

# ASSEMBLY, No. 1212

## STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

Assemblywoman NELLIE POU  
District 35 (Bergen and Passaic)

**Co-Sponsored by:**

Assemblywoman Oliver

**SYNOPSIS**

Provides voter registration assistance to persons completing parole, probation, and criminal sentences.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 9/16/2008)

1 AN ACT concerning voter registration for persons completing  
2 parole, probation, and criminal sentences and supplementing  
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. The chief probation officer in each county shall:

9 a. cause copies of the voter registration forms and instructions  
10 provided for under section 16 of P.L.1974, c.30 (C.19:31-6.4) and  
11 the declination form provided for in subsection b. of section 26 of  
12 P.L.1994, c.182 (C.19:31-6.11) to be distributed at each office to  
13 each person who is completing probation who appears in person  
14 thereat. An employee of the office shall inquire of every such  
15 person whether the person wishes to be registered to vote and shall  
16 inform the person that the person will become eligible to vote upon  
17 completion of probation. The employee shall subsequently review  
18 the forms to determine whether or not the person wishes to register  
19 to vote. If the person does not wish to register, the employee shall  
20 provide the person with any assistance necessary to complete the  
21 declination form and then inform the person that the form will be  
22 retained by the employee. If the person wishes to register, the  
23 employee shall provide the person with any assistance necessary in  
24 completing the voter registration form; shall inform the person that  
25 the person may leave the completed form with the employee or mail  
26 it personally to the Attorney General; and if the person chooses to  
27 leave the form, shall accept the completed form, stamp or otherwise  
28 mark the lower right hand corner of the document with the date on  
29 which it was so received, and forward it to the Attorney General.  
30 The employee shall provide to each person who does not decline to  
31 register to vote the same degree of assistance with regard to the  
32 completion of the voter registration form as is provided by the  
33 office with regard to the completion of its own forms, unless the  
34 person refuses such assistance;

35 b. provide for the continuous supply of the forms and  
36 instructions specified in subsection a. of this section to every office;

37 c. provide the forms and instructions specified in subsection a.  
38 of this section in both the English and Spanish languages to the  
39 offices which are located in any county in which bilingual sample  
40 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or  
41 section 2 of P.L.1965, c.29 (C.19:23-22.4);

42 d. provide for the collection of completed voter registration  
43 forms by any employee of the office for the transmittal of the forms  
44 to the Attorney General;

45 e. provide that the forms, instructions and assistance specified  
46 in subsection a. of this section shall be provided to any person with  
47 a disability at that person's home by an employee of the office;

- 1 f. inform each employee of the office who assists in registering  
2 a person to vote that employee shall not:
- 3 (1) seek to influence an applicant's political preference or party  
4 registration;
- 5 (2) display any such political preference or party allegiance;
- 6 (3) make any statement to an applicant or take any action the  
7 purpose or effect of which is to discourage the applicant from  
8 registering to vote; and
- 9 g. make certain that no information relating to a declination to  
10 register to vote by a person is used for any purpose other than voter  
11 registration.
- 12
- 13 2. The State Parole Board shall:
- 14 a. cause copies of the voter registration forms and instructions  
15 provided for under section 16 of P.L.1974, c.30 (C.19:31-6.4) and  
16 the declination form provided for in subsection b. of section 26 of  
17 P.L.1994, c.182 (C.19:31-6.11) to be distributed at each office to  
18 each person who is completing parole for conviction of a crime  
19 under the laws of this State who appears in person thereat. An  
20 employee of the office shall inquire of every such person whether  
21 the person wishes to be registered to vote and shall inform the  
22 person that the person will become eligible to vote upon completion  
23 of parole. The employee shall subsequently review the forms to  
24 determine whether or not the person wishes to register to vote. If  
25 the person does not wish to register, the employee shall provide the  
26 person with any assistance necessary to complete the declination  
27 form and then inform the person that the form will be retained by  
28 the employee. If the person wishes to register, the employee shall  
29 provide the person with any assistance necessary in completing the  
30 voter registration form; shall inform the person that the person may  
31 leave the completed form with the employee or mail it personally to  
32 the Attorney General; and if the person chooses to leave the form,  
33 shall accept the completed form, stamp or otherwise mark the lower  
34 right hand corner of the document with the date on which it was so  
35 received, and forward it to the Attorney General. The employee  
36 shall provide to each person who does not decline to register to vote  
37 the same degree of assistance with regard to the completion of the  
38 voter registration form as is provided by the office with regard to  
39 the completion of its own forms, unless the person refuses such  
40 assistance;
- 41 b. provide for the continuous supply of the forms and  
42 instructions specified in subsection a. of this section to every office;
- 43 c. provide the forms and instructions specified in subsection a.  
44 of this section in both the English and Spanish languages to the  
45 offices which are located in any county in which bilingual sample  
46 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or  
47 section 2 of P.L.1965, c.29 (C.19:23-22.4);

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- 1 d. provide for the collection of completed voter registration  
2 forms by any employee of the office for the transmittal of the forms  
3 to the Attorney General;
- 4 e. provide that the forms, instructions and assistance specified  
5 in subsection a. of this section shall be provided to any person with  
6 a disability at that person's home by an employee of the office;
- 7 f. inform each employee of the office who assists in registering  
8 a person to vote that employee shall not:
- 9 (1) seek to influence an applicant's political preference or party  
10 registration;
- 11 (2) display any such political preference or party allegiance;
- 12 (3) make any statement to an applicant or take any action the  
13 purpose or effect of which is to discourage the person from  
14 registering to vote; and
- 15 g. make certain that no information relating to a declination to  
16 register to vote by a person is used for any purpose other than voter  
17 registration.
- 18
- 19 3. Whenever any person completes serving a sentence in any  
20 State or county correctional facility for a crime without being  
21 granted parole, the Commissioner of Corrections shall:
- 22 a. cause copies of the voter registration forms and instructions  
23 provided for under section 16 of P.L.1974, c.30 (C.19:31-6.4) and  
24 the declination form provided for in subsection b. of section 26 of  
25 P.L.1994, c.182 (C.19:31-6.11) to be distributed to such person. An  
26 employee of the Department of Corrections or of the county  
27 correctional facility, as appropriate, shall inquire of every such  
28 person whether the person wishes to be registered to vote and shall  
29 inform the person that the person will become eligible to vote upon  
30 release. The employee shall subsequently review the forms to  
31 determine whether or not the person wishes to register to vote. If  
32 the person does not wish to register, the employee shall provide the  
33 person with any assistance necessary to complete the declination  
34 form and then inform the person that the form will be retained by  
35 the employee. If the person wishes to register, the employee shall  
36 provide the person with any assistance necessary in completing the  
37 voter registration form; shall inform the person that the person may  
38 leave the completed form with the employee or mail it personally to  
39 the Attorney General; and if the person chooses to leave the form,  
40 shall accept the completed form, stamp or otherwise mark the lower  
41 right hand corner of the document with the date on which it was so  
42 received, and forward it to the Attorney General. The employee  
43 shall provide to each person who does not decline to register to vote  
44 the same degree of assistance with regard to the completion of the  
45 voter registration form as is provided by the department or county  
46 with regard to the completion of its own forms, unless the applicant  
47 refuses such assistance;

1 b. provide for the continuous supply of the forms and  
2 instructions specified in subsection a. of this section to every state  
3 and county correctional facility;

4 c. provide the forms and instructions specified in subsection a.  
5 of this section in both the English and Spanish languages to the  
6 facilities which are located in any county in which bilingual sample  
7 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or  
8 section 2 of P.L.1965, c.29 (C.19:23-22.4);

9 d. provide for the collection of completed voter registration  
10 forms by an employee for the transmittal of the forms to the  
11 Attorney General;

12 e. inform each employee of the agency or office who assists in  
13 registering a person to vote that employee shall not:

14 (1) seek to influence an applicant's political preference or party  
15 registration;

16 (2) display any such political preference or party allegiance;

17 (3) make any statement to an applicant or take any action the  
18 purpose or effect of which is to discourage the applicant from  
19 registering to vote; and

20 f. make certain that no information relating to a declination to  
21 register to vote by an individual is used for any purpose other than  
22 voter registration.

23  
24 4. This act shall take effect immediately.

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26  
27 STATEMENT  
28

29 This bill requires the chief probation officer in each county, the  
30 State Parole Board and the Commissioner of Corrections to assist  
31 each person under their jurisdiction who is completing probation,  
32 parole, or a criminal sentence and wishes to register to vote in  
33 completing a voter registration form.

34 Currently, an individual who is convicted of a crime of the fourth  
35 through first degree is prohibited from voting in any primary,  
36 municipal, special or general election while serving a sentence for  
37 that crime and while on parole or probation as a result of that  
38 conviction.