

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3817

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 2022

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 3817.

As amended by the committee, this bill makes various changes to certain in-person, early voting, and vote by mail practices and procedures, and allows for the use of an online form for a voter to update the voter's change of name or residency. Specifically, the bill requires ballot privacy sleeves at each polling place; requires that early voting votes be reported in the election district where the voter resides; ends the mail-in ballot cure deadline 9 days after election day; and allows voters to request a mail-in ballot, and to declare or change their political party affiliation, using the online voter registration system. This bill also provides that, once a person has submitted the online voter registration form, the online voter registration system would not accept a new voter registration form submission from the same person until the previous submission has been processed. As amended, the bill also creates an online form for a voter to update the voter's name and residence on an existing voter registration record and to update the voter's existing record when the voter moves to another county.

Privacy Sleeves

This bill requires privacy sleeves be provided to voters when hand-marked paper ballots are used to cast the voter's vote at the polling place. The bill also requires ballot scanning machines to have a privacy screen, shield, or curtain and requires the use of privacy screens and shields at polling places.

Reporting of Early Voting Votes

This bill would require each early vote (except for provisional ballots cast at an early voting site) cast, canvassed, and tallied in an election to be reported in the results for the election district in which the voter resides. As amended, the bill clarifies that, if the

reporting of the early voting results in the election district in which the voter resides would violate the privacy of the voter's vote, those results would instead be reported as part of the general tally

Mail-in Ballot Cure Deadline

Under current law, a mail-in voter may cure a defect in their mail-in ballot not later than 48 hours prior to the final certification of the results of the election. This bill would change the cure deadline to midnight on the 9th day following the day of the election.

Online Application for Mail-in Ballot

This bill allows registered voters to submit an application to vote by mail electronically, using the online voter registration website maintained by the Secretary of State, up to seven days before an election. Under current law, registered voters may apply to vote by mail using a paper application form up to seven days before an election, and may apply for a mail-in ballot in person up to 3:00 PM the day before election day. This bill would allow registered voters to complete a mail-in ballot application form electronically using the online voter registration website established by the Secretary of State. Under the bill, applications to vote by mail submitted online would be forwarded to the appropriate county clerk. The bill requires the electronic application to be signed by the applicant using the applicant's electronic signature in the Statewide Voter Registration System, and to state the applicant's place of voting residence and the address to which the ballot will be sent. The bill directs the Secretary of State to prepare a mail-in ballot electronic application form and authorizes the secretary to promulgate any rules and regulations deemed necessary. The bill also updates the notices required to be published ahead of each election concerning the manner of applying to vote by mail, to include the online application form authorized by the bill.

Online Political Party Affiliation

Under current law, a person registering to vote may declare a political party affiliation on the voter registration form, and thereafter may update such affiliation using a paper form. This bill allows a person registering to vote, and registered voters, to submit or update their political party affiliation, including the option to not be affiliated with any political party, using the online voter registration system maintained by the Secretary of State.

Online Name and Residency Updates

Under current law, a registered voter who changes name or address may file a form to notify the county commissioner of registration of these changes. When a registered voter moves from one county to another, the voter is required to file a new voter registration form in the new county.

As amended by the committee, this bill requires the Secretary of State to create an electronic form on the Department of State's website for a voter to use to complete and submit changes to the voter's name, address, or both. This bill also allows a registered voter who moves from one county to another to use the change of address form to notify the county commissioners of registration of the voter's old and new counties of residence of this change. The bill requires both commissioners to cause the voter's registration record to be transferred to the new county. The commissioner of the county of new residence would notify the voter by mail that the voter is now registered to vote in that county. If the notice submitted by the voter is incomplete, the commissioner is required to request any additional information or documentation necessary to finalize the change of residence request.

This bill does not change any of the eligibility requirements a voter must fulfill in order to vote in an election, including the 30-day residency requirement in the county of residence as required by the State Constitution and specified under R.S.19:31-5.

COMMITTEE AMENDMENTS

The committee amended the bill to:

(1) clarify that, if the reporting of the early voting results in the election district in which the voter resides would violate the privacy of the voter's vote, those results would instead be reported as part of the general tally;

(2) delete a provision that would have changed the postmarked mail-in ballot acceptance deadline from within 144 hours (six days) to within 72 hours after the closing of the polls on election day (3 days);

(3) delete a provision that would have allowed for the opening and canvassing of mail-in ballots to begin before the day of the election;

(4) create an online form for a voter to update the voter's name and residence on an existing voter registration record; and

(5) allow the change of residence notice to update the voter's existing record when the voter moves to another county.