

[Third Reprint]

**ASSEMBLY, No. 4475**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JULY 30, 2020

**Sponsored by:**

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Assemblywoman Swain, Assemblyman Tully, Assemblywomen Pinkin,  
Downey, Assemblyman Calabrese, Senators Pou, Gill, Turner, Diegnan  
and Greenstein**

**SYNOPSIS**

Requires county boards of election to establish ballot drop boxes in each county at least 45 days before election; revises procedures concerning mail-in ballots for 2020 general election.

**CURRENT VERSION OF TEXT**

As amended on August 27, 2020 by the General Assembly pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning the establishment of mail-in ballot drop boxes  
 2 before each election <sup>2</sup>and vote-by-mail procedures for the  
 3 November 2020 General Election, amending R.S.19:34-13,<sup>2</sup> and  
 4 supplementing P.L.2009, c.79 (C.19:63-1 et seq.).  
 5

6 **BE IT ENACTED** by the Senate and General Assembly of the State  
 7 of New Jersey:  
 8

9 1. a. In addition to delivering a voted mail-in ballot by mail or  
 10 in person as provided under “The Vote By Mail Law,” P.L.2009,  
 11 c.79 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit  
 12 the voter’s completed mail-in ballot in a ballot drop box established  
 13 by the county board of elections as provided under this section.  
 14 Each mail-in ballot deposited in a ballot drop box by the time  
 15 designated under current law for the closing of the polls for that  
 16 election shall be considered valid and shall be canvassed. If, at the  
 17 closing of the polls, a voter deposits a mail-in ballot at a ballot drop  
 18 box in a county in which the voter does not reside, the county board  
 19 of elections, upon discovering that fact, shall <sup>1</sup>notify and<sup>1</sup> timely  
 20 deliver the ballot to the county board of elections of the county in  
 21 which the voter resides, who shall accept the ballot for processing.  
 22 The limitations and prohibitions applicable to mail-in ballot bearers  
 23 under “The Vote By Mail Law,” P.L.2009, c.79 (C.19:63-1 et seq.)  
 24 shall apply under this section <sup>1</sup>**],** except that a bearer may deliver a  
 25 mail-in ballot on behalf of a voter to a staffed ballot drop box  
 26 location only, as defined under paragraph (2) of subsection b. of  
 27 this section, provided the staffed ballot drop box location  
 28 implements the same bearer identification and record-keeping  
 29 criteria specified under paragraph (2) of subsection d. of section 16  
 30 of P.L.2009, c.79 (C.19:63-16)]<sup>1</sup>.  
 31

32 b. (1) For any election, the county board of elections in each  
 33 county shall establish ballot drop boxes where voters may deposit  
 34 their voted mail-in ballots at least <sup>1</sup>**[seven]** <sup>1</sup>45<sup>1</sup> days before the  
 35 election. The ballot drop boxes shall be located throughout the  
 36 county in a manner <sup>1</sup>**[that provides the greatest convenience to**  
 37 voters. Ballot drop boxes shall include both staffed and unstaffed  
 38 locations as specified under paragraph (2) of this subsection. Each  
 39 ballot drop box and drop box location shall meet the population,  
 40 geographic, accessibility, security, and other requirements  
 41 developed by the Secretary of State in consultation with county  
 42 clerks and municipal clerks as provided under subsection c. of this  
 section] specified under paragraph (2) of this subsection<sup>1</sup>.

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ASL committee amendments adopted August 13, 2020.

<sup>2</sup>Assembly AAP committee amendments adopted August 24, 2020.

<sup>3</sup>Assembly amendments adopted in accordance with Governor's recommendations August 27, 2020.

1 (2) (a) <sup>1</sup>【A “staffed ballot drop box” shall mean a drop box that  
2 is placed in a location that is in the view of a live person who is  
3 employed at the location of the drop box, a municipal or county  
4 employee, or a temporary worker or volunteer retained for the  
5 purpose of monitoring the drop box. Staffed ballot drop box  
6 locations may include, but may not be limited to, municipal offices,  
7 county offices, public libraries, local businesses, and offices of  
8 community-based organizations. A staffed ballot drop box shall not  
9 be required to be available for use by a voter 24 hours a day, but  
10 shall be available and staffed beginning at least seven days before  
11 the election and for the time designated for ballot drop boxes to be  
12 in effect before each election and until the time designated for the  
13 closing of the polls on election day】 A ballot drop box shall mean a  
14 secured drop box that is not required to be within view of a live  
15 person for monitoring. All ballot drop boxes shall be available for  
16 use by a voter 24 hours a day and shall be placed at locations  
17 equipped with security cameras that allow for surveillance of the  
18 ballot drop box<sup>1</sup>.

19 (b) <sup>1</sup>【An “unstaffed ballot drop box” shall mean a secured drop  
20 box that is not required to be within view of a live person for  
21 monitoring. Unstaffed ballot drop boxes shall be available for use  
22 by a voter 24 hours a day. Unstaffed ballot drop boxes may be  
23 located in each municipality or Census-Designated Place (CDP)  
24 with a post office, outside of every municipal clerk’s office, board  
25 of elections office, town hall, police station, firehouse, United  
26 States Postal Service retail location, on each campus of a state  
27 institution of higher education located within the county that has  
28 two thousand or more enrolled students, or any other location  
29 equipped with security cameras that allow for the surveillance of  
30 the unstaffed ballot drop box】 At least one ballot drop box shall be  
31 located at each of the following locations: any county government  
32 building in which the main office of the county clerk is located; any  
33 municipal government building in which the main office of the  
34 municipal clerk is located in municipalities with populations larger  
35 than 5,000 residents; the main campus of each county community  
36 college; the main campus of each State college or university; and  
37 the main campus of each independent four-year college or  
38 university with enrollments larger than 5,000 students<sup>1</sup>.

39 (c) <sup>1</sup>【Staffed and unstaffed】 The board of elections of any  
40 county that has fewer than 10 ballot drop boxes upon establishing  
41 the drop boxes at each location required under subparagraph (b) of  
42 this paragraph shall establish additional locations for ballot drop  
43 boxes, pursuant to the provisions of subsection c. of this section, so  
44 that the county has no fewer than 10 ballot drop boxes. The  
45 additional drop boxes shall be placed at county or municipal  
46 government buildings<sup>2</sup>【, including, but not limited to, courthouses,  
47 offices, town halls, police stations, fire stations, and libraries】. To

1 the best of their ability, the board of elections of every county shall  
2 place secure ballot drop boxes based on geographic location and  
3 population density to best serve the voters of each county pursuant  
4 to the regulations adopted pursuant to subsection c. of this section.  
5 The Secretary of State shall establish guidelines for the placement  
6 of the ballot drop boxes, the security of the ballot drop boxes, and  
7 the schedule for ballot pickup from the ballot boxes.<sup>2</sup>

8 (d) All<sup>1</sup> ballot drop box locations shall be on sites that meet the  
9 accessibility requirements applicable to polling places under  
10 R.S.19:8-2 and shall be subject to the same compliance oversight  
11 applicable to polling places under section 3 of P.L.1991, c.429  
12 (C.19:8-3.3). A <sup>1</sup>[staffed or unstaffed]<sup>1</sup> ballot drop box <sup>1</sup>[sites]  
13 site<sup>1</sup> shall be considered accessible if it is in compliance with the  
14 federal “Americans with Disabilities Act of 1990”  
15 (42 U.S.C. s. 12101 et seq.).

16 c. The Secretary of State, in consultation with county <sup>2</sup>[clerks  
17 and municipal clerks] boards of elections<sup>2</sup>, shall establish the rules  
18 and regulations necessary to ensure the secure and successful  
19 implementation of the mail-in ballot drop boxes required by this  
20 section. In determining the ballot drop box locations, the secretary  
21 and <sup>2</sup>[clerks] county boards of elections<sup>2</sup> shall consider, at a  
22 minimum, concentrations of population, geographic areas, voter  
23 convenience, proximity to public transportation, community-based  
24 locations, and security. The rules and regulations shall include, but  
25 may not be limited to, criteria for each county board of elections to:

26 (1) determine the number of <sup>1</sup>[staffed and unstaffed]<sup>1</sup> ballot  
27 drop boxes required per voter population, considering both the  
28 number of registered voters and the number of registered mail-in  
29 voters in each county before each election;

30 (2) select the geographic location of each ballot drop box,  
31 ensuring an equitable distribution of ballot drop boxes across the  
32 county to maximize convenience to voters;

33 (3) ensure the accessibility of ballot drop boxes and drop box  
34 locations to persons with disabilities; and

35 (4) maintain the security of ballot drop boxes and of the ballots  
36 deposited therein, including standards and procedures for ballot  
37 retrieval by authorized persons only, and for ensuring the proper  
38 chain of custody and safe storage of voted mail-in ballots before  
39 each election.

40  
41 <sup>2</sup>2. a. The November 2020 General Election shall be conducted  
42 primarily via vote-by-mail ballots, which will be sent to all  
43 “Active” registered voters without the need for an application to  
44 receive a vote-by-mail ballot. The November 2020 General Election  
45 shall be conducted in accordance with Title 19 except as set forth  
46 below in subsections b. through aa. of this section.

1     b. All vote-by-mail return envelopes shall have prepaid First-  
2 Class postage in order to facilitate the proper delivery of all cast  
3 vote-by-mail ballots.

4     c. Notwithstanding the provisions of R.S.19:14-25, in lieu of  
5 sending a sample ballot as required by that section, the appropriate  
6 county official, as identified in R.S.19:14-25, shall send notice to  
7 all “Active” voters, pursuant to R.S.19:14-21, advising of the  
8 voter’s polling place, the URL to the Division of Election’s Internet  
9 website that contains polling place information, locations of secure  
10 ballot drop boxes within the county, information on where to obtain  
11 a sample ballot prior to the election, a statement indicating that a  
12 sample ballot will be available at the polling place on the day of the  
13 election, and, if applicable, information on a county website where  
14 a sample ballot may be viewed. The notice in lieu of a sample  
15 ballot authorized pursuant to this subsection shall be sent return  
16 service requested as required by R.S.19:14-23. The notice in lieu  
17 of a sample ballot authorized pursuant to this subsection shall be  
18 mailed on or before October 23, 2020. Notwithstanding R.S.19:63-  
19 6, in lieu of the statutory notice, the county clerks shall, in a time  
20 set forth by the Secretary of State, publish a notice to be prepared  
21 by the Secretary of State.

22     d. All public primary and secondary schools shall be closed to  
23 in-person instruction on November 3, 2020, and pursuant to  
24 R.S.19:8-2, the authorities in charge of such schools shall not deny  
25 the request of a county board of elections for use of the buildings as  
26 polling places. All public primary and secondary schools shall work  
27 cooperatively with the county elections officials for the delivery of  
28 the necessary equipment for the November 2020 General Election.

29     e. Each county shall open a minimum of at least one polling  
30 place in each municipality for the November 2020 General Election.  
31 Each county shall open a minimum of 50 percent of its regularly  
32 used polling places, and may open more than the minimum number  
33 of its regularly used polling places. If a county board of elections is  
34 unable to reach a minimum of 50 percent of its regularly used  
35 polling places, the county boards of elections shall utilize schools or  
36 other large facilities to serve as large voting centers, which shall  
37 accommodate more voting districts in one polling place. Each  
38 polling place shall meet the applicable requirements of the federal  
39 “Americans with Disabilities Act of 1990”  
40 (42 U.S.C. s.12101 et seq.). To the best of their ability, the county  
41 boards of elections shall select polling places based on geographic  
42 location and population density to best serve the voters of each  
43 municipality. County boards of elections shall ensure that polling  
44 places and poll workers implement, at a minimum, the following  
45 requirements for the November 2020 General Election:

46     (1) Limit occupancy within all polling places to a number that  
47 permits voters to maintain a distance of six feet between each other  
48 and poll workers at any time;

- 1       (2) Ensure six feet of distance between voters and ensure six  
2 feet of distance between voters and poll workers through the  
3 demarcation of six feet of spacing in voter lines and poll worker  
4 stations to demonstrate appropriate spacing for social distancing;
- 5       (3) Require infection control practices, such as regular hand  
6 washing, coughing and sneezing etiquette, and proper tissue usage  
7 and disposal;
- 8       (4) Provide poll workers break time for repeated handwashing  
9 throughout their shifts;
- 10       (5) Require frequent sanitization of high-touch areas in polling  
11 places consistent with CDC guidelines as of the date of the election;
- 12       (6) Place conspicuous signage at entrances and throughout the  
13 polling place alerting poll workers and voters to the required six  
14 feet of physical distance;
- 15       (7) Provide sanitization materials, such as hand sanitizer and  
16 sanitizing wipes, to poll workers, voters, and those accompanying  
17 voters;
- 18       (8) Require poll workers to adhere to CDC guidelines as of the  
19 date of the election regarding face coverings while in the polling  
20 place, except where doing so would inhibit that individual's health,  
21 and require poll workers to wear gloves when in contact with voters  
22 and those accompanying voters. County boards of elections shall  
23 provide any required face coverings and gloves for poll workers,  
24 without charge to the poll workers. If a poll worker refuses to wear  
25 a required cloth face covering for non-medical reasons, then a  
26 county board of elections may decline entry to the individual.  
27 Nothing herein should prevent a poll worker from wearing a  
28 surgical grade mask or other more protective face covering if the  
29 individual is already in possession of such equipment. Where a poll  
30 worker declines to wear a required face covering at a polling place  
31 due to a medical condition that inhibits such usage, they shall not be  
32 required to produce medical documentation verifying the stated  
33 condition;
- 34       (9) Require appointed challengers to adhere to CDC guidelines  
35 as of the date of the election regarding face coverings while in the  
36 polling places and while in any location where the challenger is  
37 servicing in such a capacity, such as while observing the counting of  
38 ballots. If an appointed challenger refuses to wear a required cloth  
39 face covering, then a county board of elections may decline entry to  
40 the individual; and
- 41       (10) Strongly encourage voters and those accompanying voters  
42 to adhere to any CDC guidelines as of the date of the election  
43 regarding face coverings while inside polling places except where  
44 doing so would inhibit that individual's health. County boards of  
45 elections may provide such face coverings for voters and those  
46 accompanying voters, without charge to them. If a voter or person  
47 accompanying a voter refuses to comply with the CDC guidelines, a  
48 poll worker shall not deny entry to the voter or person. Nothing

- 1 herein should prevent a voter from wearing a surgical grade mask or  
2 other more protective face covering if the individual is already in  
3 possession of such equipment.
- 4 f. Notwithstanding the provisions of R.S.19:31-21, for the  
5 November 2020 General Election, the Secretary of State may  
6 modify the requirements concerning the use of poll books and the  
7 information contained therein as necessary to address the procedure  
8 by which the November 2020 General Election will be conducted  
9 pursuant to this section, and the needs resulting therefrom.
- 10 g. Any voter who appears at a polling place on the day of the  
11 November 2020 General Election and does not return a voted mail-  
12 in ballot, pursuant to subsection h. of this section, shall vote via a  
13 provisional ballot, except that accommodations will be made for  
14 voters with disabilities.
- 15 h. Pursuant to section 16 of P.L.2009, c.79 (C.19:63-16), the  
16 county boards of elections shall designate each polling place as a  
17 location to receive voted mail-in ballots. A voter may return only  
18 the mail-in-ballot that they personally voted to their designated  
19 polling place. The Secretary of State shall establish appropriate  
20 standards for the acceptance of mail-in ballots, including, but not  
21 limited to, the poll worker verification that the voter returning the  
22 voted mail-in ballot at the polling place is the individual who voted  
23 the mail-in ballot, the securing of the returned mail-in ballots, and  
24 the return of the mail-in ballots to the county boards of elections  
25 after the close of polls.
- 26 i. Each polling place shall have signage that provides the  
27 location of all ballot drop boxes in the county in which the polling  
28 place is located.
- 29 j. The time restrictions of section 9 of P.L.2009, c.79  
30 (C.19:63-9) shall be modified as follows: vote-by-mail ballots shall  
31 be mailed to all “Active” voters on or before the 29th day before the  
32 November 2020 General Election and in a manner to ensure the  
33 timely receipt and return of ballots for counting in the November  
34 2020 General Election, and whenever the county clerk forwards a  
35 mail-in ballot by mail to a voter between the 29th day and the 13th  
36 day before the November 2020 General Election it shall be  
37 transmitted within three business days of receipt of the application  
38 and in a manner to ensure the timely receipt and return of ballot for  
39 counting in the November 2020 General Election. All other  
40 provisions of section 9 of P.L.2009, c.79 (C.19:63-9) remain, and  
41 this subsection, shall not modify the requirements set forth in the  
42 Uniformed and Overseas Citizens Absentee Voting Act,  
43 52 U.S.C. §20302(a)(8)(A).
- 44 k. Notwithstanding any other law to the contrary, to allow  
45 enough time for the county clerks to print and mail the ballots to  
46 voters, the following deadlines are modified as follows:

1       (1) the deadline to submit a public question for November 2020  
2 school board elections to the county clerk by the school board  
3 secretary, pursuant to R.S.19:16-4, shall be August 31, 2020;

4       (2) the last day a vacancy may occur for primary election  
5 nominees for the November 2020 General Election, under  
6 R.S.19:13-20, shall be August 28, 2020;

7       (3) the deadline to fill a vacancy in the primary election  
8 nominees for the November 2020 General Election, under  
9 R.S.19:13-20, shall be August 31, 2020;

10       (4) the deadline to apply for a mail-in ballot by mail, under  
11 section 3 of P.L.2009, c.79 (C.19:63-3), shall be October 23, 2020;  
12 and

13       (5) the deadline for returning a vote-by-mail application in-  
14 person in subsection d. of section 3 of P.L.2009, c.79 (C.19:63-3)  
15 shall be suspended for the November 2020 General Election.

16       (6) Vacancies occurring after August 28, 2020 shall not be  
17 placed on the November General Election ballot.

18       l. Vote-by-mail ballots shall be processed and canvassed in  
19 accordance with guidelines provided by the CDC, the New Jersey  
20 Department of Health, and the respective county departments of  
21 health.

22       m. Notwithstanding the provisions of subsection d. of section 4  
23 of P.L.1995, c.195 (C.19:59-15) and section 22 of P.L.2009, c.79  
24 (C.19:63-22) to the contrary, to account for the increase in vote-by-  
25 mail ballots and to ensure that registered voters' efforts to vote are  
26 not impacted by delays in the postal service, every vote-by-mail  
27 ballot that is postmarked on or before November 3, 2020, and that is  
28 received by November 10, 2020, at 8:00 p.m. shall be considered  
29 valid and shall be canvassed, assuming the ballot meets all other  
30 statutory requirements. Every ballot without a postmark, and ballots  
31 mis-marked and confirmed by the post office that those ballots were  
32 received by the post office on or before November 3, 2020, that is  
33 received by the county boards of elections from the United States  
34 Postal Service within 48 hours of the closing of polls on November  
35 3, 2020, shall be considered valid and shall be canvassed, assuming  
36 the ballot meets all other statutory requirements. In addition, a  
37 county board of elections may begin opening the inner envelopes  
38 and canvassing each mail-in ballot from the inner envelopes no  
39 earlier than ten days prior to the day of the election. The Secretary  
40 of State shall establish guidelines concerning the early canvassing  
41 process. If a county board of elections begins opening the inner  
42 envelopes and canvassing the mail-in ballots from the inner  
43 envelopes prior to the day of the election, the county board shall  
44 implement the measures necessary to ensure the security and  
45 secrecy of the mail-in ballots. The contents of the mail-in ballots  
46 and the results of the ballot canvassing shall remain confidential  
47 and shall be disclosed only in accordance with the provisions of  
48 Title 19 of the Revised Statutes, regulations and guidelines



1 concerning the disclosure of election results, and in no  
2 circumstances disclosed prior to the close of polls on the day of the  
3 election.

4 n. Notwithstanding the provisions of section 18 of P.L.2009,  
5 c.79 (C.19:63-18), to account for the increase in vote-by-mail  
6 ballots and to provide the county boards of elections sufficient time  
7 to canvass the returned ballots, the county boards of elections may  
8 continue the counting of ballots beyond the close of polls on  
9 November 3, 2020, and may adjourn counting after 11:00 pm on  
10 November 3, 2020 to immediately continue counting at 9:00 am on  
11 November 4, 2020, and continue every day thereafter, until the  
12 counting is completed within the limits of this section. In addition,  
13 notwithstanding the provisions of section 19 of P.L.1999, c.232  
14 (C.19:53C-13), the county commissioner of registration may  
15 forward provisional ballots to the county board of election for  
16 counting on an ongoing basis as the verification process is  
17 completed.

18 o. In order to expedite the signature-verification process  
19 outlined in section 17 of P.L.2009, c.79 (C.19:63-17), the county  
20 boards of elections shall meet at least four days per week starting  
21 October 13, 2020. Voters whose ballots are rejected pursuant to  
22 section 17 of P.L.2009, c.79 (C.19:63-17), for a missing or  
23 discrepant signature, shall be given the opportunity to cure the  
24 signature defect in accordance with procedures established by the  
25 Secretary of State, in the absence of any governing statute.

26 p. Because of the need to meet the federal deadlines for the  
27 State's electors to meet, the meeting of the county Board of  
28 Canvassers, under R.S.19:19-1, shall occur on or before November  
29 20, 2020 to certify the results of the November 2020 General  
30 Election, and no extension under R.S.19:19-4 or R.S.19:19-6 shall  
31 be sought. The county clerks' transmittal of the official November  
32 2020 General Election results to the Secretary of State, under  
33 R.S.19:19-13, shall occur on or before November 23, 2020, and the  
34 county clerks shall not seek an extension of this deadline. The  
35 meeting of the Board of State Canvassers, under R.S.19:21-1, shall  
36 occur on or before December 8, 2020 to certify the results of the  
37 November 2020 General Election.

38 q. Notwithstanding the provisions of R.S.19:6-2 to the  
39 contrary, county residency shall not be a prerequisite for  
40 employment as a poll worker for the November 2020 General  
41 Election to allow for greater flexibility in obtaining poll workers,

42 r. Notwithstanding the provisions of R.S.19:8-2 to the  
43 contrary, due to the limited number of polling places that will be  
44 open for the November 2020 General Election, the county board of  
45 elections may select a polling places located more than 1,000 feet  
46 distant from the boundary line of the district.

1     s. The time to prepare reports pursuant to sections 1 and 2 of  
2 P.L.2005, c.152 (C.19:53B-21 and C.19:53C-21) is extended to  
3 November 23, 2020.

4     t. Notwithstanding the provisions of paragraph (8) of  
5 subsection c. of section 1 of P.L.2007, c.349 (C.19:61-9), to allow  
6 enough time for results to be certified prior to the meeting of  
7 electors, counties may certify their election results prior to the  
8 commencement of the election audit required in that section,  
9 provided that the audit is completed by December 4, 2020.

10     u. The Secretary of State shall establish other appropriate  
11 standards for ensuring that all voters with disabilities are able to  
12 exercise their right to vote in the November 2020 General Election.

13     v. The Secretary of State and county election officials, as  
14 appropriate, shall coordinate with the United States Postal Service  
15 to facilitate proper delivery of ballots by the United States Postal  
16 Service.

17     w. The Secretary of State and county election officials, as  
18 appropriate, shall act to facilitate the public's understanding of the  
19 rules governing the November 2020 General Election.

20     x. The Secretary of State shall establish a hotline number for  
21 reports of violations of the election laws and this section in  
22 connection with the November 2020 General Election.

23     y. Any actions taken by the Secretary of State pursuant to this  
24 section shall not be subject to the requirements of the  
25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
26 1 et seq.).

27     z. To the extent possible, each county shall have at least a total  
28 10 secure ballot drop boxes in locations that are readily accessible  
29 to the registered voters within the county. To the best of their  
30 ability, the county boards of elections shall place secure ballot drop  
31 boxes based on geographic location and population density to best  
32 serve the voters of each county. The Secretary of State shall  
33 establish guidelines for the placement of the ballot drop boxes, the  
34 security of the ballot drop boxes, and the schedule for ballot pickup  
35 from the ballot boxes.

36     aa. Notwithstanding the provisions of section 13 of P.L.2009,  
37 c.79 (C.19:63-13) or any other law to the contrary, a mail-in voter  
38 for the November 2020 General Election shall sign the certification  
39 affixed to the margin of the flap on the inner envelope of the mail-  
40 in ballot notwithstanding the fact the mail-in-voter did not apply for  
41 the enclosed ballot.<sup>2</sup>

42  
43     <sup>2</sup>3. December 2020 special school elections pursuant to  
44 subsection a. of P.L.1995, c.278 (C.19:60-2) shall be suspended  
45 until the authorized January 2021 special school election date.<sup>2</sup>

46  
47     <sup>2</sup>4. R.S.19:34-13 is amended to read as follows:

1 19:34-13. a. Every inspector, judge or clerk of an election,  
2 who, previous to putting the ballot of an elector in the ballot box,  
3 attempts to find out any name on such ballot, or who opens or  
4 suffers the folded ballot of any elector which has been handed in to  
5 be opened or examined previous to putting the same in the ballot  
6 box, or who makes or places any mark or device on any folded  
7 ballot with the view to ascertain the name of any person for whom  
8 the elector has voted, shall be guilty of a crime of the third degree.

9 b. Any person who is authorized to receive and canvass  
10 completed mail-in-ballots pursuant to P.L.2009, c.79 (C.19:63-1)  
11 who knowingly discloses to the public the contents of a mail-in  
12 ballot prior to the time designated by law for the closing of the polls  
13 for each election shall be guilty of a crime of the third degree.<sup>2</sup>

14 (cf: P.L.2005, c.154, s.32)

15

16 <sup>2</sup>[2.] 5.<sup>2</sup> There is hereby appropriated from the State General  
17 Fund to the Department of State such sums as shall be necessary to  
18 reimburse counties and municipalities for the costs of implementing  
19 this act, P.L. , c. (C. ) (pending before the Legislature as this  
20 bill), subject to the approval of the Director of the Division of  
21 Budget and Accounting in the Department of the Treasury. The  
22 clerk of each county shall certify to the Department of State, in a  
23 manner prescribed by the department, the total cost incurred by the  
24 county and municipalities within the county to implement the  
25 provisions of this act.

26

27 <sup>2</sup>[3. This] 6. Section 1 of this<sup>2</sup> act shall take effect <sup>2</sup>on February  
28 1, <sup>3</sup>[2020] 2021<sup>3</sup> , and sections 2 through 5 of this act shall take  
29 effect<sup>2</sup> immediately.