

SENATE, No. 906

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Senator BRIAN P. STACK

District 33 (Hudson)

SYNOPSIS

Requires mail-in ballot applications to include prepaid postage.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning mail-in ballot application forms returned by
2 mail and amending P.L.2009, c.79.

3

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

6

7 1. Section 3 of P.L.2009, c.79 (C.19:63-3) is amended to read as
8 follows:

9 3. a. A qualified voter shall be entitled to vote using a mail-in
10 ballot:

11 (1) in all future elections, including general elections, held in
12 this State, in which the voter is eligible to vote; or

13 (2) in any single election held in this State.

14 The qualified voter who chooses the option to vote using a mail-
15 in ballot in all future elections shall be furnished with such a ballot
16 by the county clerk without further request on the part of the voter
17 and until the voter requests in writing that the voter no longer be
18 sent a mail-in ballot.

19 The mail-in ballot application form prepared by the Secretary of
20 State shall present the two options in the order provided above.

21 b. Not less than seven days before an election in which a voter
22 wants to vote by mail, the voter may apply to the person designated
23 in section 5 of P.L.2009, c.79 (C.19:63-5), for a mail-in ballot. The
24 application shall be in writing, shall be signed by the applicant and
25 shall state the applicant's place of voting residence and the address
26 to which the ballot shall be sent. The Secretary of State shall
27 prepare a mail-in application form and shall have the authority to
28 promulgate any rules and regulations the secretary deems necessary
29 to effectuate the purposes of this subsection. The mail-in ballot
30 application to be completed by the voter and returned by mail shall
31 include prepaid postage, the costs of which shall be paid by the
32 State.

33 c. Any voter wanting to vote by mail in any election may apply
34 to the person designated in section 5 of P.L.2009, c.79 (C.19:63-5)
35 for a mail-in ballot to be sent to the voter. A voter who is a member
36 of the armed forces of the United States may use a federal postcard
37 application form to apply for a mail-in ballot.

38 d. Any voter who fails to apply for a mail-in ballot before the
39 seven-day period prescribed in subsection b. of this section may
40 apply in person to the county clerk for a mail-in ballot up to 3 p.m.
41 of the day before the election.

42 e. A person voting by mail-in ballot who registered by mail
43 after January 1, 2003, who did not provide personal identification
44 information when registering pursuant to section 16 of P.L.1974,
45 c.30 (C.19:31-6.4) and is voting for the first time in his or her

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 current county of residence following registration shall include
2 copies of the required identification information with the mail-in
3 ballot. Failure to include such information with the mail-in ballot
4 shall result in its rejection.

5 f. The county clerk shall not transmit a mail-in ballot for any
6 election to any person who: is deemed by a county commissioner of
7 registration to be an inactive voter; or notifies the clerk in writing
8 that the person no longer wishes to receive such a ballot for any
9 election; or is no longer eligible to vote and whose registration file
10 has been transferred to the deleted file pursuant to R.S.19:31-19.

11 g. Any mail-in ballot that is sent to a qualified voter and that is
12 returned to the county clerk for any reason shall be forwarded to the
13 commissioner of registration, who shall so note the return in the
14 voter record of that voter.

15 (cf: P.L.2018, c.72, s.1)

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 Under current law, a voter may complete and return to the county
23 clerk by regular mail an application requesting to receive a mail-in
24 ballot. This bill requires the mail-in ballot application form to
25 include prepaid postage, to be paid by the State.