

[First Reprint]

**ASSEMBLY, No. 3777**

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**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

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INTRODUCED FEBRUARY 10, 2011

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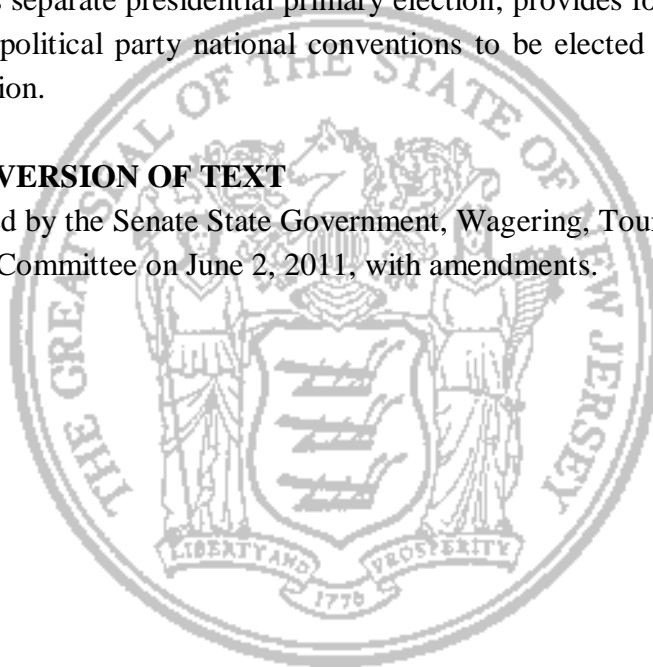
**Assemblywoman Wagner, Senators Norcross, O'Toole, Turner and Stack**

**SYNOPSIS**

Eliminates separate presidential primary election; provides for delegates and alternates to political party national conventions to be elected at regular June primary election.

**CURRENT VERSION OF TEXT**

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on June 2, 2011, with amendments.



**(Sponsorship Updated As Of: 6/30/2011)**

1 AN ACT eliminating the separate presidential primary election and  
2 amending various 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.19:1-1 is amended to read as follows:

8 19:1-1. As used in this Title:

9 "Election" means the procedure whereby the electors of this  
10 State or any political subdivision thereof elect persons to fill public  
11 office or pass on public questions.

12 "General election" means the annual election to be held on the  
13 first Tuesday after the first Monday in November.

14 "Primary election for the general election" means the procedure  
15 whereby the members of a political party in this State or any  
16 political subdivision thereof nominate candidates to be voted for at  
17 general elections, or elect persons to fill party offices.

18 **["Presidential primary election" means the procedure whereby**  
19 **the members of a political party in this State or any political**  
20 **subdivision thereof elect persons to serve as delegates and**  
21 **alternates to national conventions.]**

22 "Municipal election" means an election to be held in and for a  
23 single municipality only, at regular intervals.

24 "Special election" means an election which is not provided for by  
25 law to be held at stated intervals.

26 "Any election" includes all primary, general, municipal, school  
27 and special elections, as defined herein.

28 "Municipality" includes any city, town, borough, village, or  
29 township.

30 "School election" means any annual or special election to be held  
31 in and for a local or regional school district established pursuant to  
32 chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes.

33 "Public office" includes any office in the government of this  
34 State or any of its political subdivisions filled at elections by the  
35 electors of the State or political subdivision.

36 "Public question" includes any question, proposition or  
37 referendum required by the legislative or governing body of this  
38 State or any of its political subdivisions to be submitted by  
39 referendum procedure to the voters of the State or political  
40 subdivision for decision at elections.

41 "Political party" means a party which, at the election held for all  
42 of the members of the General Assembly next preceding the holding  
43 of any primary election held pursuant to this Title, polled for

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Senate SSG committee amendments adopted June 2, 2011.**

1 members of the General Assembly at least 10% of the total vote cast  
2 in this State.

3 "Party office" means the office of delegate or alternate to the  
4 national convention of a political party or member of the State,  
5 county or municipal committees of a political party.

6 "Masculine" includes the feminine, and the masculine pronoun  
7 wherever used in this Title shall be construed to include the  
8 feminine.

9 "Presidential year" means the year in which electors of President  
10 and Vice-President of the United States are voted for at the general  
11 election.

12 "Election district" means the territory within which or for which  
13 there is a polling place or room for all voters in the territory to cast  
14 their ballots at any election.

15 "District board" means the district board of registry and election  
16 in an election district.

17 "County board" means the county board of elections in a county.

18 "Superintendent" means the superintendent of elections in  
19 counties wherein the same shall have been appointed.

20 "Commissioner" means the commissioner of registration in  
21 counties.

22 "File" or "filed" means deposited in the regularly maintained  
23 office of the public official wherever said regularly maintained  
24 office is designated by statute, ordinance or resolution.

25 (cf: P.L.2005, c.136, s.1)

26

27 2. R.S.19:2-1 is amended to read as follows:

28 19:2-1. **【Presidential primary】** Primary elections for delegates  
29 and alternates to national conventions of political parties **【shall be**  
30 **held in each presidential year on the Tuesday next after the first**  
31 **Monday in February.**

32 **Primary elections】** and for the general election shall be held in  
33 each year on the Tuesday next after the first Monday in June **【.**

34 **All primary elections shall occur】** between the hours of 6:00  
35 A.M. and 8:00 P.M., Standard Time. Primary elections for special  
36 elections shall be held not earlier than 30 nor later than 20 days  
37 prior to the special elections.

38 (cf: P.L.2007, c.61, s.1)

39

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

41 19:3-3. Delegates and alternates to the national conventions of  
42 the political parties **【held in each presidential year】** shall be elected  
43 at the **【presidential】** primary election to be held on the Tuesday  
44 next after the first Monday in **【February】** June in that year.

45 The members of State, county and municipal committees of the  
46 political parties shall be chosen at the primary for the general

1 election as hereinafter provided.

2 (cf: P.L.2007, c.61, s.2)

3

4 4. Section 6 of P.L.1976, c.83 (C.19:4-15) is amended to read  
5 as follows:

6 6. a. No county board shall make division of an election  
7 district in any year in the period commencing 75 days before the  
8 **【presidential primary election in each presidential year or】** the  
9 primary election for the general election, and the day of the general  
10 election.

11 b. To facilitate the use of Federal decennial census populations  
12 for apportionment and redistricting purposes and notwithstanding  
13 the provisions of this or any other law, no election districts shall,  
14 except with the prior approval of the **【Attorney General】** Secretary  
15 of State, be created, abolished, divided or consolidated between  
16 January 1 of any year whose last digit is 7 and December 1 of any  
17 year whose last digit is 0.

18 (cf: P.L.2005, c.136, s.4)

19

20 5. R.S.19:6-2 is amended to read as follows:

21 19:6-2. a. The following persons may apply in writing to the  
22 county board, on a form prepared and furnished by the county  
23 board, for appointment as a member of a district board of any  
24 municipality in the county in which he or she resides: (1) a legal  
25 voter who is a member of a political party by virtue of having voted  
26 in a party primary or who has filed a party declaration form for the  
27 ensuing **【presidential primary or】** primary election for the general  
28 election with the commissioner of the county in which the voter is  
29 registered and who, for two years prior to making written  
30 application, has not espoused the cause of another political party or  
31 its candidates; (2) a legal voter who is not affiliated with a political  
32 party; (3) a United States citizen and resident of this State who is 16  
33 or 17 years of age, attends a secondary school and has the written  
34 permission of his or her parent or guardian to serve as a member of  
35 the board if appointed; or (4) a United States citizen and resident of  
36 this State who is 16 or 17 years of age and has graduated from a  
37 secondary school or has passed a general educational development  
38 test, GED, and has the written permission of his or her parent or  
39 guardian to serve as a member of the board if appointed.

40 b. The application, signed by the applicant under his or her  
41 oath, shall state: (1) the applicant's name and address; (2) the  
42 applicant's age, if the applicant is less than 18 years of age; (3) the  
43 political party to which he or she belongs or, if the applicant is not  
44 affiliated with a political party, the fact that the applicant is not so  
45 affiliated; (4) that the applicant is of good moral character and has  
46 not been convicted of any crime involving moral turpitude; and (5)  
47 that the applicant possesses the following qualifications: eyesight,  
48 with or without correction, sufficient to read nonpareil type; ability

1 to read the English language readily; ability to add and subtract  
2 figures correctly; ability to write legibly with reasonable facility;  
3 reasonable knowledge of the duties to be performed by the applicant  
4 as an election officer under the election laws of this State; and  
5 health sufficient to discharge his or her duties as an election officer.

6 c. If an applicant for appointment to a district board is 16 or 17  
7 years of age, then the applicant shall provide to the county board,  
8 along with the application provided under subsection b. of this  
9 section: (1) a written document signed by the applicant's parent or  
10 guardian giving the applicant permission to serve as a member of a  
11 district board if appointed and (2) if an election, meeting or training  
12 is scheduled to take place when school is in session, a written  
13 document from his or her school that acknowledges the applicant's  
14 application for appointment as a member of a district board and  
15 excuses the applicant from school on the dates of service if  
16 appointed, except that the requirement contained in subparagraph  
17 (2) of this subsection shall not apply to a United States citizen and  
18 resident of this State who is 16 or 17 years of age and has graduated  
19 from a secondary school or has passed a general educational  
20 development test, GED.

21 d. No person shall be precluded from applying to serve as a  
22 member of a district board of any municipality for failure to vote in  
23 any year such person was ineligible to vote by reason of age or  
24 residence.

25 e. In no case shall a person 16 or 17 years of age be permitted  
26 to serve as a member of a district board on the day of an election for  
27 more than the number of hours permitted for such a person to work  
28 pursuant to P.L.1940, c.153 (C.34:2-21.1 et seq.), as amended and  
29 supplemented.

30 (cf: P.L.2005, c.136, s.5)

31  
32 6. R.S.19:6-3 is amended to read as follows:

33 19:6-3. a. (1) The county board shall, on or before [January 4  
34 of each presidential year and on or before] April 1 [of every other  
35 year], appoint the members of the district boards in the manner  
36 prescribed by paragraph (2) of this subsection. The members of any  
37 district board shall be equally apportioned between the two political  
38 parties which at the last preceding general election held for the  
39 election of all of the members of the General Assembly cast the  
40 largest and next largest number of votes respectively in this State  
41 for members of the General Assembly, except that if the county  
42 board is unable to fill all of the positions of the members of a  
43 particular district board from among qualified members of those  
44 two political parties, the county board shall appoint to any such  
45 unfilled position an otherwise qualified person who is unaffiliated  
46 with any political party, but no such appointment of an unaffiliated  
47 person shall be made prior to [January 9 of each presidential year

1 and prior to] March 25 [of every other year], and in no event shall  
2 more than two such unaffiliated persons serve at the same time on  
3 any district board.

4 (2) In making appointments of members of the several district  
5 boards of the county, the county board shall consult with the  
6 chairperson of the county committee of each of the two political  
7 parties referred to in paragraph (1) of this subsection. On or before  
8 [December 20 of the year preceding each presidential year and on  
9 or before] March 15 of [every other] each year, the county board  
10 shall transmit to each of those chairpersons a list of those positions  
11 on the membership of the several district boards that are subject to  
12 apportionment under that paragraph (1) to the political party of  
13 which that chairperson is a member, and to which the county board  
14 has been unable to make an appointment from among qualified  
15 members of that political party. The county board shall include  
16 with each such list a request that the chairperson to whom that list is  
17 transmitted return to the board a list of the names of candidates for  
18 those unfilled positions. On or before [December 30 of the year  
19 preceding each presidential year and on or before] March 25 [of  
20 every other year], the county board shall, on the basis of the lists so  
21 returned to it, fill as many of the remaining unfilled positions in the  
22 membership of the several district boards as possible, and shall  
23 assign or reassign appointees as necessary to ensure that the  
24 membership of each district board within the county shall include at  
25 least one member of each of the two political parties. The county  
26 board shall then appoint to any unfilled position on a district board  
27 an otherwise qualified person who is unaffiliated with any political  
28 party.

29 b. In case the county board shall neglect, refuse or be unable to  
30 appoint and certify the members of the district boards as herein  
31 provided, the Assignment Judge of the Superior Court shall, before  
32 [January 15 of each presidential year or before] April 10 of every  
33 other year, make such appointments and certifications.

34 (cf: P.L.2007, c.61, s.3)

35

36 7. R.S.19:6-10 is amended to read as follows:

37 19:6-10. Each district board shall, on or before the second  
38 Tuesday next preceding the [presidential] primary election [in  
39 those years when such an election is held or the primary election for  
40 the general election in every other year], meet and organize by the  
41 election of one of its members as judge, who shall be chairman of  
42 the board, and another of its members as inspector. The judge and  
43 inspector shall not be members or voters of the same political party.  
44 In case of failure to elect a judge as herein provided, after balloting  
45 or voting three times, the senior member of the board in respect to  
46 length of continuous service as a member of such district board  
47 shall become judge, and in case of failure to elect an inspector after

1 balloting or voting three times, the next senior member of the board  
2 in respect to length of continuous service as a member of such  
3 district board shall become inspector; provided, that both the  
4 chairman and the inspector shall not be members or voters of the  
5 same political party. The other members of the board shall be  
6 clerks of election, and shall perform all the duties required by law  
7 of the clerks of district boards.

8 (cf: P.L.2005, c.136, s.7)

9

10 8. R.S.19:6-18 is amended to read as follows:

11 19:6-18. During the 30-day period immediately preceding  
12 **【November 25 of the year preceding each presidential year and】**  
13 **February 15 【of every other】 in each year,** the chairman and vice-  
14 chairlady of each county committee and the State committeeman  
15 and State committeewoman of each of such two political parties,  
16 respectively shall meet and jointly, in writing, nominate one person  
17 residing in the county of such county committee chairman, duly  
18 qualified, for member of the county board in and for such county  
19 **【for the succeeding year, in the case of the presidential year】.**

20 If more than two members are elected to the State committee of  
21 any party from a county, the State committeeman and State  
22 committeewoman who shall participate in the process of nomination  
23 shall be those holding full votes who received the greatest number  
24 of votes in their respective elections for members of the State  
25 committee.

26 If nomination be so made, the said county committee chairman  
27 shall certify the nomination so made to the State chairman and to  
28 the Governor, and the Governor shall commission such appointees,  
29 who shall be members of opposite parties, on or before **【December**  
30 **20 of the year preceding each presidential year or on or before】**  
31 **March 1 【in every other year, as the case may be】.** If nomination  
32 be not so made on account of a tie vote in the said meeting of the  
33 county committee chairman, county committee vice-chairlady, State  
34 committeeman and State committeewoman, in respect to such  
35 nomination, the said county committee chairman shall certify the  
36 fact of such a tie vote to the State chairman, who shall have the  
37 deciding vote and who shall certify, in writing, to the Governor, the  
38 nomination made by his deciding vote. Appointees to county  
39 boards of election pursuant to this section shall continue in office  
40 for 2 years from **【either December 20 of the year preceding each**  
41 **presidential year or】 March 1 【, as the case may be,】** next after  
42 their appointment.

43 The first appointment having been made pursuant to law for  
44 terms of 1 and 2 years, respectively, the members subsequently  
45 appointed each year shall fill the offices of the appointees whose  
46 terms expire in that year.

47 (cf: P.L.2007, c.61, s.4)

1       9. R.S.19:6-22 is amended to read as follows:

2       19:6-22. a. (1) The county boards shall, at 10 a.m., on the [first  
3 Tuesday in January of each presidential year and on the] second  
4 Tuesday in March [of every other year], or on such other day as  
5 they may agree on within the first [5 days in January or] 15 days in  
6 March [, as the case may be,] in each year, meet at the courthouse,  
7 or other place as provided for, in their respective counties, and,  
8 subject to the provisions of paragraph (2) of this subsection,  
9 organize by electing one of their number to be chairman and one to  
10 be secretary; but the chairman and secretary shall not be members  
11 of the same political party.

12       (2) In case of failure to elect a chairman after three ballots or  
13 viva voce votes, the member having the greatest seniority on the  
14 board shall be the chairman thereof, except that if the member  
15 having the greatest seniority on the board so chooses, that member  
16 shall instead be secretary of the board; in the event that that senior  
17 member so chooses to become secretary, no election shall be held to  
18 choose a secretary of the board, the board shall elect one of its  
19 members who is not of the same political party as the secretary to  
20 be the chairman of the board, and in the case of a failure again to  
21 elect a chairman after three ballots or viva voce votes, the person  
22 among those members having the greatest seniority on the board  
23 shall be the chairman thereof.

24       In any case of failure to elect a chairman, if two or more  
25 members of the board who are eligible to become chairman have  
26 greatest and equal seniority on the board, then the board shall, not  
27 later than the fifth day following the organization meeting, notify  
28 the Governor of an inability to fill the position of chairman either  
29 by election or on the basis of seniority, including in that notice a  
30 certification of the names of those senior members of the board. In  
31 addition, if the position of secretary has not otherwise been filled  
32 under the foregoing provisions of this paragraph, the board shall  
33 defer for the time being the election of a secretary. Not later than  
34 the fifth day following receipt of the notice, the Governor shall  
35 designate one of those senior members to be chairman of the board  
36 and certify that designation to the board. If the position of secretary  
37 was not filled at the initial meeting of the county board to organize,  
38 then not later than the fifth day following receipt of that  
39 certification, the board shall reconvene at the call of the chairman  
40 so designated and shall elect a secretary of the board.

41       In case of failure to elect a secretary after three ballots or viva  
42 voce votes, the member of the board having the greatest seniority  
43 shall be secretary of the board, except that if that member has  
44 become chairman because of election to that position or because of  
45 designation as a result of the failure to elect a chairman, the  
46 member with the next greatest seniority shall be secretary. In no



1 case, however, shall the chairman and secretary be members of the  
2 same political party.

3 Seniority for the purposes of this section shall be determined by  
4 the total amount of time that a person has served as a member of the  
5 board, beginning from the date that that person took the oath of  
6 office as a member.

7 b. The boards shall have power in their discretion to hold their  
8 meetings for any purpose, except organization, in any part of their  
9 respective counties. Meetings may be called by either the chairman  
10 or the secretary of the board, or at the request of any two members.

11 (cf: P.L.2007, c.61, s.5)

12

13 10. R.S.19:7-2 is amended to read as follows:

14 19:7-2. A candidate who has filed a petition for an office to be  
15 voted for at **[any]** the primary election, and a candidate for an  
16 office whose name may appear upon the ballot to be used in any  
17 election, may also act as a challenger as herein provided and may  
18 likewise appoint 2 challengers for each district in which he is to be  
19 voted for; but only 2 challengers shall be allowed for each election  
20 district to represent all the candidates nominated in and by the same  
21 original petition. The appointment of the challengers shall be in  
22 writing under the hand of the person or persons making same and  
23 shall specify the names and residences of the challengers and the  
24 election districts for which they are severally appointed. Whenever  
25 a public question shall appear on the ballot to be voted upon by the  
26 voters of an election district and application has been made by the  
27 proponents or opponents of such public question for the  
28 appointment of challengers, the county board may in its discretion  
29 appoint 2 challengers each to represent such proponents or  
30 opponents. Such challengers shall be in addition to those provided  
31 for in section 19:7-1 of this Title.

32 (cf: P.L.2005, c.136, s.10)

33

34 11. R.S.19:8-2 is amended to read as follows:

35 19:8-2. The clerk of every municipality, on or before **[January 4**  
36 **of each presidential year and on or before]** April 1 **[of every other**  
37 **year]** shall certify to the county board of every county wherein such  
38 municipality is located a suggested list of places in the municipality  
39 suitable for polling places. The county board shall select the  
40 polling places for the election districts in the municipalities of the  
41 county for all elections in the municipalities thereof, including all  
42 commission government elections in the county. The county boards  
43 shall not be obliged to select the polling places so suggested by the  
44 municipal clerks, but may choose others where they may deem it  
45 expedient. Preference in locations shall be given to schools and  
46 public buildings where space shall be made available by the  
47 authorities in charge, upon request, if same can be done without  
48 detrimental interruption of school or the usual public services

1 thereof, and for which the authority in charge shall be reimbursed,  
2 by agreement, for expenses of light, janitorial and other attending  
3 services arising from such use. Each polling place selected shall be  
4 accessible to individuals with disabilities and the elderly. A polling  
5 place shall be considered accessible if it is in compliance with the  
6 federal "Americans with Disabilities Act of 1990" (42 U.S.C. s.  
7 12101 et seq.). In no case shall the authorities in charge of a public  
8 school or other public building deny the request of the county board  
9 for the use, as a polling place, of any building they own or lease.

10 Where the county board shall fail to agree as to the selection of  
11 the polling place or places for any election district, within five days  
12 of an election, the county clerk shall select and designate the  
13 polling place or places in any such election district.

14 The county board may select a polling place other than a  
15 schoolhouse or public building outside of the district but such  
16 polling place shall not be located more than 1,000 feet distant from  
17 the boundary line of the district. The **【Attorney General】** Secretary  
18 of State may, however, permit a polling place to be more than 1,000  
19 feet distant from the boundary line of the district if there is no  
20 suitable polling place accessible to individuals with disabilities and  
21 the elderly within the district or 1,000 feet distant from the  
22 boundary line of the district.

23 Whenever possible, the county board shall contact the managers  
24 or owners of commercial or private buildings that the board deems  
25 suitable to use as polling places, and are in or near an election  
26 district lacking an accessible polling place, to determine whether a  
27 portion of such a building may be used as a polling place on the day  
28 of an election. Reimbursement for the use of a portion of such a  
29 building shall be the same as provided by this section for schools  
30 and public buildings.

31 Neither the owner nor operator of a facility designated as a  
32 polling place by the county board is permitted or authorized to  
33 relocate the polling place room in the building without the express  
34 prior approval of the board.

35 (cf: P.L.2007, c.61, s.6)

36

37 12. Section 4 of P.L.1991, c.429 (C.19:8-3.4) is amended to read  
38 as follows:

39 4. No later than **【January 15 of each presidential year and no**  
40 **later than】** May 15 of every other year, beginning with May 15 next  
41 following the enactment of P.L.2005, c.146, each Voting  
42 Accessibility Advisory Committee, established pursuant to section  
43 11 of P.L.1991, c.429 (C.19:8-3.7) shall report to the **【Attorney**  
44 **General】** Secretary of State and the county board of elections, on  
45 the form provided by the **【Attorney General】** Secretary of State, a  
46 list of all polling places in the county, specifying any found  
47 inaccessible. The committee shall indicate the reasons for

1 inaccessibility, according to guidelines established in the federal  
2 "Americans with Disabilities Act of 1990" (42 U.S.C. s. 12101 et  
3 seq.), and shall consult with the county board of elections to  
4 determine the efforts made pursuant to P.L.1991, c.429 (C.19:8-3.1  
5 et al.) to locate alternative polling places or the actions needed to  
6 make the existing facilities accessible. Each county board of  
7 elections shall notify the **【Attorney General】** Secretary of State and  
8 the committee of any changes in polling place locations before the  
9 next general election, including any changes required due to the  
10 alteration of district boundaries.

11 (cf: P.L.2007, c.61, s.7)

12

13 13. R.S.19:8-4 is amended to read as follows:

14 19:8-4. The county board before **【January 15 of each**  
15 **presidential year and】** May 15 **【of every other】** of each year shall  
16 certify a list of polling places so selected to the sheriff and to the  
17 clerk of the county and to the superintendent of elections of the  
18 county if any there be and to each municipal clerk in the county.

19 (cf: P.L.2007, c.61, s.8)

20

21 14. R.S.19:9-2 is amended to read as follows:

22 19:9-2. The Director of the Division of Elections shall prepare  
23 and distribute on or before **【January 4 of each presidential year and**  
24 **on or before】** April 1 **【of every other】** in each year prior to the  
25 primary election for the general election and the general election  
26 such information as may be needed relative to election procedures  
27 for the ensuing year.

28 The county board of elections shall prepare and distribute on or  
29 before **【January 4 of each presidential year and on or before】** April  
30 1 of **【every other】** in each year, registration and voting instructions  
31 printed in at least 14-point type for conspicuous display at each  
32 polling place at any election.

33 All other books, ballots, envelopes and other blank forms which  
34 the county clerk is required to furnish under any other section of  
35 this Title, stationery and supplies for the primary election for the  
36 general election, the **【presidential】** primary election for delegates  
37 and alternates to national conventions and the general election, shall  
38 be furnished, prepared and distributed by the clerks of the various  
39 counties; except that all books, blank forms, stationery and supplies,  
40 articles and equipment which may be deemed necessary to be  
41 furnished, used or issued by the county board or superintendent  
42 shall be furnished, used or issued, prepared and distributed by such  
43 county board or superintendent, as the case may be.

44 The county board shall furnish and deliver to the county clerk,  
45 the municipal clerks and the district boards in municipalities having  
46 more than one election district: a map or description of the district  
47 lines of their respective election districts, together with the street

1 and house numbers where possible in such election districts and a  
2 list or map of all of the polling places within the county to assist  
3 any voter in identifying the correct location of the polling place at  
4 which the voter should vote if that voter erroneously reports to the  
5 municipal clerk or the wrong polling place.

6 Nothing in subtitle 2 of the Title, Municipalities and Counties  
7 (R.S.40:16-1 et seq.), shall in any way be construed to affect,  
8 restrict, or abridge the powers conferred on the county clerks,  
9 county boards or superintendents by this Title.  
10 (cf: P.L.2007, c.61, s.9)

11

12 <sup>1</sup>[15. R.S.19:12-1 is amended to read as follows:

13 19:12-1. The Secretary of State shall within thirty days after the  
14 completion of the canvass by the board of State canvassers, certify  
15 to each county clerk and county board the fact that at the next  
16 preceding general election held for the election of all of the  
17 members of the General Assembly ten per centum (10%) of the total  
18 vote cast in the State for members of the General Assembly had  
19 been cast for candidates having the same designation, thereby  
20 creating, within the meaning of this Title, a political party, to be  
21 known and recognized as such under the same designation as used  
22 by the candidates for whom the required number of votes were cast.

23 The Secretary of State shall also not later than the sixtieth day  
24 preceding the [presidential] primary election [in each presidential  
25 year] for the general election in every year in which electors of  
26 President and Vice-President of the United States [are to be  
27 selected, and not later than the sixtieth day preceding the primary  
28 election for the general election in which], a representative of the  
29 United States Senate, members of the House of Representatives, a  
30 Governor, a Lieutenant Governor, or Senator, or member or  
31 members of the General Assembly for any county, or any of them,  
32 are to be elected or any public question is to be submitted to the  
33 voters of the entire State, direct and cause to be delivered to the  
34 clerk of the county and the county board wherein any such election  
35 is to be held, a notice stating that such officer or officers are to be  
36 elected and that such public question is to be submitted to the voters  
37 of the entire State at the ensuing general election.

38 (cf: P.L.2009, c.66, s.2)]<sup>1</sup>

39

40 <sup>1</sup>[16. R.S.19:12-3 is amended to read as follows:

41 19:12-3. The clerk of each county shall immediately upon the  
42 receipt of the certificate from the [Attorney General] Secretary of  
43 State setting forth that a political party has been created, forward a  
44 certified copy of such certificate to each municipal clerk of his  
45 county.

46 He shall also, not later than the fiftieth day preceding the  
47 [presidential] primary election [in each presidential year and the

1 primary election] for the general election in every [other] year,  
2 cause a copy of the notice received from the [Attorney General]  
3 Secretary of State of the officer or officers to be elected at the  
4 ensuing general election, certified under his hand to be true and  
5 correct, to be delivered to the clerk of each municipality in the  
6 county.

7 (cf: P.L.2005, c.136, s.16)]<sup>1</sup>

8

9 <sup>1</sup>[17. R.S.19:12-5 is amended to read as follows:

10 19:12-5. The clerk of every county shall, not later than the  
11 fiftieth day preceding the [presidential] primary election [in each  
12 presidential year and the primary election] for the general election  
13 [in every other year], immediately preceding the expiration of the  
14 term of office of all other officers who are voted for by the voters of  
15 the entire county or of more than one municipality within the  
16 county, direct and cause to be delivered to the clerk of each  
17 municipality and the county board in counties of the first class, a  
18 notice that such officer or officers, as the case may be, will be  
19 chosen at the ensuing general election.

20 (cf: P.L.2005, c.136, s.17)]<sup>1</sup>

21

22 <sup>1</sup>[18. R.S.19:12-6 is amended to read as follows:

23 19:12-6. All municipal clerks, not later than the fiftieth day  
24 preceding the [presidential] primary election [in each presidential  
25 year and the primary election] for the general election [in every  
26 other year], shall make and certify under their hands and seals of  
27 office and forward to the clerk of the county in which the  
28 municipality is located a statement designating the public offices to  
29 be filled at such election, and the number of persons to be voted for  
30 each office. In counties of the first class such statement shall also  
31 be forwarded to the county board.

32 (cf: P.L. 2005, c.136, s.18)]<sup>1</sup>

33

34 <sup>1</sup>15. R.S.19:12-1 is amended to read as follows:

35 19:12-1. The Secretary of State shall within thirty days after the  
36 completion of the canvass by the board of State canvassers, certify  
37 to each county clerk and county board the fact that at the next  
38 preceding general election held for the election of all of the  
39 members of the General Assembly ten per centum (10%) of the total  
40 vote cast in the State for members of the General Assembly had  
41 been cast for candidates having the same designation, thereby  
42 creating, within the meaning of this Title, a political party, to be  
43 known and recognized as such under the same designation as used  
44 by the candidates for whom the required number of votes were cast.

45 The Secretary of State shall also not later than the 67th day  
46 preceding the [presidential] primary election [in each presidential

1 year] for the general election in every year in which electors of  
2 President and Vice-President of the United States [are to be  
3 selected, and not later than the 67th day preceding the primary  
4 election for the general election in which], a representative of the  
5 United States Senate, members of the House of Representatives, a  
6 Governor, a Lieutenant Governor, or Senator, or member or  
7 members of the General Assembly for any county, or any of them,  
8 are to be elected or any public question is to be submitted to the  
9 voters of the entire State, direct and cause to be delivered to the  
10 clerk of the county and the county board wherein any such election  
11 is to be held, a notice stating that such officer or officers are to be  
12 elected and that such public question is to be submitted to the voters  
13 of the entire State at the ensuing general election.<sup>1</sup>

14 (cf: P.L.2011, c.37, s.39)

15

16 <sup>1</sup>16. R.S.19:12-3 is amended to read as follows:

17 19:12-3. The clerk of each county shall immediately upon the  
18 receipt of the certificate from the Secretary of State setting forth  
19 that a political party has been created, forward a certified copy of  
20 such certificate to each municipal clerk of his county.

21 He shall also, not later than the 57th day preceding the  
22 [presidential] primary election [in each presidential year and the  
23 primary election] for the general election in every [other] year,  
24 cause a copy of the notice received from the Secretary of State of  
25 the officer or officers to be elected at the ensuing general election,  
26 certified under his hand to be true and correct, to be delivered to the  
27 clerk of each municipality in the county.<sup>1</sup>

28 (cf: P.L.2011, c.37, s.40)

29

30 <sup>1</sup>17. R.S.19:12-5 is amended to read as follows:

31 19:12-5. The clerk of every county shall, not later than the 57th  
32 day preceding the [presidential] primary election [in each  
33 presidential year and the primary election] for the general election  
34 [in every other year], immediately preceding the expiration of the  
35 term of office of all other officers who are voted for by the voters of  
36 the entire county or of more than one municipality within the  
37 county, direct and cause to be delivered to the clerk of each  
38 municipality and the county board in counties of the first class, a  
39 notice that such officer or officers, as the case may be, will be  
40 chosen at the ensuing general election.<sup>1</sup>

41 (cf: P.L.2011, c.37, s.41)

42

43 <sup>1</sup>18. R.S.19:12-6 is amended to read as follows:

44 19:12-6. All municipal clerks, not later than the 57th day  
45 preceding the [presidential] primary election [in each presidential  
46 year and the primary election] for the general election [in every

1 other year], shall make and certify under their hands and seals of  
2 office and forward to the clerk of the county in which the  
3 municipality is located a statement designating the public offices to  
4 be filled at such election, and the number of persons to be voted for  
5 each office. In counties of the first class such statement shall also  
6 be forwarded to the county board.<sup>1</sup>

7 (cf: P.L. 2011, c.37, s.42)

8

9 19. R.S.19:12-7 is amended to read as follows:

10 19:12-7. a. The county board in each county shall cause to be  
11 published in a newspaper or newspapers which, singly or in  
12 combination, are of general circulation throughout the county, a  
13 notice containing the information specified in subsection b. hereof,  
14 except for such of the contents as may be omitted pursuant to  
15 subsection c. or d. hereof. Such notice shall be published once  
16 during the 30 days next preceding the day fixed for the closing of  
17 the registration books for the primary election, once during the  
18 calendar week next preceding the week in which the [presidential]  
19 primary election [or the primary election] for the general election  
20 is held, [as the case may be,] once during the 30 days next  
21 preceding the day fixed for the closing of the registration books for  
22 the general election, and once during the calendar week next  
23 preceding the week in which the general election is held.

24 b. Such notice shall set forth:

25 (1) For the primary election for the general election:

26 (a) That a primary election for making nominations for the  
27 general election [and] , for the selection of members of the county  
28 committees of each political party, and in each presidential year for  
29 the selection of delegates and alternates to national conventions of  
30 political parties, will be held on the day and between the hours and  
31 at the places provided for by or pursuant to this Title.

32 (b) The place or places at which and hours during which a  
33 person may register, the procedure for the transfer of registration,  
34 and the date on which the books are closed for registration or  
35 transfer of registration.

36 (c) The several State, county, municipal and party offices or  
37 positions to be filled, or for which nominations are to be made, at  
38 such primary election.

39 (d) The existence of registration and voting aids, including: (i)  
40 the availability of registration and voting instructions at places of  
41 registration as provided under R.S.19:31-6; and (ii), if available, the  
42 accessibility of voter information to the deaf by means of a  
43 telecommunications device.

44 (e) The availability of assistance to a person unable to vote due  
45 to blindness, disability or inability to read or write.

46 (f) In the case of the notice published during the calendar week  
47 next preceding the week in which the primary election is held, that

1 a voter who, prior to the election, shall have moved within the same  
2 county without (i) filing, on or before the 21st day preceding the  
3 election, a notice of change of residence with the commissioner of  
4 registration of the county or the municipal clerk of the municipality  
5 in which the voter resides on the day of the election, (ii) returning  
6 the confirmation notice sent to the voter by the commissioner of  
7 registration of the county, if such a notice has been sent to the voter,  
8 or (iii) otherwise notifying the commissioner of registration of the  
9 voter's change of address within the county shall be permitted to  
10 correct the voter's registration and to vote in the primary election by  
11 provisional ballot at the polling place of the district in which the  
12 voter resides on the day of the election. The notice shall further  
13 provide that the voter may contact the county commissioner of  
14 registration or municipal clerk to determine the proper polling place  
15 location for the voter.

16 (2) For the general election:

17 (a) That a general election will be held on the day and between  
18 the hours and at the places provided for by or pursuant to this Title.

19 (b) The place or places at which and hours during which a  
20 person may register, the procedure for transfer of registration, and  
21 the date on which the books are closed for registration or transfer of  
22 registration.

23 (c) The several State, county and municipal offices to be filled  
24 and, except as provided in R.S.19:14-33 of this Title as to  
25 publication of notice of any Statewide proposition directed by the  
26 Legislature to be submitted to the people, the State, county and  
27 municipal public questions to be voted upon at such general  
28 election.

29 (d) The existence of registration and voting aids, including: (i)  
30 the availability of registration and voting instructions at places of  
31 registration as provided under R.S.19:31-6; and (ii) the accessibility  
32 of voter information to the deaf by means of a telecommunications  
33 device.

34 (e) The availability of assistance to a person unable to vote due  
35 to blindness, disability or inability to read or write.

36 (f) In the case of the notice published during the calendar week  
37 next preceding the week in which the general election is held, that a  
38 voter who, prior to the election, shall have moved within the same  
39 county without (i) filing, on or before the 21st day preceding the  
40 election, a notice of change of residence with the commissioner of  
41 registration of the county or the municipal clerk of the municipality  
42 in which the voter resides on the day of the election, (ii) returning  
43 the confirmation notice sent to the voter by the commissioner of  
44 registration of the county, if such a notice has been sent to the voter,  
45 or (iii) otherwise notifying the commissioner of registration of the  
46 voter's change of address within the county shall be permitted to  
47 correct the voter's registration and to vote in the general election by  
48 provisional ballot at the polling place of the district in which the



1 voter resides on the day of the election. The notice shall further  
2 provide that the voter may contact the county commissioner of  
3 registration or municipal clerk to determine the proper polling place  
4 location for the voter.

5 (3) For a school election:

6 (a) The day, time and place thereof,

7 (b) The offices, if any, to be filled at the election,

8 (c) The substance of any public question to be submitted to the  
9 voters thereat,

10 (d) That a voter who, prior to the election, shall have moved  
11 within the same county without (i) filing, on or before the 21st day  
12 preceding the election, a notice of change of residence with the  
13 commissioner of registration of the county or the municipal clerk of  
14 the municipality in which the voter resides on the day of the  
15 election, (ii) returning the confirmation notice sent to the voter by  
16 the commissioner of registration of the county, if such a notice has  
17 been sent to the voter, or (iii) otherwise notifying the commissioner  
18 of registration of the voter's change of address within the county  
19 shall be permitted to correct the voter's registration and to vote in  
20 the school election by provisional ballot at the polling place of the  
21 district in which the voter resides on the day of the election,

22 (e) That if the voter has any questions as to where to vote on the  
23 day of the election, the voter may contact the county commissioner  
24 of registration or municipal clerk to determine the proper polling  
25 place location for the voter; and

26 (f) Such other information as may be required by law.

27 **[(4) For the presidential primary election:**

28 (a) That a primary for the selection of delegates and alternates  
29 to national conventions of political parties will be held on the day  
30 and between the hours and at the places provided for pursuant to  
31 this Title.

32 (b) The place or places at which and hours during which a  
33 person may register, the procedure for the transfer of registration,  
34 and the date on which the books are closed for registration or  
35 transfer of registration.

36 (c) The existence of registration and voting aids, including: (i)  
37 the availability of registration and voting instructions at places of  
38 registration as provided under R.S.19:31-6; and (ii), if available, the  
39 accessibility of voter information to the deaf by means of a  
40 telecommunications device.

41 (d) The availability of assistance to a person unable to vote due  
42 to blindness, disability or inability to read or write.】

43 c. If such publication is made in more than one newspaper, it  
44 shall not be necessary to duplicate in the notice published in each  
45 such newspaper all the information required under this section, so  
46 long as:

47 (1) The municipal officers or party positions to be filled, or  
48 nominations made, or municipal public questions to be voted upon

1 by the voters of any municipality, shall be set forth in at least one  
2 newspaper having general circulation in such municipality;

3 (2) All offices to be filled, or nominations made therefor, or  
4 public questions to be voted upon, by the voters of the entire State  
5 or of the entire county shall be set forth in a newspaper or  
6 newspapers which, singly or in combination, have general  
7 circulation throughout the county;

8 (3) Information relating to nominations and elections in each  
9 Legislative District comprised in whole or part in the county, shall  
10 be published in at least a newspaper or newspapers which singly or  
11 in combination, have general circulation in every municipality of  
12 the county which is comprised in such legislative district.

13 d. Such part or parts of the original notices as published which  
14 pertain to day of registration or primary election which has occurred  
15 shall be eliminated from such notice in succeeding insertions.

16 e. (Deleted by amendment, P.L.1999, c.232.)

17 f. The cost of publishing the notices required by this section  
18 shall be paid by the respective counties, unless otherwise provided  
19 for by law.

20 g. Notices required to be published or posted pursuant to this  
21 section shall set forth a general description of the contents of the  
22 voter information notice provided for in section 1 of P.L.2005,  
23 c.149 (C.19:12-7.1), how the notice may be viewed or obtained  
24 prior to the day of an election, and that the notice will be posted in  
25 each polling place on the day of an election.

26 (cf: P.L.2005, c.149, s.2)

27

28 20. R.S.19:14-6 is amended to read as follows:

29 19:14-6. In each column, immediately below the six-point rule,  
30 shall be printed the proper word or words to designate the column,  
31 to be known as the "column designation."

32 In the columns at the extreme left shall be printed the name of  
33 each of the political parties which made nominations at the next  
34 preceding [presidential primary election, during the same year such  
35 an election is held, and the next preceding] primary election [for  
36 the general election] every year, directly under which shall appear  
37 the words "to vote for any candidate whose name appears in the  
38 column below, mark a cross x, plus + or check in the square at the  
39 left of the name of such candidate. Do not vote for more candidates  
40 than are to be elected to any office." Such columns shall be three  
41 inches in width.

42 The column next to the right of such columns shall be designated  
43 "personal choice, "under which shall appear the words" in the blank  
44 column below, under the proper title of office, the voter may write  
45 or paste the name of any person for whom he desires to vote, whose  
46 name is not printed on this ballot, and shall mark a cross x, plus +  
47 or check in the square at the left of such name. Do not vote for  
48 more candidates than are to be elected to any office." There shall

1 also be the same instructions regarding electors of president and  
2 vice-president which now appear at the head of all other columns.  
3 This column shall be four inches in width.

4 The remaining column or columns, as the case may be, shall each  
5 be designated "Nomination by Petition," under which shall be  
6 printed the words "to vote for any candidate whose name appears in  
7 the column below mark a cross x, plus + or check in the square at  
8 the left of the name of such candidate. Do not vote for more  
9 candidates than are to be elected to any office." These columns  
10 shall be four inches in width.

11 Below the column designations and accompanying instructions  
12 and not more than one and one-half inches below the six-point  
13 diagram rule and parallel thereto, shall be printed a six-point  
14 diagram rule extending across the entire ballot from one four point  
15 rule to the other.

16 (cf: P.L.2005, c.136, s.22)

17

18 21. R.S.19:14-8 is amended to read as follows:

19 19:14-8. In the columns of each of the political parties which  
20 made nominations at the next preceding primary election to the  
21 general election and in the personal choice column, within the space  
22 between the two-point hair line rules, there shall be printed the title  
23 of each office to be filled at such election, except as hereinafter  
24 provided.

25 Such titles of office shall be arranged in the following order:  
26 electors of President and Vice-President of the United States;  
27 member of the United States Senate; Governor; member of the  
28 House of Representatives; member of the State Senate; members of  
29 the General Assembly; county executive, in counties that have  
30 adopted the county executive plan of the "Optional County Charter  
31 Law," P.L.1972, c.154 (C.40:41A-1 et seq.); sheriff; county clerk;  
32 surrogate; register of deeds and mortgages; county supervisor;  
33 members of the board of chosen freeholders; coroners; mayor and  
34 members of municipal governing bodies, and any other titles of  
35 office. Above each of such titles of office, except the one at the  
36 top, shall be printed a two-point diagram rule in place of the two-  
37 point hair line rule. Below the titles of such offices shall be printed  
38 the names of the candidates for the offices.

39 **【In the columns of each of the political parties which made**  
40 **nominations at the next preceding presidential primary election and**  
41 **in the personal choice column, within the space between the two-**  
42 **point hair line rules, there shall be printed the title of office for**  
43 **electors of President and Vice President of the United States.】**

44 The arrangement of the names of candidates for any office for  
45 which more than one are to be elected shall be determined in the  
46 manner hereinafter provided, as in the case of candidates nominated  
47 by petition.

1       When no nomination for an office has been made the words "No  
2 Nomination Made" in type large enough to fill the entire space or  
3 spaces below the title of office shall be printed upon the ballot.

4       Immediately to the left of the name of each candidate, at the  
5 extreme left of each column, including the personal choice column,  
6 shall be printed a square, one-quarter of an inch in size, formed by  
7 two-point diagram rules. In the personal choice column no names  
8 of candidates shall be printed.

9       To the right of the title of each office in the party columns and  
10 the personal choice column shall be printed the words "Vote for,"  
11 inserting in words the number of persons to be elected to such  
12 office.

13 (cf: P.L.2005, c.136, s.23)

14

15       22. R.S.19:14-12 is amended to read as follows:

16       19:14-12. The county clerk shall draw lots in his county to  
17 determine which columns the political parties which made  
18 nominations at the next preceding **【presidential】** primary election  
19 **【in each presidential year and at the primary election for the general**  
20 **election every year,】** shall occupy on the ballot in the county. The  
21 name of the party first drawn shall occupy the first column at the  
22 left of the ballot, and the name of the party next drawn shall occupy  
23 the second column, and so forth.

24       The position which the names of candidates, and bracketed  
25 groups of names of candidates nominated by petitions for all  
26 offices, shall have upon the general election ballot, shall be  
27 determined by the county clerks in their respective counties.

28       The manner of drawing the lots shall be as follows: paper slips  
29 with the names of each political party written thereon, shall be  
30 placed in capsules of the same size, shape, color and substance and  
31 then placed in a covered box with an aperture in the top large  
32 enough to admit a man's hand and to allow the capsules to be drawn  
33 therefrom. The box shall be well shaken and turned over to  
34 thoroughly intermingle the capsules. The county clerk or his deputy  
35 shall at his office, draw from the box each capsule separately  
36 without knowledge on his part as to which capsule he is drawing.

37       The person making the drawing shall open the capsule and shall  
38 make public announcement at the drawing of each name, the order  
39 in which name is drawn and the office for which the drawing is  
40 made.

41       Where there is but one person to be elected to an office, the  
42 names of the several candidates who have filed petitions for such  
43 office shall be written upon paper slips and placed in separate  
44 capsules of the same size, shape, color and substance. The capsules  
45 shall be placed in a covered box with an aperture in the top large  
46 enough to admit a man's hand and to allow the capsules to be drawn  
47 therefrom. The box shall be turned and shaken thoroughly to mix  
48 the capsules and the capsules shall be withdrawn one at a time.

1       When there is more than one person to be elected to an office  
2 where petitions have designated that certain candidates shall be  
3 bracketed, the position of such bracketed names on the ballot (each  
4 bracketed group to be treated as a single name), together with  
5 individuals who have filed petitions for such office, shall be  
6 determined as above described.

7       Any legal voter of the county or municipality, as the case may  
8 be, shall have the privilege of witnessing the drawing.

9       The name or names of the candidate or bracketed group of  
10 candidates first drawn from the box shall be printed directly below  
11 the proper title of the office for which they were nominated, and the  
12 name or names of the candidate or bracketed group of candidates  
13 next drawn shall be printed next in order, and so on, until the last  
14 name or bracketed group of names shall be drawn from the box.

15       The arrangement of names of any bracketed group of candidates  
16 for any office for which more than one are to be elected shall be  
17 printed in the same order on the ballot as they were arranged on the  
18 petition of nomination.

19       The drawing for the positions which the names of candidates and  
20 bracketed groups of names of candidates, nominated by petition for  
21 office, and for the columns which the political parties which made  
22 nominations at the next preceding **【presidential】** primary election  
23 and **【the preceding primary election】** for the general election shall  
24 occupy upon the general election ballot, shall be held at 3 o'clock in  
25 the afternoon of the eighty-fifth day prior to the day of the general  
26 election.

27 (cf: P.L.2005, c.136, s.24)

28

29       23. R.S.19:23-1 is amended to read as follows:

30       19:23-1. The chairman of the State committee of a political  
31 party shall, on or before March 1 in the year when a Governor is to  
32 be elected, notify in writing the chairman of each county committee  
33 of such party of the number of male or female members or members  
34 with less than one full vote to be elected from the county at the  
35 ensuing primary election for the general election, and each such  
36 chairman shall, on or before April 1 of such year, send a copy of  
37 such notice to the county clerk.

38       The chairman of each county committee shall also, on or before  
39 **【January 4 of each presidential year and on or before】** April 1 **【of**  
40 **every other】** in each year, file with the clerks of the several  
41 municipalities the number of committeemen to be elected at the  
42 ensuing primary for the general election to the county committee.

43 (cf: P.L.2007, c.61, s.10)

44

45       <sup>1</sup>**【**24. R.S.19:23-24 is amended to read as follows:

46       19:23-24. The position which the candidates and bracketed  
47 groups of names of candidates for the primary for the general

1 election shall have upon the ballots used for the primary election for  
2 the general election, in the case of candidates for nomination for  
3 members of the United States Senate, Governor, members of the  
4 House of Representatives, members of the State Senate, members of  
5 the General Assembly, choice for President, delegates and  
6 alternates-at-large to the national conventions of political parties,  
7 district delegates and alternates to conventions of political parties,  
8 candidates for party positions, and county offices or party positions  
9 which are to be voted for by the voters of the entire county or a  
10 portion thereof greater than a single municipality, including a  
11 congressional district which is wholly within a single municipality,  
12 shall be determined by the county clerks in their respective  
13 counties; and, excepting in counties where R.S.19:49-2 applies, the  
14 position on the ballot used for the primary election for the general  
15 election in the case of candidates for nomination for office or party  
16 position wherein the candidates for office or party position to be  
17 filled are to be voted for by the voters of a municipality only, or a  
18 subdivision thereof (excepting in the case of members of the House  
19 of Representatives) shall be determined by the municipal clerk in  
20 such municipalities, in the following manner: The county clerk, or  
21 his deputy, or the municipal clerk or his deputy, as the case may be,  
22 shall at his office on the 47th day prior to the primary election for  
23 the general election at three o'clock in the afternoon draw from the  
24 box, as hereinafter described, each card separately without  
25 knowledge on his part as to which card he is drawing. Any legal  
26 voter of the county or municipality, as the case may be, shall have  
27 the privilege of witnessing such drawing. The person making the  
28 drawing shall make public announcement at the drawing of each  
29 name, the order in which same is drawn, and the office for which  
30 the drawing is made. When there is to be but one person nominated  
31 for the office, the names of the several candidates who have filed  
32 petitions for such office shall be written upon cards (one name on a  
33 card) of the same size, substance and thickness. The cards shall be  
34 deposited in a box with an aperture in the cover of sufficient size to  
35 admit a man's hand. The box shall be well shaken and turned over  
36 to thoroughly mix the cards, and the cards shall then be withdrawn  
37 one at a time. The first name drawn shall have first place, the  
38 second name drawn, second place, and so on; the order of the  
39 withdrawal of the cards from the box determining the order of  
40 arrangement in which the names shall appear upon the primary  
41 election ballot. Where there is more than one person to be  
42 nominated to an office where petitions have designated that certain  
43 candidates shall be bracketed, the position of such bracketed names  
44 on the ballot (each bracket to be treated as a single name), together  
45 with individuals who have filed petitions for nomination for such  
46 office, shall be determined as above described. Where there is more  
47 than one person to be nominated for an office and there are more  
48 candidates who have filed petitions than there are persons to be

1 nominated, the order of the printing of such names upon the primary  
2 election ballots shall be determined as above described.

3 The county clerk in certifying to the municipal clerk the offices  
4 to be filled and the names of candidates to be printed upon the  
5 ballots used for the primary election for the general election, shall  
6 certify them in the order as drawn in accordance with the above  
7 described procedure, and the municipal clerk shall print the names  
8 upon the ballots as so certified and in addition shall print the names  
9 of such candidates as have filed petitions with him in the order as  
10 determined as a result of the drawing as above described.  
11 Candidates for the office of the county executive in counties that  
12 have adopted the county executive plan of the "Optional County  
13 Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede  
14 the candidates for other county offices for which there are  
15 candidates on the ballot used for the primary election for the  
16 general election.

17 (cf: P.L.2005, c.136, s.26)]<sup>1</sup>

18

19 <sup>1</sup>24. R.S.19:23-24 is amended to read as follows:

20 19:23-24. The position which the candidates and bracketed  
21 groups of names of candidates for the primary for the general  
22 election shall have upon the ballots used for the primary election for  
23 the general election, in the case of candidates for nomination for  
24 members of the United States Senate, Governor, members of the  
25 House of Representatives, members of the State Senate, members of  
26 the General Assembly, choice for President, delegates and  
27 alternates-at-large to the national conventions of political parties,  
28 district delegates and alternates to conventions of political parties,  
29 candidates for party positions, and county offices or party positions  
30 which are to be voted for by the voters of the entire county or a  
31 portion thereof greater than a single municipality, including a  
32 congressional district which is wholly within a single municipality,  
33 shall be determined by the county clerks in their respective  
34 counties; and, excepting in counties where R.S.19:49-2 applies, the  
35 position on the ballot used for the primary election for the general  
36 election in the case of candidates for nomination for office or party  
37 position wherein the candidates for office or party position to be  
38 filled are to be voted for by the voters of a municipality only, or a  
39 subdivision thereof (excepting in the case of members of the House  
40 of Representatives) shall be determined by the municipal clerk in  
41 such municipalities, in the following manner: The county clerk, or  
42 his deputy, or the municipal clerk or his deputy, as the case may be,  
43 shall at his office on the 53rd day prior to the primary election for  
44 the general election at three o'clock in the afternoon draw from the  
45 box, as hereinafter described, each card separately without  
46 knowledge on his part as to which card he is drawing. Any legal  
47 voter of the county or municipality, as the case may be, shall have  
48 the privilege of witnessing such drawing. The person making the

1 drawing shall make public announcement at the drawing of each  
2 name, the order in which same is drawn, and the office for which  
3 the drawing is made. When there is to be but one person nominated  
4 for the office, the names of the several candidates who have filed  
5 petitions for such office shall be written upon cards (one name on a  
6 card) of the same size, substance and thickness. The cards shall be  
7 deposited in a box with an aperture in the cover of sufficient size to  
8 admit a man's hand. The box shall be well shaken and turned over  
9 to thoroughly mix the cards, and the cards shall then be withdrawn  
10 one at a time. The first name drawn shall have first place, the  
11 second name drawn, second place, and so on; the order of the  
12 withdrawal of the cards from the box determining the order of  
13 arrangement in which the names shall appear upon the primary  
14 election ballot. Where there is more than one person to be  
15 nominated to an office where petitions have designated that certain  
16 candidates shall be bracketed, the position of such bracketed names  
17 on the ballot (each bracket to be treated as a single name), together  
18 with individuals who have filed petitions for nomination for such  
19 office, shall be determined as above described. Where there is more  
20 than one person to be nominated for an office and there are more  
21 candidates who have filed petitions than there are persons to be  
22 nominated, the order of the printing of such names upon the primary  
23 election ballots shall be determined as above described.

24 The county clerk in certifying to the municipal clerk the offices  
25 to be filled and the names of candidates to be printed upon the  
26 ballots used for the primary election for the general election, shall  
27 certify them in the order as drawn in accordance with the above  
28 described procedure, and the municipal clerk shall print the names  
29 upon the ballots as so certified and in addition shall print the names  
30 of such candidates as have filed petitions with him in the order as  
31 determined as a result of the drawing as above described.  
32 Candidates for the office of the county executive in counties that  
33 have adopted the county executive plan of the "Optional County  
34 Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede  
35 the candidates for other county offices for which there are  
36 candidates on the ballot used for the primary election for the  
37 general election.<sup>1</sup>

38 (cf: P.L.2011, c.37, s.11)

39

40 25. R.S.19:23-40 is amended to read as follows:

41 19:23-40. **【The presidential primary election shall be held for all**  
42 **political parties in each presidential year on the first Tuesday next**  
43 **after the first Monday in February.】**

44 The primary election for the general election shall be held for all  
45 political parties upon the Tuesday next after the first Monday in  
46 June **【.**



1 All primary elections shall occur] between the hours of 6:00  
2 A.M. and 8:00 P.M., Standard Time [and] . It shall be held for all  
3 political parties in the same places as hereinbefore provided for the  
4 ensuing general election.

5 (cf: P.L.2007, c.61, s.11)

6  
7 26. R.S.19:23-42 is amended to read as follows:

8 19:23-42. The [presidential] primary election [and the  
9 primary] for the general election shall be conducted by the district  
10 boards substantially in the same manner as the general election,  
11 except as herein otherwise provided.

12 Each district board may allow one member thereof at a time to be  
13 absent from the polling place or room for a period not exceeding  
14 one hour between the hours of one o'clock and five o'clock in the  
15 afternoon or for such shorter time as it shall see fit; but at no time  
16 from the opening of the polls to the completion of the canvass shall  
17 there be less than a majority of the board present in the polling  
18 room or place.

19 (cf: P.L.2005, c.136, s.28)

20  
21 [27. R.S.19:23-45 is amended to read as follows:

22 19:23-45. No voter shall be allowed to vote at [any] the primary  
23 election unless his name appears in the signature copy register.

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

44 No voter, except a newly registered voter at the first primary at  
45 which he is eligible to vote, or a voter who has not previously voted  
46 in a primary election, may vote in a primary election of a political

1 party unless he was deemed to be a member of that party on the  
2 50th day next preceding such primary election.

3 A member of the county committee of a political party and a  
4 public official or public employee holding any office or public  
5 employment to which he has been elected or appointed as a member  
6 of a political party shall be deemed a member of such political  
7 party.

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

17 Any person voting in the primary ballot box of any political  
18 party in any primary election in contravention of the election law  
19 shall be guilty of a disorderly persons offense, and any person who  
20 aids or assists any such person in such violation by means of public  
21 proclamation or order, or by means of any public or private  
22 direction or suggestions, or by means of any help or assistance or  
23 cooperation, shall likewise be guilty of a disorderly persons offense.  
24 (cf: P.L.2005, c.154, s.6)]<sup>1</sup>

25

26 <sup>1</sup>[28. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to  
27 read as follows:

28 2. a. The county commissioner of registration in each of the  
29 several counties shall cause a notice to be published in each  
30 municipality of their respective counties in a newspaper or  
31 newspapers circulating therein. The notice to be so published shall  
32 be published once during each of the two calendar weeks next  
33 preceding the week in which the 50th day next preceding **[any]** the  
34 primary election of a political party occurs.

35 b. The notice required to be published by the preceding  
36 paragraph shall inform the reader thereof that no voter, except a  
37 newly registered voter at the first primary at which he is eligible to  
38 vote, or a voter who has not previously voted in a primary election  
39 may vote in a primary election of a political party unless he was  
40 deemed to be a member of that party on the 50th day next preceding  
41 such primary election. It shall further inform the reader thereof that  
42 a voter who votes in **[any]** the primary election of a political party,  
43 or who signs and files with the municipal clerk or the county  
44 commissioner of registration a declaration that he desires to vote in  
45 **[a]** the primary election of a political party, or who indicates on a  
46 voter registration form the voter's choice of political party  
47 affiliation and submits the form to the commissioner of registration

1 of the county wherein the voter resides, to the employees or agents  
2 of a public agency, as defined in subsection a. of section 15 of  
3 P.L.1974, c.30 (C.19:31-6.3), or a voter registration agency, as  
4 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-  
5 6.11) or to the **【Attorney General】** Secretary of State, shall be  
6 deemed to be a member of that party until the voter signs and files  
7 with the municipal clerk or the commissioner of registration a  
8 declaration that he desires to vote in **【a】** the primary election of  
9 another political party, at which time he shall be deemed to be a  
10 member of such other political party, or that the voter chooses not  
11 to be affiliated with any political party. The notice shall also state  
12 the time and location where a person may obtain political party  
13 affiliation declaration forms or voter registration forms.  
14 (cf: P.L.2005, c.153, s.2)】<sup>1</sup>

15

16 <sup>1</sup>27. R.S.19:23-45 is amended to read as follows:

17 19:23-45. No voter shall be allowed to vote at **【any】** the primary  
18 election unless his name appears in the signature copy register.

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

38 No voter, except a newly registered voter at the first primary at  
39 which he is eligible to vote, or a voter who has not previously voted  
40 in a primary election, may vote in a primary election of a political  
41 party unless he was deemed to be a member of that party on the  
42 55th day next preceding such primary election.

43 A member of the county committee of a political party and a  
44 public official or public employee holding any office or public  
45 employment to which he has been elected or appointed as a member  
46 of a political party shall be deemed a member of such political  
47 party.

1 A voter may declare the voter's party affiliation or change the  
2 voter's party affiliation, or declare that the voter is unaffiliated with  
3 any party regardless of any previously declared party affiliation, by  
4 so indicating on a political party declaration form filed with the  
5 municipal clerk or the county commissioner of registration. A voter  
6 may also indicate that the voter wishes to declare a political party  
7 affiliation or that the voter does not want to declare a political party  
8 affiliation on a voter registration form filed at the time of initial  
9 registration.

10 Any person voting in the primary ballot box of any political  
11 party in any primary election in contravention of the election law  
12 shall be guilty of a disorderly persons offense, and any person who  
13 aids or assists any such person in such violation by means of public  
14 proclamation or order, or by means of any public or private  
15 direction or suggestions, or by means of any help or assistance or  
16 cooperation, shall likewise be guilty of a disorderly persons  
17 offense.<sup>1</sup>

18 (cf: P.L.2011, c.37, s.12)

19

20 <sup>1</sup>28. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to  
21 read as follows:

22 2. a. The county commissioner of registration in each of the  
23 several counties shall cause a notice to be published in each  
24 municipality of their respective counties in a newspaper or  
25 newspapers circulating therein. The notice to be so published shall  
26 be published once during each of the two calendar weeks next  
27 preceding the week in which the 55th day next preceding **any** the  
28 primary election of a political party occurs.

29 b. The notice required to be published by the preceding  
30 paragraph shall inform the reader thereof that no voter, except a  
31 newly registered voter at the first primary at which he is eligible to  
32 vote, or a voter who has not previously voted in a primary election  
33 may vote in a primary election of a political party unless he was  
34 deemed to be a member of that party on the 55th day next preceding  
35 such primary election. It shall further inform the reader thereof that  
36 a voter who votes in **any** the primary election of a political party,  
37 or who signs and files with the municipal clerk or the county  
38 commissioner of registration a declaration that he desires to vote in  
39 **a** the primary election of a political party, or who indicates on a  
40 voter registration form the voter's choice of political party  
41 affiliation and submits the form to the commissioner of registration  
42 of the county wherein the voter resides, to the employees or agents  
43 of a public agency, as defined in subsection a. of section 15 of  
44 P.L.1974, c.30 (C.19:31-6.3), or a voter registration agency, as  
45 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-  
46 6.11) or to the Secretary of State, shall be deemed to be a member  
47 of that party until the voter signs and files with the municipal clerk

1 or the commissioner of registration a declaration that he desires to  
2 vote in **[a]** the primary election of another political party, at which  
3 time he shall be deemed to be a member of such other political  
4 party, or that the voter chooses not to be affiliated with any political  
5 party. The notice shall also state the time and location where a  
6 person may obtain political party affiliation declaration forms or  
7 voter registration forms.<sup>1</sup>

8 (cf: P.L.2011, c.37, s.13)

9

10 29. R.S.19:23-46 is amended to read as follows:

11 19:23-46. Each voter offering to vote shall announce his name  
12 and the party primary in which he wishes to vote. The district  
13 board shall thereupon ascertain by reference to the signature copy  
14 register or the primary election registry book required **[for either**  
15 **the presidential primary or the primary election for the general**  
16 **election]** by this title **[, as the case may be,]** and, in municipalities  
17 not having permanent registration, if necessary by reference to the  
18 primary party poll books of the preceding **[presidential primary**  
19 **election or]** primary election for the general election, that such  
20 voter is registered as required by this title and also that he is not  
21 ineligible or otherwise disqualified by the provisions of section  
22 19:23-45 of this title; in which event he shall be allowed to vote.

23 (cf: P.L.2005, c.136, s.31)

24

25 30. R.S.19:23-49 is amended to read as follows:

26 19:23-49. At the close of **[a presidential]** the primary election  
27 **[and a primary election]** for the general election each district board  
28 shall immediately proceed to count the votes cast at the election and  
29 ascertain the results thereof for the candidates of each political  
30 party holding such elections, proceeding in the manner indicated by  
31 the statement hereinafter provided for, and as nearly as may be in  
32 the manner herein required for the counting by the district board of  
33 votes cast at the general election.

34 (cf: P.L.2005, c.136, s.32)

35

36 31. R.S.19:23-58 is amended to read as follows:

37 19:23-58. Any provisions of this title which pertain particularly  
38 to any election or to the general election shall apply to the  
39 **[presidential primary election or the]** primary election for the  
40 general election **[, as the case may be,]** insofar as they are not  
41 inconsistent with the special provisions of this title pertaining to the  
42 **[presidential primary election or the]** primary election for the  
43 general election.

44 (cf: P.L.2005, c.136, s.33)

45

46 32. R.S.19:24-1 is amended to read as follows:

1       19:24-1. In every year in which **【presidential】** primary elections  
2 are to be held as herein provided for the election of delegates and  
3 alternates to the national conventions of political parties, including  
4 any national mid-term convention or conference of a political party,  
5 the chairman of the State committee of each political party shall  
6 notify the **【Attorney General】** Secretary of State, on or before  
7 **【December 20】** March 1 of that **【preceding】** year, of the number of  
8 delegates-at-large and the number of alternates-at-large to be  
9 elected to the next national convention of such party by the voters  
10 of the party throughout the State, and also of the number of  
11 delegates and alternates to be chosen to such convention in the  
12 respective congressional districts or other territorial subdivisions of  
13 the State as mentioned in such notification.

14       If the State chairmen, or either of them, shall fail to file notice,  
15 the **【Attorney General】** Secretary of State shall ascertain such facts  
16 from the call for its national convention issued by the National or  
17 State committee.

18 (cf: P.L.2007, c.61, s.12)

19

20       33. R.S.19:24-2 is amended to read as follows:

21       19:24-2. The **【Attorney General】** Secretary of State shall, on or  
22 before **【December 20】** March 20 of **【the】** that year **【preceding each**  
23 **presidential election or January 1 of every other year, as the case**  
24 **may be】**, certify to the county clerk and county board of each  
25 county the number of delegates and alternates-at-large to be chosen  
26 by each such party and the number of delegates and alternates to be  
27 chosen in each congressional district or other territorial subdivision  
28 of the State, composed in whole or in part of the county of such  
29 county clerk.

30       Any provisions of this Title which pertain particularly to any  
31 election or to the general election or to the primary election for the  
32 general election shall apply to the **【presidential】** primary election  
33 for delegates and alternates to national conventions insofar as they  
34 are not inconsistent with the special provisions of this Title  
35 pertaining to the **【presidential】** primary election for delegates and  
36 alternates to national conventions.

37       Notwithstanding any provision of this Title, national and State  
38 party rules shall govern the selection of delegates and alternates to  
39 national party conventions, provided the State chairman of the  
40 political party notifies the **【Attorney General】** Secretary of State  
41 prior to **【December 20 of the year preceding each presidential**  
42 **election or January】** March 1 of **【every other】** the year **【,**  
43 **as the case may be,】** in which delegates and alternates are elected of the  
44 applicable party rules governing the delegate selection process. The  
45 **【Attorney General】** Secretary of State shall notify the county clerks  
46 prior to **【December 20】** April 1 of the year **【preceding each**

1 presidential election or January 10 of every other year, as the case  
2 may be,] in which delegates and alternates are elected of the  
3 applicable party rules, if any, which apply to matters within their  
4 jurisdiction. Pursuant to this section, the [Attorney General]  
5 Secretary of State shall issue to the county clerks uniform  
6 regulations governing the delegate selection process.  
7 (cf: P.L.2007, c.61, s.13)

8  
9 <sup>1</sup>[34. R.S.19:24-4 is amended to read as follows:

10 19:24-4. Not less than 100 members of each such political party  
11 may file with the [Attorney General] Secretary of State at least 57  
12 days prior to the [presidential] primary election for the general  
13 election in any year of a national convention a petition requesting  
14 that the name of a person therein indorsed shall be printed on the  
15 [presidential] primary ticket of such political party as candidate for  
16 the position of delegate-at-large or alternate-at-large, to be chosen  
17 by the party voters throughout the State to the national convention  
18 of that party, or as a delegate or alternate to be chosen to that  
19 convention by the voters of any congressional district.

20 The signers to the petition for any delegate-at-large or alternate-  
21 at-large shall be legal voters resident in the State; and the signers  
22 for any delegate or alternate from any Congressional district shall  
23 be voters of such district.

24 The [Attorney General] Secretary of State shall not later than  
25 the 48th day preceding the [presidential] primary election for the  
26 general election certify to each county clerk and county board such  
27 nominations for delegates and alternates-at-large and the  
28 nominations for delegate or alternate for any Congressional district.  
29 (cf: P.L.2005, c.136, s.36)]<sup>1</sup>

30  
31 <sup>1</sup>[35. Section 1 of P.L.1952, c.2 (C.19:25-3) is amended to read  
32 as follows:

33 1. Not less than one thousand voters of any political party may  
34 file a petition with the [Attorney General] Secretary of State on or  
35 before the 57th day before a [presidential] primary election in any  
36 year in which a President of the United States is to be chosen,  
37 requesting that the name of the person indorsed therein as a  
38 candidate of such party for the office of President of the United  
39 States shall be printed upon the official [presidential] primary  
40 ballot of that party for the then ensuing election for delegates and  
41 alternates to the national convention of such party.

42 The petition shall be prepared and filed in the form and manner  
43 herein required for the indorsement of candidates to be voted for at  
44 the primary election for the general election, except that the  
45 candidate shall not be permitted to have a designation or slogan  
46 following his name, and that it shall not be necessary to have the

1 consent of such candidate for President indorsed on the petition.  
2 (cf: P.L.2005, c.136, s.37)]<sup>1</sup>

3

4 <sup>1</sup>[36. Section 2 of P.L.1952, c.2 (C.19:25-4) is amended to read  
5 as follows:

6 2. The [Attorney General] Secretary of State shall certify the  
7 names so indorsed to the county clerk of each county not later than  
8 the 48th day before such [presidential] primary election, but if any  
9 person so indorsed shall on or before such date decline in writing,  
10 filed in the office of the [Attorney General] Secretary of State, to  
11 have his name printed upon the [presidential] primary election  
12 ballot as a candidate for President, the [Attorney General]  
13 Secretary of State shall not so certify such name.

14 (cf: P.L.2005, c.136, s.38)]<sup>1</sup>

15

16 <sup>1</sup>34. R.S.19:24-4 is amended to read as follows:

17 19:24-4. Not less than 100 members of each such political party  
18 may file with the Secretary of State at least 64 days prior to the  
19 [presidential] primary election for the general election in any year  
20 of a national convention a petition requesting that the name of a  
21 person therein indorsed shall be printed on the [presidential]  
22 primary ticket of such political party as candidate for the position of  
23 delegate-at-large or alternate-at-large, to be chosen by the party  
24 voters throughout the State to the national convention of that party,  
25 or as a delegate or alternate to be chosen to that convention by the  
26 voters of any congressional district.

27 The signers to the petition for any delegate-at-large or alternate-  
28 at-large shall be legal voters resident in the State; and the signers  
29 for any delegate or alternate from any Congressional district shall  
30 be voters of such district.

31 The Secretary of State shall not later than the 54th day preceding  
32 the [presidential] primary election for the general election certify  
33 to each county clerk and county board such nominations for  
34 delegates and alternates-at-large and the nominations for delegate or  
35 alternate for any Congressional district.<sup>1</sup>

36 (cf: P.L.2011, c.37, s.14)

37

38 <sup>1</sup>35. Section 1 of P.L.1952, c.2 (C.19:25-3) is amended to read as  
39 follows:

40 1. Not less than 1,000 voters of any political party may file a  
41 petition with the Secretary of State on or before the 64th day before  
42 a [presidential] primary election in any year in which a President  
43 of the United States is to be chosen, requesting that the name of the  
44 person indorsed therein as a candidate of such party for the office of  
45 President of the United States shall be printed upon the official  
46 [presidential] primary ballot of that party for the then ensuing



1 election for delegates and alternates to the national convention of  
2 such party.

3 The petition shall be prepared and filed in the form and manner  
4 herein required for the indorsement of candidates to be voted for at  
5 the primary election for the general election, except that the  
6 candidate shall not be permitted to have a designation or slogan  
7 following his name, and that it shall not be necessary to have the  
8 consent of such candidate for President indorsed on the petition.<sup>1</sup>

9 (cf: P.L.2011, c.37, s.15)

10

11 <sup>1</sup>36. Section 2 of P.L.1952, c.2 (C.19:25-4) is amended to read as  
12 follows:

13 2. The Secretary of State shall certify the names so indorsed to  
14 the county clerk of each county not later than the 54th day before  
15 such **【presidential】** primary election, but if any person so indorsed  
16 shall on or before such date decline in writing, filed in the office of  
17 the Secretary of State, to have his name printed upon the  
18 **【presidential】** primary election ballot as a candidate for President,  
19 the Secretary of State shall not so certify such name.<sup>1</sup>

20 (cf: P.L.2011, c.37, s.16)

21

22 37. R.S.19:26-1 is amended to read as follows:

23 19:26-1. At the close of all primary elections held according to  
24 the provisions of this title, and after counting the ballots cast at such  
25 primary and making the statements thereof as herein provided, each  
26 district board shall place all ballots voted at the election and all  
27 spoiled and unused ballots inside the ballot boxes used at such  
28 election, and after locking and sealing the same, shall forthwith  
29 deliver the ballot boxes to the municipal clerk and the keys thereof  
30 to the county clerk. The signature copy register binders and the  
31 current primary party poll books used at **【any】** the primary election  
32 shall be returned by the district boards to the commissioner, not  
33 later than noon of the day following the **【preceding】** primary  
34 election for the general election.

35 The commissioner shall return the primary party poll books used  
36 at **【any】** the primary election to the municipal clerks not later than  
37 one month preceding the next primary election.

38 The county clerks, in counties other than counties of the first  
39 class, shall, during the ten days next preceding the third registry day  
40 deliver, at their offices or in any other way they may see fit, the  
41 register of voters to the respective district boards.

42 The county clerks in counties of the first class shall deliver the  
43 register of voters to the municipal clerks, who shall deliver such  
44 register to the district boards at the same time and with the official  
45 general election sample ballots.

46 (cf: P.L.2005, c.136, s.39)

1       <sup>1</sup>[38. R.S.19:27-11 is amended to read as follows:

2       19:27-11. In the event of any vacancy in any county or  
3 municipal office, except for the office of a member of the board of  
4 chosen freeholders, which vacancy shall occur after the 11th day  
5 preceding the last day for filing petitions for nominations for the  
6 primary election for the general election and on or before the 51st  
7 day preceding the general election, each political party may select a  
8 candidate for the office in question in the manner prescribed in  
9 R.S.19:13-20 for selecting candidates to fill vacancies among  
10 candidates nominated at primary elections **[to]** for the general  
11 elections. A statement of such selection shall be filed with the  
12 county clerk not later than the close of business of the 48th day  
13 preceding the date of the general election.

14       Besides the selection of candidates by each political party as  
15 before provided, candidates may also be nominated by petition in a  
16 similar manner as herein provided for direct nomination by petition  
17 for the general election but the petition shall be filed with the  
18 county clerk at least 48 days prior to such general election.

19       When the vacancy occurs in a county office the county clerk  
20 shall forthwith give notice thereof to the chairman of the county  
21 committee of each political party and in counties of the first class to  
22 the county board, and in case the vacancy occurs in a municipal  
23 office the municipal clerk shall forthwith give notice thereof to the  
24 county clerk, the chairman of the county committee of each political  
25 party and in counties of the first class the county board.

26       The county clerk shall print on the ballots for the territory  
27 affected, in the personal choice column, the title of office and leave  
28 a proper space under such title of office; and print the title of office  
29 and the names of such persons as have been duly nominated, in  
30 their proper columns.

31 (cf: P.L.2005, c.136, s.40)]<sup>1</sup>

32

33       <sup>1</sup>38. R.S.19:27-11 is amended to read as follows:

34       19:27-11. In the event of any vacancy in any county or  
35 municipal office, except for the office of a member of the board of  
36 chosen freeholders, which vacancy shall occur after the 70th day  
37 preceding the primary election for the general election and on or  
38 before the 70th day preceding the general election, each political  
39 party may select a candidate for the office in question in the manner  
40 prescribed in R.S.19:13-20 for selecting candidates to fill vacancies  
41 among candidates nominated at primary elections **[to]** for the  
42 general elections. A statement of such selection shall be filed with  
43 the county clerk not later than the close of business of the 55th day  
44 preceding the date of the general election.

45       Besides the selection of candidates by each political party as  
46 before provided, candidates may also be nominated by petition in a  
47 similar manner as herein provided for direct nomination by petition

1 for the general election but the petition shall be filed with the  
2 county clerk at least 64 days prior to such general election.

3 When the vacancy occurs in a county office the county clerk  
4 shall forthwith give notice thereof to the chairman of the county  
5 committee of each political party and in counties of the first class to  
6 the county board, and in case the vacancy occurs in a municipal  
7 office the municipal clerk shall forthwith give notice thereof to the  
8 county clerk, the chairman of the county committee of each political  
9 party and in counties of the first class the county board.

10 The county clerk shall print on the ballots for the territory  
11 affected, in the personal choice column, the title of office and leave  
12 a proper space under such title of office; and print the title of office  
13 and the names of such persons as have been duly nominated, in  
14 their proper columns.<sup>1</sup>

15 (cf: P.L.2011, c.37, s.19)

16

17 <sup>1</sup> [39. Section 7 of P.L.1988, c.126 (C.19:27-11.1) is amended to  
18 read as follows:

19 7. When any vacancy happens in the Legislature otherwise than  
20 by expiration of term, it shall be filled by election for the unexpired  
21 term only at the next general election occurring not less than 51  
22 days after the occurrence of the vacancy, except that no such  
23 vacancy shall be filled at the general election which immediately  
24 precedes the expiration of the term in which the vacancy occurs. In  
25 the event a vacancy eligible to be filled by election hereunder  
26 occurs on or before the sixth day preceding the last day for filing  
27 petitions for nomination for the primary election, such petitions  
28 may be prepared and filed for nomination in that primary election in  
29 the manner provided by article 3 of chapter 23 of this Title. In the  
30 event the vacancy occurs after that sixth day preceding the last day  
31 for filing petitions for nomination for the primary election for the  
32 general election, a political party may select a candidate for the  
33 office in question in the manner prescribed in subsections a. and b.  
34 of R.S.19:13-20 for selecting candidates to fill vacancies among  
35 candidates nominated at primary elections for the general elections.  
36 A statement of such selection under R.S.19:13-20 shall be filed with  
37 the **[Attorney General]** Secretary of State not later than the 48th  
38 day preceding the date of the general election.

39 Besides the selection of candidates by each political party,  
40 candidates may also be nominated by petition in a manner similar to  
41 direct nomination by petition for the general election; but if the  
42 candidate of any party to fill the vacancy will be chosen at a  
43 primary election, such petition shall be filed with the **[Attorney**  
44 **General]** Secretary of State at least 55 days prior to the primary  
45 election; and if no candidate of any party will be chosen at a  
46 primary election, such petition shall be filed with the Attorney  
47 General not later than 12 o'clock noon of the day on which the first

1 selection meeting by any party is held under this section to select a  
2 nominee to fill the vacancy.

3 When the vacancy occurs in the Senate or General Assembly, the  
4 county clerk of each county which is comprised in whole or part in  
5 the Senate or General Assembly district shall forthwith give notice  
6 thereof to the chairman of the county committee of each political  
7 party and in counties of the first class to the county board.

8 The county clerk shall print on the ballots for the territory  
9 affected, in the personal choice column, the title of office and leave  
10 a proper space under such title of office; and print the title of office  
11 and the names of such persons as have been duly nominated, in  
12 their proper columns.

13 (cf: P.L.2005, c.136, s.41)]<sup>1</sup>

14

15 <sup>1</sup>[40.] 39.<sup>1</sup> R.S.19:29-3 is amended to read as follows:

16 19:29-3. The petition contesting any nomination to public office,  
17 election to party office or position [, election as a delegate or  
18 alternate in a presidential primary] or the proposal of any  
19 proposition shall be filed not later than 10 days after the primary  
20 election.

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

28 Any petition of contest may be filed within 10 days after the  
29 result of any recount has been determined or announced.

30 (cf: P.L.2005, c.136, s.42)

31

32 <sup>1</sup>[41.] 40.<sup>1</sup> R.S.19:31-16 is amended to read as follows:

33 19:31-16. a. The health officer or other officer in charge of  
34 records of death in each municipality shall file with the  
35 commissioner of registration for the county in which the  
36 municipality is located once each month, during the first five days  
37 thereof, the age, date of death, and the names and addresses of all  
38 persons 18 years of age or older who have died within such  
39 municipality during the previous month. Within 30 days after the  
40 receipt of such list, the commissioner shall make and complete such  
41 investigation as is necessary to establish to his satisfaction that such  
42 deceased person is registered as a voter in the county. If such fact  
43 is so established, the commissioner shall cause the registration and  
44 record of voting forms of the deceased registrant to be transferred to  
45 the death file as soon as possible. If the deceased person was not so  
46 registered in the county, but the person maintained a residence in  
47 another county of this State, the officer in charge of records of

1 death in the municipality in which the decedent died shall forward a  
2 copy of the notice of death to the officer in charge of records of  
3 death in the municipality in which the decedent resided. That  
4 officer having received the notice shall notify the commissioner of  
5 the county in which that municipality is located of the death of the  
6 person. Any commissioner who receives such notification shall  
7 undertake the procedures prescribed herein with respect to the  
8 registration in that county of the decedent.

9 b. The State registrar of vital statistics shall file with the  
10 commissioner of registration of each county no later than [January  
11 2 of each presidential year and no later than] May 1 of [every  
12 other] each year an alphabetized list of the name, address, and date  
13 of birth, if available, of each resident of the county 18 years of age  
14 or older who died during the previous year. Within 30 days after  
15 the receipt of the list the commissioner shall undertake and  
16 complete such investigation as is necessary to establish that each  
17 person on the list is not registered as a voter in the county. The  
18 commissioner shall cause the registration and record of voting  
19 forms of any deceased registrant found on the list to be transferred  
20 to the death file as soon as possible.

21 (cf: P.L.2007, c.61, s.14)

22  
23 ' [42.] 41. ' R.S.19:31-20 is amended to read as follows:

24 19:31-20. On or before the eighth day preceding the [presidential  
25 primary election, the] primary election for the general election and  
26 the general election, respectively, the commissioner in counties not  
27 having a superintendent of elections, shall deliver to the municipal  
28 clerk in each municipality the signature copy registers for each  
29 election district in such municipality and shall take a receipt for  
30 same. The municipal clerk shall thereupon deliver at his office, or  
31 in any other way he sees fit, such registers to a member or members  
32 of the proper district boards at the same time and together with the  
33 primary for the general election sample ballots or the general  
34 election sample ballots, as the case may be. The registers shall be  
35 used by the district boards on election days and for the purpose of  
36 mailing the sample ballots. The commissioner in counties having a  
37 superintendent of elections shall deliver such registers at his office,  
38 or in any other way he may see fit, to the various district boards,  
39 taking a receipt for same.

40 Before delivering the registers the commissioner shall cause to  
41 be printed upon a separate sheet or sheets of paper, to be inserted  
42 inside of the front cover of such registers in conspicuous type, such  
43 instructions to election officers regarding the use and disposition of  
44 the binders and forms as he deems necessary.

45 (cf: P.L.2005, c.139, s.18)

46  
47 ' [43.] 42. ' R.S.19:31-21 is amended to read as follows:

1 19:31-21. A person whose name appears in the signature copy  
2 register and who upon applying for a ballot or voting authority shall  
3 have given the information and signed the signature comparison  
4 record as provided in this Title and whose signature in the signature  
5 comparison record shall have been compared by a member of the  
6 district board and in the presence and view of the challengers with  
7 the signature of the applicant as recorded in the register shall be  
8 eligible to receive a ballot or voting authority unless it be shown to  
9 the satisfaction of a majority of the members of the district board  
10 that he is not entitled to vote in the district or has otherwise become  
11 disqualified.

12 No person shall be required to sign the signature comparison  
13 record as a means of identification if he shall have been unable to  
14 write his name when he registered, or if, having been able to write  
15 his name when registered, he subsequently shall have lost his sight  
16 or lost the hand with which he was accustomed to write or shall by  
17 reason of disease or accident be unable to write his name when he  
18 applies to vote, but each such person shall establish his identity in  
19 the manner provided in this Title.

20 In addition to signing the signature comparison record and after  
21 the comparison of the signature with the signature in the register, a  
22 person offering to vote at [the presidential primary election or] the  
23 primary election for the general election, as the case may be, shall  
24 announce his name and the party primary in which he wishes to  
25 vote.

26 After a person has voted the member of the district board having  
27 charge of the signature copy registers shall place the number of the  
28 person's ballot in the proper column on the record of voting form of  
29 such person, which number shall constitute a record that the person  
30 has voted. In the case of the [presidential primary election or the]  
31 primary election for the general election such member of the district  
32 board shall also place in the proper column on the record of voting  
33 form the first three letters of the name of the political party whose  
34 primary ballot such person has voted.

35 In the event that the duplicate permanent registration form of any  
36 person cannot be found in the signature copy register at the time he  
37 applies for a ballot or voting authority, a member of the district  
38 board shall promptly ascertain from the commissioner or a duly  
39 authorized clerk if such person is permanently registered. Upon  
40 information that such is the fact, such member of the district board  
41 shall require the person applying for a ballot or voting authority to  
42 obtain an order from the commissioner authorizing him to receive a  
43 ballot or voting authority. The commissioner shall specially  
44 authorize and deputize clerks to issue such orders in municipalities  
45 within his county. The commissioner or his clerk shall require the  
46 voter to sign his name upon such order for the purpose of signature  
47 comparison. The district board shall require the voter to again sign  
48 his name on said order, in the presence of the board, and if the

1 signatures compare, to permit him to vote. At primary elections the  
2 commissioner or his duly authorized clerk shall endorse on the  
3 order the political party whose ballot such person voted at the last  
4 preceding primary election. The order shall be returned to the  
5 commissioner at the same time and along with the signature copy  
6 registers.

7 (cf: P.L.2005, c.136, s.45)

8

9 '【44.】 43.<sup>1</sup> R.S.19:31-22 is amended to read as follows:

10 19:31-22. Not later than noon of the day following the canvass  
11 of the votes cast at the 【presidential primary election, the】 primary  
12 election for the general election or the general election, the  
13 signature copy registers shall be returned by each district board to  
14 the commissioner at his office or in any other way as the  
15 commissioner may see fit.

16 Upon receipt of the registers the commissioner shall inspect them  
17 and verify from the party primary poll books and the general  
18 election poll books, as the case may be, that the entries required to  
19 be made on the record of voting forms in such registers by the  
20 district boards have been made. If the commissioner shall ascertain  
21 that such entries have not been made or have been improperly  
22 made, he shall cause such entries and corrections to be made  
23 forthwith and also notify the county board of such failure of duty  
24 and the members of such district board who have so failed in their  
25 duty and shall be ineligible for appointment as members of any  
26 district board thereafter.

27 (cf: P.L.2005, c.136, s.46)

28

29 '【45.】 44.<sup>1</sup> Section 9 of P.L.1991, c.249 (C.19:32-4.1) is  
30 amended to read as follows:

31 9. On the day of every municipal, primary, 【presidential  
32 primary,】 general, special or annual school election the  
33 superintendent of elections in counties having a superintendent of  
34 elections or the county board of elections in all other counties shall  
35 provide to each polling place in the county sufficient numbers of a  
36 form on which voters or persons attempting to vote may register  
37 any complaint regarding the conduct of the election at the polling  
38 place where they voted or attempted to vote. In counties in which  
39 the primary language of 10% or more of the registered voters is  
40 Spanish, the form for the complaint shall appear in both English and  
41 Spanish. The form shall protect the anonymity of the complainant,  
42 if that person so wishes, and shall be accompanied by an envelope  
43 with the proper postage and the name and address of the  
44 superintendent of elections of the county or the chairman of the  
45 county board of elections, as the case may be. A complaint may be  
46 used by the superintendent of elections or any other municipal or  
47 State investigatory agency to conduct an investigation into possible

1 violation of the State election law. Copies of the form containing  
2 the complaint shall be available from the superintendent of  
3 elections or the county board of elections, as the case may be. The  
4 original form of the complaint, or a copy, shall be kept on file with  
5 the superintendent of elections or the county board of elections, as  
6 the case may be, for two years after the election for which it was  
7 filed.

8 (cf: P.L.2005, c.136, s.47)

9

10 ' [46.] 45.' R.S.19:45-6 is amended to read as follows:

11 19:45-6. The compensation of each member of the district  
12 boards for all services performed by them under the provisions of  
13 this Title shall be as follows:

14 In all counties, for all services rendered including the counting of  
15 the votes, and in counties wherein voting machines are used, the  
16 tabulation of the votes registered on the voting machines, and the  
17 delivery of the returns, registry binders, ballot boxes and keys for  
18 the voting machines to the proper election officials, \$200 each time  
19 **[any]** the primary election, the general election or any special  
20 election is held under this Title; provided, however, that:

21 a. (1) The member of the board charged with the duty of  
22 obtaining and signing for the signature copy registers shall receive  
23 an additional \$12.50 per election, such remuneration being limited  
24 to only one board member per election, or \$6.25 to each of two  
25 board members if they share such responsibility for the signature  
26 copy registers, and (2) the member of the board charged with the  
27 duty of returning the signature copy registers shall receive an  
28 additional \$12.50 per election, such remuneration being limited to  
29 only one board member per election, or \$6.25 to each of two board  
30 members if they share such responsibility for the signature copy  
31 registers;

32 b. In the case of any member of the board who is required  
33 under R.S.19:50-1 to attend in a given year a training program for  
34 district board members, but who fails to attend such a training  
35 program in that year, that compensation shall be \$50.00 for each of  
36 those elections;

37 c. In counties wherein voting machines are used no  
38 compensation shall be paid for any services rendered at any special  
39 election held at the same time as any primary or general election.  
40 Such compensation shall be in lieu of all other fees and payments;  
41 and

42 d. Compensation for district board members serving at a school  
43 election shall be paid by the board of education of the school  
44 district conducting the election at an hourly rate of \$5.77, except  
45 that the board of education may compensate such district board  
46 members at a pro-rated hourly rate consistent with the daily rate up  
47 to a maximum of \$14.29. The provisions of subsections a., b., and  
48 c. of this section shall also apply to district board members serving



1 at a school election, except that in the case of subsection b., the  
2 compensation shall be at an hourly rate of \$3.85.

3 Compensation due each member shall be paid within 30 days but  
4 not within 20 days after each election; provided, however, that no  
5 compensation shall be paid to any member of any such district  
6 board who may have been removed from office or application for  
7 the removal of whom is pending under the provisions of R.S.19:6-4.  
8 (cf: P.L.2005, c.136, s.48)

9  
10 '47.] 46.' Section 1 of P.L.1944, c.213 (C.19:52-2.1) is  
11 amended to read as follows:

12 1. In all counties wherein voting machines are used the county  
13 board of elections shall furnish for use in each election district at  
14 any election, a sufficient number of voting authorities in  
15 substantially the following form:

16	City of		City of	
17	Ward	District	Ward	District
18	Election Held		Election Held	
19	..... day of..... 20...		..... day of..... 20....	
20	Voting Authority		Voting Authority	
21	No.....		No.....	
22	.....		.....	
23	Signature of Voter.		.....	
24			This certificate must be handed	
25			to the election officer in charge	
26			of the voting machines in order to	
27			vote.	
28			.....	
29			County Board of Elections	
30			Clerk.	

31 The voting authorities shall be numbered consecutively, be  
32 bound together in pads and shall be printed in two parts and  
33 perforated so that one part may be given to the voter who shall  
34 return the same to the district election officials in charge of the  
35 operation of the voting machine in order that such official shall be  
36 able to place the same in consecutive order on a string or wire. The  
37 other part of the voting authority shall be signed by the voter in his  
38 own handwriting before he be permitted to vote and shall remain  
39 bound in the pad. All pads containing the portions of the voting  
40 authorities on which the names of the persons who have voted have  
41 been signed, together with that portion of the voting authority  
42 which has been placed on a wire or string shall be returned to the  
43 commissioner of registration of the county, who shall keep them for  
44 a period of at least six months.

45 At any [presidential primary election or] primary election for  
46 the general election, each voting authority shall be marked to  
47 indicate the party primary in which the voter signing the same voted  
48 and the used voting authorities shall be strung in such a manner so

1 that those used in one party primary shall remain separate from  
2 those used in the other party primary.

3 (cf: P.L.2005, c.136, s.49)

4

5 **'[48.] 47.'** Section 7 of P.L.1999, c.232 (C.19:53C-1) is  
6 amended to read as follows:

7 7. a. (1) The county clerk or the municipal clerk, in the case of  
8 a municipal election, shall arrange for the preparation of a  
9 provisional ballot packet for each election district. It shall include  
10 the appropriate number of provisional ballots, the appropriate  
11 number of envelopes with an affirmation statement, the appropriate  
12 number of written notices to be distributed to voters who vote by  
13 provisional ballot and one provisional ballot inventory form affixed  
14 to the provisional ballot bag. The clerk shall arrange for the  
15 preparation of and placement in each provisional ballot bag of a  
16 provisional ballot packet and an envelope containing a numbered  
17 seal. The envelope shall contain, on its face, the instructions for the  
18 use of the seal, the number and the election district location of the  
19 provisional ballot bag, and the identification numbers of the seal  
20 placed in the envelope. Each provisional ballot bag shall be sealed  
21 with a numbered security seal before being forwarded to the  
22 appropriate election district.

23 (2) Each provisional ballot bag and the inventory of the contents  
24 of each such bag shall be delivered to the designated polling place  
25 no later than the opening of the polls on the day of an election.

26 b. The county clerk or the municipal clerk, in the case of a  
27 municipal election, shall arrange for the preparation of the  
28 envelope, affirmation statement, and written notice that is to  
29 accompany each provisional ballot. The envelope shall be of  
30 sufficient size to accommodate the provisional ballot, and the  
31 affirmation statement shall be affixed thereto in a manner that  
32 enables it to be detached once completed and verified by the county  
33 commissioner of registration. The statement shall require the voter  
34 to provide the voter's name, and to indicate whether the voter is  
35 registered to vote in a county but has moved within that county  
36 since registering to vote; or is registered to vote in the election  
37 district in which that polling place is located but the voter's  
38 registration information is missing or otherwise deficient; or  
39 indicate the voter has applied for a mail-in ballot and not received  
40 either the ballot or an explanation for not receiving such a ballot  
41 pursuant to notification by the county clerk or from the free-access  
42 system, or has applied for and received a mail-in ballot and has not  
43 transmitted it to the county board of elections or given it to a bearer  
44 for delivery to the county board before the time for the opening of  
45 the polls on the day of an election but wants, nevertheless, to vote  
46 in the election. The statement shall further require the voter to  
47 provide the voter's most recent prior voter registration address and  
48 address on the day of the election and date of birth. The statement

1 shall include the statement: "I swear or affirm, that the foregoing  
2 statements made by me are true and correct and that I understand  
3 that any fraudulent voting may subject me to a fine of up to  
4 \$15,000, imprisonment up to five years or both, pursuant to  
5 R.S.19:34-11." It shall be followed immediately by spaces for the  
6 voter's signature and printed name, and in the case of a name  
7 change, the voter's printed old and new name and a signature for  
8 each name, the date the statement was completed, political party  
9 affiliation, if used in a primary election, and the name of the person  
10 providing assistance to the voter, if applicable. Each statement  
11 shall also note the number of the election district, or ward, and  
12 name of the municipality at which the statement will be used. The  
13 Secretary of State shall prepare for inclusion in the affirmation  
14 statement language for the voter to submit the information required  
15 in the registration form described in section 16 of P.L.1974, c.30  
16 (C.19:31-6.4) in order to enable the county commissioner of  
17 registration to process the statement as a voter registration  
18 application, which shall be valid for future elections if the  
19 individual who submitted the provisional ballot is determined not to  
20 be a registered voter. The Secretary of State shall also prepare and  
21 shall provide language for any written instructions necessary to  
22 assure proper completion of the statement.

23 The written notice shall contain information to be distributed to  
24 each voter who votes by provisional ballot. The notice shall state  
25 that, if the voter is a mail-in registrant voting for the first time in his  
26 or her current county of residence following registration and was  
27 given a provisional ballot because he or she did not provide  
28 required personal identification information, the voter shall be  
29 given until the close of business on the second day after the election  
30 to provide identification to the applicable county commissioner of  
31 registration, and the notice shall contain a telephone number at  
32 which the commissioner may be contacted. The notice shall further  
33 state that failure to provide the required personal identification  
34 information within that time period shall result in the rejection of  
35 the ballot. The notice shall state that pursuant to section 4 of  
36 P.L.2004, c.88 (C.19:61-4), any individual who casts a provisional  
37 ballot will be able to ascertain under a system established by the  
38 State whether the ballot was accepted for counting, and if the vote  
39 was not counted, the reason for the rejection of the ballot. The  
40 notice shall include instructions on how to access such information.

41 c. For the primary for the general election, the provisional  
42 ballots shall be printed in ink on paper of a color that matches the  
43 color of the voting authority, which shall indicate the party primary  
44 of the voter. The provisional ballots shall be uniform in size, quality  
45 and type and of a thickness that the printing thereon cannot be  
46 distinguished from the back of the paper, and without any mark,  
47 device or figure on the front or back other than as provided in  
48 P.L.1999, c.232 (C.19:53C-1 et seq.). Each such ballot shall

1 include near the top thereof and in large type the designation  
2 PROVISIONAL BALLOT. In all other respects, the provisional  
3 ballots shall conform generally to the other ballots to be used in the  
4 election district for the primary election.

5 The clerk of the county or municipality shall arrange for the  
6 preparation of each provisional ballot package with an appropriate  
7 number of provisional ballots for each political party, a  
8 corresponding number of envelopes with affirmation statements,  
9 and a corresponding number of written notices. Additional  
10 provisional ballots, envelopes, and notices shall be available for  
11 delivery to that election district on the day of the election, if  
12 necessary.

13 d. For the general election the provisional ballots shall be  
14 printed in ink. The provisional ballots shall be uniform in size,  
15 quality and type and of a thickness that the printing thereon cannot  
16 be distinguished from the back of the paper, and without any mark,  
17 device or figure on the front or back other than as provided in this  
18 act. Each such ballot shall include near the top thereof and in large  
19 type the designation PROVISIONAL BALLOT. In all other  
20 respects, the provisional ballots shall conform generally to the other  
21 ballots to be used in the election district for the general election.

22 The clerk of the county or municipality shall arrange for the  
23 preparation of each provisional ballot package with an appropriate  
24 number of provisional ballots, a corresponding number of envelopes  
25 with affirmation statements, and a corresponding number of written  
26 notices. Additional provisional ballots, envelopes, and notices shall  
27 be available for delivery to that election district on the day of the  
28 election, if necessary.

29 e. For a school election the provisional ballots shall be printed  
30 in ink. The provisional ballots shall be uniform in size, quality and  
31 type and of a thickness that the printing thereon cannot be  
32 distinguished from the back of the paper, and without any mark,  
33 device or figure on the front or back other than as provided in this  
34 act. Each such ballot shall include near the top thereof and in large  
35 type the designation PROVISIONAL BALLOT. In all other  
36 respects, the provisional ballots shall conform generally to the other  
37 ballots to be used in the election district for the school election.

38 The clerk of the county shall arrange for the preparation of each  
39 provisional ballot package with an appropriate number of  
40 provisional ballots, a corresponding number of envelopes with  
41 affirmation statements, and a corresponding number of written  
42 notices. Additional provisional ballots, envelopes, and notices shall  
43 be available for delivery to that election district on the day of the  
44 election, if necessary.

45 f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et  
46 al.), a provisional ballot that requires the voter to punch out a hole  
47 in the ballot as a means of recording the voter's vote shall not be  
48 used in any election in this State.

1 g. [For the presidential primary election, the provisional  
2 ballots shall be printed in ink on paper of a color that matches the  
3 color of the voting authority, which shall indicate the party of the  
4 voter. The provisional ballots shall be uniform in size, quality and  
5 type and of a thickness that the printing thereon cannot be  
6 distinguished from the back of the paper, and without any mark,  
7 device or figure on the front or back other than as provided in  
8 P.L.1999, c.232 (C.19:53C-1 et al.). Each such ballot shall include  
9 near the top thereof and in large type the designation  
10 PROVISIONAL BALLOT. In all other respects, the provisional  
11 ballots shall conform generally to the other ballots to be used in the  
12 election district for the primary election for the general election.

13 The clerk of the county or municipality shall arrange for the  
14 preparation of each provisional ballot package with an appropriate  
15 number of provisional ballots for each political party and a  
16 corresponding number of envelopes with affirmation statements.  
17 Additional provisional ballots and envelopes shall be available for  
18 delivery to that election district on the day of the election, if  
19 necessary.] (Deleted by amendment, P.L. , c. ) (pending before  
20 the Legislature as this bill)  
21 (cf: P.L.2009, c.79, s.33)  
22

23 '[49.] 48.1 Section 2 of P.L.1995, c.278 (C.19:60-2) is  
24 amended to read as follows:

25 2. a. Except as otherwise provided pursuant to subsection c. of  
26 this section, the board of education of a type II district may call a  
27 special election of the legal voters of the district on only the fourth  
28 Tuesday in January [other than in a year when a presidential  
29 primary election occurs, in which case no such election on that date  
30 may be called], the second Tuesday in March, the last Tuesday in  
31 September, or the second Tuesday in December when in its  
32 judgment the interests of the schools require such an election. The  
33 board of education shall give the municipal clerk or clerks, as the  
34 case may be, and the county board of elections no less than 60 days'  
35 notice, in writing, of its intention to hold a special election.

36 b. No business shall be transacted at any special election except  
37 such as shall have been set forth in the notices by which the election  
38 was called.

39 c. The Commissioner of Education may change in any school  
40 year any date authorized for a special school election pursuant to  
41 subsection a. of this section if that date coincides with a period of  
42 religious observance that limits significantly the usual activities of  
43 the followers of a particular religion or that would result in  
44 significant religious consequences for such followers. The  
45 commissioner shall inform local school boards, county clerks, and  
46 boards of election of the adjustment no later than the first working  
47 day in January of the year in which the adjustments are to occur.

1 As used in this section "a period of religious observance" means  
2 any day or portion thereof on which a religious observance imposes  
3 a substantial burden on an individual's ability to vote.  
4 (cf: P.L.2008, c.129, s.2)

5  
6 <sup>1</sup>[50.] 49.<sup>1</sup> Section 2 of P.L.2009, c.79 (C.19:63-2) is amended  
7 to read as follows:

8 2. As used in this act, unless otherwise indicated by the  
9 context:

10 "Election," "general election," "primary election for the general  
11 election," **["presidential primary election,"]** "municipal election,"  
12 "school election," and "special election" mean, respectively, such  
13 elections as defined in R.S.19:1-1 et seq.

14 "Family member" means an adult who is a spouse, parent, child,  
15 grandparent, grandchild or sibling of a voter, whether by adoption  
16 or natural relationship. It shall also include any adult occupant  
17 regularly living with a voter in any residential building or part of a  
18 building intended for the use of no more than one family.

19 "Mail-in ballot" means any ballot used by a mail-in voter to vote  
20 by mail in any election.

21 "Mail-in voter" means any qualified and registered voter of this  
22 State who wants to vote in any election using a mail-in ballot under  
23 the provisions of this act.

24 (cf: P.L.2009, c.79, s.2)

25  
26 <sup>1</sup>[51. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to  
27 read as follows:

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

38 NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

39 If you are a qualified and registered voter of the State who wants  
40 to vote by mail in the..... (school, municipal, primary,  
41 **["presidential primary,]** general, or other) election to be held  
42 on..... (date of election) complete the application form  
43 below and send to the undersigned, or write or apply in person to  
44 the undersigned at once requesting that a mail-in ballot be  
45 forwarded to you. The request must state your home address and  
46 the address to which the ballot should be sent. The request must be  
47 dated and signed with your signature.

1 If any person has assisted you to complete the mail-in ballot  
2 application, the name, address and signature of the assistor must be  
3 provided on the application, and you must sign and date the  
4 application for it to be valid and processed. No person shall serve  
5 as an authorized messenger for more than 10 qualified voters in an  
6 election. No person who is a candidate in the election for which the  
7 voter requests a mail-in ballot may provide any assistance in the  
8 completion of the ballot or may serve as an authorized messenger or  
9 bearer.

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

16 Voters who want to vote only by mail in all future general  
17 elections in which they are eligible to vote, and who state that on  
18 their application shall, after their initial request and without further  
19 action on their part, be provided a mail-in ballot by the county clerk  
20 until the voter requests that the voter no longer be sent such a  
21 ballot. A voter's failure to vote in the fourth general election  
22 following the general election at which the voter last voted may  
23 result in the suspension of that voter's ability to receive a mail-in  
24 ballot for all future general elections unless a new application is  
25 completed and filed with the county clerk.

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

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

36 Dated.....  
37 .....

38 (signature and title of county clerk)

39 .....

40 (address of county clerk)

41 .....

42 (telephone no. of county clerk)

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

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

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

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

31 d. The notice provided for in subsection a. of this section shall  
32 be published before the 50th day immediately preceding the holding  
33 of any election.

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

43 (cf: P.L.2009, c.79, s.6)]<sup>1</sup>

44  
45 <sup>1</sup>50. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read  
46 as follows:

47 6. a. The county clerk, in the case of any Statewide election,  
48 countywide election, or school election in a regional or other school



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

9 NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

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

19 If any person has assisted you to complete the mail-in ballot  
20 application, the name, address and signature of the assistor must be  
21 provided on the application, and you must sign and date the  
22 application for it to be valid and processed. No person shall serve  
23 as an authorized messenger for more than 10 qualified voters in an  
24 election. No person who is a candidate in the election for which the  
25 voter requests a mail-in ballot may provide any assistance in the  
26 completion of the ballot or may serve as an authorized messenger or  
27 bearer.

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

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

44 Voters also have the option of indicating on their mail-in ballot  
45 applications that they would prefer to receive mail-in ballots for  
46 each election that takes place during the remainder of this calendar  
47 year. Voters who exercise this option will be furnished with mail-in

1 ballots for each election that takes place during the remainder of  
2 this calendar year, without further action on their part.

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

7 Dated.....

8 .....

9 (signature and title of county clerk)

10 .....

11 (address of county clerk)

12 .....

13 (telephone no. of county clerk)

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

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

41 c. The mail-in ballot materials shall contain a notice that any  
42 person voting by mail-in ballot who has registered by mail after  
43 January 1, 2003, who did not provide personal identification  
44 information when registering and is voting for the first time in his  
45 or her current county of residence following registration shall  
46 include copies of the required identification information with the  
47 mail-in ballot, and that failure to include such information shall  
48 result in the rejection of the ballot.

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

4 Notices relating to any Statewide or countywide election shall be  
5 published in at least two newspapers published in each county. All  
6 officials charged with the duty of publishing such notices shall  
7 publish the same in at least one newspaper published in each  
8 municipality or district in which the election is to be held, or if no  
9 newspaper is published in the municipality or district, then in a  
10 newspaper published in the county and circulating in the  
11 municipality or district. All such notices shall be display  
12 advertisements.<sup>1</sup>

13 (cf: P.L.2011, c.37, s.30)

14

15 <sup>1</sup>**[52.] 51.** Section 7 of P.L.2009, c.79 (C.19:63-7) is amended  
16 to read as follows:

17 7. a. Each county clerk shall have printed sufficient mail-in  
18 ballots for each **[presidential primary election,]** primary election  
19 for the general election, and for the general election. Along with  
20 such ballots the clerk shall also furnish inner and outer envelopes  
21 and printed directions for the preparation and transmitting of such  
22 ballots used in the election in the county.

23 b. The mail-in ballots shall be printed on paper of a different  
24 color from that used for any primary or general election ballot, but  
25 in all other respects, shall be as nearly as possible facsimiles of the  
26 election ballot to be voted at the election.

27 (cf: P.L.2009, c.79, s.7)

28

29 <sup>1</sup>**[53.] 52.** Section 11 of P.L.2009, c.79 (C.19:63-11) is  
30 amended to read as follows:

31 11. a. Each mail-in ballot to be used at any election shall  
32 conform generally to the ballot to be used at the election in the  
33 voter's district but the ballots shall be clearly marked "Official  
34 Mail-In Ballot."

35 At the top of every mail-in ballot there shall be printed or  
36 stamped in a prominent size the following:

37 To protect your vote:

38 **IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU**  
39 **THE VOTER TO MARK OR INSPECT THIS BALLOT.**

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

41 b. Each mail-in ballot to be used pursuant to this act shall be  
42 printed entirely in black ink. In addition to conforming generally to  
43 the ballot used in the election, the mail-in ballot shall be so  
44 prepared that the voter may indicate on it the voter's choice of the  
45 candidates for the offices to be filled, and the public questions to be  
46 voted on at the election by the voters of the entire State, county or  
47 municipality in which the voter is a resident, as known on the 48th  
48 day preceding the election. Sufficient space shall be provided on

1 the ballot for the voter to write in the name of and vote for any  
2 candidate for, or the voter's personal choice for, any public office to  
3 be voted for at the election in the voter's election district. A list of  
4 the candidates for the offices to be filled in each election district in  
5 the county, whose names are known on the day on which the ballot  
6 is forwarded but do not appear on the ballot, with a statement of the  
7 office for which each is a candidate, shall be forwarded with such  
8 ballot.

9 When mail-in ballots are prepared, the name of any candidate  
10 who has been nominated for any office shall be placed on the ballot  
11 to be used in the general election to be held in the year in each  
12 election district in which he is a candidate, whether or not such  
13 candidate has accepted nomination prior to when the ballot was  
14 prepared, provided that the candidate has not declined the  
15 nomination before the ballot was prepared.

16 c. Each mail-in ballot to be used at any [presidential primary  
17 election or] primary election for the general election shall, except  
18 as otherwise provided, conform to the ballot to be used at the  
19 election in the voter's election district and to the form herein  
20 prescribed for mail-in ballots to be used in such general elections.  
21 It shall be prepared so that the voter may indicate the voter's choice  
22 of the candidates of one political party for each of the officers to be  
23 voted on at the election by the voters of the election district and  
24 shall be separated into party ballots, which shall be printed upon  
25 one sheet when the voting system so allows.

26 Each such mail-in ballot shall be plainly marked to indicate that  
27 only one party ballot is to be voted by each voter and that the party  
28 ballot voted by the voter must conform to the name of the political  
29 party indicated by the county clerk.

30 If the county clerk has determined by investigating a voter's  
31 registration record that the voter is qualified to vote only in the  
32 primary of a particular party, the clerk shall so note on the primary  
33 ballot the party primary in which the voter is entitled to vote.

34 In the case where the county clerk has ascertained through  
35 investigating the voter's registration record that such applicant is  
36 requesting a ballot to vote in the first primary for which the voter is  
37 eligible after registration, the clerk shall note on the primary ballot  
38 that the voter can vote in the primary of any political party.

39 d. Any county may adopt a system of electronic scanning, or  
40 other mechanical or electronic device if the system has been  
41 approved previously by the Secretary of State to count or canvass  
42 mail-in ballots. The county clerk in any county adopting such a  
43 system may prepare and use mail-in ballots that do not conform  
44 generally to the ballot to be used at the election to the extent that  
45 such nonconformance is necessary in the operation of the electronic  
46 or mechanical canvassing system.

47 (cf: P.L.2009, c.79, s.11)



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

4 .....  
5 (signature of person providing  
6 assistance)

7 .....  
8 (printed name of person  
9 providing assistance)

10 .....  
11 .....  
12 (address of person providing  
13 assistance)

14 (cf: P.L.2009, c.79, s.13)

15

16 <sup>1</sup>[55.] 54. Section 16 of P.L.2009, c.79 (C.19:63-16) is  
17 amended to read as follows:

18 16. a. A mail-in voter shall be entitled to mark any mail-in  
19 ballot forwarded to the voter for voting at any election by indicating  
20 the voter's choice of candidates for the offices named, and as to  
21 public questions, if any, stated thereon, in accordance with current  
22 law. In the case of ballots to be voted for any [presidential primary  
23 election or] primary election for the general election, as the case  
24 may be, the voter's choice shall be limited to the candidates of the  
25 voter's political party or to any person or persons whose names are  
26 written thereon by the voter. When so marked, such ballot shall be  
27 placed in the inner envelope, which shall then be sealed, and the  
28 voter shall then fill in the form of certificate attached to the inner  
29 envelope, at the end of which the voter shall sign and print the  
30 voter's name. The inner envelope with the certificate shall then be  
31 placed in the outer envelope, which shall then be sealed.

32 b. No mail-in voter shall permit any person in any way, except  
33 as provided by this act, to unseal, mark or inspect the voter's ballot,  
34 interfere with the secrecy of the voter's vote, complete or sign the  
35 certificate, or seal the inner or outer envelope, nor shall any person  
36 do so.

37 c. A mail-in voter shall be entitled to assistance from a family  
38 member in performing any of the actions provided for in this  
39 section. The family member or other person providing such  
40 assistance shall certify that he or she assisted the voter and will  
41 maintain the secrecy of the vote by both printing and signing his or  
42 her name in the space provided on the certificate. In no event may a  
43 candidate for election provide such assistance, nor may any person,  
44 at the time of providing such assistance, campaign or electioneer on  
45 behalf of any candidate.

46 d. (1) The sealed outer envelope with the inner envelope and  
47 the ballot enclosed therein shall then either be mailed to the county  
48 board of elections to which it is addressed or delivered personally

1 by the voter or a bearer designated by the voter to the board. To be  
2 counted, the ballot must be received by the board or its designee  
3 before the time designated by R.S.19:15-2 or R.S.19:23-40 for the  
4 closing of the polls, as may be appropriate, on the day of an  
5 election.

6 (2) Whenever a person delivers a ballot to the county board, that  
7 person shall sign a record maintained by the county of all mail-in  
8 ballots personally delivered to it.

9 (3) No person shall serve as an authorized messenger for more  
10 than 10 qualified voters in an election. No person who is a  
11 candidate in the election for which the voter requests a mail-in  
12 ballot shall be permitted to serve as an authorized messenger or  
13 bearer. The bearer, by signing the certification provided for in  
14 section 12 of P.L.2009, c.79 (C.19:63-12), certifies that he or she  
15 received a mail-in ballot directly from the voter, and no other  
16 person, and is authorized to deliver the ballot to the appropriate  
17 board of election or designee on behalf of the voter.

18 (cf: P.L.2009, c.79, s.16)

19

20 '【56.】 55.' Section 17 of P.L.2009, c.79 (C.19:63-17) is  
21 amended to read as follows:

22 17. The county board of elections shall, promptly after receiving  
23 each mail-in ballot, remove the inner envelope containing the ballot  
24 from the outer envelope and shall compare the signature and the  
25 information contained on the flap of the inner envelope with the  
26 signature and information contained in the respective requests for  
27 mail-in ballots. In addition, as to mail-in ballots issued less than  
28 seven days prior to an election, the county board of elections shall  
29 also check to establish that the mail-in voter did not vote in person.  
30 The county board shall reject such a ballot if it is not satisfied,  
31 pursuant to a comparison with the Statewide voter registration  
32 system, that the voter is legally entitled to vote and that the ballot  
33 conforms with the requirements of this act.

34 In the case of a mail-in ballot to be voted at a 【presidential  
35 primary election or a】 primary election for the general election, the  
36 ballot shall be rejected if the mail-in voter has indicated in the  
37 certificate the voter's intention to vote in a primary election of any  
38 political party in which the voter is not entitled to vote according to  
39 the Statewide voter registration system, and if it shall appear from  
40 the record that the voter is not entitled to vote in a primary election  
41 of the political party which has been so indicated.

42 Any mail-in ballot which is received by a county board of  
43 elections shall be rejected if both the inner and outer envelopes are  
44 unsealed or if either envelope has a seal that has been tampered  
45 with.

46 Disputes about the qualifications of a mail-in voter to vote or  
47 about whether or not or how any mail-in ballot shall be counted in

1 such election shall be referred to the Superior Court for  
2 determination.

3 After such investigation, the county board of elections shall  
4 detach or separate the certificate from the inner envelope containing  
5 the mail-in ballot, unless it has been rejected by it or by the  
6 Superior Court, marking the envelope so as to identify the election  
7 district in which the ballot contained therein is to be voted as  
8 indicated by the voter's home address appearing on the certificate  
9 attached to or accompanying the inner envelope and, in the case of  
10 ballots to be voted at a primary election for a general election, so as  
11 to identify the political party in the primary election of which it is  
12 to be voted.

13 The location at which a county board of elections determines  
14 whether a mail-in ballot shall be accepted or rejected shall be  
15 considered an election district for the purposes of appointment of  
16 challengers.

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

18

19 <sup>1</sup>[57.] 56. Section 22 of P.L.2009, c.79 (C.19:63-22) is  
20 amended to read as follows:

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

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

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

45 (cf: P.L.2009, c.79, s.22)

46

47 <sup>1</sup>[58.] 57. Section 23 of P.L.2009, c.79 (C.19:63-23) is  
48 amended to read as follows:



1       23. As soon as practicable after each election, the board of  
2 elections shall mark in the Statewide voter registration system and  
3 all duplicate voting records to show that mail-in ballots were  
4 delivered or forwarded to the respective registered voters. For each  
5 mail-in ballot that has been voted, received and counted, the board  
6 of elections shall also, by reference to the certificates removed from  
7 the inner envelopes of such ballots, place the word "Voted" in the  
8 space provided in the Statewide voter registration system and  
9 duplicate voting record for recording the ballot number of the  
10 voter's ballot in the election. In the case of [a presidential primary  
11 election or] the primary election for the general election, the board  
12 shall also cause to be noted in the proper space of the Statewide  
13 voter registration system or other record of voting form the first  
14 three letters of the name of the political party primary in which such  
15 ballot was voted. The record contained in the Statewide voter  
16 registration system and of voting forms in the original permanent  
17 registration binders shall be conformed to the foregoing entries in  
18 the duplicate forms.

19 (cf: P.L.2009, c.79, s.23)

20

21       <sup>1</sup>[59.] 58.<sup>1</sup> R.S.40:20-9 is amended to read as follows:

22       40:20-9. The election provided for in section 40:20-8 of this title  
23 shall be deemed, so far as the question of the acceptance or  
24 rejection of sections 40:20-2 to 40:20-19 of this title is concerned,  
25 to be a special election, and shall be conducted by the county and  
26 district boards of registry and election in the same manner as other  
27 elections.

28       Notice of the election shall be given at the time and in the  
29 manner required for the primary election held on the same day, and  
30 the same boxes shall be used for the purposes of this election as are  
31 to be used for the purposes of the primary election, except that  
32 there shall be provided in each polling place, in addition to the  
33 boxes provided by law, a box to be known as the "nonpartisan  
34 box" .

35       Any person entitled to vote at the [presidential] primary election  
36 for the general election, and any person who would be entitled to  
37 vote at the [presidential] primary if he were a member of one of  
38 the two political parties for which primary boxes are provided, may  
39 vote hereunder on that day.

40       Transfers shall be issued as provided by the laws relating to  
41 elections.

42 (cf: R.S.40:20-9)

43

44       <sup>1</sup>[60.] 59.<sup>1</sup> R.S.40:20-18 is amended to read as follows:

45       40:20-18. The district boards of registry and elections shall  
46 make returns of the election held under sections 40:20-8 to 40:20-  
47 13 of this Title in the case of elections held on [presidential]

1 primary election for the general election day, in the manner  
2 provided by law for making returns in cases of special elections,  
3 and in the case of elections held on the day of a general election, in  
4 the manner provided by law for making returns of general  
5 elections.

6 The statements of the results of each election held hereunder  
7 shall be transmitted by the district boards of registry and elections  
8 to the officers designated by law for the purpose, and the votes shall  
9 be canvassed and determined by the county board of elections in the  
10 manner provided by law, and it shall certify the result to the county  
11 clerk.

12 (cf: P.L.1948, c.5, s.2)

13

14 <sup>1</sup>¶61. Section 11 of P.L.2007, c.62 (C.40A:4-45.46) is amended  
15 to read as follows:

16 11. a. (Deleted by amendment, P.L.2009, c.44)

17 b. (1) The governing body of a local unit may request approval,  
18 through a public question submitted to the legal voters residing in  
19 its territory to increase the amount to be raised by taxation by more  
20 than the allowable adjusted tax levy. Approval shall be by an  
21 affirmative vote of in excess of 50 percent of the people voting on  
22 the question at the election. The local unit budget proposing the  
23 increase shall be introduced and approved in the manner otherwise  
24 provided for budgets of that local unit at least 20 days prior to the  
25 date on which the referendum is to be held, and shall be published  
26 in the manner otherwise provided for budgets of the local unit at  
27 least 12 days prior to the referendum date, unless otherwise directed  
28 by the Director of the Division of Local Government Services in the  
29 Department of Community Affairs.

30 (2) The public question to be submitted to the voters at the  
31 referendum shall state only the amount by which the adjusted tax  
32 levy shall be increased by more than the otherwise allowable  
33 adjusted tax levy, and the percentage rate of increase which that  
34 amount represents over the allowable adjusted tax levy. The public  
35 question shall include an accompanying explanatory statement that  
36 identifies the changes in appropriations or revenues that warranted  
37 the governing body's decision to ask the public question; or, in the  
38 alternative and subject to the approval of the Director of the  
39 Division of Local Government Services in the Department of  
40 Community Affairs, a clear and concise narrative explanation of the  
41 circumstances for the increased adjusted tax levy being proposed.

42 (3) Unless otherwise provided pursuant to section 1 of P.L.1989,  
43 c.31 (C.40A:4-5.1), a referendum conducted pursuant to this  
44 subsection shall be held:

45 (a) for calendar year budgets only on the fourth Tuesday in  
46 January and the second Tuesday in March other than in a year when  
47 a **¶presidential** primary election for the general election occurs, in  
48 which case no such election on that date may be called; and

1 (b) for fiscal year budgets, only the last Tuesday in September,  
2 or the second Tuesday in December;  
3 provided, however, that no referendum shall be held on the same  
4 day as a referendum to exceed the school district levy cap.

5 (4) Any decision of the voters rejecting an increase to the tax  
6 levy cap under this subsection shall be final and conclusive, and no  
7 appeal or review shall be taken therefrom and no waiver application  
8 shall be made to the Local Finance Board.

9 (5) The director is authorized to act as necessary in order to  
10 consolidate ballot questions and procedures when a governing body  
11 elects to hold a referendum under both this section and section 9 of  
12 P.L.1983, c.49 (C.40A:4-45.16).

13 c. (Deleted by amendment, P.L.2010, c.44)

14 d. The adjusted tax levy shall be increased or decreased  
15 accordingly whenever the responsibility and associated cost of an  
16 activity performed by a local unit is transferred to or from a local  
17 unit, other government entity, or other service provider.

18 (cf: P.L.2010, c.44, s.10)]<sup>1</sup>

19

20 <sup>1</sup>60. Section 11 of P.L.2007, c.62 (C.40A:4-45.46) is amended  
21 to read as follows:

22 11. a. (Deleted by amendment, P.L.2009, c.44)

23 b. (1) The governing body of a local unit may request approval,  
24 through a public question submitted to the legal voters residing in  
25 its territory to increase the amount to be raised by taxation by more  
26 than the allowable adjusted tax levy. Approval shall be by an  
27 affirmative vote of in excess of 50 percent of the people voting on  
28 the question at the election. The local unit budget proposing the  
29 increase shall be introduced and approved in the manner otherwise  
30 provided for budgets of that local unit at least 20 days prior to the  
31 date on which the referendum is to be held, and shall be published  
32 in the manner otherwise provided for budgets of the local unit at  
33 least 12 days prior to the referendum date, unless otherwise directed  
34 by the Director of the Division of Local Government Services in the  
35 Department of Community Affairs.

36 (2) The public question to be submitted to the voters at the  
37 referendum shall state only the amount by which the adjusted tax  
38 levy shall be increased by more than the otherwise allowable  
39 adjusted tax levy, and the percentage rate of increase which that  
40 amount represents over the allowable adjusted tax levy. The public  
41 question shall include an accompanying explanatory statement that  
42 identifies the changes in appropriations or revenues that warranted  
43 the governing body's decision to ask the public question; or, in the  
44 alternative and subject to the approval of the Director of the  
45 Division of Local Government Services in the Department of  
46 Community Affairs, a clear and concise narrative explanation of the  
47 circumstances for the increased adjusted tax levy being proposed.

1 (3) Unless otherwise provided pursuant to section 1 of P.L.1989,  
2 c.31 (C.40A:4-5.1), a referendum conducted pursuant to this  
3 subsection shall be held:

4 (a) for calendar year budgets only on the fourth Tuesday in  
5 January and the second Tuesday in March [other than in a year  
6 when a presidential primary election occurs, in which case no such  
7 election on that date may be called]; and

8 (b) for fiscal year budgets, only the last Tuesday in September,  
9 or the second Tuesday in December.

10 (4) Any decision of the voters rejecting an increase to the tax  
11 levy cap under this subsection shall be final and conclusive, and no  
12 appeal or review shall be taken therefrom and no waiver application  
13 shall be made to the Local Finance Board.

14 (5) The director is authorized to act as necessary in order to  
15 consolidate ballot questions and procedures when a governing body  
16 elects to hold a referendum under both this section and section 9 of  
17 P.L.1983, c.49 (C.40A:4-45.16).

18 c. (Deleted by amendment, P.L.2010, c.44)

19 d. The adjusted tax levy shall be increased or decreased  
20 accordingly whenever the responsibility and associated cost of an  
21 activity performed by a local unit is transferred to or from a local  
22 unit, other government entity, or other service provider.<sup>1</sup>

23 (cf: P.L.2011, c.37, s.34)

24  
25 <sup>1</sup>[62.] 61.<sup>1</sup> Section 8 of P.L.1981, c.496 (C.40:44-16) is  
26 amended to read as follows:

27 8. Within 2 weeks immediately following the filing of the  
28 certified report by the ward commissioners, the municipal clerk  
29 shall cause to be published at least once in at least one newspaper  
30 generally circulating in the municipality a notice of the ward  
31 boundaries as fixed and determined in the report.

32 Upon completion of the publication, the former wards, if any,  
33 shall be superseded, and thereafter all officers elected or appointed  
34 in the municipality for or representing the wards thereof shall be  
35 elected from, or appointed for, the wards fixed and determined by  
36 the ward commissioners; except that, in municipalities wherein  
37 municipal officers are elected at the general election held on the  
38 first Tuesday after the first Monday in November, if the publication  
39 shall be completed in a year in which municipal officers are elected  
40 during the period between the date [165] 75 days before the  
41 primary election for the general election and the date of the general  
42 election, the wards so fixed and determined shall take effect on the  
43 day following the holding of that general election; and, in  
44 municipalities wherein municipal officers are elected at a regular  
45 municipal election held on the second Tuesday in May, if the  
46 publication shall be completed in a year in which municipal officers  
47 are elected during the period between the date 75 days before the

1 regular municipal election and the date of the election, the wards so  
2 fixed and determined shall take effect on the day following the  
3 holding of that regular municipal election.

4 (cf: P.L.2005, c.136, s.63)

5

6 ' [63.] 62. ' This act shall take effect immediately.