

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3823

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 2022

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3823, with committee amendments.

As amended, this bill revises voter roll and election worker training processes, exempts election worker compensation from taxation and remuneration, and removes boards of elections staff salaries from the two percent cap on the increase in expenditures.

Under current law, once per month, the health officer or other officer in charge of records of death in each municipality files lists of all persons 18 years of age or older who have died with the commissioner of registration for the county in which the municipality is located. Also, election workers are required to attend an in-person instructional session at least once every two years. Additionally, staff salaries for the county board of elections are not exempt from the two percent cap on increase in expenditures for county entities. Finally, election worker compensation is included in gross income for the purposes of taxation.

This bill requires that for the two months immediately preceding a primary or general election, the officer in charge of records of death would file bi-weekly reports to the commissioner of registration. The commissioner of registration would then have 10 days to investigate the list and remove any deceased voter from the voter rolls.

This bill also clarifies that instructional sessions for election workers be conducted in person. A county board of elections may also conduct instructional sessions remotely, by electronic means, to any district board member who has completed the instructional session in person within the last four years. The county boards of elections would implement the procedures for conducting a remote session, which would need to be approved by the Secretary of State. The procedures would need to be reviewed and approved once every two years.

This bill also updates the definition of “election expenses” that are exempt from the two percent cap on increase in expenditures. The update removes the exemption of staff salaries for a county board of elections from the definition of “election expenses,” allowing staff salaries to exceed the two percent cap.

This bill also exempts election worker compensation, for work performed on election day or during the early voting period, from gross income taxation and remuneration.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- 1) remove the section requiring the Secretary of State to enter into an agreement with the Electronic Registration Information Center (ERIC);
- 2) provide that instructional sessions may be offered remotely, by electronic means, to any district board member who has completed the instructional session in person within the last four years;
- 3) provide that compensation for services performed during the early voting period is also exempt from the provisions of the “New Jersey Gross Income Tax Act”; and
- 4) provide that compensation for services performed during the early voting period is exempt from remuneration, similar to the exemption of compensation for services performed by an election worker on an election day.