

ASSEMBLY, No. 4948

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 9, 2020

Sponsored by:
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)

SYNOPSIS

Requires Secretary of State to create quick reference code for voter information, including instructions for voting by mail.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning voter information, and amending P.L.2009,
2 c.79 and supplementing chapter 12 of Title 19 of the Revised
3 Statues.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. (New Section) a. As used in this section,
9 “Mobile electronic communication device” means any mobile
10 device capable of communication or other transmission of
11 information, including, but not limited to, a cellular telephone,
12 wireless tablet or other device with Internet capability, or other
13 wireless communication device.

14 “Quick reference code” means a two-dimensional matrix bar
15 code, which, upon being photographed or scanned by a mobile
16 electronic communication device, may be used by a person to
17 retrieve information from the Internet.

18 b. The Secretary of State shall create and maintain, and update
19 as appropriate, a quick reference code for voter information. The
20 quick reference code shall be printed on, or mailed with, the sample
21 ballot or any official voting instructions posted by, or mailed from,
22 the Secretary of State, a county clerk, or a county board of
23 elections. The quick reference code shall provide, directly to a
24 voter’s mobile electronic communication device, access to the voter
25 information notice established pursuant to section 1 of P.L.2005,
26 c.149 (C.19:12-7.1), and access to instructions on voting by mail,
27 including information on completing, returning, and curing a mail-
28 in ballot. The quick reference code shall link to voter information
29 in both print and video form.

30
31 2. Section 12 of P.L.2009, c.79 (C.19:63-12) is amended to read
32 as follows:

33 12. Each county clerk shall send, with each mail-in ballot,
34 printed directions for the preparation and transmitting of the ballots
35 as required by this act. The directions shall include the quick
36 reference code for voter information established pursuant to section
37 1 of P.L. , c. (C.) (pending before the Legislature as this bill).
38 The directions shall be printed in such manner and form as the
39 Secretary of State shall require, together with two envelopes of such
40 sizes that one will contain the other. The directions prepared by the
41 Secretary of State shall inform the voter that the status of the voter’s
42 mail-in ballot may be checked using the free-access system
43 provided in section 5 of P.L.2004, c.88 (C.19:61-5).

44 The outer envelope shall be addressed to the county board of
45 elections of the county in which is located the home address of 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.

1 person to whom the mail-in ballot is sent, as certified by the county
2 clerk. At the discretion of the county clerk, the outer envelope may
3 be a postage paid return envelope. On the outside and front of each
4 outer envelope, there shall be printed or stamped the following:

5 To protect your vote:

6 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU
7 THE VOTER TO MAIL OR TRANSPORT THIS BALLOT
8 UNLESS THE ENVELOPE IS SEALED AND THE FOLLOWING
9 IS COMPLETED:

10 Ballot mailed or transported by

11 (signature of bearer)

12 (print name of bearer)

13 (address of bearer)

14 The reserve side of the outer envelope shall contain the
15 following:

16 REMINDER

17 For your vote to count, you must:

18 1) Vote your ballot and place it in the inner envelope with the
19 attached certificate.

20 2) Seal the envelope.

21 3) Place the envelope into the larger envelope addressed to the
22 board of elections and seal that envelope.

23 4) If another person will be mailing your ballot or bringing it to
24 the board of elections, MAKE CERTAIN THAT PERSON
25 COMPLETES THE "BEARER PORTION" ON THE ENVELOPE
26 ADDRESSED TO THE BOARD OF ELECTIONS BEFORE THE
27 BALLOT IS TAKEN FROM YOU. NO PERSON WHO IS A
28 CANDIDATE IN THE ELECTION FOR WHICH THE VOTER
29 REQUESTS THIS BALLOT IS PERMITTED TO SERVE AS A
30 BEARER. NO PERSON IS PERMITTED TO SERVE AS A
31 BEARER FOR MORE THAN THREE QUALIFIED VOTERS IN
32 AN ELECTION, BUT A PERSON MAY SERVE AS SUCH FOR
33 UP TO FIVE QUALIFIED VOTERS IN AN ELECTION IF
34 THOSE VOTERS ARE IMMEDIATE FAMILY MEMBERS
35 RESIDING IN THE SAME HOUSEHOLD AS THE BEARER.

36 The Secretary of State is authorized to make such changes to the
37 instructions for mail-in ballot materials as the Secretary of State
38 deems necessary or as is mandated by federal or State law.

39 The inner envelope shall be so designed that it can be sealed
40 after the mail-in ballot has been placed therein and the flap thereof
41 shall be of such length and size as to leave sufficient margin, after
42 sealing, for the printing thereon of the certificate hereinafter
43 described. The flap shall be so arranged that, after the inner
44 envelope has been sealed, the certificate can be contained, with the
45 inner envelope, in the outer envelope, and that the margin
46 containing the certificate can be detached without unsealing the
47 inner envelope.

48 On the outside of each envelope in which a mail-in ballot is sent
49 to a mail-in voter by the clerk, there shall be printed or stamped the

1 words "Official Mail-In Ballot." In addition, there shall be printed
2 or stamped the following:

3 To protect your vote:

4 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU
5 THE VOTER TO OPEN, MARK, INSPECT OR SEAL THIS
6 BALLOT.

7 However, a family member may assist you in doing so.

8 The reverse side of each inner envelope shall contain the
9 following statement:

10 A PERSON MAY BE FINED AND IMPRISONED AND MAY
11 ALSO LOSE THE RIGHT TO VOTE UNTIL RESTORED BY
12 LAW if that person attempts to vote fraudulently by mail-in ballot,
13 prevents the voting of a legal voter, certifies falsely any
14 information, interferes with a person's secrecy of voting, tampers
15 with ballots or election documents or helps another person to do so.
16 (cf: P.L.2020, c.71, s.10)

17

18 3. This act shall take effect 90 days next following the date of
19 enactment.

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22 STATEMENT

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24 This bill requires the Secretary of State to create and maintain,
25 and update as appropriate, a quick reference code (commonly
26 known as a "QR" code) for voter information. The bill requires that
27 the quick reference code be printed on, or mailed with, the sample
28 ballot or any official voting instructions posted by, or mailed from,
29 the Secretary of State, a county clerk, or a county board of
30 elections. The quick reference code would provide, directly to a
31 voter's mobile electronic communication device, access to the voter
32 information notice required by current law and access to
33 instructions on voting by mail, including information on
34 completing, returning, and curing a mail-in ballot. The quick
35 reference code is required link to voter information in both print
36 and video form.

37 The bill defines a "mobile electronic communication device" as
38 any mobile device capable of communication or other transmission
39 of information, including, but not limited to, a cellular telephone,
40 wireless tablet or other device with Internet capability, or other
41 wireless communication device. Under the bill, a "quick reference
42 code" means a two-dimensional matrix bar code, which, upon being
43 photographed or scanned by a mobile electronic communication
44 device, may be used by a person to retrieve information from the
45 Internet.

46 The bill would take effect 90 days next following the date of
47 enactment.