SENATE, No. 4941

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED NOVEMBER 23, 2026

Sponsored by:
Senator JOSEPH PENNACCHIO
District 26 (Morris and Passaic)

SYNOPSIS

"Election Integrity Through Uniform Fair Standards Act"; concerns voter signature verification procedures to cure voted mail-in ballots.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning voter signature verification procedures for voted mail-in ballots, designated as the Election Integrity Through Uniform Fair Standards Act, and amending P.L.2009, c.79 and P.L.2020, c.70.

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

1. Section 17 of P.L.2009, c.79 (C.19:63-17) is amended to read as follows:

17. a. The county board of elections shall, promptly after receiving each mail-in ballot, remove the inner envelope containing the ballot from the outer envelope and shall compare the signature and the information contained on the flap of the inner envelope with the signature and information contained in the respective requests for mail-in ballots and the signature and information contained in the Statewide voter registration system. In addition, as to mail-in ballots issued less than seven days prior to an election, the county board of elections shall also check to establish that the mail-in voter did not vote in person. The county board shall reject such a ballot if it is not satisfied, pursuant to a comparison with the Statewide voter registration system, that the voter is legally entitled to vote and that the ballot conforms with the requirements of this act. The county board of elections shall conduct the determination of qualification of each voter in accordance with the requirements of the Certificate of Mail-in Voter pursuant to section 13 of P.L.2009, c.79 (C.19:63-13).

Prior to conducting the procedures for determining whether a mail-in ballot shall be accepted or rejected pursuant to subsection b. of this section, the county board of elections shall conduct a random audit of one percent of the signature comparisons conducted pursuant to this subsection and provide additional training to employees, as necessary, based on the results of the audit. The county board of elections shall provide a report of the results of such audit, and any remedial action taken, to the Secretary of State.

In the case of a mail-in ballot to be voted at a primary election for the general election, the ballot shall be rejected if the mail-in voter has indicated in the certificate the voter's intention to vote in a primary election of any political party in which the voter is not entitled to vote according to the Statewide voter registration system and if it shall appear from the record that the voter is not entitled to vote in a primary election of the political party which has been so indicated.

Any mail-in ballot which is received by a county board of elections shall be rejected if the inner envelope is unsealed or if

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.

either the inner or outer envelope has a seal that has been tampered with, except that when the voter failed to insert the voted mail-in ballot in the inner envelope, or failed to complete the certificate of mail-in voter on the inner envelope, or when the inner or outer envelope is missing or unsealed, or when the seal has been tampered with, the county board of elections shall permit the voter to cure the mail-in ballot as provided under subsection b. of this section. Mail-in ballots shall not be rejected due to any defect arising out of or relating to the preparation or mailing of the ballot or envelope that was not reasonably caused by the voters, such as a torn envelope and missing or insufficient glue to allow the ballot to be sealed.

Disputes about the qualifications of a mail-in voter to vote or about whether or not or how any mail-in ballot shall be counted in such election shall be referred to the Superior Court for determination, as provided under section 4 of P.L.2020, c.70 (C.19:63-17.1).

After such investigation, the county board of elections shall detach or separate the certificate from the inner envelope containing the mail-in ballot, unless it has been rejected by it or by the Superior Court, marking the envelope so as to identify the election district in which the ballot contained therein is to be voted as indicated by the voter's home address appearing on the certificate attached to or accompanying the inner envelope and, in the case of ballots to be voted at a primary election for a general election, so as to identify the political party in the primary election of which it is to be voted.

The location at which a county board of elections determines whether a mail-in ballot shall be accepted or rejected shall be considered an election district for the purposes of appointment of challengers. The determination of ballot acceptance, rejection, and curing pursuant to this section shall be subject to observation by duly appointed challengers, provided, however, that challengers shall not participate in, interfere with, object during, or otherwise delay the cure, review, or supervisory determination process for the acceptance, rejection, and curing of a mail-in ballot.

b. The county board of elections shall, promptly after receiving each mail-in ballot, undertake the procedures and requirements concerning the acceptance or rejection of each mail-in ballot enumerated in this subsection, which shall not require a vote of the board of elections to be undertaken, provided, however, that any preliminary determination to reject a mail-in ballot pursuant to this subsection shall be made by trained elections employees designated by the county board of elections and shall be subject to supervisory review designated by the county board of elections before the issuance of a cure letter or a final rejection. The supervisory review shall be conducted by two supervisory officials of different political party affiliations where practicable. No mail-in ballot shall be

finally rejected without such supervisory review. The procedures and requirements concerning the acceptance or rejection of each mail-in ballot shall be as follows:

(1) within 24 hours after the decision has been made to reject a voter's mail-in or provisional ballot on the basis of a missing signature or discrepant signature, issue a "Cure Letter" by mail or email to the voter whose ballot was rejected, which shall inform the voter of that fact and provide the reasoning for rejection, and attempt to contact the voter by telephone or text message, if a telephone number or cellular phone number is available. The cure letter shall include a "Cure Form" and the form shall include the voter's name and instruct the voter on how to cure the alleged or actual deficiency. Cure forms shall ⟦not⟧ be referred to as affidavits ⟦or certifications⟧ and shall ⟦not⟧ be required to be sworn before an officer duly qualified under the laws of New Jersey to administer an oath;

(2) when the alleged or actual deficiency involves the signature of the voter, instruct the voter that they may cure the deficiency by completing the cure form and returning it to the county board of elections in person, by fax, or by email not later than 48 hours prior to the final certification of the results of the election other than the general election, or in the case of a general election within ⟦11⟧ four days after the general election, or by returning it to the county board of elections by mail and that the completed cure form must be received by the county board of elections not later than 48 hours prior to the final certification of the results of the election other than the general election, or in the case of a general election within ⟦11⟧ four days after the general election;

(3) include, with the cure letter, when sent by mail, a pre-printed cure form and a postage-paid return envelope addressed to the county board of elections which the voter may use to return the cure form;

(4) inform voters that they shall not be required to submit any form of hard-copy identification document or copy thereof in order to cure a signature deficiency, but may do so by declaring that they submitted their provisional ballot or mail-in ballot and verifying their identity by either: (a) providing a valid New Jersey driver's license number or Motor Vehicle Commission non-driver identification number; (b) if the voter does not have a valid New Jersey driver's license number or Motor Vehicle Commission non-driver identification number, then by providing the last four digits of their Social Security Number; or (c) if the voter does not have the identification in (a) or (b), then attaching a legible copy of a New Jersey State-accepted form of identification, including either a sample ballot which lists the voter's name and address, an official federal, State, county, or municipal document which lists the voter's name and address, or a utility bill, telephone bill, or tax or rent

receipt which lists the voter's name and address; and (d) signing and dating the cure form prior to returning it;

(5) when the deficiency is because the voter failed to insert the voted mail-in ballot in the inner envelope, or failed to complete the certificate of mail-in voter on the inner envelope, when the inner or outer envelope is missing or unsealed, or when the seal appears to have been tampered with, or due to any deficiency other than a missing or discrepant signature subject to the curing procedures otherwise specified in this section, provide the voter with a new mail-in ballot, inform the voter of the defect through the cure letter required pursuant to this subsection, and permit the voter to cure the defect by submitting the new completed ballot by mail, returning it to the county board of elections in person, or placing it into a ballot drop box, in accordance with the timeframes applicable to the return of completed mail-in ballots provided under current law; except that the requirement to provide a new mail-in ballot to a voter under this paragraph shall be implemented only if the county board of elections can identify the name and address of the voter using official pre-printed information on the voter’s ballot or envelope materials and if the new mail-in ballot can be provided to the voter in accordance with the timeframes specified under section 3 of P.L.2009, c.79 (C.19:63-3); and

(6) when a voter has applied for and received a mail-in ballot, transmitted it to the county board of elections, and has received a cure letter and, if applicable, a cure form, for any reason as provided in this subsection, prior to the day of the election, the voter shall be permitted to vote in-person, either during the early voting period or on election day, using a provisional ballot pursuant to section 7 of P.L.1999, c.232 (C.19:53C-1).

All cure letters shall include instructions informing the voter of the option to vote in-person, either during the early voting period or on election day, using a provisional ballot instead of having to return the cure form or replacement mail-in ballot, as applicable.

c. If a voter returns a completed cure form in a timely manner and the information provided verifies the voter's identity, pursuant to this section, their otherwise valid mail-in or provisional ballot shall be counted in the final election results irrespective of any signature deficiency previously identified and, under those circumstances, the cure form may not be verified or authenticated using signature matching.

d. In accordance with this section, variations in voter signatures caused by the substitution of initials for the first name or middle name, or both, shall not be grounds for the county board of elections to determine that the signatures are non-conforming or do not match.

e. In cases of rejected ballots, the county board of elections shall retain the voter's outer envelope, inner envelope, self-certification certificate, and mail-in ballot in a bundle unique to

each voter for a period of two years in accordance with section 24 of P.L.2009, c.79 (C.19:63-24).

f. County boards of elections shall be required to meet at least once each week during the three-week period preceding each election to conduct the ballot processing and curing provisions specified in this section and shall meet more frequently as may be required by the Secretary of State to ensure the timely processing of ballots.

g. The Secretary of State shall prepare educational materials regarding this section that all employed county boards of elections employees handling ballots shall read and have available for review. The materials shall provide clear information regarding the standards for acceptance and rejection of mail-in ballots and the safe-keeping of all materials in the case of rejection. The materials shall serve an educational purpose for the county board of elections and shall not replace, supersede, or void the authority of the county board or a judge of the Superior Court to accept or reject a mail-in ballot.

h. Any issuance and receipt of a cure letter, cure form, and new mail-in ballot pursuant to the provisions of this section shall be recorded in the voter's record in the Statewide Voter Registration System. Prior to July 1, 2026, the Secretary of State shall cause such changes to be made to that system as may be necessary to facilitate the recording requirements of this subsection and shall certify to the Legislature and county boards of elections that the Statewide Voter Registration System has been updated, tested, and deployed to support the requirements of P.L.2025, c.322, which certification shall include, but may not be limited to:

(1) the recording of the issuance and receipt of cure letters, cure forms, and new mail-in ballots;

(2) the tracking of supervisory review determinations; and

(3) the ability of county boards of elections to uniformly comply with the provisions of this section.

i. Notwithstanding any provision of this section, or any other law, rule, or regulation to the contrary, a county board of elections shall not be required to issue a cure letter, cure form, or a new mail-in ballot to any voter, or otherwise contact the voter, when the voter cannot be identified by the county board of elections using official pre-printed information on the voter's ballot or envelope materials.

<u>j. When the alleged or actual deficiency involves the signature of the voter, the voter shall complete a cure form in substantially the following form:</u>

<u>"MAIL-IN BALLOT CURE FORM AFFIDAVIT</u>

<u>I, ……. (insert voter's name), am a qualified voter in this election and a registered voter of ……. (insert name of county) County, New Jersey. I solemnly swear or affirm that I submitted</u>

my provisional or mail-in ballot and I will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a crime of the third degree.

I am verifying my identity by (choose one):

My Driver's License Number is ……. (insert Driver's License Number) or Motor Vehicle Commission Non-driver ID Number is ……. (insert Motor Vehicle Commission Non-driver ID Number); or

I do not have a Driver's License Number or Motor Vehicle Commission Non-driver ID Number. The last four digits of my Social Security Number are ……. (insert last four digits of Social Security Number); or,

I do not have a Driver's License, Motor Vehicle Commission Non-driver ID, or Social Security Number, and am attaching a legible copy of a sample ballot which lists my name and address; an official federal, State, county or municipal document which lists my name and address; or a utility or telephone bill or tax or rent receipt which lists my name and address;

and, I wish to cure the signature deficiency in the record so that my ballot can be cast and counted."

(cf: P.L.2025, c.322, s.3)

2. Section 5 of P.L.2020, c.70 (C.19:63-17.2) is amended to read as follows:

5. a. The Secretary of State shall prepare educational materials regarding the provisions of section 17 of P.L.2009, c.79 (C.19:63-17) that all county boards of elections persons handling ballots shall be required to read or view prior to the election. The materials shall provide clear information regarding the standards for acceptance and rejection of mail-in ballots and the safe holding of all materials in the case of rejection. The materials shall provide guidance for evaluating the characteristics of the written signature to determine whether any of the following exist to the degree that one or more warrants invalidation of the signature on a mail-in ballot certificate envelope, including, but not limited to:

(1) the type of writing is significantly different;

(2) the signature is smoother;

(3) the overall form of the letters is inconsistent;

(4) the size and proportion of the signature is inconsistent;

(5) the slant of the signature is inconsistent;

(6) the name is misspelled;

(7) the spacing within the signature is inconsistent;

(8) the curves or loops in the signature are inconsistent;

(9) the dotting of an "i" or the crossing of a "t" is inconsistent;

(10) the signature appears to indicate the writing instrument was lifted and returned to the signature space;

(11) the beginning or end stroke of the signature is inconsistent; and

(12) larger ink dots or stray marks are present around the signature.

b. Prior to each election, the Secretary of State shall direct all county boards of elections and their members, agents, employees, and representatives, who shall be collectively known as the "evaluators," and who are responsible for authenticating or verifying mail-in ballots pursuant to section 17 of P.L.2009, c.79 (C.19:63-17), or authenticating or verifying provisional ballots pursuant to section 19 of P.L.1999, c.232 (C.19:53C-13), to comply with the provisions of subsection c. of this section.

c. The Secretary of State and each county board of elections shall ensure that all evaluators receive, and are directed to comply with, written guidance for evaluating the characteristics of the written signature pursuant to subsection a. of this section, stating as follows:

(1) when verifying signatures, evaluators shall keep in mind that everyone writes differently, and no one signs their name exactly the same way twice;

(2) some variation in signatures is to be expected;

(3) many factors can lead to signature variance, including, but not limited to, age, disability, underlying health conditions, writing implement or surface, level of concentration, and educational background;

(4) according to studies, evaluators are more likely to declare genuine signatures to be non-genuine than they are to accept a non-genuine signature as genuine, and the goal is to prevent these errors in signature verification; **[**and**]**

(5) evaluators shall presume that the documents were signed by the same person and shall accept a signature as valid unless there is a clear discrepancy that cannot be reasonably explained; and

(6) evaluators shall follow the written guidance prepared by the Secretary of State for evaluating the characteristics of the written signature to determine whether any of the following exist to the degree that one or more warrants invalidation of the signature on a mail-in ballot certificate envelope including, but not limited to:

(1) the type of writing is significantly different;

(2) the signature is smoother;

(3) the overall form of the letters is inconsistent;

(4) the size and proportion of the signature is inconsistent;

(5) the slant of the signature is inconsistent;

(6) the name is misspelled;

(7) the spacing within the signature is inconsistent;

(8) the curves or loops in the signature are inconsistent;

(9) the dotting of an "i" or the crossing of a "t" is inconsistent;

(10) the signature appears to indicate the writing instrument was lifted and returned to the signature space;

(11) the beginning or end stroke of the signature is inconsistent; and

(12) larger ink dots or stray marks are present around the signature.

d. The Secretary of State shall, not later than 14 days prior to the election, publish the signature matching guidelines required under subsection c. of this section which each evaluator shall be required to follow in determining if mail-in voter signatures match.

e. The Secretary of State shall, at least 30 days prior to the election, conduct a voter education campaign to inform voters about the signature matching and ballot curing provisions established by this act, P.L.2020, c.70, which campaign shall also exhort voters to update their contact information with their respective county board of elections, including their email address, cellular phone number, and telephone number, to enable the county board to contact the voter in case the need arises for the voter to cure their ballot.

(cf: P.L.2020, c.70, s.5)

3. This act shall take effect January 1 next following the date of enactment.

STATEMENT

This bill, designated as the “Election Integrity Through Uniform Fair Standards Act,” requires voters who submitted a mail-in ballot with an alleged or actual discrepancy in the voter’s signature to complete cure forms, which will be sworn affidavits signed by voters before an officer duly qualified under the laws of New Jersey to administer an oath. Under current law, the cure form is not an affidavit or certificate.

Under current law, within 24 hours after the decision has been made to reject a voter's mail-in or provisional ballot on the basis of a missing signature or discrepant signature, the county board of elections will issue a "Cure Letter" by mail or email to the voter whose ballot was rejected, informing the voter of that fact and providing the reasoning for rejection, and attempt to contact the voter by telephone if a telephone number is available. The bill requires the county board of elections to contact the voter by text message if a cellular phone number is provided. Also, the bill reduces the number of days a voter has to return the completed cure form from 11 to four days. The bill specifies the characteristics of the written signature to be evaluated during the signature verification process.

The bill is intended to promote voter confidence in the State's election system. It provides a deterrent against intentionally

providing false material information on a ballot cure form and accountability if the deterrent fails. A cure form is a way for a voter to avoid having the voter's ballot invalidated, such as due to an alleged or actual discrepancy in the voter's signature, and the bill seeks to ensure that people who voted fraudulently are not able to cure their ballots. The bill also promotes earlier official election results by shortening the time required for the return of a cure form, but balances that by allowing for notification by text message of the opportunity to cure the voter's ballot. Mail-in ballots can be counted up to five days prior to election day, so voters may have several days to cure their ballots. The bill's standards for signature comparison are derived from the "Guide to Signature Verification of Mail-In and Provisional Ballots and Cure of Discrepant or Missing Signatures," reissued May 12, 2026 by the New Jersey Department of State.