Directive Regarding Email Voting and Mail-in Ballots for Displaced Voters

Notwithstanding Hurricane Sandy and its aftermath, the State of New Jersey is committed to holding a fair, open, transparent, and accessible election on Tuesday, November 6, 2012, as established by federal law, 3 U.S.C. § 1, et seq.

In my capacity as the State's Chief Election Official, I am working with State, county, and local officials to address election-day polling issues that have arisen as a result of Hurricane Sandy. Voters throughout the State are encouraged to take advantage of early voting options as made available by County Elections Officials.

In order to facilitate voter participation, and pursuant to the authorities vested in me by Executive Order 104, you are hereby directed as follows:

- 1. Any voter who has been displaced from their primary residence because of Hurricane Sandy is hereby designated as an "overseas voter" for purposes of the Overseas Residents Absentee Voting Law, N.J.S.A. 19:59-1, et seq., consistent with the following procedures:
 - A. These displaced voters may submit a mail-in ballot application to the County Clerk of the county in which they live. These voters may submit that application by email or fax. The contact information for the applicable Clerk is available at the applicable county's website or at the New Jersey Division of Elections website, www.elections.nj.gov. Further information is available by calling the following toll-free number: 1-877-NJVOTER (1-877-658-6837).
 - B. Upon receipt of the application, the County Clerk shall determine if the applicant is a qualified voter. If so, the County Clerk shall electronically send the ballot and the waiver of secrecy form to the voter by the method chosen by the voter (email/fax).
 - C. The County Clerk shall accept such electronic applications through 5 p.m. on November 6, 2012.
 - D. The voter must transmit the signed waiver of secrecy along with the voted ballot by fax or email for receipt by the applicable county board of election no later than November 6, 2012 at 8 p.m.

- 2. The statutory deadline for the receipt of mail-in ballots will be extended to November 19, 2012 for any ballot postmarked on or before November 5, 2012. Any such ballot received by the County Boards of Election shall be processed in the normal course.
- 3. It is to be expected that counties will require a greater number of provisional and emergency ballots than usual. The County Clerks are hereby directed to evaluate the anticipated demand, ensure that the County has an adequate supply, and develop contingency plans to print and deliver additional provisional and emergency ballots on Election Day.
- 4. This Directive is effective immediately and shall expire after the general election of November 6, 2012.

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