

ASSEMBLY, No. 5590

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:

Assemblyman ALEX SAUICKIE

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Co-Sponsored by:

Assemblywoman Fantasia, Assemblymen Azzariti Jr., Auth, Inganamort, Barlas, Scharfenberger, Kanitra, Assemblywoman Flynn, Assemblymen Clifton and McGuckin

SYNOPSIS

“Election Integrity Through Sensible Ballot Counting Act”; requires mail-in ballots to be received by 8 p.m. on day of election to be canvassed.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the deadline for accepting mail-in ballots to be
2 canvassed, designated as the Election Integrity Through Sensible
3 Ballot Counting Act, 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 22 of P.L.2009, c.79 (C.19:63-22) is amended to
9 read as follows:

10 22. a. On the day of each election, or as provided under
11 subsection b. of this section, each county board of elections shall
12 open in the presence of the commissioner of registration, or the
13 designee thereof, the inner envelopes that contain the mail-in ballots
14 with the votes cast for the election. The inner envelopes containing
15 the ballots that the board or the Superior Court has rejected shall
16 not be so opened, but shall be retained as provided for by this act.
17 The board shall then proceed to canvass the votes cast on the mail-
18 in ballots, but no such ballot shall be counted in any primary
19 election for the general election if the ballot of the political party
20 marked for voting thereon differs from the designation of the
21 political party in the primary election of which such ballot is
22 intended to be voted as marked on the envelope by the county board
23 of elections.

24 Every mail-in ballot that bears a postmark date before or of the
25 day of the election and that is received by the county board **[within**
26 **144 hours after the time of the closing of the polls for]** not later
27 than 8 p.m. on the day of the election **[that]** for which the ballot
28 was prepared shall be considered valid and shall be canvassed.
29 Every mail-in ballot that does not bear a postmark date but that is
30 received by the county board by delivery of the United States Postal
31 Service **[before, or within 48 hours after, the time of the closing of**
32 **the polls for]** not later than 8 p.m. on the day of the election for
33 which the ballot was prepared shall be considered valid and shall be
34 canvassed.

35 b. A county board of elections may begin opening the inner
36 envelopes for each mail-in ballot and canvassing each mail-in ballot
37 from the inner envelope no earlier than five days prior to the day of
38 the election. The Secretary of State shall establish guidelines
39 concerning the early canvassing process. If a county board of
40 elections begins opening the inner envelopes and canvassing the
41 mail-in ballots from the inner envelopes prior to the day of the
42 election, the county board shall implement the measures necessary
43 to ensure the security and secrecy of the mail-in ballots. The
44 contents of the mail-in ballots and the results of the ballot
45 canvassing shall remain confidential and shall be disclosed only in

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 accordance with the provisions of Title 19 of the Revised Statutes,
2 regulations and guidelines concerning the disclosure of election
3 results, and in no circumstances disclosed prior to the close of polls
4 on the day of the election. In addition to the guidelines concerning
5 the early canvassing process, the Secretary of State shall
6 promulgate regulations to ensure that any county board of elections
7 that begins opening the inner envelopes and canvassing the mail-in
8 ballots from the inner envelopes prior to the closing of the polls on
9 election day shall do so in a manner that prevents any person,
10 including any person who is authorized to receive and canvass
11 completed mail-in ballots, from obtaining knowledge of the
12 unofficial results of ballots cast for any candidate for public office
13 or any public question submitted to the voters until after the closing
14 of the polls on election day. No tally or tabulation of results shall
15 occur prior to the opening of polls on election day. As provided
16 under R.S.19:34-13, any person who is authorized to receive and
17 canvass completed mail-in-ballots who knowingly discloses to the
18 public the contents of a mail-in ballot prior to the time designated
19 by law for the closing of the polls for each election shall be guilty
20 of a crime of the third degree.

21 c. Immediately after the canvass is completed, the respective
22 county boards of election shall certify the result of the canvass to
23 the county clerk or the municipal or district clerk or other
24 appropriate officer, as the case may be, showing the result of the
25 canvass by municipality and ward. The votes thus canvassed shall
26 be counted in determining the result of the election.

27 The county board of elections shall, immediately after the
28 canvass is completed for any primary election, certify the results of
29 the votes cast for members of the county committees to the
30 respective municipal clerks, and those votes shall be counted in
31 determining the result of the election.

32 Each mail-in ballot cast, canvassed, and tallied in an election
33 under this section, excluding a fire district election, shall be
34 reported in the results for the election district in which the voter
35 resides. Whenever the reporting requirement of this subsection
36 would cause a voter's privacy to be violated, the election results
37 shall be reported in a manner that maintains the privacy of the vote.
38 (cf: P.L.2022, c.70, s.7)

39
40 2. This act shall take effect immediately.

41 42 43 STATEMENT 44

45 This bill, to be known as the "Election Integrity Through
46 Sensible Ballot Counting Act," requires mail-in ballots to be
47 received by 8 p.m. on the day of the election for which the ballot
48 was prepared in order to be considered valid and canvassed.

1 Under current law, every mail-in ballot that is postmarked by
2 election day and that is received by the county board of elections
3 within 144 hours after the time of the closing of the polls is
4 considered valid and is required to be canvassed. Additionally,
5 every mail-in ballot received by the county board of elections
6 within 48 hours after the time of the closing of the polls, whether it
7 bears a postmark or not, is considered valid and is required to be
8 canvassed.

9 Accepting mail-in ballots on or before the sixth day following
10 the primary or general election day can create confusion and doubt
11 among voters and undermine public trust. Under the bill, both
12 timeframes for the acceptance of mail-in ballots are modified to be
13 not later than 8 p.m. on the day of the election for which the ballot
14 was prepared. This bill provides voters with a timeframe of
15 approximately six weeks to mark and return their mail-in ballots. In
16 addition, current law provides voters with the option to return their
17 mail-in ballots via drop box at any time between receipt of the
18 blank ballot and 8 p.m. on the day of the election.