

ASSEMBLY, No. 237

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

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District 11 (Monmouth)

SYNOPSIS

Provides general election, primary, and school election sample ballots may be sent to registered voter by electronic mail if so requested.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the electronic delivery of sample ballots to
2 registered voters and supplementing various parts of the statutory
3 law.
4

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

8 1. Notwithstanding the provisions of R.S.19:14-21 or any
9 provision of chapter 14 of Title 19 of the Revised Statutes to the
10 contrary, the district board or the commissioner of registration, as
11 the case may be, shall deliver a copy of the official general election
12 sample ballot, and any additional documents that may be required to
13 be provided therewith, by electronic mail instead of regular mail to
14 any registered voter of the district who is eligible to participate in
15 the general election and who requests to receive the sample ballot
16 and documents by electronic mail. The electronic mail address of
17 any voter who requests to receive a sample ballot by electronic mail
18 pursuant to this section shall not be a government record as defined
19 in section 1 of P.L.1995, c.23 (C.47:1A-1.1) and shall not be
20 available for public inspection or copying, and shall be redacted
21 from any document that it is a part of.
22

23 2. Notwithstanding the provisions of R.S.19:23-30 or any
24 provision of chapter 23 of Title 19 of the Revised Statutes to the
25 contrary, the district board or the commissioner of registration, as
26 the case may be, shall deliver a copy of the official primary election
27 sample ballot of each political party, and any additional documents
28 that may be required to be provided therewith, by electronic mail
29 instead of regular mail to any registered voter of the district who is
30 eligible to participate in the primary election and who requests to
31 receive the sample ballot and documents by electronic mail. The
32 electronic mail address of any voter who requests to receive a
33 sample ballot by electronic mail pursuant to this section shall not be
34 a government record as defined in section 1 of P.L.1995, c.23
35 (C.47:1A-1.1) and shall not be available for public inspection or
36 copying, and shall be redacted from any document that it is a part
37 of.
38

39 3. Notwithstanding the provisions of R.S.19:60-10 or any
40 provision of chapter 60 of Title 19 of the Revised Statutes to the
41 contrary, the district board or the commissioner of registration, as
42 the case may be, shall deliver a copy of the official school election
43 sample ballot, and any additional documents that may be required to
44 be provided therewith, by electronic mail instead of regular mail to
45 any registered voter who is eligible to participate in the school
46 election and who requests to receive the sample ballot and
47 documents by electronic mail. The electronic mail address of any
48 voter who requests to receive a sample ballot by electronic mail

1 pursuant to this section shall not be a government record as defined
2 in section 1 of P.L.1995, c.23 (C.47:1A-1.1) and shall not be
3 available for public inspection or copying, and shall be redacted
4 from any document that it is a part of.

5
6 4. The Secretary of State, in collaboration with the election
7 officials in this State, shall develop standard procedures to
8 effectuate the provisions of sections 1 through 3 of P.L. ,
9 c. , (C. , C. , and C. , respectively) (pending before the
10 Legislature as this bill). The procedures shall:

11 a. establish a method to inform all voters of the opportunity to
12 receive a sample ballot and other materials by electronic mail, and
13 by which a voter can notify election officials of his or her desire to
14 obtain a ballot and other materials by electronic mail in lieu of
15 receiving them by regular mail;

16 b. maintain the confidentiality of the voter electronic mail
17 addresses;

18 c. provide notice and opportunity for a voter who has requested
19 to receive a sample ballot and other materials by electronic mail to
20 request to again receive the sample ballot and other materials by
21 regular mail; and

22 d. address any additional necessary measures for the proper
23 implementation of these provisions.

24
25 5. This act shall take effect immediately, but shall not apply
26 with respect to a general, primary, or school election that is
27 scheduled to occur within 30 days of the bill's effective date.

30 STATEMENT

31
32 This bill allows the district board of election or the commissioner of
33 registration, as the case may be, to provide a copy of the general
34 election, primary election, and school election sample ballots by
35 electronic mail instead of regular mail to any registered voter in the
36 election district who is eligible to participate in that election, and who
37 requests to receive the sample ballot by electronic mail. Under current
38 law, such sample ballots must be printed and mailed to each eligible
39 registered voter. The bill further provides that the electronic mail
40 address of any voter who requests to receive a sample ballot by
41 electronic mail would not be a government record as defined in section
42 1 of P.L.1995, c.23 (C.47:1A-1.1), also known as the "Open Public
43 Records Act," would not be available for public inspection or copying,
44 and must be redacted from any document that it is a part of.

45 The bill directs the Secretary of State, in collaboration with the
46 election officials in this State, to develop standard procedures to
47 effectuate the provisions of the bill. These procedures would include,
48 but may not be limited to: (1) establishing a method to inform all

1 voters of the opportunity to receive a sample ballot and other materials
2 by electronic mail, and by which a voter can notify election officials of
3 his or her desire to obtain a ballot and other materials by electronic
4 mail in lieu of receiving them by regular mail; (2) maintaining the
5 confidentiality of the voter electronic mail addresses; and (3)
6 providing notice and opportunity for a voter who has requested to
7 receive a sample ballot and other materials by electronic mail to
8 request to again receive the sample ballot and other materials by
9 regular mail.