

# SENATE, No. 3519

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 30, 2023

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

Changes various primary election, vacancy, municipal referendum, and mail-in ballot mailing deadlines.

**CURRENT VERSION OF TEXT**

As introduced.



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2

1 AN ACT concerning certain primary election, vacancy, municipal  
2 referendum, and mail-in ballot mailing deadlines and amending  
3 various parts of the statutory law.

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

7  
8 1. Section 1 of P.L.1999, c.70 (C.2B:14-5) is amended to read  
9 as follows:

10 2B:14-5. Filling vacancy in Surrogate's office. If a Surrogate does  
11 not take office within 30 days after the end of the preceding term or  
12 a vacancy occurs in the office of Surrogate, the Governor, with  
13 advice and consent of the Senate, shall fill the vacancy from the  
14 political party of the person last elected to the office. The person  
15 appointed shall serve until election and qualification of a successor.  
16 Election of a successor for a five-year term shall occur at the next  
17 general election unless the vacancy occurs within **[37]** 60 days  
18 before the election, in which case it shall occur at the second  
19 succeeding general election.

20 (cf: P.L.1999, c.70, s.1)

21

22 2. R.S.19:12-1 is amended to read as follows:

23 19:12-1. The Secretary of State shall within **[thirty]** 30 days after  
24 the completion of the canvass by the board of State canvassers,  
25 certify to each county clerk and county board the fact that at the next  
26 preceding general election held for the election of all of the members  
27 of the General Assembly **[ten per centum (10%)]** 10 percent of the  
28 total vote cast in the State for members of the General Assembly had  
29 been cast for candidates having the same designation, thereby  
30 creating, within the meaning of this Title, a political party, to be  
31 known and recognized as such under the same designation as used by  
32 the candidates for whom the required number of votes were cast.

33 The Secretary of State shall also not later than the **[67th]** third day  
34 preceding the last day for the filing of petitions for the primary  
35 election for the general election in every year in which electors of  
36 President and Vice-President of the United States, a representative of  
37 the United States Senate, members of the House of Representatives,  
38 a Governor, a Lieutenant Governor, or Senator, or member or  
39 members of the General Assembly for any county, or any of them,  
40 are to be elected or any public question is to be submitted to the voters  
41 of the entire State, direct and cause to be delivered to the clerk of the  
42 county and the county board wherein any such election is to be held,  
43 a notice stating that such officer or officers are to be elected and that  
44 such public question is to be submitted to the voters of the entire State  
45 at the ensuing general election.

46 (cf: P.L.2011, c.134, s.15)

**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.

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1       3. R.S.19:12-6 is amended to read as follows:  
2       19:12-6. All municipal clerks, not later than the **【57th day**  
3 **preceding】** seventh day after the last day for the filing of petitions  
4 for the primary election for the general election, shall make and  
5 certify under their hands and seals of office and forward to the clerk  
6 of the county in which the municipality is located a statement  
7 designating the public offices to be filled at such election, and the  
8 number of persons to be voted for each office. In counties of the first  
9 class such statement shall also be forwarded to the county board.  
10 (cf: P.L.2011, c.134, s.18)

11  
12       4. R.S.19:14-1 is amended to read as follows:  
13       19:14-1. Every county clerk shall have ready for the printer on or  
14 before the **【45th day prior to】** 11th day after the last day for the filing  
15 of petitions for the primary election or 53 days prior to the general  
16 election a copy of the contents of official ballots as hereinafter  
17 required to be printed for use at such election, **【except that every**  
18 **county clerk shall have ready for the printer on or before the 50th day**  
19 **prior to a federal primary election or any general election in this State**  
20 **a copy of the contents of the official ballots for use in such election】**  
21 regardless if that date falls on a federal, State, or local holiday. The  
22 county clerk shall also on or before that time place another copy of  
23 such contents on file in the county clerk's office and keep the same  
24 open to public inspection until the sample ballots hereinafter  
25 provided to be printed shall have been distributed.

26       Nothing in this section, as amended by P.L.2022, c.70, shall be  
27 construed to hinder, limit, or interfere with the ability of a county  
28 clerk to comply with the federal "Uniformed and Overseas Citizens  
29 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).  
30 (cf: P.L.2022, c.70, s.1)

31  
32       5. R.S.19:23-1 is amended to read as follows:  
33       19:23-1. The chairman of the State committee of a political party  
34 shall, on or before March 1 in the year when a Governor is to be  
35 elected, notify in writing the chairman of each county committee of  
36 such party of the number of male or female members or members  
37 with less than one full vote to be elected from the county at the  
38 ensuing primary election for the general election, and each such  
39 chairman shall, on or before April 1 of such year, send a copy of such  
40 notice to the county clerk.

41       The chairman of each county committee shall also, on or before  
42 **【April 1】** the third day before the last day for the filing of petitions  
43 in each year, file with the clerks of the several municipalities the  
44 number of committeemen to be elected at the ensuing primary for the  
45 general election to the county committee.  
46 (cf: P.L.2011, c.134, s.23)

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1       6. R.S.19:23-12 is amended to read as follows:

2       19:23-12. The signers to petitions for "Choice for President,"  
3 delegates and alternates to national conventions, for Governor,  
4 United States Senator, member of the House of Representatives, State  
5 Senator, member of the General Assembly and any county office may  
6 name three persons in their petition as a committee on vacancies.

7       This committee shall have power in case of death or resignation  
8 or otherwise of the person indorsed as a candidate in said petition to  
9 fill such vacancy by filing with the Secretary of State in the case of  
10 officers to be voted for by the voters of the entire State or a portion  
11 thereof involving more than one county thereof or any congressional  
12 district, and with the county clerk in the case of officers to be voted  
13 for by the voters of the entire county or any county election district,  
14 a certificate of nomination to fill the vacancy.

15       Such certificate shall set forth the cause of the vacancy, the name  
16 of the person nominated and that the person is a member of the same  
17 political party as the candidate for whom the person is substituted,  
18 the office for which the person is nominated, the name of the person  
19 for whom the new nominee is to be substituted, the fact that the  
20 committee is authorized to fill vacancies and such further information  
21 as is required to be given in any original petition of nomination.

22       The certificate so made shall be executed and sworn to by the  
23 members of such committee, and shall upon being filed at least **【56**  
24 **days before election】** on the eighth day after the last day for the filing  
25 of petitions have the same force and effect as the original petition of  
26 nomination for the primary election for the general election and there  
27 shall be annexed thereto the oath of allegiance prescribed in  
28 R.S.41:1-1 duly taken and subscribed by the person so nominated  
29 before an officer authorized to take oaths in this State. The name of  
30 the candidate submitted shall be immediately certified to the proper  
31 municipal clerks. In addition, a person so nominated for the office  
32 of Governor or the office of member of the Senate or General  
33 Assembly shall annex to the certificate a statement signed by the  
34 candidate that the candidate:

35       a. has not been convicted of any offense graded by Title 2C of  
36 the New Jersey Statutes as a crime of the first, second, third or fourth  
37 degree, or any offense in any other jurisdiction which, if committed  
38 in this State, would constitute such a crime; or

39       b. has been so convicted, in which case, the candidate shall  
40 disclose on the statement the crime for which convicted, the date and  
41 place of the conviction and the penalties imposed for the conviction.  
42 Such a candidate may, as an alternative, submit with the statement a  
43 copy of an official document that provides such information. If the  
44 candidate has been convicted of more than one criminal offense, such  
45 information about each conviction shall be provided. Records  
46 expunged pursuant to chapter 52 of Title 2C of the New Jersey  
47 Statutes shall not be subject to disclosure.

48 (cf: P.L.2022, c.7, s.2)

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1       7. R.S.19:23-21 is amended to read as follows:

2       19:23-21. The Secretary of State shall certify the names of the  
3 persons indorsed in the petitions filed in the secretary's office to the  
4 clerks of counties concerned thereby not later than noon of the ~~54th~~  
5 day prior to the holding of ~~10th day after the last day for the filing~~  
6 of petitions for the primary election, specifying in such certificate the  
7 political parties to which the persons so nominated in the petitions  
8 belong. In the case of candidates for offices other than federal office,  
9 the Secretary of State shall also transmit this information to the  
10 Election Law Enforcement Commission in the form and manner  
11 prescribed by the commission and shall notify the commission  
12 immediately upon the withdrawal of a petition of nomination.

13 (cf: P.L.2022, c.7, s.5)

14

15       8. R.S.19:23-22 is amended to read as follows:

16       19:23-22. The county clerk shall certify all of the persons so  
17 certified to the clerk by the Secretary of State and in addition the  
18 names of all persons indorsed in petitions filed in the clerk's office to  
19 the clerk of each municipality concerned thereby in the clerk's  
20 respective county not later than the close of business of the ~~54th~~  
21 day prior to the time fixed by law for the holding of ~~10th day after the~~  
22 last day for the filing of petitions for the primary election, specifying  
23 in such certificate the political party to which the person or persons  
24 so nominated belong. The county clerk shall also transmit this  
25 information with respect to persons, other than candidates for federal  
26 office, indorsed in petitions filed in the clerk's office to the Election  
27 Law Enforcement Commission in the form and manner prescribed by  
28 the commission and shall notify the commission immediately upon  
29 the withdrawal of a petition of nomination filed in the clerk's office.

30 (cf: P.L.2022, c.7, s.6)

31

32       9. R.S.19:23-24 is amended to read as follows:

33       19:23-24. The position which the candidates and bracketed  
34 groups of names of candidates for the primary for the general election  
35 shall have upon the ballots used for the primary election for the  
36 general election, in the case of candidates for nomination for  
37 members of the United States Senate, Governor, members of the  
38 House of Representatives, members of the State Senate, members of  
39 the General Assembly, choice for President, delegates and alternates-  
40 at-large to the national conventions of political parties, district  
41 delegates and alternates to conventions of political parties,  
42 candidates for party positions, and county offices or party positions  
43 which are to be voted for by the voters of the entire county or a  
44 portion thereof greater than a single municipality, including a  
45 congressional district which is wholly within a single municipality,  
46 shall be determined by the county clerks in their respective counties;  
47 and, excepting in counties where R.S.19:49-2 applies, the position on  
48 the ballot used for the primary election for the general election in the

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6

1 case of candidates for nomination for office or party position wherein  
2 the candidates for office or party position to be filled are to be voted  
3 for by the voters of a municipality only, or a subdivision thereof  
4 (excepting in the case of members of the House of Representatives)  
5 shall be determined by the municipal clerk in such municipalities, in  
6 the following manner: The county clerk, or the county clerk's deputy,  
7 or the municipal clerk or the municipal clerk's deputy, as the case  
8 may be, shall at the clerk's office on the ~~54th day prior to~~ 10th day  
9 after the last day for the filing of petitions for the primary election  
10 for the general election at three o'clock in the afternoon draw from  
11 the box, as hereinafter described, each card separately without  
12 knowledge on the clerk's part as to which card the clerk is drawing.  
13 Any legal voter of the county or municipality, as the case may be,  
14 shall have the privilege of witnessing such drawing. The person  
15 making the drawing shall make public announcement at the drawing  
16 of each name, the order in which same is drawn, and the office for  
17 which the drawing is made. When there is to be but one person  
18 nominated for the office, the names of the several candidates who  
19 have filed petitions for such office shall be written upon cards (one  
20 name on a card) of the same size, substance and thickness. The cards  
21 shall be deposited in a box with an aperture in the cover of sufficient  
22 size to admit a man's hand. The box shall be well shaken and turned  
23 over to thoroughly mix the cards, and the cards shall then be  
24 withdrawn one at a time. The first name drawn shall have first place,  
25 the second name drawn, second place, and so on; the order of the  
26 withdrawal of the cards from the box determining the order of  
27 arrangement in which the names shall appear upon the primary  
28 election ballot. Where there is more than one person to be nominated  
29 to an office where petitions have designated that certain candidates  
30 shall be bracketed, the position of such bracketed names on the ballot  
31 (each bracket to be treated as a single name), together with  
32 individuals who have filed petitions for nomination for such office,  
33 shall be determined as above described. Where there is more than  
34 one person to be nominated for an office and there are more  
35 candidates who have filed petitions than there are persons to be  
36 nominated, the order of the printing of such names upon the primary  
37 election ballots shall be determined as above described.

38 The county clerk in certifying to the municipal clerk the offices to  
39 be filled and the names of candidates to be printed upon the ballots  
40 used for the primary election for the general election, shall certify  
41 them in the order as drawn in accordance with the above described  
42 procedure, and the municipal clerk shall print the names upon the  
43 ballots as so certified and in addition shall print the names of such  
44 candidates as have filed petitions with him in the order as determined  
45 as a result of the drawing as above described. Candidates for the  
46 office of the county executive in counties that have adopted the  
47 county executive plan of the "Optional County Charter Law,"  
48 P.L.1972, c.154 (C.40:41A-1 et seq.), shall precede the candidates

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1 for other county offices for which there are candidates on the ballot  
2 used for the primary election for the general election.

3 (cf: P.L.2022, c.7, s.7)

4

5 10. Section 9 of P.L.2009, c.79 (C.19:63-9) is amended to read as  
6 follows:

7 9. a. Except as provided in subsection d. of this section,  
8 starting on or before the 45th day before the day an election is held,  
9 each county clerk shall forward mail-in ballots by first-class postage  
10 or hand delivery to each mail-in voter whose request therefor has  
11 been approved. Mail-in ballots **[that]** for which mail-in ballot  
12 applications have been approved before the **[45th]** 48th day before  
13 an election shall be forwarded or delivered at least 45 days before the  
14 day of the election. Hand delivery of a mail-in ballot shall be made  
15 by the county clerk or the clerk's designee only to the voter, or the  
16 voter's authorized messenger, who must appear in person. No person  
17 shall serve as an authorized messenger for more than three qualified  
18 voters in an election, but a person may serve as such for up to five  
19 qualified voters in an election if those voters are immediate family  
20 members residing in the same household as the messenger. Ballots  
21 that have not been hand delivered shall be addressed to the voter at  
22 the forwarding address given in the application. In the case of a voter  
23 choosing to have their mail-in ballot sent to a secondary address, if  
24 the ballot is returned or marked undeliverable for two consecutive  
25 general elections, then future mail-in ballots shall be mailed to the  
26 voter's address where they are registered to vote and the voter shall  
27 be notified in writing of the change.

28 b. (1) Whenever the clerk **[forwards]** receives a valid application  
29 for a mail-in ballot by mail **[to]** from a mail-in voter between the  
30 **[45th]** 48th day and the 13th day before the day of an election, the  
31 ballot shall be transmitted within three business days of the receipt  
32 of the application.

33 (2) Whenever the clerk **[forwards]** receives a valid application  
34 for a mail-in ballot by mail **[to]** from a mail-in voter between the  
35 12th day and the seventh day before the day of an election, the ballot  
36 shall be transmitted within two business days of the receipt of the  
37 application.

38 The provisions of this subsection shall not apply to: (a) annual  
39 school elections and special school elections in those school districts  
40 holding such elections, pursuant to P.L.1995, c.278 (C.19:60-1 et  
41 seq.); (b) any municipality in which elections are conducted by mail,  
42 pursuant to P.L.2005, c.148 (C.19:62-1 et seq.); (c) annual elections  
43 for members of the boards of fire district commissions, pursuant to  
44 N.J.S.40A:14-72, when such elections are held at a time other than  
45 the time of the general election; and (d) the vote on any public  
46 question submitted to the voters of a local unit to increase the amount

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1 to be raised by taxation by more than the allowable adjusted tax levy,  
2 pursuant to section 11 of P.L.2007, c.62 (C.40A:4-45.46).

3 c. (Deleted by amendment, P.L.2011, c.37)

4 d. Each uniformed and overseas mail-in voter, as defined by the  
5 federal "Uniformed and Overseas Citizens Absentee Voting Act" (52  
6 U.S.C. s.20301 et seq.), or any general election voter in this State  
7 whose request for a mail-in ballot has been approved, shall be  
8 forwarded by the county clerk a mail-in ballot by first-class postage  
9 or hand delivery no later than the 45th day before the day of a federal  
10 election. Whenever the county clerk forwards a mail-in ballot by  
11 mail to a uniformed or overseas mail-in voter or a State general  
12 election voter between the 45th day and the 13th day before the day  
13 of a federal election, the ballot shall be transmitted within three  
14 business days of the receipt of the application. Nothing in this  
15 section, as amended by P.L.2022, c.70, shall be construed to be  
16 inconsistent with the federal "Uniformed and Overseas Citizens  
17 Absentee Voting Act" (52 U.S.C. s.20301 et seq.).

18 (cf: P.L.2022, c.70, s.5)

19

20 11. R.S.33:1-44 is amended to read as follows:

21 33:1-44. Whenever a petition, signed by at least **【fifteen per**  
22 **centum (15%)】** 15 percent of the qualified electors of any  
23 municipality as evidenced by the total number of votes cast for  
24 members of the General Assembly, at the then next preceding general  
25 election held for the election of all of the members of the General  
26 Assembly, in such municipality, shall be presented to the governing  
27 board or body thereof, requesting a referendum on the question  
28 hereinafter stated, such governing board or body shall adopt  
29 forthwith a resolution directing the clerk of the county in which such  
30 municipality is situated to print, pursuant to Title 19, Elections,  
31 hereinafter referred to as the "general election law," upon the official  
32 ballot to be used in such municipality at the next ensuing general  
33 election a question to read: "Shall the retail sale of alcoholic  
34 beverages other than brewed malt alcoholic beverages and naturally  
35 fermented wine, for consumption on the licensed premises by the  
36 glass or other open receptacle pursuant to chapter one of the Title  
37 Intoxicating Liquors of the Revised Statutes (s.33:1-1 et seq.), be  
38 permitted in this municipality?" Thereupon the clerk or secretary of  
39 said governing board or body shall forthwith deliver to the county  
40 clerk a certified copy of such resolution. If the copy shall be  
41 delivered to the county clerk not less than **【thirty】** 67 days before  
42 such general election, **【he】** the county clerk shall cause such question  
43 to be printed in an appropriate place on the ballot to be used in such  
44 municipality at the next ensuing general election pursuant to the  
45 general election law and thereupon all proceedings with respect to  
46 the referendum on such question shall be subject to and governed by  
47 the general election law as in other cases of the submission of public  
48 questions to the electorate.



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1 If a majority of the legal voters voting upon the question shall vote  
2 "Yes," the clerk of the governing board or body of such municipality  
3 shall forthwith in writing notify the commissioner and municipal  
4 board, if any, having authority to issue such licenses, of the action  
5 taken by the legal voters of such municipality and the retail sales as  
6 aforesaid of such alcoholic beverages and the issuing of licenses  
7 pursuant to this chapter shall be permitted in such municipality.

8 If a majority of the legal voters voting upon the question shall vote  
9 "No," then the clerk of the governing board or body of the  
10 municipality shall forthwith in writing notify the commissioner and  
11 municipal board, if any, having authority to issue such licenses, of  
12 the action taken by the legal voters of the municipality, and after  
13 **【thirty】** 30 days have elapsed after the date of such vote the retail  
14 sale of alcoholic beverages, other than brewed malt alcoholic  
15 beverages and naturally fermented wines, for consumption on the  
16 licensed premises by the glass or other open receptacle (such retail  
17 sale being sometimes hereinafter called "prohibited sale"), shall be  
18 unlawful in such municipality and constitute a violation of this  
19 chapter, and it shall forthwith upon such vote be unlawful for the  
20 other issuing authority of the municipality, having authority to issue  
21 licenses, to issue any license in respect to such municipality which  
22 shall permit such prohibited sale, and all licenses theretofore issued  
23 in respect to such municipality which shall have licensed such  
24 prohibited sale shall, to the extent that they permitted such prohibited  
25 sale, become void and inoperative **【thirty】** 30 days after the date of  
26 such vote.

27 Whenever a referendum shall have been had in any municipality  
28 pursuant to this section, no further referendum on the same question  
29 shall be held therein prior to the general election to be held in such  
30 municipality in the fifth year thereafter and so long as such  
31 referendum remains effective, all ordinances, resolutions or  
32 regulations inconsistent with the result of such referendum shall have  
33 no effect within such municipality.

34 (cf: P.L.1949, c.296, s.1)

35

36 12. R.S.33:1-45 is amended to read as follows:

37 33:1-45. Whenever a petition signed by at least **【fifteen per**  
38 **centum (15%)】** 15 percent of the qualified electors of any  
39 municipality as evidenced by the total number of votes cast for  
40 members of the General Assembly, at the then next preceding general  
41 election held for the election of all of the members of the General  
42 Assembly, in such municipality, shall be presented to the governing  
43 board or body thereof, requesting a referendum on the question  
44 hereinafter stated, such governing board or body shall adopt  
45 forthwith a resolution directing the clerk of the county in which such  
46 municipality is situated to print, pursuant to Title 19, Elections,  
47 hereinafter referred to as the "general election law," upon the official  
48 ballot to be used in such municipality at the next ensuing general

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1 election a question to read: "Shall the retail sale of all kinds of  
2 alcoholic beverages, for consumption on the licensed premises by the  
3 glass or other open receptacle pursuant to chapter one of the Title  
4 Intoxicating Liquors of the Revised Statutes (s.33:1-1 et seq.), be  
5 permitted in this municipality?" Thereupon the clerk or secretary of  
6 such governing board or body shall forthwith deliver to such county  
7 clerk a certified copy of the resolution. If the copy shall be delivered  
8 to the county clerk not less than **【thirty】** 67 days before such general  
9 election, **【he】** the county clerk shall cause such question to be printed  
10 in an appropriate place on the ballot to be used in such municipality  
11 at the next ensuing general election pursuant to the general election  
12 law and thereupon all proceedings with respect to the referendum on  
13 such question shall be subject to and governed by the general election  
14 law as in other cases of the submission of public questions to the  
15 electorate.

16 If a majority of the legal voters voting upon the question shall vote  
17 "Yes," the clerk of the governing board or body of such municipality  
18 shall forthwith in writing notify the commissioner and municipal  
19 board, if any, having authority to issue such licenses, of the action  
20 taken by the legal voters of such municipality and the retail sales as  
21 aforesaid of such alcoholic beverages and the issuing of licenses  
22 pursuant to this chapter shall be permitted in such municipality.

23 If a majority of the legal voters voting upon the question shall vote  
24 "No," then the clerk of the governing board or body of such  
25 municipality shall forthwith in writing notify the commissioner and  
26 municipal board, if any, having authority to issue such licenses, of  
27 the action taken by the legal voters of the municipality, and after  
28 **【thirty】** 30 days have elapsed after the date of such vote, the retail  
29 sale of all kinds of alcoholic beverages for consumption on the  
30 licensed premises by the glass or other open receptacle (such retail  
31 sale being sometimes hereinafter called "prohibited sale" ), shall be  
32 unlawful in such municipality and constitute a violation of this  
33 chapter, and it shall forthwith upon such vote be unlawful for the  
34 other issuing authority of such municipality having authority to issue  
35 licenses to issue any license in respect to such municipality which  
36 shall permit such prohibited sale and all licenses theretofore issued  
37 in respect to such municipality which shall have licensed such  
38 prohibited sale shall, to the extent that they permitted such prohibited  
39 sale, become void and inoperative **【thirty】** 30 days after the date of  
40 such vote.

41 Whenever a referendum shall have been had in any municipality  
42 pursuant to this section, no further referendum on the same question  
43 shall be held therein prior to the general election to be held in such  
44 municipality in the fifth year thereafter and so long as such  
45 referendum remains effective, all ordinances, resolutions or  
46 regulations inconsistent with the result of such referendum shall have  
47 no effect within such municipality.

48 (cf: P.L.1949, c.296, s.2)

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1 13. R.S.33:1-46 is amended to read as follows:

2 33:1-46. Whenever a petition, signed by at least **【fifteen per**  
3 centum (15%)**】** 15 percent of the qualified electors of any  
4 municipality as evidenced by the total number of votes cast for  
5 members of the General Assembly, at the then next preceding general  
6 election held for the election of all of the members of the General  
7 Assembly, in such municipality, shall be presented to the governing  
8 board or body thereof, requesting a referendum on the question  
9 hereinafter stated, such governing board or body shall adopt  
10 forthwith a resolution directing the clerk of the county in which such  
11 municipality is situated to print, pursuant to Title 19, Elections,  
12 hereinafter referred to as the "general election law," upon the official  
13 ballot to be used in such municipality at the next ensuing general  
14 election, a question to read: "Shall the sale of all alcoholic beverages  
15 at retail, except for consumption on railroad trains, airplanes and  
16 boats, and the issuance of any retail licenses, except as aforesaid,  
17 pursuant to chapter one of the Title Intoxicating Liquors of the  
18 Revised Statutes (s.33:1-1 et seq.), be permitted in this  
19 municipality?" Thereupon the clerk or secretary of the governing  
20 board or body of such municipality shall forthwith deliver to such  
21 county clerk a certified copy of such resolution. If the copy shall be  
22 delivered to the county clerk not less than **【thirty】** 67 days before  
23 such general election, **【he】** the county clerk shall cause such question  
24 to be printed in an appropriate place on the ballot to be used in such  
25 municipality at the next ensuing general election, pursuant to the  
26 general election law and thereupon all proceedings with respect to  
27 the referendum on such question shall be subject to and governed by  
28 the general election law as in other cases of the submission of public  
29 questions to the electorate.

30 If a majority of the legal voters voting upon the question shall vote  
31 "Yes," the clerk of the governing board or body of such municipality  
32 shall forthwith in writing notify the commissioner and municipal  
33 board, if any, having authority to issue such licenses, of the action  
34 taken by the legal voters of such municipality and retail sales of  
35 alcoholic beverages and the issuing of retail licenses pursuant to this  
36 chapter shall be permitted in such municipality.

37 If a majority of the legal voters voting upon the question shall vote  
38 "No," then the clerk of the governing board or body of such  
39 municipality shall forthwith in writing notify the commissioner and  
40 municipal board, if any, having authority to issue such licenses, of  
41 the action taken by the legal voters of such municipality and  
42 thereupon it shall be unlawful for the other issuing authority of such  
43 municipality, having authority to issue plenary retail consumption,  
44 plenary retail distribution and limited retail consumption licenses, to  
45 issue any such licenses in respect to such municipality, and all such  
46 licenses theretofore issued in respect to such municipality shall  
47 become void and inoperative **【thirty】** 30 days after the date of such

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12

1 vote, and thereupon the municipal board of such municipality shall  
2 be dissolved, and the offices of its members shall terminate and all  
3 its activities hereunder shall cease; but if in a later referendum held  
4 pursuant to this chapter a majority of the legal voters voting upon the  
5 same question last above stated shall vote "Yes," a municipal board  
6 for such municipality may forthwith be appointed in the same  
7 manner and with the same effect as when this chapter first became  
8 effective. Whenever any such license shall become void and  
9 inoperative by virtue of such referendum there shall be returned to  
10 the licensee the prorated license fee for the unexpired term.

11 Whenever a referendum shall have been had in any municipality  
12 pursuant to this section, no further referendum on the same question  
13 shall be held therein prior to the general election to be held in such  
14 municipality in the fifth year thereafter and so long as such  
15 referendum remains effective, all ordinances, resolutions or  
16 regulations inconsistent with the result of such referendum shall have  
17 no effect within such municipality.

18 (cf: P.L.1949, c.296, s.3)

19

20 14. R.S.33:1-47 is amended to read as follows:

21 33:1-47. Whenever a petition, signed by at least **【fifteen per**  
22 **centum (15%)】** 15 percent of the qualified electors of any  
23 municipality as evidenced by the total number of votes cast for  
24 members of the General Assembly, at the then next preceding general  
25 election held for the election of all of the members of the General  
26 Assembly, in such municipality, shall be presented to the governing  
27 board or body thereof, requesting a referendum on the question  
28 hereinafter stated, such governing board or body shall adopt  
29 forthwith a resolution directing the clerk of the county in which such  
30 municipality is situated to print, pursuant to Title 19, Elections,  
31 hereinafter referred to as the "general election law," upon the official  
32 ballot to be used in such municipality at the next ensuing general  
33 election, a question to read: "Shall the sale of alcoholic beverages be  
34 permitted on Sundays in this municipality?" Thereupon the clerk or  
35 secretary of the governing board or body of such municipality shall  
36 forthwith deliver to such county clerk a certified copy of such  
37 resolution. If such copy shall be delivered to the county clerk not  
38 less than **【thirty】** 67 days before such general election, **【he】** the  
39 county clerk shall cause such question to be printed in an appropriate  
40 place on the ballot to be used in such municipality at the next ensuing  
41 general election, pursuant to the general election law and thereupon  
42 all proceedings with respect to the referendum on such question shall  
43 be subject to and governed by the general election law as in other  
44 cases of the submission of public questions to the electorate.

45 If a majority of the legal voters voting upon the question shall vote  
46 "Yes," the clerk of the governing board or body of such municipality  
47 shall forthwith in writing notify the commissioner and municipal  
48 board, if any, having authority to issue such licenses, of the action

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1 taken by the legal voters of such municipality and the sale of  
2 alcoholic beverages on Sundays pursuant to the provisions of this  
3 chapter shall be permitted in such municipality.

4 If a majority of the legal voters voting upon the question shall vote  
5 "No," then the clerk of the governing board or body of such  
6 municipality shall forthwith in writing notify the commissioner and  
7 municipal board, if any, as the case may be, having authority to issue  
8 such licenses of the action taken by the legal voters of such  
9 municipality, and thereupon it shall be unlawful for any person to sell  
10 alcoholic beverages in such municipality on Sundays and such sale  
11 shall constitute a violation of this chapter.

12 Whenever a referendum shall have been had in any municipality  
13 pursuant to this section, no further referendum on the same question  
14 shall be held therein prior to the general election to be held in such  
15 municipality in the fifth year thereafter and so long as such  
16 referendum remains effective, all ordinances, resolutions or  
17 regulations inconsistent with the result of such referendum shall have  
18 no effect within such municipality.

19 (cf: P.L.1949, c.296, s.4)

20

21 15. R.S.33:1-47.1 is amended to read as follows:

22 33:1-47.1. Whenever a petition, signed by at least **【fifteen per**  
23 **centum (15%)】** 15 percent of the qualified electors of any  
24 municipality as evidenced by the total number of votes cast at the  
25 then next preceding general election, held for the election of all of  
26 the members of the General Assembly in such municipality, shall be  
27 presented to the governing board or body thereof, requesting a  
28 referendum on any proposed questions as to whether the hours  
29 between which the sale of alcoholic beverages at retail may be made  
30 in such municipality on week days, Sundays, either or both, shall be  
31 fixed as provided in such petition, which questions shall be  
32 specifically and separately set forth in the petition, such governing  
33 board or body shall adopt forthwith a resolution directing the clerk  
34 of the county in which such municipality is situated to print such  
35 question or questions stated in the petition pursuant to Title 19,  
36 Elections, hereinafter referred to as the "general election law," upon  
37 the official ballot to be used in such municipality at the next ensuing  
38 general election. Thereupon the clerk or secretary of such governing  
39 board or body shall forthwith deliver to such county clerk a certified  
40 copy of such resolution. If such copy shall be delivered to such  
41 county clerk not less than **【thirty】** 67 days before such general  
42 election, **【he】** the county clerk shall cause such question or questions  
43 to be printed in an appropriate place on the ballot to be used in such  
44 municipality at the next ensuing general election, pursuant to the  
45 general election law, and shall cause to be printed on the ballot  
46 immediately below the printed question or questions the following:

47 "Explanatory Statement--A "Yes' is a vote to permit sales only  
48 within the hours set forth in the question or questions printed above.

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1 A "No' vote is a vote against changing the hours during which sales  
2 of alcoholic beverages are now permitted in this municipality," and  
3 thereupon all proceedings with respect to the referendum on such  
4 question or questions shall be subject to and governed by the general  
5 election law as in other cases of the submission of public questions  
6 to the electorate.

7 If a majority of the legal voters shall vote affirmatively on the  
8 question of whether the hours of sale shall be fixed in the manner set  
9 forth in such question or questions, the clerk of the governing board  
10 or body of such municipality shall forthwith in writing notify the  
11 commissioner and municipal board, if any, of the action taken by the  
12 legal voters of such municipality and thereafter the retail sale of  
13 alcoholic beverages may be made only within the hours fixed by such  
14 referendum. Such sale at any other time within such municipality  
15 shall be unlawful and constitute a violation of this chapter.

16 If a majority of legal voters voting upon such question or questions  
17 shall vote in the negative on the question of whether the hours of sale  
18 shall be fixed in the manner set forth in such question or questions,  
19 the clerk of the governing board or body of such municipality shall  
20 forthwith in writing notify the commissioner and municipal board, if  
21 any, of the action taken by the legal voters of such municipality and  
22 thereafter the hours between which the sale of alcoholic beverages at  
23 retail may be made may be regulated as theretofore in such  
24 municipality.

25 No petition under this section shall be received by the governing  
26 board or body while any other petition covering the same subject  
27 matter which has theretofore been presented hereunder has not been  
28 voted upon.

29 Whenever a referendum shall have been had in any municipality  
30 pursuant to this section, no further referendum on the same question  
31 shall be held therein prior to the general election to be held in such  
32 municipality in the fifth year thereafter and so long as such  
33 referendum remains effective, all ordinances, resolutions or  
34 regulations inconsistent with the result of such referendum shall have  
35 no effect within such municipality.

36 (cf: P.L.1949, c.296, s.5)

37

38 16. Section 35 of P.L.1972, c.154 (C.40:41A-35) is amended to  
39 read as follows:

40 35. The office of county executive shall be deemed vacant if the  
41 incumbent moves his residence from the county or he is by death,  
42 physical or mental illness or other casualty unable to continue to  
43 serve as county executive. Any vacancy in the office of county  
44 executive shall be filled by election for the unexpired term only at  
45 the next general election occurring not less than **[51]** 60 days after  
46 the occurrence of the vacancy, except that no such vacancy shall be  
47 filled at the general election which immediately precedes the  
48 expiration of the term in which the vacancy occurs.

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15

1 In the event a vacancy eligible to be filled by election hereunder  
2 occurs on or before the sixth day preceding the last day for filing  
3 petitions for nomination for the primary election, such petitions may  
4 be prepared and filed for nomination in that primary election in the  
5 manner provided by article 3 of chapter 23 of Title 19 of the Revised  
6 Statutes.

7 In the event the vacancy occurs after that sixth day preceding the  
8 last day for filing petitions for nomination for the primary election, a  
9 political party may select a candidate for the office in question in the  
10 manner prescribed in subsections a. and b. of R.S.19:13-20 for  
11 selecting candidates to fill vacancies among candidates nominated at  
12 primary elections. A statement of such selection under R.S.19:13-20  
13 shall be filed with the county clerk not later than the 48th day  
14 preceding the date of the general election.

15 Besides the selection of candidates by each political party,  
16 candidates may also be nominated by petition in a manner similar to  
17 direct nomination by petition for the general election; but if the  
18 candidate of any party to fill the vacancy will be chosen at a primary  
19 election, such petition shall be filed with the county clerk at least 55  
20 days prior to the primary election; and if no candidate of any party  
21 will be chosen at a primary election, such petition shall be filed with  
22 the county clerk not later than 12 o'clock noon of the day on which  
23 the first selection meeting by any party is held under this section to  
24 select a nominee to fill the vacancy.

25 When the vacancy occurs, the county clerk of the county shall  
26 forthwith give notice thereof to the chairman of the county committee  
27 of each political party.

28 During the temporary absence or temporary disability of the  
29 county executive the chief administrator shall serve as acting county  
30 executive.

31 (cf: P.L.2000, c.131, s.1)

32

33 17. Section 5 of P.L.1990, c.33 (C.40:41A-145.1) is amended to  
34 read as follows:

35 5. a. When any vacancy occurs on the board of **【chosen**  
36 **freeholders】** county commissioners otherwise than by expiration of  
37 term, it shall be filled by election for the unexpired term only at the  
38 next general election occurring not less than 60 days after the  
39 occurrence of the vacancy, except that no such vacancy shall be filled  
40 at the general election which immediately precedes the expiration of  
41 the term in which the vacancy occurs. In the event a vacancy eligible  
42 to be filled by election hereunder occurs on or before the sixth day  
43 preceding the last day for filing petitions for nomination for the  
44 primary election, such petitions may be prepared and filed for  
45 nomination in that primary election in the manner provided by article  
46 3 of chapter 23 of Title 19 of the Revised Statutes. In the event the  
47 vacancy occurs after that sixth day preceding the last day for filing  
48 petitions for nomination for the primary election, or if the vacancy

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16

1 occurs on or before the sixth day preceding the last day for filing  
2 petitions for nomination for the primary election but no such petition  
3 has been filed with respect to a given political party, each political  
4 party, or that party respectively, may select a candidate for the office  
5 in question in the manner prescribed in subsections a. and b. of  
6 R.S.19:13-20 for selecting candidates to fill vacancies among  
7 candidates nominated at primary elections. A statement of such  
8 selection under R.S.19:13-20 shall be filed with the county clerk not  
9 later than the **[48th]** 54th day preceding the date of the general  
10 election.

11 Besides the selection of candidates by each political party,  
12 candidates may also be nominated by petition in a manner similar to  
13 direct nomination by petition for the general election; but if the  
14 candidate of any party to fill the vacancy will be chosen at a primary  
15 election, such petition shall be filed with the county clerk at least  
16 55 days prior to the primary election; and if no candidate of any party  
17 will be chosen at a primary election, such petition shall be filed with  
18 the county clerk not later than 12 o'clock noon of the day on which  
19 the first selection meeting by any party is held under this section to  
20 select a nominee to fill the vacancy.

21 The county clerk shall print on the ballots for the territory affected,  
22 in the personal choice column, the title of office and leave a proper  
23 space under such title of office; and print the title of office and the  
24 names of such persons as have been duly nominated, in their proper  
25 columns.

26 b. Notwithstanding subsection a. of this section, if at any time  
27 after an election for the office of county executive or for a member  
28 of the **[freeholder]** board of county commissioners and before the  
29 time fixed for the commencement of the term of the office, the person  
30 elected to that office dies or otherwise becomes unable to assume  
31 office, the county committee of the political party of which the  
32 person elected was the nominee shall appoint another person to fill  
33 the position until the next general election. If the person elected was  
34 not the nominee of a political party, on or within 30 days after the  
35 time fixed for the commencement of the term of office, the governing  
36 body shall appoint a successor to fill the office until the next general  
37 election without regard to party.

38 (cf: P.L.2000, c.126, s.11)

39

40 18. N.J.S.40A:9-70 is amended to read as follows:

41 40A:9-70. When a vacancy shall occur in the office of the county  
42 clerk of any county other than by expiration of term, the Governor  
43 shall fill such vacancy with the advice and consent of the Senate by  
44 appointment of a member of the same political party as that of the  
45 previous incumbent of the office, and the commission of said  
46 appointee shall expire when a successor is elected and qualified. The  
47 successor in such case shall be elected for a term of **[5]** five years at  
48 the general election next succeeding the happening of the vacancy



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17

1 unless such vacancy shall occur within **[37]** 60 days next preceding  
2 such election, in which case it shall be filled at the second succeeding  
3 general election.

4 (cf: N.J.S.40A:9-70)

5

6 19. N.J.S.40A:9-88 is amended to read as follows:

7 40A:9-88. When a vacancy shall occur in the office of the register  
8 of deeds and mortgages of any county other than by expiration of  
9 term, the Governor shall fill such vacancy with the advice and  
10 consent of the Senate, by appointment of a member of the same  
11 political party as that of the previous incumbent of the office, and the  
12 commission of said appointee shall expire when a successor is elected  
13 and qualified. The successor in such case shall be elected for a term  
14 of **[5]** five years at the general election next succeeding the  
15 happening of the vacancy unless such vacancy shall occur within  
16 **[37]** 60 days next preceding such election, in which case it shall be  
17 filled at the second succeeding general election.

18 (cf: N.J.S.40A:9-88)

19

20 20. N.J.S.40A:9-102 is amended to read as follows:

21 40A:9-102. When a vacancy shall occur in the office of sheriff of  
22 any county, other than by expiration of term, the Governor shall fill  
23 such vacancy with the advice and consent of the Senate by  
24 appointment of a member of the same political party as that of the  
25 previous incumbent of the office, and the commission of said  
26 appointee shall expire when a successor is elected and qualified. The  
27 successor in such case shall be elected for a term of **[3]** three years  
28 at the general election next succeeding the happening of the vacancy  
29 unless such vacancy shall occur within **[37]** 60 days next preceding  
30 such election, in which case it shall be filled at the second succeeding  
31 general election.

32 (cf: N.J.S.40A:9-102)

33

34 21. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill changes various primary election, vacancy, municipal  
40 referendum, and mail-in ballot mailing deadlines. The purpose of the  
41 bill is to standardize certain deadlines by establishing them in relation  
42 to the primary election petition filing deadline rather than to the  
43 primary election date. The bill also modifies various vacancy  
44 deadlines, municipal referendum deadlines concerning the sale of  
45 alcoholic beverages, and various mail-in ballot mailing deadlines to  
46 avoid delays in the mail-in ballot production, printing, and mailing  
47 process.

1 *Primary Election Deadlines*

2

3 Under current law, the Secretary of State is required to submit to  
4 the county clerks and county boards of elections, *not later than the*  
5 *67th day preceding the primary election for the general election*, in  
6 every year in which electors of President and Vice-President of the  
7 United States, a representative of the United States Senate, members  
8 of the House of Representatives, a Governor, a Lieutenant Governor,  
9 or Senator, or member or members of the General Assembly for any  
10 county, or any of them, are to be elected or any public question is to  
11 be submitted to the voters of the entire State, a notice stating that  
12 such officer or officers are to be elected and that such public question  
13 is to be submitted to the voters of the entire State at the ensuing  
14 general election. This bill changes that deadline to *not later than the*  
15 *third day preceding the last day for the filing of petitions for the*  
16 *primary election for the general election*.

17 Under current law, all municipal clerks, *not later than the 57th*  
18 *day preceding the primary election for the general election*, are  
19 required to make and certify and forward to the county clerk a  
20 statement designating the public offices to be filled at such election,  
21 and the number of persons to be voted for each office. In counties of  
22 the first class such statement must also be forwarded to the county  
23 board. This bill changes this deadline to *not later than the seventh*  
24 *day after the last day for the filing of petitions for the primary*  
25 *election for the general election*.

26 Under current law, the chairman of each county committee is  
27 required to submit to the appropriate municipal clerks, *on or before*  
28 *April 1 in each year*, the number of committee members to be elected  
29 at the ensuing primary for the general election to the county  
30 committee. This bill changes that deadline to *on or before the third*  
31 *day before the last day for the filing of petitions in each year*.

32 Under current law, the members constituting a committee on  
33 vacancies, who fill vacancies in the candidacies for the offices of  
34 United States President, national convention delegate or alternate,  
35 Governor, United States Senator, member of the House of  
36 Representatives, State Senator, member of the General Assembly,  
37 and any county office, must file with the Secretary of State a  
38 certificate to fill such vacancy *at least 56 days before the election*.  
39 This bill changes that deadline to *at least on the eighth day after the*  
40 *last day for the filing of petitions*.

41 Under current law, the Secretary of State is required to certify to  
42 the appropriate county clerks the names of the persons indorsed in  
43 the petitions filed in the secretary's office *not later than noon of the*  
44 *54th day prior to the holding of the primary election*, specifying the  
45 political parties to which the persons so nominated belong. This bill  
46 changes this deadline to *not later than noon of the 10th day after the*  
47 *last day for the filing of petitions for the primary election*. This

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1 information, other than for candidates for federal office, is also  
2 transmitted to the Election Law Enforcement Commission.

3 Under current law, the county clerk is required to certify to the  
4 appropriate municipal clerks the names of all of the persons so  
5 certified by the Secretary of State and, in addition, the names of all  
6 persons indorsed in petitions filed in the clerk's office, *not later than*  
7 *the close of business of the 54th day prior to the time fixed by law for*  
8 *the holding of the primary election*, specifying the political parties to  
9 which the persons so nominated belong. This bill changes this  
10 deadline to *not later than the close of business of the 10th day after*  
11 *the last day for the filing of petitions for the primary election*. This  
12 information, other than for candidates for federal office, is also  
13 transmitted to the Election Law Enforcement Commission.

14 Under current law, the county clerk or the county clerk's deputy,  
15 or the municipal clerk or the municipal clerk's deputy, as the case  
16 may be, is required at the clerk's office to draw the names of  
17 candidates to determine their position on the primary election ballot  
18 *on the 54th day prior to the primary election for the general election*  
19 *at three o'clock in the afternoon*. This bill changes this deadline to be  
20 *on the 10th day after the last day for the filing of petitions for the*  
21 *primary election for the general election at three o'clock in the*  
22 *afternoon*.

23

24 *Vacancy Deadlines*

25

26 Under current law, in the event of a vacancy in the office of the  
27 County Surrogate, the election of a successor for a five-year term  
28 must occur at the next general election unless the vacancy occurs  
29 *within 37 days before the election*, in which case it must occur at the  
30 second succeeding general election. This bill changes this deadline  
31 to *within 60 days before the election*.

32 Under current law, any vacancy in the office of County Executive  
33 must be filled by election for the unexpired term only at the next  
34 general election occurring *not less than 51 days after the occurrence*  
35 *of the vacancy*, except that no such vacancy shall be filled at the  
36 general election which immediately precedes the expiration of the  
37 term in which the vacancy occurs. This bill changes that deadline to  
38 *not less than 60 days after the occurrence of the vacancy*.

39 Under current law, in the event of a vacancy in a petition for a  
40 candidate to serve on a Board of County Commissioners occurring  
41 on or before the sixth day preceding the last day for filing petitions  
42 for nomination for the primary election, but when no such petition  
43 has been filed with respect to a given political party, that political  
44 party may fill that vacancy in the same manner as that for filling  
45 vacancies in primary election candidates. A statement of that  
46 selection must be filed with the county clerk *not later than the 48th*  
47 *day preceding the date of the general election*. This bill changes that  
48 deadline to *not later than the 54th day preceding the date of the*

1 *general election*. This bill makes a technical change to delete  
2 references to the Board of Chosen Freeholders, now known as the  
3 Board of County Commissioners.

4 Under current law, in the event of a vacancy in the office of  
5 County Clerk, the successor must be elected for a term of five years  
6 at the general election next succeeding the vacancy unless such  
7 vacancy occurs *within 37 days next preceding the election*, in which  
8 case it must be filled at the second succeeding general election. This  
9 bill changes that deadline to *within 60 days next preceding that*  
10 *election*.

11 Under current law, in the event of a vacancy in the office of  
12 County Register of Deeds and Mortgages, the successor must be  
13 elected for a term of five years at the general election next succeeding  
14 the vacancy unless such vacancy occurs *within 37 days next*  
15 *preceding the election*, in which case it must be filled at the second  
16 succeeding general election. This bill changes that deadline to *within*  
17 *60 days next preceding that election*.

18 Under current law, in the event of a vacancy in the office of  
19 County Sheriff, the successor must be elected for a term of three  
20 years at the general election next succeeding the vacancy unless such  
21 vacancy occurs *within 37 days next preceding the election*, in which  
22 case it must be filled at the second succeeding general election. This  
23 bill changes that deadline to *within 60 days next preceding that*  
24 *election*.

25

#### 26 *Municipal Referendum Deadlines*

27

28 Under current law, a copy of a municipal referendum resolution  
29 concerning the retail sale of certain alcoholic beverages is required  
30 to be submitted to the county clerk *30 days prior to the next general*  
31 *election*. This bill requires a copy of such resolution to be delivered  
32 to the county clerk *at least 67 days before the next general election*.

33 The 67-day filing mandate would provide county clerks with  
34 additional time to process ballot design and production and provide  
35 consistency to the election timeline for purposes of municipal  
36 referendums concerning alcoholic beverages.

37

#### 38 *Ballot Printing and Mail-in Ballot Mailing Deadlines*

39

40 Under current law, every county clerk is required to have ready  
41 for the printer *on or before the 45th day prior to the primary election*  
42 a copy of the contents of official ballots, except that every county  
43 clerk is required to have ready for the printer *on or before the 50th*  
44 *day prior to a federal primary election or any general election* a copy  
45 of the contents of the official ballots. This bill requires every county  
46 clerk to have ready for the printer *on or before the 11th day after the*  
47 *last day for the filing of petitions for the primary election or 53 days*  
48 *prior to the general election* a copy of the contents of official ballots

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1 as hereinafter required to be printed for use at such election,  
2 *regardless if that date falls on a federal, State, or local holiday.*

3 Under current law, mail-in ballots that have been approved *before*  
4 *the 45th day before an election* must be forwarded or delivered at  
5 least 45 days before the day of the election. This bill requires mail-  
6 in ballots for which mail-in ballot applications have been approved  
7 *before the 48th day before an election* to be forwarded or delivered  
8 at least 45 days before the day of the election.

9 Under current law, whenever the clerk forwards a mail-in ballot  
10 by mail to a mail-in voter *between the 45th day and the 13th day*  
11 before the day of an election, the ballot must be transmitted within  
12 three business days of the receipt of the application. Whenever the  
13 clerk forwards a mail-in ballot by mail to a mail-in voter between the  
14 12th day and the seventh day before the day of an election, the ballot  
15 shall be transmitted within two business days of the receipt of the  
16 application. This bill provides that whenever the clerk receives a  
17 valid application for a mail-in ballot by mail from a mail-in voter  
18 *between the 48th day and the 13th day* before the day of an election,  
19 the ballot must be transmitted within three business days of the  
20 receipt of the application. Whenever the clerk receives a valid  
21 application for a mail-in ballot by mail from a mail-in voter between  
22 the 12th day and the seventh day before the day of an election, the  
23 ballot shall be transmitted within two business days of the receipt of  
24 the application.