ASSEMBLY, No. 126

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman PARKER SPACE
District 24 (Morris, Sussex and Warren)
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SYNOPSIS

Provides that certain absentee ballots will be counted if received within ten days of election.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning certain absentee ballots and amending P.L.1953, c.211 and P.L.1976, c.23.

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

1. Section 26 of P.L.1953, c.211 (C.19:57-26) is amended to read as follows:

26. All **[**valid military service ballots and**]** valid civilian absentee ballots bearing a return address within the United States received by the county boards prior to the time designated for the closing of the polls for each election shall be counted.

All valid civilian absentee ballots bearing a return address outside of the United States and all valid military service ballots received by the county boards not later than 5:00 pm on the tenth day following the day of the election shall be counted.

(cf: P.L.1953, c.211, s.26)

2. Section 11 of P.L.1976, c.23 (C.19:59-11) is amended to read as follows:

11. Upon receipt of each overseas ballot, other than a ballot which had been sent by electronic means to an overseas voter, the signature on the certificate on the inner envelope shall be compared to that on the person's application. All ballots, whether originally sent to an overseas voter by air mail or electronic means, shall be approved, disapproved, processed, counted and disputes in connection therewith shall be handled in the same manner as is applicable to other absentee ballots. **[**No ballot**]** Ballots received **[**after the time designated for the closing of the polls**]** not later than 5:00 pm on the tenth day following the election shall be counted.

(cf: P.L.2008, c.61, s.12)

3. This act shall take effect immediately.

STATEMENT

Under existing law, civilian absentee ballots and military service ballots, as well as absentee ballots of overseas federal election voters, must be received prior to the closing of the polls on election day in order to be counted. This bill would provide, instead, that civilian absentee ballots bearing a return address outside of the United States, military service ballots, and absentee ballots of overseas federal election voters would be counted if received not later than the tenth day following the day of the election. The

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.

additional time is necessary to compensate for delays which may occur when absentee ballots are mailed from outside the United States and would help to ensure that these voters are not disenfranchised.