

ASSEMBLY STATE AND LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4320

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. 4320.

This bill, as amended, requires certain information to increase public awareness and use of voting by mail, prohibits rejection of any mail-in ballot if noncompliance is attributable to physical defects outside the control of the voter, and requires certain mail-in ballots to be retained.

Under the bill, the Secretary of State is required to:

(1) prepare informational posters for use at all polling places that promote voting by mail,

(2) include with mail-in ballots information for the voter on how to check the status of the voter's mail-in ballot, and

(3) provide educational materials to county board of elections employees on the standards for acceptance and rejection of mail-in ballots.

The educational materials prepared by the Secretary of State would serve an educational purpose for the county board and would not replace, supersede, or void the authority of the county board or a judge of the Superior Court to accept or reject a mail-in ballot.

The bill prohibits the rejection of a mail-in ballot due to missing or insufficient glue on an outer or inner envelope. As amended, the bill would also prohibit the rejection of a mail-in ballot when noncompliance is attributable to physical defects outside the control of the voter in the inner envelope, outer envelope, certificate, or ballot.

Under current law, county boards of elections are required to retain voted mail-in ballots for a period of two years. This bill clarifies that ballots that are deemed invalid are also required to be retained for two years.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- prohibit the rejection of a mail-in ballot when noncompliance is attributable to physical defects outside the control of the

voter in the inner envelop, outer envelope, certificate, or ballot;
and

- remove a section of the bill that would have considered valid any mail-in ballot (1) received within 144 hours after the close of the polls if the ballot bears a postmark date on or before election day, or (2) received within 48 hours after the close of the polls if there is no postmark date and the ballot was delivered of the United State Postal Service; the provisions of this section would have also required the retention of mail-in ballots deemed invalid for two years and the allowance for inspection of any such ballot by the voter.