

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4475

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. 4475.

As amended, this bill requires county boards of election to establish mail-in ballot drop boxes in each county at least 45 days before the election. Under current law, voters who vote using a mail-in ballot may deposit their ballot in the mail or may deliver it in person to the county board of elections or provide it to a mail-in ballot bearer to deliver their ballot. This bill would also entitle mail-in voters to deposit their ballot in a ballot drop box before the time designated for the closing of the polls on election day.

Under the bill as amended, the county board of elections in each county would establish ballot drop boxes throughout the county in accordance with the bill. Ballot drop boxes are defined under the bill, as amended, to mean a secured drop box that is not required to be within view of a live person for monitoring, and must be (1) available for use by a voter 24 hours a day and (2) placed at locations equipped with security cameras that allow for surveillance of the ballot drop box. Drop box locations would be required to be accessible to voters with disabilities.

The bill, as amended, requires at least one ballot drop box to be placed at each of the following locations: (1) any county government building in which the main office of the county clerk is located; (2) any municipal government building in which the main office of the municipal clerk is located in municipalities with populations larger than 5,000 residents; (3) the main campus of each county community college; the main campus of each State college or university; and (4) the main campus of each independent four-year college or university with enrollments larger than 5,000 students. If upon establishing the drop boxes at each of these locations the county has fewer than 10 ballot drop boxes, the board of elections is to establish additional locations until there are at least 10 ballot drop boxes in the county. The additional drop boxes are to be placed at county or municipal government buildings, including, but not limited to, courthouses, offices, town halls, police stations, fire stations, and libraries.

The bill requires the Secretary of State, in consultation with county clerks and municipal clerks, to establish the rules and regulations necessary to ensure the secure and successful implementation of the mail-in ballot drop boxes. The rules and regulations would include, but may not be limited to, criteria for each county board of elections to: (1) determine the number of ballot drop boxes required per voter population, considering both the number of registered voters and the number of registered mail-in voters in each county before each election; (2) select the geographic location of each ballot drop box, ensuring an equitable distribution of ballot drop boxes across the county to maximize convenience to voters; (3) ensure the accessibility of ballot drop boxes and drop box locations to persons with disabilities; and (4) maintain the security of ballot drop boxes and of the ballots deposited therein, including standards and procedures for ballot retrieval by authorized persons only, and for ensuring the proper chain of custody and safe storage of voted mail-in ballots before each election.

The bill also provides for an appropriation from the State General Fund to the Department of State of the sums necessary to reimburse counties and municipalities for the costs of implementing its provisions.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- require county boards of elections to notify a voter if the voter deposits a mail-in ballot at a ballot drop box in a county in which the voter does not reside;
- require county boards of elections to establish ballot drop boxes, for the deposit of mail-in ballots, at least 45 days before an election, rather than seven days before an election;
- remove the requirement that counties provide both staffed and unstaffed ballot drop boxes, and instead require that all ballot drop boxes be secured, available for used by a voter 24 hours a day, and placed in locations that would allow the drop box to be monitored by security cameras;
- remove the provisions allowing mail-in ballot bearers to deliver ballots to staffed ballot drop boxes; instead, the restrictions of the Vote By Mail law apply, and bearers may either mail a ballot or deliver it to the board of elections; and
- require that at least 10 ballot drop boxes be established in each county, with at least one ballot drop box at each of the following locations: (1) any county government building in which the main office of the county clerk is located; (2) any municipal government building in which the main office of the municipal clerk is located in municipalities with populations larger than 5,000 residents; (3) the main campus of each county community college; the main campus of each State college or

university; and (4) the main campus of each independent four-year college or university with enrollments larger than 5,000 students.