

# ASSEMBLY, No. 5099

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

**Sponsored by:**

**Assemblyman JOHN CATALANO**

**District 10 (Ocean)**

**Assemblyman GREGORY P. MCGUCKIN**

**District 10 (Ocean)**

**Co-Sponsored by:**

**Assemblymen Wirths and Space**

**SYNOPSIS**

Requires commissioner of registration to move voters with undeliverable mail-in ballots to inactive file; removes such inactive voters from Statewide voter registration system following failure to vote in two consecutive federal general elections.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/25/2021)**

1   **AN ACT** concerning mail-in ballots returned as undeliverable and  
2       supplementing Title 19 of the Revised Statutes.

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

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7       1.   a.   Notwithstanding any other law or regulation to the  
8       contrary, any mail-in ballot that is sent to a qualified voter and that  
9       is returned to the county clerk as undeliverable and forwarded to the  
10      commissioner of registration shall be compiled by the commissioner  
11      and noted in the Statewide voter registration system following any  
12      election in the State. The commissioner of registration shall place  
13      any voter whose mail-in ballot was returned as undeliverable into the  
14      inactive file. If a voter placed in the inactive file, pursuant to this  
15      subsection, fails to vote in two consecutive federal general elections,  
16      the commissioner of registration shall take the necessary steps to  
17      remove the voter from the Statewide voter registration system and  
18      transfer the voter to the deleted file, pursuant to the provisions of  
19      R.S.19:31-19.

20      The commissioner of registration shall retain, for two years, all  
21      mail-in ballots returned as undeliverable.

22      b.   The commissioner of registration shall send a notice to a mail-  
23      in ballot voter, no more than five days following:

24          (1) the voter's placement in the inactive file;

25          (2) the commissioner's decision to take the necessary steps to  
26          remove the voter from the Statewide voter registration system; and

27          (3) the voter's removal from the Statewide voter registration  
28          system and transfer to the deleted file.

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30      2.   This act shall take effect immediately.

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#### STATEMENT

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35      This bill requires the commissioner of registration to move voters  
36      with undeliverable mail-in ballots to the inactive file and remove  
37      such inactive voters from the Statewide voter registration system  
38      following failure to vote in two consecutive federal general elections.

39      Under current law, any mail-in ballot returned for any reason is  
40      forwarded to the commissioner of registration, who notes the return  
41      in the voter record of that voter. This bill requires that a mail-in  
42      ballot returned as undeliverable to the county be forwarded to the  
43      commissioner of registration and noted in the Statewide voter  
44      registration system. The commissioner will compile a list of the  
45      voters and place those voters in the inactive file. If a voter in the  
46      inactive file fails to vote in two consecutive federal general elections,  
47      the commissioner will take the necessary steps to begin the process  
48      for the removal of the voter from the Statewide voter registration

1 system and transfer to the deleted file. The commissioner would be  
2 required to send notice to a mail-in ballot voter following the voter's  
3 placement in the inactive file due to a mail-in ballot returned as  
4 undeliverable, the decision of the commissioner to begin the process  
5 for removal from the Statewide voter registration system, and the  
6 removal of the voter from the Statewide voter registration system and  
7 transfer to the deleted file.