

[First Reprint]

SENATE, No. 2947

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 11, 2024

Sponsored by:

Senator GORDON M. JOHNSON

District 37 (Bergen)

SYNOPSIS

Prohibits acceptance, offer, or provision of monetary or non-monetary compensation of mail-in ballot messengers or bearers; allows certain facility employees and volunteers to serve as messengers or bearers.

CURRENT VERSION OF TEXT

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on June 17, 2024, with amendments.



1 AN ACT ¹prohibiting acceptance, offer, or provision of
2 consideration to a **concerning**¹ mail-in ballot **['messenger or**
3 **bearer]** messengers and bearers¹ and amending P.L.2009, c.79.

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

7
8 1. Section 4 of P.L.2009, c.79 (C.19:63-4) is amended to read as
9 follows:

10 4. a. A qualified voter is entitled to apply for and obtain a mail-in
11 ballot by authorized messenger, who shall be so designated over the
12 signature of the voter and whose printed name and address shall
13 appear on the application in the space provided. The authorized
14 messenger shall be a family member or a registered voter of the county
15 in which the application is made and shall place his or her signature on
16 the application in the space so provided in the presence of the county
17 clerk or the designee thereof. No person shall serve as an authorized
18 messenger or as a bearer for more than three qualified voters in an
19 election, except that an authorized messenger or bearer may serve as
20 such for up to five qualified voters in an election if those voters are
21 immediate family members residing in the same household as the
22 messenger or bearer.

23 No person who is a candidate in the election for which the voter
24 requests a mail-in ballot shall be permitted to serve as an authorized
25 messenger or bearer. The authorized messenger shall show a photo
26 identification card to the county clerk, or the designee thereof, at the
27 time the messenger submits the application form. The county clerk or
28 the designee thereof shall authenticate the signature of the authorized
29 messenger in the event such a person is other than a family member,
30 by comparing it with the signature of the person appearing on a State
31 of New Jersey driver's license, or other identification issued or
32 recognized as official by the federal government, the State, or any of
33 its political subdivisions, providing the identification carries the full
34 address and signature of the person. After the authentication of the
35 signature on the application, the county clerk or the designee thereof is
36 authorized to deliver to the authorized messenger a ballot to be
37 delivered to the qualified voter.

38 b. The Secretary of State shall cause to be prepared a standard
39 authorized messenger application form, which may be included with
40 the mail-in ballot application forms. The authorized messenger section
41 of the application shall contain the following language above the
42 signature of the authorized messenger: "I do hereby certify that I will
43 deliver the mail-in ballot directly to the voter and no other person,
44 under penalty of law."

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:

¹Senate SSG committee amendments adopted June 17, 2024.

1 c. ¹【No person who serves as an authorized messenger or as a
2 bearer shall accept consideration of any sort to serve, nor shall any
3 person offer or give consideration of any sort to an authorized
4 messenger or a bearer to serve. As used in this subsection,
5 “consideration” means, but shall not be limited to, cash, goods,
6 services, or intangible property】 A person who serves as an authorized
7 messenger or bearer shall not accept any monetary or non-monetary
8 compensation to serve as an authorized messenger or bearer, nor shall
9 any person offer or provide monetary or non-monetary compensation
10 to a person to serve as an authorized messenger or bearer. A person
11 who serves as an authorized messenger or bearer may receive a
12 reimbursement for transportation costs associated with transporting a
13 ballot as the authorized messenger or bearer.

14 An employee or volunteer of:

15 an organization exempt from federal taxation pursuant to section
16 501(c)(3) of the federal Internal Revenue Code, 26 U.S.C.s.501(c)(3);

17 an acute care general hospital licensed pursuant to P.L.1971, c.136
18 (C.26:2H-1 et seq.);

19 a nursing home, assisted living residence, comprehensive personal
20 care home, residential health care facility, or dementia care home
21 licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.); or

22 a veterans’ memorial home supervised and operated by the
23 Department of Military and Veterans Affairs,

24 may serve as an authorized messenger or as a bearer for a voter if
25 no monetary or non-monetary compensation is provided to the
26 employee or volunteer to serve as an authorized messenger or bearer
27 that is in addition to the compensation typical for their regular
28 employment or volunteer duties, except for reimbursements provided
29 for transportation costs associated with transporting a ballot as the
30 authorized messenger or bearer, as permitted in this subsection.

31 As used in this subsection, “non-monetary compensation” means,
32 but shall not be limited to, goods, services, or intangible property¹.

33 (cf: P.L.2020, c.71, s.6)

34
35 2. This act shall take effect immediately.