</sup> envelope <sup>2</sup>[and] , which  
 48 is<sup>2</sup> the envelope that is used to mail the blank ballot, <sup>2</sup>the<sup>2</sup> outer

1 envelope, and <sup>2</sup>the<sup>2</sup> inner envelope to each voter shall not contain  
2 any political affiliation or designation visible to the public on the  
3 envelope's exterior;

4 c. designate the county clerk's office or the municipal clerk's  
5 office as the places to obtain a replacement ballot pursuant to  
6 section 5 of P.L.2005, c.148 (C.19:62-5);

7 d. designate, after consultation with the county board of  
8 elections and pursuant to criteria established by the Secretary of  
9 State, places within the county or municipality that shall be  
10 available for the deposit of voted ballots for the election;

11 e. make a provisional ballot available at the office of the  
12 county clerk and the office of the municipal clerk so that each  
13 person who has been a resident of the county or municipality in  
14 which the person seeks to register and vote at least 21 days prior to  
15 the day of the election and has moved to a location within the  
16 municipality after that 21st day and prior to the day of the election  
17 may vote;

18 f. suspend distribution to each registered voter in the  
19 municipality of samples of the official ballot of any election, but  
20 distribute to each registered voter in the municipality with each  
21 ballot a copy of the voter information notice provided for in section  
22 1 of P.L.2005, c.149 (C.19:12-7.1) as modified and supplemented  
23 by the Secretary of State as deemed appropriate for use in  
24 municipalities conducting elections by mail, and such instruction  
25 about the completion of the ballot as deemed necessary by the  
26 Secretary of State;

27 g. make certain that all qualified voters in the municipality  
28 requesting a mail-in ballot between the 45th day and the 21st day  
29 prior to the day of an election receive such ballot after the 20th day  
30 prior to the day of an election and voters requesting a ballot on or  
31 before the seventh day prior to the date of the election shall receive  
32 a ballot authorized pursuant to this section; and

33 h. establish, after consultation with the county board of  
34 elections and in accordance with rules and regulations adopted by  
35 the Secretary of State, the time by which all ballots must be  
36 received by the board on the day of an election to be considered  
37 valid and counted.<sup>1</sup>

38 (cf: P.L.2011, c.37, s.29)

39

40 <sup>2</sup>[<sup>1</sup>4. Section 7 of P.L.2005, c.148 (C.19:62-7) is amended to  
41 read as follows:

42 7. For a primary election for the general election:

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

47 b. a voter who is not affiliated with any political party who  
48 wishes to vote in the primary of a political party shall apply to the

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

6 c. The county clerk shall ensure that the outer envelope and the  
 7 envelope that is used to mail the blank ballot, outer envelope, and  
 8 inner envelope to each voter shall not contain any political  
 9 affiliation or designation visible to the public on the envelope's  
 10 exterior.<sup>1</sup>

11 (cf: P.L.2005, c.148, s.7)]<sup>2</sup>

12  
 13 <sup>2</sup>[<sup>15.</sup> 4.<sup>2</sup> Section 7 of P.L.2009, c.79 (C.19:63-7) is amended  
 14 to read as follows:

15 7. a. Each county clerk shall have printed sufficient mail-in  
 16 ballots for each primary election for the general election, and for  
 17 the general election. Along with such ballots the clerk shall also  
 18 furnish inner and outer envelopes and printed directions for the  
 19 preparation and transmitting of such ballots used in the election in  
 20 the county. <sup>2</sup>[~~Each~~] Except for any primary election for the general  
 21 election, each<sup>2</sup> county clerk shall ensure that the <sup>2</sup>[~~outer~~] delivery<sup>2</sup>  
 22 envelope <sup>2</sup>[~~and~~] , which is<sup>2</sup> the envelope that is used to mail the  
 23 blank ballot, <sup>2</sup>the<sup>2</sup> outer envelope, and <sup>2</sup>the<sup>2</sup> inner envelope to each  
 24 voter shall not contain any political affiliation or designation visible  
 25 to the public on the envelope's exterior.

26 b. The mail-in ballots shall be printed on paper of a different  
 27 color from that used for any primary or general election ballot, but  
 28 in all other respects, shall be as nearly as possible facsimiles of the  
 29 election ballot to be voted at the election.<sup>1</sup>

30 (cf: P.L.2011, c.134, s.51)

31  
 32 <sup>2</sup>[<sup>16.</sup> 5.<sup>2</sup> Section 12 of P.L.2009, c.79 (C.19:63-12) is amended  
 33 to read as follows:

34 12. Each county clerk shall send, with each mail-in ballot,  
 35 printed directions for the preparation and transmitting of the ballots  
 36 as required by this act. The directions shall be printed in such  
 37 manner and form as the Secretary of State shall require, together  
 38 with two envelopes of such sizes that one will contain the other.  
 39 The directions prepared by the Secretary of State shall inform the  
 40 voter that the status of the voter's mail-in ballot may be checked  
 41 using the free-access system provided in section 5 of P.L.2004, c.88  
 42 (C.19:61-5). <sup>2</sup>[~~Each~~] Except for a primary election for the general  
 43 election, each<sup>2</sup> county clerk shall ensure that the <sup>2</sup>[~~outer~~] delivery<sup>2</sup>  
 44 envelope <sup>2</sup>[~~and~~] , which is<sup>2</sup> the envelope that is used to mail the  
 45 blank ballot, <sup>2</sup>the<sup>2</sup> outer envelope, and <sup>2</sup>the<sup>2</sup> inner envelope to each  
 46 voter shall not contain any political affiliation or designation visible  
 47 to the public on the envelope's exterior.



1 The outer envelope shall be addressed to the county board of  
2 elections of the county in which is located the home address of the  
3 person to whom the mail-in ballot is sent, as certified by the county  
4 clerk. At the discretion of the county clerk, the outer envelope may  
5 be a postage paid return envelope. On the outside and front of each  
6 outer envelope, there shall be printed or stamped the following:

7 To protect your vote:

8 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU  
9 THE VOTER TO MAIL OR TRANSPORT THIS BALLOT  
10 UNLESS THE ENVELOPE IS SEALED AND THE FOLLOWING  
11 IS COMPLETED:

12 Ballot mailed or transported by  
13 (signature of bearer)  
14 (print name of bearer)  
15 (address of bearer)

16 The reserve side of the outer envelope shall contain the  
17 following:

18 REMINDER

19 For your vote to count, you must:

- 20 1) Vote your ballot and place it in the inner envelope with the  
21 attached certificate.
- 22 2) Seal the envelope.
- 23 3) Place the envelope into the larger envelope addressed to the  
24 board of elections and seal that envelope.
- 25 4) If another person will be mailing your ballot or bringing it to  
26 the board of elections, MAKE CERTAIN THAT PERSON  
27 COMPLETES THE "BEARER PORTION" ON THE ENVELOPE  
28 ADDRESSED TO THE BOARD OF ELECTIONS BEFORE THE  
29 BALLOT IS TAKEN FROM YOU. NO PERSON WHO IS A  
30 CANDIDATE IN THE ELECTION FOR WHICH THE VOTER  
31 REQUESTS THIS BALLOT IS PERMITTED TO SERVE AS A  
32 BEARER. NO PERSON IS PERMITTED TO SERVE AS A  
33 BEARER FOR MORE THAN THREE QUALIFIED VOTERS IN  
34 AN ELECTION, BUT A PERSON MAY SERVE AS SUCH FOR  
35 UP TO FIVE QUALIFIED VOTERS IN AN ELECTION IF  
36 THOSE VOTERS ARE IMMEDIATE FAMILY MEMBERS  
37 RESIDING IN THE SAME HOUSEHOLD AS THE BEARER.

38 The Secretary of State is authorized to make such changes to the  
39 instructions for mail-in ballot materials as the Secretary of State  
40 deems necessary or as is mandated by federal or State law.

41 The inner envelope shall be so designed that it can be sealed  
42 after the mail-in ballot has been placed therein and the flap thereof  
43 shall be of such length and size as to leave sufficient margin, after  
44 sealing, for the printing thereon of the certificate hereinafter  
45 described. The flap shall be so arranged that, after the inner  
46 envelope has been sealed, the certificate can be contained, with the  
47 inner envelope, in the outer envelope, and that the margin

1 containing the certificate can be detached without unsealing the  
2 inner envelope.

3 On the outside of each envelope in which a mail-in ballot is sent  
4 to a mail-in voter by the clerk, there shall be printed or stamped the  
5 words "Official Mail-In Ballot." In addition, there shall be printed  
6 or stamped the following:

7 To protect your vote:

8 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU  
9 THE VOTER TO OPEN, MARK, INSPECT OR SEAL THIS  
10 BALLOT.

11 However, a family member may assist you in doing so.

12 The reverse side of each inner envelope shall contain the  
13 following statement:

14 A PERSON MAY BE FINED AND IMPRISONED AND MAY  
15 ALSO LOSE THE RIGHT TO VOTE UNTIL RESTORED BY  
16 LAW if that person attempts to vote fraudulently by mail-in ballot,  
17 prevents the voting of a legal voter, certifies falsely any  
18 information, interferes with a person's secrecy of voting, tampers  
19 with ballots or election documents or helps another person to do  
20 so.<sup>1</sup>

21 (cf: P.L.2020, c.71, s.10)

22

23 <sup>2</sup>~~17.~~ 6.<sup>2</sup> Section 13 of P.L.2009, c.79 (C.19:63-13) is amended  
24 to read as follows:

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

28 CERTIFICATE OF MAIL-IN VOTER

29 I, ....., whose home address is .....

30 (print your name clearly) (street

31 ....., DO HEREBY CERTIFY,

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

37 .....

38 (signature of voter)

39 Any person providing assistance shall complete the following:

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

43 .....

44 (signature of person providing  
45 assistance)

46 .....

47 (printed name of person providing  
48 assistance)

1 .....  
 2 .....  
 3 (address of person providing  
 4 assistance)

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

9 CERTIFICATE OF MAIL-IN VOTER

10 I, ....., whose home address is.....  
 11 (print your name clearly) (street address or R.D. number)  
 12 (municipality)

13 ....., DO HEREBY CERTIFY,  
 14 subject to the penalties for fraudulent voting, that I am the person  
 15 who applied for the enclosed ballot for the primary election of the  
 16 ..... political party. I MARKED AND SEALED THIS BALLOT  
 17 AND CERTIFICATE IN SECRET. However, a family member may  
 18 assist me in doing so.

19 .....  
 20 (signature of voter)

21 Any person providing assistance shall complete the following:

22 I do hereby certify that I am the person who provided assistance  
 23 to this voter and declare that I will maintain the secrecy of this  
 24 ballot.

25 .....  
 26 (signature of person providing  
 27 assistance)

28 .....  
 29 (printed name of person  
 30 providing assistance)

31 .....  
 32 .....  
 33 (address of person providing  
 34 assistance)

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

43 d. The certificates specified under subsections a., b., and c. of  
 44 this section shall also provide spaces for the voter's telephone  
 45 number and email address, including language informing the voter  
 46 that this contact information will be used to contact the voter  
 47 concerning the acceptance or rejection of the ballot, and how the  
 48 voter may cure a defect. A voter's telephone number and email

1 address shall not be subject to public disclosure and shall not be  
2 considered a public record.

3 e. <sup>2</sup>~~Each~~ Except for a primary election for the general  
4 election, each<sup>2</sup> county clerk shall ensure that any political affiliation  
5 or designation on the inner envelope provided to each voter shall  
6 not be visible to the public on the outer envelope's exterior.<sup>1</sup>

7 (cf: P.L.2020, c.70, s.9)

8

9 <sup>1</sup>~~3. This~~ <sup>2</sup>~~8.] 7.~~<sup>2</sup> Sections 1 and 2 of this<sup>1</sup> act shall take  
10 effect immediately <sup>1</sup>and sections 3 through <sup>2</sup>~~7] 6<sup>2</sup> shall take effect~~  
11 on January 1 next following the date of enactment<sup>1</sup>.

12

13

14

15

16 Prohibits unaffiliated mail-in voters from receiving mail-in ballot  
17 for primary election; requires election officials to provide such  
18 voters certain notices; prohibits mail-in ballot envelopes from  
19 containing visible political affiliation or designation for certain  
20 elections.