

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 422**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

ADOPTED JANUARY 6, 2020

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

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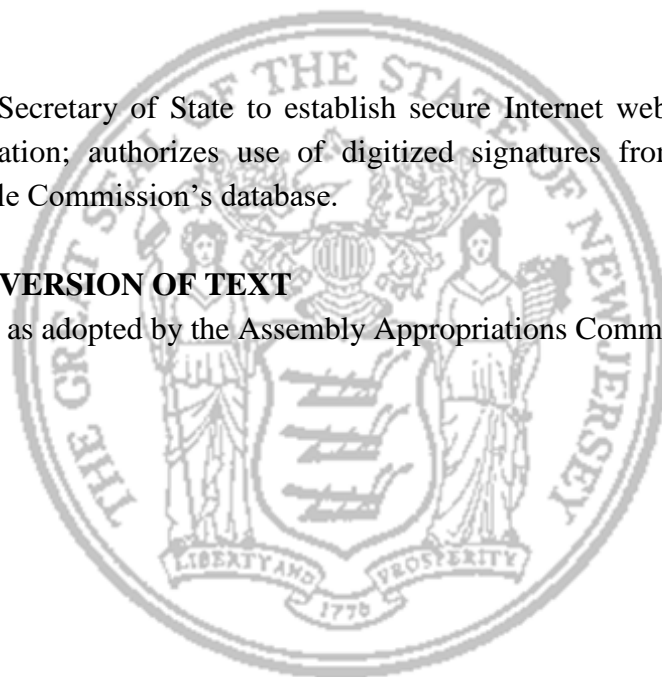
**Assemblyman Kennedy, Assemblywomen Murphy, Downey, Reynolds-Jackson, Pinkin, Jasey, Carter, Assemblyman Johnson, Assemblywoman Vainieri Huttle, Assemblymen Zwicker and McKeon**

**SYNOPSIS**

Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Assembly Appropriations Committee.



**(Sponsorship Updated As Of: 1/14/2020)**

1 AN ACT concerning online voter registration and amending various  
2 parts of the statutory law and supplementing chapter 31 of Title  
3 19 of the Revised Statutes.

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

7  
8 1. (New section) Notwithstanding any other provision of law  
9 to the contrary, a person who is qualified to register to vote may  
10 submit a voter registration form electronically on a secure Internet  
11 website maintained by the Secretary of State, if the applicant has an  
12 email address and provides a valid New Jersey driver's license  
13 number, a valid New Jersey nondriver identification card number, or  
14 the last four digits of the applicant's Social Security number. The voter  
15 registration form shall contain substantively the same information  
16 required to be contained on a paper voter registration form pursuant  
17 to section 16 of P.L.1974, c.30 (C.19:31-6.4).

18 a. The Secretary of State shall apply the same voter registration  
19 deadline applicable under current law for paper voter registration  
20 forms to an online voter registration form submitted by an applicant  
21 pursuant to this section.

22 b. The applicant completing the form shall affirmatively attest  
23 to the truth of the information provided in the form.

24 c. For voter registration purposes, the applicant shall  
25 affirmatively assent to the use of his or her signature from his or her  
26 driver's license or non-driver identification card or the applicant's  
27 digitized or electronic signature.

28 d. For each online voter registration form, the Secretary of  
29 State shall obtain either an electronic copy of the applicant's  
30 signature from his or her driver's license or non-driver  
31 identification card directly from the New Jersey Motor Vehicle  
32 Commission, or the applicant's digitized or electronic signature.

33 e. Upon submission of an online voter registration form pursuant  
34 to this section, the electronic voter registration system shall  
35 automatically acknowledge that the online voter registration form  
36 has been submitted successfully, and provide instructions on how  
37 the person completing the voter registration form may follow-up on  
38 the status of the submission either online or by contacting the  
39 appropriate county commissioner of registration.

40 f. The Secretary of State shall employ security measures to  
41 ensure the accuracy and integrity of voter registration forms  
42 submitted electronically pursuant to this section.

43 g. The New Jersey Motor Vehicle Commission and the Secretary  
44 of State shall jointly develop a process and the infrastructure to  
45 allow the electronic copy of the applicant's signature and other

**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 information required under this section that is in the possession of  
2 the commission to be transferred to the Secretary of State and to the  
3 appropriate county election officials to allow a person who is  
4 qualified to register to vote in New Jersey to register to vote under  
5 this section.

6 h. If an applicant cannot electronically submit the information  
7 required pursuant to this section, the applicant shall nevertheless be  
8 able to complete the online voter registration form electronically on  
9 the Secretary of State's Internet website, print a paper copy of the  
10 completed form, and mail or deliver the paper copy of the  
11 completed form to the Secretary of State or the appropriate county  
12 election official. For the purposes of this subsection, the applicant  
13 shall be required to provide the same documents required to be  
14 provided with a paper voter registration form pursuant to R.S.19:31-  
15 5.

16

17 2. R.S.19:31-6 is amended to read as follows:

18 19:31-6. Any person qualified to vote in an election shall be  
19 entitled to vote in the election if the person shall have registered to  
20 vote on or before the 21st day preceding the election by:

21 a. registering in person at any offices designated by the  
22 commissioner of registration for providing and receiving  
23 registration forms;

24 b. completing a voter registration form while applying for a  
25 motor vehicle driver's license from an agent of the New Jersey  
26 Motor Vehicle Commission, as provided for in section 24 of  
27 P.L.1994, c.182 (C.39:2-3.2);

28 c. completing and returning to the Secretary of State or having  
29 returned thereto a voter registration form received from a voter  
30 registration agency, as defined in subsection a. of section 26 of  
31 P.L.1994, c.182 (C.19:31-6.11), while applying for services or  
32 assistance or seeking a recertification, renewal or change of address  
33 at an office of that agency;

34 d. completing and returning to the Secretary of State a voter  
35 registration form obtained from a public agency, as defined in  
36 subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

37 e. completing and returning to the Secretary of State or having  
38 returned thereto a voter registration form received from a door-to-  
39 door canvass or mobile registration drive, as provided for in section  
40 19 of P.L.1974, c.30 (C.19:31-6.7);

41 f. completing and returning to the Secretary of State a federal  
42 mail voter registration form, as prescribed in subsection (b) of  
43 section 9 of the "National Voter Registration Act of 1993," (42  
44 U.S.C. s. 1973gg et seq.);

45 g. completing and returning to the Secretary of State or the  
46 appropriate county clerk an application for a federal postcard  
47 application form to register to vote, as permitted pursuant to the

1 "Overseas Absentee Voting Act" (42 U.S.C. s. 1973ff-1 et seq.) and  
2 section 4 of P.L.1976, c.23 (C.19:59-4);**or**

3 h. completing a provisional ballot affirmation statement and  
4 voting the provisional ballot in the previous election, if the person  
5 who submitted the provisional ballot in that election is determined  
6 not to be a registered voter; or

7 i. completing and submitting an online voter registration form  
8 available on the Secretary of State's Internet website, as provided  
9 under section 1 of P.L. , c. (C. ) (pending before the Legislature  
10 as this bill).

11 When the commissioner has designated a place or places other  
12 than his office for receiving registrations, the commissioner shall  
13 cause to be published a notice in a newspaper circulated in the  
14 municipality wherein such place or places of registration shall be  
15 located. Such notice shall be published pursuant to R.S.19:12-7.

16 Any office designated by the commissioner of registration for  
17 receiving registration forms shall have displayed, in a conspicuous  
18 location, registration and voting instructions. These instructions  
19 shall be the same as those provided for polling places under  
20 R.S.19:9-2 and shall be provided by the commissioner.

21 (cf: P.L.2017, c.39, s.10)

22

23 3. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to read  
24 as follows:

25 17. a. Upon receipt of any completed registration form, the  
26 commissioner of registration shall review it, and if it is found to be  
27 in order, shall:

28 (1) Send to the registrant written notification that such registrant  
29 is duly registered to vote. No registrant shall be considered a  
30 registered voter until the commissioner of registration reviews the  
31 application submitted by the registrant and deems it acceptable. On  
32 the face of such notification in the upper left-hand corner shall be  
33 printed the words: "Do Not Forward. Return Postage Guaranteed.  
34 If not delivered in 2 days, return to the Commissioner of  
35 Registration."

36 (2) In as timely a manner as possible, enter the information  
37 provided for the registrant on the completed registration form, or  
38 electronically transfer the information from an online voter  
39 registration form completed pursuant to section 1 of P.L. ,  
40 c. (C. ) (pending before the Legislature as this bill), into the  
41 Statewide voter registration system established pursuant to section 1  
42 of P.L.2005, c.145 (C.19:31-31).

43 (3) Paste, tape, or photocopy the completed registration form  
44 onto an original registration form, and shall paste or tape a copy of  
45 such completed registration form onto a duplicate registration form,  
46 both of which shall be filed as provided in R.S.19:31-10. Nothing  
47 in this paragraph shall preclude any commissioner of registration  
48 from keeping the original mail registration form on file.

1 (4) In the case of a registrant currently registered in another  
2 county of this State, notify the commissioner of registration of such  
3 other county to remove the individual's name from the registry list  
4 of voters of the county and place into an appropriate retention file  
5 all registration documents or material relating to that voter. The  
6 commissioner of registration of the current county of the registrant  
7 shall secure and maintain the entire voting history of that registrant.

8 b. The commissioner shall notify a registrant of the reasons for  
9 any refusal to approve his registration.

10 c. (Deleted by amendment, P.L.1994, c.182.)

11 (cf: P.L.2005, c.145, s.10)

12  
13 4. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to read  
14 as follows:

15 1. a. There shall be established in the Department of State a single  
16 Statewide voter registration system, as required pursuant to section  
17 303 of the federal "Help America Vote Act of 2002," Pub.L.107-252  
18 (42 U.S.C. s.15483). The principal computer components of the  
19 system shall be under the direct control of the Secretary of State. The  
20 Secretary of State shall be responsible for creating the network  
21 necessary to maintain the system and providing the computer software,  
22 hardware and security necessary to ensure that the system is accessible  
23 only to those executive departments and State agencies so designated  
24 by the Secretary of State, each county commissioner of registration,  
25 each county and municipal clerk, and individuals under certain  
26 circumstances, as provided for by this section. The system shall be the  
27 official State repository for voter registration information for every  
28 legally registered voter in this State, and shall serve as the official  
29 voter registration system for the conduct of all elections in the State.

30 b. The Statewide voter registration system shall include, but not  
31 be limited to, the following features:

32 (1) the name and registration information of every legally  
33 registered voter in the State;

34 (2) the ability to assign a unique identifier to each legally  
35 registered voter in the State;

36 (3) interactivity among appropriate State agencies so designated  
37 by the Secretary of State, each county commissioner of registration,  
38 each county board of elections, and each county clerk such that these  
39 entities shall have immediate electronic access to all or selected  
40 records in the system, as determined by the Secretary of State, to  
41 receive or transmit all or selected files in the system and to print or  
42 review all or selected files in the system;

43 (4) the ability to permit any county commissioner of registration  
44 to enter voter registration information on an expedited basis, and to  
45 transfer electronically voter registration information from an online  
46 voter registration form completed pursuant to section 1 of P.L. ,  
47 c. (C. ) (pending before the Legislature as this bill), at the time the

1 information is provided thereto and to permit the Secretary of State to  
2 provide technical support to do so whenever needed;

3 (5) the ability to permit each municipal clerk to view or print  
4 information in the system;

5 (6) the ability to permit an individual, by July 1, 2006, to verify  
6 via the Internet whether that individual, and only that individual, is  
7 included in the system as a legally registered voter, whether the  
8 information pertaining to that individual required by subsection c. of  
9 this section is correct, and if not, a means to notify the pertinent county  
10 commissioner of registration of the corrections that must be made and  
11 to so verify in a way that does not give one individual access to the  
12 information required by subsection c. of this section for any other  
13 individual;

14 (7) a Statewide street address index and map in electronic form  
15 that can accurately identify the location of every legally registered  
16 voter in this State;

17 (8) the ability to record and monitor all requests for mail-in  
18 ballots; to enable the county clerk to verify the identity and signature  
19 of each person requesting a mail-in ballot; to record the name and  
20 address of each voter determined to be eligible to receive a mail-in  
21 ballot for a particular election and to note when a mail-in ballot has  
22 been transmitted to that voter by mail or hand delivery; to update the  
23 system to allow the postal tracking of mail-in ballots using Intelligent  
24 Mail barcodes, or a similar successor tracking system, upon the finding  
25 by the Secretary of State that such technology is viable; and to make  
26 such information available to the Secretary of State so that a voter can  
27 be notified whether the application for such a ballot was accepted or  
28 rejected, and the reason for the rejection, using the free-access system  
29 established by section 5 of P.L.2004, c.88 (C.19:61-5); and

30 (9) any other functions required pursuant to Pub.L.107-252 (42  
31 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that may  
32 be deemed necessary by the Secretary of State.

33 c. The Statewide voter registration system shall include, but not  
34 be limited to, the following information for every legally registered  
35 voter in this State:

36 (1) last, first and middle name;

37 (2) street address at time of registration or rural route, box number  
38 or apartment number, if any;

39 (3) city or municipality, and zip code;

40 (4) date of birth;

41 (5) telephone number and e-mail address, if provided on voter  
42 registration form;

43 (6) previous name or address if individual re-registered due to  
44 change of name or address;

45 (7) ward and election district number, if either is available;

46 (8) (a) current and valid New Jersey driver's license number; or

- 1 (b) if the registrant has not been issued a New Jersey driver's  
2 license number, the last four digits of the registrant's social security  
3 number; or  
4 (c) unique identifying number for any individual who has not been  
5 issued the information sought in subparagraph (a) or (b) of this  
6 paragraph;  
7 (9) notation that a copy of one of the following documents has  
8 been submitted with the voter registration application, if required:  
9 current and valid photo identification card; a current utility bill, bank  
10 statement, government check, pay check or any other government  
11 document showing the registrant's name and current address;  
12 (10) the method by which the individual registered and whether  
13 that person needs to provide additional identification information to  
14 vote using a voting machine instead of a provisional ballot;  
15 (11) political party affiliation, if designated;  
16 (12) **digitalized** digitized signature;  
17 (13) date of registration or re-registration;  
18 (14) name and street address of the individual assisting in the  
19 completion of the form, if the applicant for registration is unable to do  
20 so;  
21 (15) voting participation record for ten-year period; and  
22 (16) any other information required pursuant to Pub.L.107-252  
23 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that  
24 the Secretary of State determines is necessary to assess the eligibility  
25 of an individual to be registered to vote and to vote in this State.  
26 (cf: P.L.2018, c.72, s.4)

27  
28 5. Section 2 of P.L.2005, c.145 (C.19:31-32) is amended to  
29 read as follows:

30 2. a. The Statewide voter registration system shall replace all  
31 other computer or electronic-based registry files of voters and other  
32 voter registration files established and maintained by each county  
33 commissioner of registration for voter registration and election  
34 administration purposes established pursuant to the provisions of  
35 Title 19 and Title 40 of the Revised Statutes, and shall be the single  
36 system for storing and managing the official file of registered voters  
37 throughout the State. A commissioner may, however, continue to  
38 use and maintain as a supplement to the system the original and  
39 duplicate permanent registration binders and voting records and  
40 shall continue to use and maintain the signature copy registers or  
41 polling records provided for in Title 19 of the Revised Statutes.

42 b. Each county commissioner of registration shall be  
43 responsible for adding to, deleting from, amending and otherwise  
44 conducting on a regular basis maintenance for the files of every  
45 legally registered voter in that commissioner's county as contained  
46 in the Statewide voter registration system, pursuant to the  
47 provisions of section 303 of Pub.L.107-252 (42 U.S.C. s. 15301 et  
48 seq.) and Title 19 of the Revised Statutes. Each commissioner shall

1 be responsible for verifying the accuracy of the name, address and  
2 other data of registered voters in the commissioner's respective  
3 county as contained in the system. The commissioner who receives  
4 the voter registration forms of individuals who have registered to  
5 vote in the county or who are re-registering for any reason shall be  
6 responsible for entering the information on those forms into the  
7 system on an expedited basis, and electronically transferring into  
8 the system the information from online voter registration forms  
9 completed pursuant to section 1 of P.L. , c. (C. ) (pending  
10 before the Legislature as this bill), including but not limited to  
11 forms and information received pursuant to chapter 31 of Title 19 of  
12 the Revised Statutes. The information the commissioner shall use  
13 to update and maintain the system shall be that required by  
14 subsection c. of section 1 of P.L.2005, c.145 (C.19:31-31).

15 c. The **【Attorney General】** Secretary of State and each county  
16 commissioner of registration shall be responsible for developing  
17 and providing the technological security measures needed to  
18 prevent unauthorized access to the Statewide voter registration  
19 system established pursuant to section 1 of P.L.2005, c.145  
20 (C.19:31-31) and to the information for any individual on the  
21 system required by subsection c. of section 1 of that act.

22 d. The **【Attorney General】** Secretary of State, in consultation  
23 with each county commissioner of registration, shall develop  
24 minimum standards to safeguard the accuracy of the files contained  
25 in the Statewide voter registration system. Such standards shall  
26 include procedures to ensure that reasonable effort is made to  
27 remove registrants who are ineligible to vote pursuant to federal or  
28 State law and to ensure that eligible voters are not removed in error  
29 from the system.

30 e. (1) The **【Attorney General】** Secretary of State and the Chief  
31 Administrator of the New Jersey Motor Vehicle Commission in the  
32 Department of Transportation shall enter into an agreement to  
33 match information in the database of the Statewide voter  
34 registration system with information in the database of the  
35 commission, including social security numbers, to the extent  
36 required to enable verification of the accuracy of the information  
37 provided on applications for voter registration, and to locate and  
38 utilize for voter registration purposes the digitized signatures of  
39 licensed drivers or holders of non-driver identification cards who  
40 register to vote using an online voter registration form, as provided  
41 pursuant to section 1 of P.L. , c. (C. ) (pending before the  
42 Legislature as this bill).

43 (2) The **【Attorney General】** Secretary of State shall enter into  
44 an agreement with the Commissioner of the Department of Health  
45 and Senior Services to match information in the database of the  
46 Statewide voter registration system with State agency information  
47 on death records.



1 (3) The **【Attorney General】** Secretary of State shall enter into  
2 an agreement with the Commissioner of the Department of  
3 Corrections to match information in the database of the Statewide  
4 voter registration system with State agency information on  
5 individuals who are incarcerated, on probation, or on parole as the  
6 result of a conviction for an indictable offense.

7 (4) The **【Attorney General】** Secretary of State shall enter into  
8 an agreement with the Administrative Office of the Courts to match  
9 information in the database of the Statewide voter registration  
10 system with State agency information on individuals who are  
11 incarcerated, on probation, or on parole as the result of a conviction  
12 for an indictable offense.

13 (5) The **【Attorney General】** Secretary of State shall enter into  
14 an agreement with the State Parole Board to match information in  
15 the database of the Statewide voter registration system with State  
16 agency information on individuals who are on parole.

17 (cf: P.L.2005, c.145, s.2)

18

19 6. (New section) a. For the purpose of facilitating online voter  
20 registration as quickly and efficiently as possible, the State shall  
21 procure a qualified vendor to develop and implement a voter  
22 registration Internet website and all necessary supporting software  
23 systems to implement online voter registration ahead of the 2020  
24 general election.

25 b. Notwithstanding the provisions of any other law, rule, or  
26 regulation to the contrary, a contract for the implementation of the  
27 online voter registration Internet website and necessary supporting  
28 software systems shall be procured in an expedited process and in the  
29 manner provided by this section.

30 c. The Division of Purchase and Property in the Department of the  
31 Treasury shall procure, without the need for formal advertisement, but  
32 through the solicitation of proposals from professional services  
33 vendors, a qualified vendor with experience implementing such  
34 websites and systems in other states.

35 d. Notwithstanding the provisions of any other law, rule, or  
36 regulation to the contrary, for the purpose of expediting the  
37 procurement of a vendor capable and experienced in implementing an  
38 online voter registration website and systems, the following provisions  
39 shall apply as modifications to any law or regulation that may interfere  
40 with the expedited procurement:

41 (1) the timeframes for challenging the specifications shall be  
42 modified as determined by the Division of Purchase and Property;

43 (2) in lieu of advertising in accordance with section 7 of P.L.1954,  
44 c.48 (C.52:34-12), the division shall advertise the request for proposals  
45 for the procurement under this section and any addenda thereto on the  
46 division's website;

47 (3) the period of time that the State Comptroller, if applicable, has  
48 to review the request for proposals for the procurement under this

1 section for compliance with applicable public contracting laws, rules,  
2 and regulations, pursuant to section 10 of P.L.2007, c.52 (C.52:15C-  
3 10), shall be 10 business days or less, if practicable, as determined by  
4 the State Comptroller;

5 (4) the timeframes for submission under section 4 of P.L.2012,  
6 c.25 (C.52:32-58) and section 1 of P.L.1977, c.33 (C.52:25-24.2) shall  
7 be extended to prior to the issuance of a Notice of Intent to Award;

8 (5) the provisions of section 1 of P.L.2005, c.92 (C.52:34-13.2)  
9 shall not apply to technical and support services under this section  
10 provided by a vendor using a “24/7 follow-the-sun model” as long as  
11 the contractor is able to provide such services in the United States  
12 during the business day; and

13 (6) the term “bids” in subparagraph (f) of subsection a. of section  
14 7 of P.L.1954, c.48 (C.52:34-12) shall not include pricing which will  
15 be revealed to all responsive bidders during the negotiation process.

16 e. The division may, to the extent necessary, waive or modify any  
17 requirement under any other law or regulation that may interfere with  
18 the expeditious procurement required under this section.

19

20 7. This act shall take effect 180 days following enactment.