

ASSEMBLY STATE AND LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4259

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 13, 2020

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 4259.

This bill, as amended, extends ballot receipt and election certification deadlines and increases certain messenger and bearer ballot limits. An authorized messenger is a person who is designated by a voter to perform certain functions on the voter's behalf, such as apply for and obtain a mail-in ballot. A bearer is a person who is designated by a voter to mail or transport a mail-in ballot on the voter's behalf. Under current law, a person may serve as an authorized messenger or bearer for up to three qualified voters. As amended, the bill would permit a person to serve as an authorized messenger or bearer for up to five qualified voters who are immediate family members residing in the same household as the messenger or bearer.

The bill also, as amended, establishes an alternative way to cure signature defects on applications for a mail-in ballot by requiring notification to the applicant within 24 hours of the determination of disapproval. Under the bill, the notice must state the specific reasons for the disapproval and inform the applicant of the opportunity to challenge the disapproval by contacting the county clerk's office.

As amended, this bill provides that the county clerk would be responsible for preparing and furnishing ballots for municipal elections. The bill also extends certain deadlines for the certification of election results by the municipal clerk, the meeting of the board of county canvassers, and the transmission of the statement of the canvass or other statements to the Secretary of State.

This bill extends the deadline by which mail-in ballots bearing a post mark of the day of the election must be received by the county board of elections in order to be canvassed from 48 hours after the closing of the polls to 144 hours after the closing of the polls. The bill also eliminates the requirement that a mail-in ballot bear a post mark, provided that the ballot is delivered by the United States Postal Service within 48 hours after the closing of the polls.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- remove the provisions in the bill that would have permitted municipal clerks to receive hand-delivered mail-in ballots;
- change from three to five the number of qualified voters for whom a person may serve as an authorized messenger or bearer if those voters are an immediate family member residing in the same household as the messenger or bearer;
- require a notification to a vote-by-mail applicant within 24 hours of a determination of disapproval, which must state the specific reasons for the disapproval and inform the applicant of the opportunity to submit certain information to receive approval; and
- provide that the county clerk, rather than the municipal clerk, will be responsible for preparing and furnishing ballots use in voting machines for municipal elections.