

P.L. 2022, CHAPTER 70, *approved July 28, 2022*
Assembly, No. 3822 (*Fifth Reprint*)

1 AN ACT concerning the conduct of elections and amending various
2 parts of the statutory law.

3

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

6

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

8 19:14-1. Every county clerk shall have ready for the printer on
9 or before the **[50th]** 45th day prior to the primary ⁴**[or general]**⁴
10 election a copy of the contents of official ballots as hereinafter
11 required to be printed for use at such election ², except that every
12 county clerk shall have ready for the printer on or before the 50th
13 day prior to a federal primary ⁴election⁴ or ⁴**[federal]** any⁴ general
14 election ⁴in this State⁴ a copy of the contents of the official ballots
15 for use in such election². **[He]** The county clerk shall also on or
16 before that time place another copy of such contents on file in **[his]**
17 the county clerk's office and keep the same open to public
18 inspection until the sample ballots hereinafter provided to be
19 printed shall have been distributed.

20 ²Nothing in this section, as amended by P.L. , c. (pending
21 before the Legislature as this bill), shall be construed to hinder,
22 limit, or interfere with the ability of a county clerk to comply with
23 the federal "Uniformed and Overseas Citizens Absentee Voting
24 Act" (52 U.S.C. s.20301 et seq.).²
25 (cf: P.L.2011, c.37, s.6)

26

27 ⁵**[2.** Section 1 of P.L.2018, c.110 (C.19:52-3.1) is amended to
28 read as follows:

29 1. **[The]** a. On the day of an election, the district boards of
30 election at each polling place shall create and publicly display a
31 notice containing an official count of the cumulative number of
32 voters who have voted at each precinct, indicating the number of
33 voters who have voted using **[a]** the voting **[machine]** equipment
34 at the polling place and the number of voters who have voted using
35 a provisional ballot. The first notice shall be produced two hours
36 from the opening of the polls and updated every two hours
37 thereafter until the time the polls close.

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:

¹Assembly ASL committee amendments adopted May 12, 2022.

²Assembly AJU committee amendments adopted June 9, 2022.

³Assembly AAP committee amendments adopted June 13, 2022.

⁴Senate SSG committee amendments adopted June 23, 2022.

⁵Senate SBA committee amendments adopted June 27, 2022.

1 b. (1) At the close of the polls on election day and ²[in real
2 time] until all eligible ballots are counted² thereafter, each county
3 ²[board of elections,] clerk,² in consultation with the county
4 ²[clerk] board of elections² of that county, shall list on ²[its] the
5 county clerk's² Internet site in an easily accessible location the
6 number of ballots that have been received, have been counted, and
7 are remaining to be counted. ¹The ballot tabulations provided by a
8 county ²[board of elections] clerk² shall include a date and time
9 stamp designating the date and time in which the ²county clerk and
10 the² county board ²of elections, as appropriate,² stopped tabulating
11 the number of ballots represented in the totals on that particular
12 list.¹ Each county ²[board of elections] clerk² shall provide the
13 ballot tabulations by the following categories:

14 the number of early in-person ballots that have been received,
15 have been counted, and are remaining to be counted;

16 the number of vote-by-mail ballots that have been received, have
17 been counted, and are remaining to be counted;

18 the number of provisional ballots that have been received, have
19 counted, and are remaining to be counted; and

20 the number of election day ballots that have been received, have
21 been counted, and are remaining to be counted.

22 ²[The] Each² county ²[board of elections] clerk² shall provide
23 ²[real time]² reporting of the ballot tabulations by the listed
24 categories until all eligible ballots are counted.

25 ¹If a county board of elections opts to begin opening the inner
26 envelopes for mail-in ballots and canvassing the mail-in ballots
27 from the inner envelopes prior to the day of an election pursuant to
28 subsection b. of section 22 of P.L.2009, c.79 (C.19:63-22), the
29 county ²[board of elections] clerk² shall report the unofficial ballot
30 tabulations of those mail-in ballots ²on the county clerk's Internet
31 site² as soon as practicable after the closing of the polls on ²[it's
32 Internet site.] election day.²

33 (2) Each county ²[board] clerk, in consultation with the county
34 board² of elections ²of that county,² shall send ¹the ballot
35 tabulations of that county by¹ the same ¹[list] categories¹ to the
36 Secretary of State ¹by 11:59 P.M. on the day of the election and¹
37 each day after the election by 8:00 P.M. until all eligible ballots are
38 counted. Upon receipt of the number of ballots that have been
39 received, have been counted, and are remaining to be counted by
40 each category from each county ²[board of elections] clerk², the
41 Secretary of State shall provide in an easily accessible location on
42 the Internet site of the Division of Elections the total number of
43 ballots for the State and for each county that have been received,
44 have been counted, and are remaining to be counted by the same
45 categories. ¹The Statewide and county-by-county ballot tabulations
46 provided by the Secretary of State shall include a date and time
47 stamp designating the date and time in which the Secretary of State

1 stopped compiling the number of ballots represented in the totals on
2 that particular list.¹ The Secretary of State shall provide the ballot
3 tabulations each day after the election by 9:00 P.M until all eligible
4 ballots are counted.

5 (3) Each county² **【board of elections】** clerk² and the Division of
6 Elections shall note on their respective Internet site that the number
7 of ballots that have been received, have been counted, and are
8 remaining to be counted are unofficial ballot tabulations and are
9 subject to change as each² county clerk and² county board of
10 elections², as appropriate,² receive and process ballots that have
11 been cast in the election.

12 (cf: P.L.2018, c.110, s.1)⁵

13

14 ⁵2. R.S.19:23-14 is amended to read as follows:

15 19:23-14. Petitions addressed to the Secretary of State, the
16 county clerks, or the municipal clerks shall be filed with such
17 officers, respectively, before 4:00 p.m. of the **【64th】** 71st day next
18 preceding the day of the holding of the primary election for the
19 general election.

20 Not later than noon of the **【54th】** 61st day preceding the primary
21 election for the general election, the municipal clerk shall certify to
22 the county clerk the full and correct names and addresses of all
23 candidates for nomination for public and party office and the name
24 of the political party of which such persons are candidates together
25 with their slogan and designation. The county clerk shall transmit
26 this information to the Election Law Enforcement Commission in
27 the form and manner prescribed by the commission and shall notify
28 the commission immediately upon the withdrawal of a petition of
29 nomination.⁵

30 (cf: P.L.2022, c.7, s.3)

31

32 3. Section 2 of P.L.2005, c.148 (C.19:62-2) is amended to read
33 as follows:

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

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

41 b. mail a ballot, including an outer envelope and an inner
42 envelope substantially similar to the envelopes provided for mail-in
43 ballots pursuant to sections 12 and 13 of P.L.2009, c.79 (C.19:63-12
44 and C.19:63-13), not sooner than the 20th day prior to the day of
45 the election nor later than the 14th day prior to the day of the
46 election, to each person registered to vote in the municipality at that
47 election;

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

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

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

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

24 g. make certain that all qualified voters in the municipality
25 requesting a mail-in ballot between the ~~45th~~⁵ ~~38th~~⁵ 45th⁵ day
26 and the 21st day prior to the day of an election receive such ballot
27 after the 20th day prior to the day of an election and voters
28 requesting a ballot on or before the seventh day prior to the date of
29 the election shall receive a ballot authorized pursuant to this
30 section; and

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

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

37
38 4. Section 1 of P.L.2020, c.72 (C.19:63-16.1) is amended to
39 read as follows:

40 1. a. In addition to delivering a voted mail-in ballot by mail or
41 in person as provided under "The Vote By Mail Law," P.L.2009,
42 c.79 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit
43 the voter's completed mail-in ballot in a ballot drop box established
44 by the county board of elections as provided under this section.
45 Each mail-in ballot deposited in a ballot drop box by the time
46 designated under current law for the closing of the polls for that
47 election shall be considered valid and shall be canvassed. If, at the
48 closing of the polls, a voter deposits a mail-in ballot at a ballot drop
49 box in a county in which the voter does not reside, the county board

1 of elections, upon discovering that fact, shall notify and timely
2 deliver the ballot to the county board of elections of the county in
3 which the voter resides, who shall accept the ballot for processing.
4 The limitations and prohibitions applicable to mail-in ballot bearers
5 under "The Vote By Mail Law," P.L.2009, c.79 (C.19:63-1 et seq.)
6 shall apply under this section.

7 b. (1) For any election, the county board of elections in each
8 county shall establish ballot drop boxes where voters may deposit
9 their voted mail-in ballots at least 45 days before the election. The
10 ballot drop boxes shall be located throughout the county in a
11 manner specified under paragraph (2) of this subsection. The
12 county board of elections may establish a pickup schedule to
13 retrieve mail-in ballots deposited in ballot drop boxes ², consistent
14 with the guidelines established by the Secretary of State pursuant to
15 subparagraph (c) of paragraph (2) of this subsection ².

16 (2) (a) A ballot drop box shall mean a secured drop box that is
17 not required to be within view of a live person for monitoring. All
18 ballot drop boxes shall be available for use by a voter 24 hours a
19 day and shall be placed at locations equipped with security cameras
20 that allow for surveillance of the ballot drop box.

21 (b) Beginning with the 2021 general election, at least one ballot
22 drop box shall be located: at any county government building in
23 which the main office of the county clerk is located; in each
24 municipality with a population larger than 5,000 residents; at the
25 main campus of each State college or university; and the main
26 campus of each independent four-year college or university with
27 enrollments larger than 5,000 students. Notwithstanding the
28 locational criteria established by this subparagraph, whenever two
29 or more ballot drop box locations are separated by a distance of less
30 than 2,000 feet, the board of elections in each county shall
31 determine secondary locations for those ballot drop boxes in
32 compliance with the requirements of this section. The secondary
33 ballot drop box locations shall be located within the municipality
34 where those ballot drop boxes were originally located and shall be
35 approved by a majority vote of the members of the board of
36 elections. However, in the event of a tie in the votes cast by the
37 members of the board of elections, the county clerk shall cast the
38 deciding vote. Whenever possible, at least one ballot drop box shall
39 be located in a municipality with an average per capita income or a
40 median family income at or below 250% of the federal poverty
41 guideline according to the most recent federal American
42 Community Survey.

43 (c) The board of elections in each county shall establish no
44 fewer than 10 ballot drop boxes. To the best of their ability, the
45 board of elections of every county shall place secure ballot drop
46 boxes based on geographic location and population density to best
47 serve the voters of each county in compliance with the guidelines
48 adopted pursuant to subsection c. of this section. The Secretary of
49 State shall establish guidelines for the placement of the ballot drop

1 boxes, the security of the ballot drop boxes, and the schedule for
2 ballot pickup from the ballot boxes.

3 (d) All ballot drop box locations shall be on sites that meet the
4 accessibility requirements applicable to polling places under
5 R.S.19:8-2 and shall be subject to the same compliance oversight
6 applicable to polling places under section 3 of P.L.1991, c.429
7 (C.19:8-3.3). A ballot drop box site shall be considered accessible
8 if it is in compliance with the federal "Americans with Disabilities
9 Act of 1990" (42 U.S.C. s.12101 et seq.).

10 (e) Except as otherwise provided herein, no ballot drop box
11 shall be located inside, or within 100 feet of an entrance or exit, of a
12 State, county, or municipal police station.

13 Notwithstanding the provisions of this subparagraph, a ballot
14 drop box that has already been installed and permanently affixed
15 prior to the effective date of this act, P.L.2021, c.459, at any of the
16 following locations may remain at that location notwithstanding
17 that the ballot drop box is within 100 feet of an entrance or exit of a
18 State, county, or municipal police station if the county
19 commissioners approve the continued presence at that location by a
20 majority vote of the commissioners and with the reasons therefor
21 subject to public disclosure:

22 any county government building in which the main office of the
23 county clerk is located; any municipal government building in
24 which the main office of the municipal clerk is located in
25 municipalities with populations larger than 5,000 residents; the
26 main campus of a county community college; the main campus of a
27 State college or university; and the main campus of an independent
28 four-year college or university with enrollments larger than 5,000
29 students.

30 (f) Except as otherwise permitted herein, no State, county, or
31 municipal police officer shall remain or stand within 100 feet of a
32 ballot drop box in use during the conduct of an election. Nothing
33 herein shall be interpreted to prohibit the police officer from:

34 voting at that ballot drop box in a personal capacity;

35 traveling to and from, or remaining within, their personal
36 residence if that residence is within 100 feet of a ballot drop box;

37 investigating, addressing, or removing any cause for a
38 disturbance, or otherwise responding to a request for assistance, on
39 or around the premises of the location of that ballot drop box; or

40 escorting to or from, or both, a ballot drop box or the premise on
41 which it is located any person who may require the assistance of the
42 officer.

43 (g) No person shall wear, display, sell, give, or provide any
44 political or campaign slogan, badge, button, or other insignia
45 associated with any political party or candidate within 100 feet of a
46 ballot drop box in use during the conduct of an election, except with
47 respect to the badge furnished by the county board as provided by
48 law. A person violating the provisions of this subparagraph shall be
49 guilty of a disorderly persons offense.

1 c. The Secretary of State, in consultation with county boards of
2 elections, shall establish the guidelines necessary to ensure the
3 secure and successful implementation of the mail-in ballot drop
4 boxes required by this section to ensure adequate access in various
5 geographic areas of the county. In determining the ballot drop box
6 locations, the secretary and county boards of elections shall
7 consider, at a minimum, concentrations of population, geographic
8 areas, voter convenience, proximity to public transportation,
9 community-based locations, travel time to the location, proximity to
10 other voting locations and ballot drop boxes, commuter traffic
11 patterns, and security. The guidelines shall include, but may not be
12 limited to, criteria for each county board of elections to:

13 (1) determine the number of ballot drop boxes required per voter
14 population, considering both the number of registered voters and
15 the number of registered mail-in voters in each county before each
16 election;

17 (2) select the geographic location of each ballot drop box,
18 ensuring an equitable distribution of ballot drop boxes across the
19 county to maximize convenience to voters;

20 (3) ensure the accessibility of ballot drop boxes and drop box
21 locations to persons with disabilities; and

22 (4) maintain the security of ballot drop boxes and of the ballots
23 deposited therein, including standards and procedures for ballot
24 retrieval by authorized persons only, and for ensuring the proper
25 chain of custody and safe storage of voted mail-in ballots before
26 each election.

27 d. Each county clerk shall include the locations of the ballot
28 drop boxes established in the county along with the instructions
29 furnished with the mail-in ballot package sent to each mail-in voter
30 pursuant to section 7 of P.L.2009, c.79 (C.19:63-7). At least 45
31 days before each election, each county board of elections shall
32 cause to be published on their respective websites the location of
33 the ballot drop boxes in each county, and shall provide this
34 information to the Secretary of State for publishing the same on the
35 Division of Elections website.

36 e. Whenever a municipal, school, or special election is held,
37 the board **【may】** shall, at a minimum, open **【only】** the ballot drop
38 box located geographically closest to the municipal government
39 building in which the main office of the municipal clerk is located
40 and the ballot drop box located at the board of elections or county
41 office, if one is placed at that location. When a school election
42 encompasses more than one municipality, the board shall be
43 responsible for the selection of the ballot drop box location with
44 respect to each municipality.

45 (cf: P.L.2021, c.459, s.4)

46

47 5. Section 9 of P.L.2009, c.79 (C.19:63-9) is amended to read
48 as follows:

1 9. a. ²~~[Starting]~~ Except as provided in subsection d. of this
2 section, starting² on or before the [45th] ⁵[38th] 45th⁵ day before
3 the day an election is held, each county clerk shall forward mail-in
4 ballots by first-class postage or hand delivery to each mail-in voter
5 whose request therefor has been approved. Mail-in ballots for that
6 have been approved before the [45th] ⁵[38th] 45th⁵ day before an
7 election shall be forwarded or delivered at least [45] ⁵[38] 45⁵
8 days before the day of the election. Hand delivery of a mail-in
9 ballot shall be made by the county clerk or the clerk's designee only
10 to the voter, or the voter's authorized messenger, who must appear
11 in person. No person shall serve as an authorized messenger for
12 more than three qualified voters in an election, but a person may
13 serve as such for up to five qualified voters in an election if those
14 voters are immediate family members residing in the same
15 household as the messenger. Ballots that have not been hand
16 delivered shall be addressed to the voter at the forwarding address
17 given in the application.

18 b. (1) Whenever the clerk forwards a mail-in ballot by mail to
19 a mail-in voter between the [45th] ⁵[38th] 45th⁵ day and the 13th
20 day before the day of an election, the ballot shall be transmitted
21 within three business days of the receipt of the application.

22 (2) Whenever the clerk forwards a mail-in ballot by mail to a
23 mail-in voter between the 12th day and the seventh day before the
24 day of an election, the ballot shall be transmitted within two
25 business days of the receipt of the application.

26 The provisions of this subsection shall not apply to: (a) annual
27 school elections and special school elections in those school
28 districts holding such elections, pursuant to P.L.1995, c.278
29 (C.19:60-1 et seq.); (b) any municipality in which elections are
30 conducted by mail, pursuant to P.L.2005, c.148 (C.19:62-1 et seq.);
31 (c) annual elections for members of the boards of fire district
32 commissions, pursuant to N.J.S.40A:14-72, when such elections are
33 held at a time other than the time of the general election; and (d) the
34 vote on any public question submitted to the voters of a local unit to
35 increase the amount to be raised by taxation by more than the
36 allowable adjusted tax levy, pursuant to section 11 of P.L.2007,
37 c.62 (C.40A:4-45.46).

38 c. (Deleted by amendment, P.L.2011, c.37).

39 ²d. Each uniformed and overseas mail-in voter, as defined by the
40 federal "Uniformed and Overseas Citizens Absentee Voting Act"
41 (52 U.S.C. s.20301 et seq.), ⁴or any general election voter in this
42 State⁴ whose request for a mail-in ballot has been approved, shall
43 be forwarded by the county clerk a mail-in ballot by first-class
44 postage or hand delivery no later than the 45th day before the day
45 of a federal election. Whenever the county clerk forwards a mail-in
46 ballot by mail to a uniformed or overseas mail-in voter ⁴or a State
47 general election voter⁴ between the 45th day and the 13th day
48 before the day of a federal election, the ballot shall be transmitted

1 within three business days of the receipt of the application. Nothing
2 in this section, as amended by P.L. , c. (pending before the
3 Legislature as this bill), shall be construed to be inconsistent with
4 the federal “Uniformed and Overseas Citizens Absentee Voting
5 Act” (52 U.S.C. s.20301 et seq.).²
6 (cf: P.L.2020, c.71, s.9)

7
8 6. Section 24 of P.L.1994, c.182 (C.39:2-3.2) is amended to
9 read as follows:

10 24. a. The Secretary of State, with the assistance of the Chief
11 Administrator of the New Jersey Motor Vehicle Commission, shall
12 provide for an eligible applicant to simultaneously apply for a
13 motor vehicle driver's license, an examination permit, a
14 probationary driver's license, or a non-driver identification card, as
15 applicable, and be automatically registered to vote, or have an
16 existing voter registration updated, in a manner which satisfies both
17 the requirements necessary to receive a license to operate a motor
18 vehicle, pursuant to R.S.39:3-10, or an examination permit, a
19 probationary driver's license, or a non-driver identification card, as
20 applicable, and to register to vote, pursuant to R.S.19:4-1. The
21 applicant shall be offered an opportunity to decline the automatic
22 voter registration under this section. If an applicant² chooses to
23 update] changes the applicant’s party affiliation when updating² an
24 existing voter registration² under this section², the applicant shall
25 ²not be offered the opportunity to change the applicant’s party
26 affiliation] be sent a confirmation notice by the⁵ [Secretary of
27 State] county commissioner of registration⁵ noting that change².

28 b. (1) Pursuant to subsection a. of this section, for every
29 application for a motor vehicle driver's license, an examination
30 permit, a probationary driver's license, or a non-driver identification
31 card, and each related update, renewal, or change of address, except
32 as provided in paragraphs (2) and (3) of this subsection, the Chief
33 Administrator shall ensure that the information necessary for voter
34 registration is collected from the application and promptly
35 transmitted electronically to the Secretary of State. The Chief
36 Administrator shall ensure that electronic records are not
37 transmitted to the Secretary of State for any applicant who has
38 declined registration. The Commissioner of Registration shall
39 register to vote or update an existing registration for any eligible
40 applicant who has not declined voter registration.

41 (2) Voter registration information from an application received
42 online for the renewal of a motor vehicle driver's license or non-
43 driver identification card shall be collected and promptly
44 transmitted electronically to the Secretary of State upon the
45 implementation by the Secretary of State of online voter
46 registration. Subsection c. of this section shall be inapplicable to
47 such applications until that time.

1 (3) Voter registration information from an application received
2 through the mail for the renewal of a motor vehicle driver's license
3 or non-driver identification card shall be exempt from collection
4 and electronic transmission to the Secretary of State until such time
5 as the Chief Administrator determines that the prompt electronic
6 transmission of the information is practicable. Subsection c. of this
7 section shall be inapplicable to such applications until that time.
8 Following the effective date of P.L.2018, c.6, the Chief
9 Administrator shall inform the Governor and the Legislature every
10 six months of the practicability of collecting and transmitting to the
11 Secretary of State voter registration information from such
12 applications. This paragraph shall not be construed to preclude the
13 Motor Vehicle Commission from processing voter registration
14 applications received in the manner in which such applications were
15 processed in connection with such renewals prior to the effective
16 date of P.L.2018, c.6.

17 c. The Chief Administrator shall provide for the following
18 notices to be provided with every application for a motor vehicle
19 driver's license, an examination permit, a probationary driver's
20 license, or a non-driver identification card and every related update,
21 renewal, or change of address:

22 (1) a notice that the applicant will be registered to vote, if
23 eligible, unless the applicant specifically declines the automatic
24 voter registration;

25 (2) a notice of the voter eligibility requirements under R.S.19:4-
26 1 and the penalties for false registration and illegal voting under
27 Title 19 of the Revised Statutes, which notice shall contain an
28 affirmation that the applicant meets each such requirement and shall
29 require the signature of the applicant, under penalty of law; and

30 (3) a notice that an applicant who is a victim of domestic
31 violence or stalking may decline the automatic voter registration
32 and register to vote without disclosing the applicant's street address
33 pursuant to section 1 of P.L.1994, c.148 (C.19:31-3.2).

34 d. For each applicant already registered to vote, any change of
35 address notification submitted to the Chief Administrator for the
36 purpose of maintaining current information on an applicant shall be
37 promptly reported to the Secretary of State. A change of address
38 notification received by the Chief Administrator in paper format
39 shall be reported to the Secretary of State no later than the 10th day
40 following its receipt by the Chief Administrator. The
41 Commissioner of Registration shall use the change of address
42 notification to update an existing voter registration unless the
43 applicant declines the automatic voter registration pursuant to this
44 section and indicates that the change of address is not for voter
45 registration purposes. A change of address notification submitted to
46 the commission, which is used for voter registration purposes, shall
47 be subject to the provisions of section 1 of P.L.1994, c.148
48 (C.19:31-3.2) if the person submitting the change of address

1 notification previously registered to vote in accordance with that
2 section.

3 e. If a person who is not entitled to vote becomes registered to
4 vote pursuant to this section, that person's registration shall be
5 presumed to have been effected with official authorization, and the
6 person shall not be deemed to have committed a crime under
7 R.S.19:34-1. This subsection shall not apply to a person who
8 knowingly and willfully makes a false statement to effectuate voter
9 registration.

10 f. The Secretary of State, with the assistance of the Chief
11 Administrator, shall take appropriate measures to educate the public
12 about voter registration under this section.

13 For the purposes of this section, "eligible applicant" means a
14 person submitting to the commission an application for a motor
15 vehicle driver's license, an examination permit, a probationary
16 driver's license, or a non-driver identification card who meets all
17 requirements for eligibility to vote under R.S.19:4-1.

18 (cf: P.L.2018, c.6, s.3)

19

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

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

36 Every mail-in ballot that bears a postmark date before or of the
37 day of the election and that is received by the county board within
38 ~~144 hours~~ ²~~72~~ ⁴~~96~~ ¹⁴⁴ hours after the time of the closing
39 of the polls for the election that the ballot was prepared shall be
40 considered valid and shall be canvassed. Every mail-in ballot that
41 does not bear a postmark date but that is received by the county
42 board by delivery of the United States Postal Service before, or
43 within 48 hours after, the time of the closing of the polls for the
44 election for which the ballot was prepared shall be considered valid
45 and shall be canvassed.

46 b. A county board of elections may begin opening the inner
47 envelopes for each mail-in ballot and canvassing each mail-in ballot
48 from the inner envelope no earlier than five days prior to the day of
49 the election. The Secretary of State shall establish guidelines

1 concerning the early canvassing process. If a county board of
2 elections begins opening the inner envelopes and canvassing the
3 mail-in ballots from the inner envelopes prior to the day of the
4 election, the county board shall implement the measures necessary
5 to ensure the security and secrecy of the mail-in ballots. The
6 contents of the mail-in ballots and the results of the ballot
7 canvassing shall remain confidential and shall be disclosed only in
8 accordance with the provisions of Title 19 of the Revised Statutes,
9 regulations and guidelines concerning the disclosure of election
10 results, and in no circumstances disclosed prior to the close of polls
11 on the day of the election. ³In addition to the guidelines concerning
12 the early canvassing process, the Secretary of State shall
13 promulgate regulations to ensure that any county board of elections
14 that begins opening the inner envelopes and canvassing the mail-in
15 ballots from the inner envelopes prior to the closing of the polls on
16 election day shall do so in a manner that prevents any person⁵,
17 including any person⁵ who is authorized to receive and canvass
18 completed mail-in ballots^{5,5} from obtaining knowledge of the
19 unofficial results of ballots cast for any candidate for public office
20 or any public question submitted to the voters until after the closing
21 of the polls on election day. No tally or tabulation of results shall
22 occur prior to the opening of polls on election day. ³ As provided
23 under R.S.19:34-13, any person who is authorized to receive and
24 canvass completed mail-in-ballots who knowingly discloses to the
25 public the contents of a mail-in ballot prior to the time designated
26 by law for the closing of the polls for each election shall be guilty
27 of a crime of the third degree.

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

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

39 Each mail-in ballot cast, canvassed, and tallied in an election
40 under this section ³, excluding a fire district election,³ shall be
41 reported in the results for the election district in which the voter
42 resides.¹ ³Whenever the reporting requirement of this subsection
43 would cause a voter's privacy to be violated, the election results
44 shall be reported in a manner that maintains the privacy of the
45 vote⁵], provided that the election results posted on the county
46 clerk's and the Division of Elections Internet site shall contain a
47 disclosure stating that the results reported for some individual

1 districts reflect measures to protect the privacy of the vote while the
2 general tally accurately reflects the results】⁵ 3

3 (cf: P.L.2020, c.71, s.13)

4

5 58. The Secretary of State may adopt regulations necessary to
6 effectuate the purposes of this act, which regulations shall be
7 effective immediately upon filing with the Office of Administrative
8 Law for a period not to exceed 18 months, and may, thereafter, be
9 amended, adopted or readopted in accordance with the provisions of
10 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
11 seq.).⁵

12

13 ¹~~7.】~~ ⁵~~8.1】~~ ^{9.}⁵ This act shall take effect immediately, except
14 that section 6 thereof shall take effect on the first day of the fourth
15 month next following the date of enactment. The Secretary of State
16 and Chief Administrator of the New Jersey Motor Vehicle
17 Commission may take such anticipatory administrative action in
18 advance thereof as shall be necessary for the implementation of this
19 act.

20

21

22

23

24 Changes certain mail-in ballot deadlines; permits opening and
25 canvassing of mail-in ballots prior to election day; permits pickup
26 schedule for certain mail-in ballots; requires confirmation notice
27 when voter changes party affiliation at MVC.