

ASSEMBLY, No. 134

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblyman HAROLD "HAL" J. WIRTHS

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SYNOPSIS

Requires certain documentation as proof of voter identity to vote; updates procedures for challenging voters regarding proof of identity.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/5/2021)

1 AN ACT concerning verification of voter identity through certain
2 documentation to vote, and amending various parts of the
3 statutory law.
4

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

7
8 1. R.S.19:15-17 is amended to read as follows:

9 19:15-17. a. (1) The comparison of signatures of a voter made
10 upon registration and upon election day, and if the voter alleges his
11 inability to write, the comparison of the answers made by such
12 voter upon registration and upon election day, shall **[be had]** occur
13 in full view of the challengers.

14 (2) The examination of any document concerning proof of
15 identification of a voter, set forth in subsection b. of this section,
16 made upon election day shall occur in full view of the challengers.

17 b. (1) If a voter has registered by mail after January 1, 2003 to
18 vote for the first time in his or her current county of residence and
19 did not provide personal identification when registering pursuant to
20 section 16 of P.L.1974, c.30 (C.19:31-6.4), the voter shall be
21 permitted to vote starting at the first election held after January 1,
22 2004 at which candidates are seeking federal office after displaying
23 one of the following items: **[(1)]** a current and valid photo
24 identification card; **[(2)]** a current utility bill, bank statement,
25 government check or pay check; **[(3)]** any other government
26 document that shows the voter's name and current address; or **[(4)]**
27 any other identifying document that the **[Attorney General]**
28 Secretary of State has determined to be acceptable for this purpose.

29 (2) In addition to the display of documentation as may be
30 required by paragraph (1) of this subsection, beginning with the
31 first election held after January 1, 2016, regardless of when the
32 voter registered and the method of registration, the voter shall be
33 permitted to vote, unless otherwise exempt pursuant to this
34 subsection, only by displaying a document as valid proof of
35 identification, which may be a New Jersey driver's license, New
36 Jersey nondriver's identification card, or other document, that
37 includes all of the following criteria:

38 (a) the name of the voter to whom the document was issued, and
39 which conforms to the name under which the voter is registered and
40 from whom the signature is produced for making comparisons of
41 signatures;

42 (b) a photograph of the voter to whom the document was issued;

43 (c) an expiration date that has either not expired, or expired only
44 after the date of the most recent election; and

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 (d) was issued by the federal government or this State.

2 A voter shall be required to display only one document with
3 respect to paragraphs (1) and (2) of this subsection, if that document
4 satisfies the identifying document criteria set forth in both
5 paragraphs.

6 (3) If the voter does not display [one of these documents,] a
7 document in accordance with paragraph (1) or (2) of this
8 subsection, or the validity of a document is subject to challenge
9 after examination, the voter shall not be permitted to vote by
10 machine but shall instead be provided with a provisional ballot,
11 pursuant to the provisions of P.L.1999, c.232 (C.19:53C-1 et seq.);
12 except that, a voter who does not display a document in accordance
13 with paragraph (2) of this subsection due to a religious objection to
14 being photographed shall be permitted to vote by machine if the
15 voter establishes an exemption due to a religious objection by
16 executing a sworn affidavit as to the religious objection.

17 This subsection shall not apply to any voter entitled to vote by
18 absentee ballot under the "Uniformed and Overseas Citizens
19 Absentee Voting Act" (42 U.S.C. 1973ff-1 et seq) or to any voter
20 who is provided the right to vote other than in person under section
21 3 of Pub.L.98-435 (42 U.S.C. s.1973ee-1), the "Voting
22 Accessibility for the Elderly and Handicapped Act," or any other
23 voter entitled to vote otherwise than in person under any other
24 federal law. **[This subsection shall also not apply to any person**
25 **who registers to vote by appearing in person at any voter**
26 **registration agency or to any person whose voter registration form**
27 **is delivered to the county commissioner of registration or to the**
28 **Attorney General, as the case may be, through a third party by**
29 **means other than by mail delivery.]**

30 c. Each county commissioner of registration shall collect and
31 maintain, in the manner prescribed by the **[Attorney General]**
32 Secretary of State, the information provided pursuant to subsection
33 b. of this section and section 16 of P.L.1974, c.30 (C.19:31-6.4).
34 Access to the personal identification information provided pursuant
35 to subsection b. of this section and section 16 of P.L.1974, c.30
36 (C.19:31-6.4) **[.]** shall be prohibited, in accordance with subsection
37 a. of section 6 of P.L.2001, c.404 (C.47:1A-5).
38 (cf: P.L.2004, c.88, s.9)

39

40 2. R.S.19:7-5 is amended to read as follows:

41 19:7-5. Such challengers shall be the authorized challengers for
42 their respective political parties and candidates or for the
43 proponents or opponents of a public question. They shall have the
44 power to challenge the right to vote therein of any person claiming
45 such right and shall have power to examine any document presented
46 concerning proof of identification of that person and to ask all
47 necessary questions to determine this right. They may be present

1 while the votes cast at any election are being counted, hear and see
2 the ballots counted and shall have the right and power to challenge
3 the counting or rejecting of any ballot or any part of a ballot.
4 (cf: P.L.1956, c.66, s.4)

5

6 3. R.S.19:15-18 is amended to read as follows:

7 19:15-18. The members of the district boards and any duly
8 authorized challenger, respectively, shall at any election challenge
9 every person who shall claim to have a right to vote therein whom
10 they or he shall know, suspect or believe not to be qualified or
11 entitled to so vote, and said members of the district board or
12 challenger shall have the power and right to examine any document
13 concerning proof of identification of that person and to ask all
14 questions which are suitable and necessary to determine such
15 person's right.

16 No member of the district board and no duly authorized
17 challenger shall, however, challenge, delay or prevent the right to
18 vote of any person because of that person's race, color, national
19 origin, expected manner of casting a vote or residence in a
20 particular ward, housing complex or section of a municipality or
21 county, provided that nothing herein shall be construed to prohibit a
22 challenge based upon the failure of the challenged voter to meet the
23 applicable statutory residency qualification for voting in the
24 particular election district. Any member of the district board or
25 duly authorized challenger who violates this section is guilty of a
26 disorderly persons offense.

27 (cf: P.L.1991, c.249, s.1)

28

29 4. Section 2 of P.L.1991, c.249 (C.19:15-18.1) is amended to
30 read as follows:

31 2. a. Any voter whose name does not appear on a challenge list
32 prepared by the superintendent of elections of the county but who is
33 challenged as not qualified or entitled to vote by a duly authorized
34 challenger or by a member of a district board of elections shall be
35 permitted to establish his right to vote by:

36 (1) signing an affidavit which states the voter's qualifications to
37 vote on forms to be supplied by the superintendent of elections in
38 those counties having a superintendent of elections or by the
39 commissioner of registration in all other counties, and;

40 (2) presenting for inspection **【a suitable】** a provisional
41 identifying document, 【which】 if having displayed a document as
42 valid proof of identification in accordance with subsection b. of
43 R.S.19:15-17 or having executed an affidavit as to a religious
44 objection to being photographed as an exemption to the
45 identification requirement, but the validity of this previously
46 displayed document or executed affidavit is the subject of the
47 challenge. The provisional document may be, but is not limited to,
48 the following:

- 1 (a) **【a valid New Jersey driver's license;】** (Deleted by
2 amendment, P.L. , c. (C.)) (pending before the Legislature
3 as this bill)
- 4 (b) a sample ballot which lists the voter's name and address;
- 5 (c) an official federal, State, county or municipal document
6 which lists the voter's name and address;
- 7 (d) a utility or telephone bill or tax or rent receipt dated; or
- 8 (e) a piece of mail postmarked, on or after the 60th day before
9 the day of the election at which the voter is challenged.
- 10 b. A copy of the affidavit signed by the challenged voter shall
11 be given to that person.
- 12 c. The affidavit, or a form attached to it, shall state:
- 13 (1) the means by which a person whose name does not appear
14 on a challenge list prepared by the superintendent of elections of the
15 county but who is challenged by a duly authorized challenger or by
16 a member of the district board of elections may seek to establish the
17 person's right to vote, as provided in subsection a. of this section;
- 18 (2) that a challenger who succeeds in denying a voter the right
19 to vote must sign an affidavit stating the reason why the voter is not
20 entitled to vote and must furnish a copy of the affidavit to the
21 challenged voter, as provided in section 3 of P.L.1991, c.249
22 (C.19:15-18.2);
- 23 (3) the legal remedy which a person whose name does not
24 appear on a challenge list prepared by the superintendent of
25 elections of the county but who is challenged by a duly authorized
26 challenger or by a member of the district board of elections and
27 denied the right to vote may use to seek permission to vote, as
28 provided in section 6 of P.L.1991, c.249 (C.19:15-18.3).
- 29 d. In counties in which the primary language of 10% or more
30 of the registered voters is Spanish, the affidavit and instructions for
31 its completion and the information required by subsection c. of this
32 section shall appear in both English and Spanish.
33 (cf: P.L.1991, c.249, s.2)
- 34
- 35 5. Section 3 of P.L.1991, c.249 (C.19:15-18.2) is amended to
36 read as follows:
- 37 3. If a person whose name does not appear on a challenge list
38 prepared by the superintendent of elections of the county is
39 challenged as not qualified or entitled to vote by a duly authorized
40 challenger or by a member of the district board of elections and if
41 this challenge is sustained by the district board of elections, the
42 person making the challenge shall specify the grounds for the
43 challenge in a signed affidavit on forms to be supplied by the
44 superintendent of elections in those counties having a
45 superintendent of elections or by the county clerk in all other
46 counties. This document also shall state that the challenged voter
47 has sought to establish his right to vote by signing an affidavit
48 which states the challenged voter's qualifications to vote and by

1 presenting **【a suitable】** provisional identifying document in
2 accordance with paragraph (2) of subsection a. of section 2 of
3 P.L.1991, c.249 (C.19:15-18.1), the **【identity】** description of which
4 shall be specified **【by the challenger】** in the document, in those
5 cases in which the challenged voter is being challenged based upon
6 the validity of a document displayed as proof of identification in
7 accordance with subsection b. of R.S.19:15-17 or the validity of an
8 executed affidavit of religious objection to being photographed as
9 an exemption in accordance with paragraph (3) of that subsection.
10 A copy of the challenger's affidavit shall be given to the challenged
11 voter.

12 (cf: P.L.1991, c.249, s.3)

13

14 6. Section 6 of P.L.1991, c.249 (C.19:15-18.3) is amended to
15 read as follows:

16 6. Any person whose name does not appear on a challenge list
17 prepared by the superintendent of elections of the county but who is
18 challenged and denied the right to vote on the day of a municipal,
19 primary, general, or special election by a duly authorized challenger
20 or by a member of a district board of elections, may apply to a
21 Superior Court judge sitting at the county seat for permission to
22 vote. No papers need be filed; the court shall entertain oral
23 applications. The challenged voter may appear pro se or with
24 counsel. The challenger or the member of the district board, as the
25 case may be, may appear or be represented by counsel. The
26 challenged voter shall be permitted to state by oath or affirmation
27 the facts which the voter believes establish eligibility to vote, shall
28 furnish a copy of the affidavit the voter signed when challenged, a
29 copy of the affidavit signed by the challenger and, if being
30 challenged based on the display of a document as valid proof of
31 identification in accordance with subsection b. of R.S.19:15-17 or
32 based upon the validity of an executed affidavit for an exemption
33 due to a religious objection to being photographed with respect to
34 paragraph (3) of that subsection, the identifying document found
35 invalid by the challenger and the district board. The rules of
36 evidence shall not apply to those proceedings. The judge shall
37 grant the application and provide the challenged voter with written
38 authorization to vote on that day if the judge finds the following
39 facts to be established by the testimony of the applicant or, in the
40 case of a dispute of facts or some questions as to the challenged
41 voter's credibility, by a preponderance of the following evidence:

42 a. The challenged voter is at least 18 years old and a citizen of
43 the United States and of this State, has resided in the county at least
44 30 days prior to the date of the election, and has not been convicted
45 of a crime which would disenfranchise a person under the laws of
46 this State, and **【either】**:

1 b. The challenged voter is properly registered at his location;
2 **【or】**

3 c. The challenged voter was properly registered at his location
4 as of the last election at which the challenged voter voted but has
5 moved to another location within the county since then and in good
6 faith attempted to register at the new address within the time
7 prescribed by law; or

8 d. The challenged voter has produced a document as valid
9 proof of identification or a valid executed affidavit of religious
10 objection to being photographed as an exemption from the
11 identification requirement of subsection b. of R.S.19:15-17 in
12 accordance with paragraph (3) of that subsection.

13 For the purposes of this section, a good faith attempt to register
14 shall include: completing the prescribed registration form no later
15 than 21 days before the election in the presence of a person who
16 appears to be over 18 years old and says that he or she can and will
17 witness the form and mail it to the register for the applicant;
18 completing a form received in the mail from the commissioner of
19 registration, superintendent of elections or the county board which
20 states that information has been received that the applicant has
21 moved and placing the completed form in a proper mailbox with
22 proper postage, if necessary, no later than 21 days before the
23 election; completing a registration form in any government office;
24 and reasonably relying upon the oral statements of an official at a
25 polling place that they will insure proper reregistration.

26 The judge of the Superior Court having the application shall
27 cause a full record of the proceeding to be taken stenographically,
28 transcribed and filed in the office of the county clerk of the county,
29 which record shall be open and public record. All costs and
30 expenses of such proceedings shall be paid by the county.

31 (cf: P.L.2005, c.139, s.5)

32

33 7. R.S.19:15-22 is amended to read as follows:

34 19:15-22. Upon any question or challenge of a voter duly
35 registered it shall be the duty of the board, and the privilege of all
36 its members, to examine any document presented concerning proof
37 of identification and to put all such questions as are proper to
38 determine the right of the voter to vote.

39 (cf: R.S.19:15-22)

40

41 8. R.S.19:15-23 is amended to read as follows:

42 19:15-23. In municipalities having permanent registration, if a
43 voter is challenged, the board, in addition to examining any
44 document presented concerning proof of identification of the voter,
45 shall ask him the questions which were asked him upon registration,
46 the answers to which appear on the signature copy register and if
47 the answers do not correspond a note of such fact shall be entered in
48 the column of the poll book entitled "remarks". If the document of

1 the voter appears invalid, or the signatures of the voter or the
2 answers to the questions made by the voter do not correspond, then
3 it shall be the privilege of the challengers to challenge, and the duty
4 of each member of the district board to challenge, unless some other
5 authorized person shall challenge.

6 (cf: R.S.19:15-23)

7

8 9. R.S.19:15-24 is amended to read as follows:

9 19:15-24. The district boards shall not give a ballot to any
10 person unless they shall be satisfied that such person is in all
11 respects qualified and entitled to vote; and for the purpose of
12 satisfying themselves as to the right of any person who shall claim a
13 right to vote they shall have power to examine such person, and any
14 other person or persons, under oath or affirmation, touching such
15 right, except as hereinbefore restricted. The board shall determine
16 the right of the voter to vote, after making use of, and giving due
17 weight to, the evidence afforded by his document presented
18 concerning proof of identification in accordance with subsection b.
19 of R.S.19:15-17, and his signature, if any, such answers after
20 examination as provided herein, [and an] any affidavit which states
21 the challenged voter's qualifications to vote and [a suitable] any
22 identifying document, as provided under section 2 of P.L.1991,
23 c.249 (C.19:15-18.1). If any member of the board shall give or
24 assent to give a ballot to any person challenged, without requiring
25 him to take the oath or affirmation hereinbefore prescribed to be
26 made upon such challenge, and the person shall not be qualified and
27 entitled to vote, the member so giving or assenting to give a ballot,
28 shall be deemed to have given to such person a ballot, knowing it to
29 be illegal. The question as to the giving of the ballot to the person
30 shall be put in the following form: "Shall a ballot be given to this
31 person by this board?"

32 If a majority of the board shall decide to give a ballot to such
33 voter or in case of a tie vote, the voter shall be given a ballot and
34 allowed to vote. If a majority of the board shall decide against
35 giving a ballot to the voter no ballot shall be given, but in the case
36 of a voter who is denied a ballot because the board finds that the
37 voter did not display a document as valid proof of identification in
38 accordance with subsection b. of R.S.19:15-17, or did not provide a
39 valid executed affidavit of religious objection to being
40 photographed as an exemption from this requirement in accordance
41 with paragraph (3) of that subsection, that voter shall be provided
42 with a provisional ballot pursuant to the provisions of P.L.1999,
43 c.232 (C.19:53C-1 et al.).

44 **【The】** Except with respect to a person who is herein provided a
45 provisional ballot for failing to display a document as valid proof of
46 identification or to provide an executed affidavit of religious
47 objection to being photographed as an exemption to the
48 identification requirement, the board upon demand of a member of

1 the board or any other citizen shall forthwith issue a warrant for the
2 arrest of **【such】** a person denied a ballot and deliver the same to a
3 peace officer, who shall forthwith arrest him**【, and the】**.

4 The right to challenge voters shall exist until the ballot shall have
5 been deposited in the ballot box. Every such challenge and the
6 determination of the board shall in every instance be recorded in the
7 signature comparison record, in the column "Sig. Comp. by," used
8 at the election at which the challenge has been made.

9 Any member of a district board who refuses or neglects to
10 comply with the provisions of this section may be summarily
11 removed from office by the county board, or any judge of the
12 Superior Court assigned to the county.
13 (cf: P.L.1991, c.249, s.5)

14

15 10. Section 2 of P.L.1994, c.170 (C.19:31-3.3) is amended to
16 read as follows:

17 2. The commissioner may eliminate the use of the duplicate
18 permanent registration binders and may authorize and direct the use
19 at the polls in place of such a binder, as a signature copy register for
20 the purposes of this Title and Title 40 of the Revised Statutes, of a
21 polling record which identifies on each page the election at which
22 the record is used, which indicates for each registrant the name,
23 address, and date of birth of the registrant and identifies the
24 municipality and the particular election district therein from which
25 the person is registered, and which includes adjacent to the
26 registrant's name and address an imprint of the digitalized image of
27 the registrant's signature and sufficient space, immediately to the
28 left or right of that imprint, for the registrant to sign the record,
29 which imprint and signature shall be used as the signature
30 comparison record as prescribed by this Title. The polling record
31 shall also include for each registrant the registrant's date of birth, an
32 indication of whether the registrant has applied for a mail-in ballot
33 in that election, and a place to indicate **【whether】** that the registrant
34 has provided the identification pursuant to R.S.19:15-17 **【, if such**
35 **identification is required】**. The polling record shall also include for
36 each registrant sufficient space for the notation of remarks as
37 provided by R.S.19:15-23 and for the recording of any challenge
38 and the determination thereof by the district board as provided by
39 R.S.19:15-24, or by other elections officials charged with the same
40 duties as the district board in connection with the conduct of an
41 election. In the case of a primary election, the polling record shall
42 also indicate for each registrant the political party, if any, of which
43 the registrant is a member for the purpose of voting at that primary
44 election.

45 Polling records for each election shall be prepared by the
46 commissioner of registration not later than the 10th day preceding
47 the election. At each election, the delivery of the polling records to

1 the municipal clerk and to the district boards or other elections
2 officials charged with the same duties as the district board in
3 connection with the conduct of an election, and the return of those
4 records by the district boards or such other elections officials to the
5 commissioner of registration, shall be made in the manner
6 prescribed by the commissioner.

7 The commissioner of registration shall retain the polling records
8 for any election for a period of not less than six years following that
9 election.

10 (cf: P.L.2009, c.79, s.31)

11

12 11. R.S.19:31-5 is amended to read as follows:

13 19:31-5. Each person, who at the time he or she applies for
14 registration resides in the district in which he or she expects to vote,
15 who will be of the age of 18 years or more at the next ensuing
16 election, who is a citizen of the United States, and who, if he or she
17 continues to reside in the district until the next election, will at the
18 time have fulfilled all the requirements as to length of residence to
19 qualify him or her as a legal voter, shall, unless otherwise
20 disqualified, be entitled to be registered in such district.

21 Whenever an individual registers by mail after January 1, 2003
22 to vote for the first time in his or her current county of residence,
23 that individual shall provide either the individual's New Jersey
24 driver's license number or the last four digits of the individual's
25 Social Security Number, or shall submit with the voter registration
26 form a copy of: (1) a current and valid photo identification card; (2)
27 a current utility bill, bank statement, government check or pay
28 check; (3) any other government document that shows the
29 individual's name and current address; or (4) any other identifying
30 document that the **【Attorney General】** Secretary of State has
31 determined to be acceptable for this purpose. If the individual does
32 not provide his or her New Jersey driver's license number or Social
33 Security Number information or submit a copy of any one of these
34 documents, either at the time of registration or at any time
35 thereafter prior to attempting to vote, the individual, pursuant to
36 paragraph (1) of subsection b. of R.S.19:15-17, shall be asked for
37 identification when voting for the first time starting at the first
38 election held after January 1, 2004 at which candidates are seeking
39 federal office or thereafter.

40 Starting with the first election held after January 1, 2016 and
41 thereafter, regardless of when an individual registered, the method
42 of voter registration, and any identifying information provided with
43 the voter registration form, the individual shall be permitted to vote
44 only after displaying a document as valid proof of identification in
45 accordance with paragraph (2) of subsection b. of R.S.19:15-17, or
46 by executing an affidavit as to a religious objection to being
47 photographed as an exemption from this requirement in accordance
48 with paragraph (3) of that subsection.

1 **【This requirement】** The requirements herein concerning
 2 documented voter identification shall not apply to any individual
 3 entitled to vote by absentee ballot under the "Uniformed and
 4 Overseas Citizens Absentee Voting Act" (42 U.S.C. 1973ff-1 et
 5 seq.) or to any individual who is provided the right to vote other
 6 than in person under section 3 of Pub.L.98-435 (42 U.S.C.
 7 s.1973ee-1), the "Voting Accessibility for the Elderly and
 8 Handicapped Act," or any other voter entitled to vote otherwise
 9 than in person under any other federal law. **【This requirement shall**
 10 **also not apply to any individual who registers to vote by appearing**
 11 **in person at any voter registration agency or to any individual**
 12 **whose voter registration form is delivered to the county**
 13 **commissioner of registration or to the Attorney General, as the case**
 14 **may be, through a third party by means other than by mail**
 15 **delivery.】**

16 Once registered, the registrant shall not be required to register
 17 again in such district as long as he or she resides therein, except
 18 when required to do so by the commissioner, because of the loss of
 19 or some defect in his or her registration record.

20 The registrant, when registered as provided in this Title, shall be
 21 eligible to vote at any election to be held subsequent to such
 22 registration, if he or she shall be a citizen of the United States of the
 23 age of 18 years and shall have been a resident of the State for at
 24 least 30 days and of the county at least 30 days, when the same is
 25 held, subject to any change in his qualifications which may later
 26 disqualify him. No registrant shall lose the right to vote, and no
 27 registrant's name shall be removed from the registry list of the
 28 county in which the person is registered, solely on grounds of the
 29 person's failure to vote in one or more elections.

30 (cf. P.L.2004, c.88, s.10)

31

32 12. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to
 33 read as follows:

34 16. a. The Secretary of State shall cause to be prepared and
 35 shall provide to each county commissioner of registration forms of
 36 size and weight suitable for mailing, which shall require the
 37 information required by R.S.19:31-3 in substantially the following
 38 form:

39 **VOTER REGISTRATION APPLICATION**

40 Print clearly in ink. Use ballpoint pen or marker.

41 (1) This form is being used as (check one):

42 New registration

43 Address change

44 Name change

45 (2) Name:.....

46 Last First Middle

47 (3) Are you a citizen of the United States of America?YesNo

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1 (4) Will you be 18 years of age on or before election
2 day? Yes No

3 If you checked 'No' in response to either of these questions, do
4 not complete this form.

5 (5) Street Address where you live:

6
7 Street Address Apt. No.

8

9 (6) City or Town County Zip Code

10 (7) Address Where You Receive Your Mail (if different from
11 above):

12

13 (8) Date of Birth:

14

15 Month Day Year

16 (9) (a) Telephone Number (optional).....

17 (b) E-Mail Address (optional).....

18 (10) Name and address of Your Last Voter Registration

19

20

21

22 (11) If you are registering by mail to vote and will be voting for
23 the first time in your current county of residence, please provide
24 one of the following:

25 (a) your New Jersey driver's license
26 number:.....

27 (b) the last four digits of your Social Security
28 Number.....

29 OR submit with this form a copy of any one of the following
30 documents: a current and valid photo identification card; a current
31 utility bill, bank statement, government check, pay check or any
32 other government or other identifying document that shows your
33 name and current address. If you do not provide either your New
34 Jersey driver's license number or the last four digits of your Social
35 Security Number, or enclose a copy of one of the documents listed
36 above, you will be asked for identification when voting for the first
37 time, unless you are exempt from doing so under federal or State
38 law.

39 (12) Do you wish to declare a political party affiliation?
40 (Optional):

41 YES. Name of Party:

42 NO. I do not wish to declare a political party affiliation
43 at this time.

44 (13) Declaration - I swear or affirm that:

45 I am a U.S. citizen.

46 I live at the above address.

47 I will be at least 18 years old on or before the day of the next
48 election.

1 I am not on parole, probation or serving a sentence due to a
2 conviction for an indictable offense under any federal or State laws.

3 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
4 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO
5 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH
6 PURSUANT TO R.S.19:34-1.

7
8 Signature or mark of the registrant Date

9 (14) If applicant is unable to complete this form, print the name
10 and address of individual who completed this form.

11
12 Name

13
14 Address

15 In addition, the form may include notice to the applicant of
16 information and options relating to the registration and voting
17 process, including but not limited to notice of qualifications
18 required of a registered voter; notice of the final day by which a
19 person must be registered to be eligible to vote in an election;
20 notice of the effect of a failure to provide required identification
21 information; a place at which the applicant may indicate availability
22 for service as a member of the district board of elections; a place at
23 which the applicant may indicate whether he or she requires a
24 polling place which is accessible to individuals with disabilities and
25 the elderly or whether he or she is legally blind; a place at which
26 the applicant may indicate a desire to receive information
27 concerning absentee voting; and if the application indicates a
28 political party affiliation, the voter is permitted to vote in the
29 primary election of a political party other than the political party in
30 which the voter was affiliated previously only if the voter
31 registration form with the change of political party affiliation is
32 filed prior to the 50th day next preceding the primary election. The
33 form may also include a space for the voter registration agency to
34 record whether the applicant registered in person, by mail or by
35 other means.

36 b. The reverse side of the registration form shall bear the
37 address of the Secretary of State or the commissioner of registration
38 to whom such form is supplied, and a United States postal permit
39 the charges upon which shall be paid by the State.

40 c. The Secretary of State shall cause to be prepared registration
41 forms of the size, weight and form described in subsection a. of this
42 section in both the English and Spanish language and shall provide
43 such forms to each commissioner of registration of any county in
44 which there is at least one election district in which bilingual
45 sample ballots must be provided pursuant to R.S.19:14-21,
46 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

47 d. The commissioner of registration shall furnish such
48 registration forms upon request in person to any person or

1 organization in such reasonable quantities as such person or
2 organization shall request. The commissioner shall furnish no
3 fewer than two such forms to any person upon request by mail or by
4 telephone.

5 e. Each such registration form shall have annexed thereto
6 instructions specifying the manner and method of registration and
7 stating the qualifications for an eligible voter.

8 f. The Secretary of State shall also furnish such registration
9 forms and such instructions to the Director of the Division of
10 Workers' Compensation, the Director of the Division of
11 Employment Services, and the Director of the Division of
12 Unemployment and Temporary Disability Insurance in the
13 Department of Labor and Workforce Development; to the Director
14 of the Division of Taxation in the Department of the Treasury; to
15 the Executive Director of the New Jersey Transit Corporation; to
16 the appropriate administrative officer of any other public agency, as
17 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-
18 6.3); to the Adjutant General of the Department of Military and
19 Veterans' Affairs; and to the chief administrative officer of any
20 voter registration agency, as defined in subsection a. of section 26
21 of P.L.1994, c.182 (C.19:31-6.11).

22 g. All registration forms received by the Secretary of State in
23 the mail or forwarded to the Secretary of State shall be forwarded to
24 the commissioner of registration in the county of the registrant.

25 h. An application to register to vote received from the New
26 Jersey Motor Vehicle Commission or a voter registration agency, as
27 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-
28 6.11), shall be deemed to have been timely made for the purpose of
29 qualifying an eligible applicant as registered to vote in an election if
30 the date on which the commission or agency shall have received
31 that document in completed form, as indicated in the lower right
32 hand corner of the form, was not later than the 21st day preceding
33 that election.

34 i. Each commissioner of registration shall **【make】** note in the
35 permanent registration file of each voter **【who is required to**
36 **provide】** the personal identification information required pursuant
37 to this section, as amended, and R.S.19:15-17, R.S.19:31-5 and
38 Pub.L.107-252 (42 U.S.C. s.15301 et seq.), **【to】** and indicate the
39 type of identification provided by the voter and the date on which it
40 is provided. Prior to the June 2004 primary election, when such a
41 newly registered voter seeks to vote for the first time following his
42 or her registration, the voter will be required to provide such
43 personal identification information. Beginning with the June 2004
44 primary election, when such a newly registered voter seeks to vote
45 for the first time following his or her registration, the voter will not
46 be required to provide such information if he or she had previously
47 provided the personal identification information required pursuant
48 to this section. Beginning with the first election held after January

1 1, 2016, regardless of whether the newly registered voter is required
2 to provide personal identification information the first time the
3 voter seeks to vote following his or her registration, and each time
4 voting thereafter, the voter shall provide personal identification
5 information through valid documentation in accordance with
6 paragraph (2) of subsection b. of R.S.19:15-17, or provide an
7 executed affidavit as to a religious objection to being photographed
8 as an exemption from this requirement in accordance with
9 paragraph (3) of that subsection. The required information shall be
10 collected and stored for the time and in the manner required
11 pursuant to regulations promulgated by the Secretary of State.

12 j. The Secretary of State shall amend the voter registration
13 application form if necessary to conform to the requirements of
14 applicable federal or State law.

15 k. In the event that the name of any political party entered on
16 the voter registration form by a voter who wishes to declare a
17 political party affiliation is not legible, the commissioner of
18 registration shall mail the voter a political party declaration form
19 and a letter explaining that the voter's choice was not understood
20 and that the voter should complete and return the declaration form
21 in order to be affiliated with a party.

22 (cf: P.L.2009, c.287, s.1)

23

24 13. R.S.19:31-11 is amended to read as follows:

25 19:31-11. a. In all counties within the State, change of
26 residence notices shall be made by a written request, signed by the
27 registrant, forwarded to the commissioner by mail, and actually
28 received by the commissioner, or by calling in person at the office
29 of the commissioner or the municipal clerk. The commissioner
30 shall provide change of residence notices in card form for the use of
31 any registered voter moving to another address within the same
32 election district or to another election district within the same
33 county. Copies of these notices shall also be available at the office
34 of the municipal clerk in each municipality. Each municipal clerk
35 shall transmit daily to the commissioner all the filled out change of
36 residence notices that may be in the municipal clerk's office at the
37 time. These notices shall be printed upon cards, shall contain a
38 blank form showing where the applicant last resided and the address
39 and exact location to which the applicant has moved and shall have
40 a line for the applicant's signature, printed name and date of birth.
41 Upon receipt of such change of residence notice the commissioner
42 shall cause the signature to be compared with the registration forms
43 of the applicant and, if such signature appears to be of and by one
44 and the same legal voter, the commissioner shall cause the entry of
45 the change of residence to be made on those registration forms and
46 the registrant shall thereupon be qualified to vote in the election
47 district to which the registrant shall have so moved. If the
48 commissioner is not satisfied as to the signature on the request for a

1 change of residence, a confirmation notice as prescribed by
2 subsection d. of R.S.19:31-15 shall be sent by mail with postage
3 prepaid to the registrant at the new address.

4 The application for change of residence shall be filed with the
5 commissioner or municipal clerk, as the case may be, on or before
6 the 21st day preceding any election.

7 b. In any county any voter who, prior to an election, shall move
8 within the same county after the time above prescribed for filing an
9 application for change of residence without having made
10 application for change of residence, or who has not returned a
11 confirmation notice sent to the voter by the commissioner of
12 registration of the county, if such a notice has been sent to the voter,
13 or who has not moved since the previous election but whose
14 registration information is missing or otherwise deficient, or has
15 otherwise failed to notify the commissioner of registration of the
16 voter's change of address within the county, shall be permitted to
17 vote in that election in the district to which the voter has moved,
18 upon making a written affirmation regarding the change of address
19 at the polling place of the district in which the voter resides on the
20 day of the election. **【No identifying】** Beginning with the first
21 election held after January 1, 2016, the voter shall present a
22 document 【shall be required from the voter】, as described in
23 paragraph (2) of subsection b. of R.S.19:15-17, as valid proof of
24 voter identification, or as described in paragraph (3) of that
25 subsection as an executed affidavit as to a religious objection to
26 being photographed as an exemption from this identification
27 requirement. A district board member shall
28 provide the voter with a provisional ballot, and an envelope with an
29 affirmation statement that conforms with the requirements for such
30 documents contained in subsection b. of section 7 of P.L.1999,
31 c.232 (C.19:53C-1). The voter shall complete the provisional ballot
32 and affirmation statement, place the ballot in the envelope, seal and
33 return it to the district board member. The board member shall
34 review the information in the affirmation statement for
35 completeness before forwarding it for inspection, tabulation and
36 notation by the county board of elections, as provided for by
37 sections 7 through 26 of P.L.1999, c.232 (C.19:53C-1 through
38 C.19:53C-20). The affirmation statement shall constitute a transfer
39 to the registrant's new residence for any subsequent election.
40 However, if the voter has moved from one residence to another
41 within the same election district at any time, the voter shall be
42 permitted to vote in such election district at any election in the same
43 manner as other voters at the polling place upon written affirmation
44 by the registrant to the district board member of the registrant's
45 change of address.

46 c. A voter who moves from an election district in one county to
47 an election district in another county prior to the close of
48 registration preceding an election shall register in the new county of

1 residence, in accordance with the provisions of R.S.19:31-6, in
2 order to be permitted to vote.
3 (cf: P.L.2005, c.139, s.13)
4

5 14. R.S.19:31-26 is amended to read as follows:

6 19:31-26. The commissioner may make and maintain a card
7 index file showing on separate cards the full name, address, birth
8 date, driver's license number, nondriver's identification card
9 number, last four digits of the social security number, or unique
10 identifying number, municipality, ward and district, registration
11 number and date of registration of each person registered in his
12 county. This file shall be arranged alphabetically according to
13 names irrespective of municipality, ward, district, registration
14 number, and date of registration. Reasonably sufficient space shall
15 be reserved on each card for the notations to be made thereon as
16 herein provided.

17 The commissioner shall cause to be made notation on these cards
18 as to each registrant respectively whose registration forms have
19 been transferred from one register to another or to the inactive,
20 death or conviction files concurrently with such transfer. The card
21 with such notations shall show the location of the registration forms
22 of each registrant at all times. All changes of address of the
23 registrant, including those within the same district, shall be noted
24 on these cards concurrently with changes of address on the
25 registration forms.

26 (cf: P.L.2005, c.145, s.18)
27

28 15. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to
29 read as follows:

30 1. a. There shall be established in the Department of State a
31 single Statewide voter registration system, as required pursuant to
32 section 303 of the federal "Help America Vote Act of 2002,"
33 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer
34 components of the system shall be under the direct control of the
35 Secretary of State. The Secretary of State shall be responsible for
36 creating the network necessary to maintain the system and
37 providing the computer software, hardware and security necessary
38 to ensure that the system is accessible only to those executive
39 departments and State agencies so designated by the Secretary of
40 State, each county commissioner of registration, each county and
41 municipal clerk, and individuals under certain circumstances, as
42 provided for by this section. The system shall be the official State
43 repository for voter registration information for every legally
44 registered voter in this State, and shall serve as the official voter
45 registration system for the conduct of all elections in the State.

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

- 1 (1) the name and registration information of every legally
2 registered voter in the State;
 - 3 (2) the ability to assign a unique identifier to each legally
4 registered voter in the State;
 - 5 (3) interactivity among appropriate State agencies so designated
6 by the Secretary of State, each county commissioner of registration,
7 each county board of elections, and each county clerk such that
8 these entities shall have immediate electronic access to all or
9 selected records in the system, as determined by the Secretary of
10 State, to receive or transmit all or selected files in the system and to
11 print or review all or selected files in the system;
 - 12 (4) the ability to permit any county commissioner of registration
13 to enter voter registration information on an expedited basis at the
14 time the information is provided thereto and to permit the Secretary
15 of State to provide technical support to do so whenever needed;
 - 16 (5) the ability to permit each municipal clerk to view or print
17 information in the system;
 - 18 (6) the ability to permit an individual, by July 1, 2006, to verify
19 via the Internet whether that individual, and only that individual, is
20 included in the system as a legally registered voter, whether the
21 information pertaining to that individual required by subsection c.
22 of this section is correct, and if not, a means to notify the pertinent
23 county commissioner of registration of the corrections that must be
24 made and to so verify in a way that does not give one individual
25 access to the information required by subsection c. of this section
26 for any other individual;
 - 27 (7) a Statewide street address index and map in electronic form
28 that can accurately identify the location of every legally registered
29 voter in this State;
 - 30 (8) the ability to record and monitor all requests for mail-in
31 ballots; to enable the county clerk to verify the identity and
32 signature of each person requesting a mail-in ballot; to record the
33 name and address of each voter determined to be eligible to receive
34 a mail-in ballot for a particular election and to note when a mail-in
35 ballot has been transmitted to that voter by mail or hand delivery;
36 and to make such information available to the Secretary of State so
37 that a voter can be notified whether the application for such a ballot
38 was accepted or rejected, and the reason for the rejection, using the
39 free-access system established by section 5 of P.L.2004, c.88
40 (C.19:61-5); and
 - 41 (9) any other functions required pursuant to Pub.L.107-252 (42
42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that
43 may be deemed necessary by the Secretary of State.
- 44 c. The Statewide voter registration system shall include, but
45 not be limited to, the following information for every legally
46 registered voter in this State:
- 47 (1) last, first and middle name;

- 1 (2) street address at time of registration or rural route, box
- 2 number or apartment number, if any;
- 3 (3) city or municipality, and zip code;
- 4 (4) date of birth;
- 5 (5) telephone number and e-mail address, if provided on voter
- 6 registration form;
- 7 (6) previous name or address if individual re-registered due to
- 8 change of name or address;
- 9 (7) ward and election district number, if either is available;
- 10 (8) (a) current and valid New Jersey driver's license number; or
- 11 (b) if the registrant has not been issued a New Jersey driver's
- 12 license number, the last four digits of the registrant's social security
- 13 number; or
- 14 (c) unique identifying number for any individual who has not
- 15 been issued the information sought in subparagraph (a) or (b) of this
- 16 paragraph;
- 17 (9) notation that a copy of one of the following documents has
- 18 been submitted with the voter registration application, if required:
- 19 current and valid photo identification card; a current utility bill,
- 20 bank statement, government check, pay check or any other
- 21 government document showing the registrant's name and current
- 22 address;
- 23 (10) the method by which the individual registered and:
- 24 (a) whether that person needs to provide additional
- 25 identification information to vote using a voting machine instead of
- 26 a provisional ballot; and
- 27 (b) beginning with the first election held after January 1, 2016,
- 28 and subject to the ten-year voting participation record set forth in
- 29 paragraph (15) of this subsection, a notation of the document
- 30 provided as valid proof of identification in accordance with
- 31 paragraph (2) of subsection b. of R.S.19:15-17, or an executed
- 32 affidavit as to a religious objection to being photographed as an
- 33 exemption from the identification requirement in accordance with
- 34 paragraph (3) of that subsection, to vote using a voting machine
- 35 instead of a provisional ballot;
- 36 (11) political party affiliation, if designated;
- 37 (12) digitalized signature;
- 38 (13) date of registration or re-registration;
- 39 (14) name and street address of the individual assisting in the
- 40 completion of the form, if the applicant for registration is unable to
- 41 do so;
- 42 (15) voting participation record for ten-year period; and
- 43 (16) any other information required pursuant to Pub.L.107-252
- 44 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
- 45 that the Secretary of State determines is necessary to assess the
- 46 eligibility of an individual to be registered to vote and to vote in
- 47 this State.
- 48 (cf: P.L.2009, c.287, s.2)

1 16. Section 2 of P.L.1944, c.230 (C.19:31A-8) is amended to
2 read as follows:

3 2. Every person qualified to vote in any election shall at any
4 time after the opening of the polls be at liberty to enter the polling
5 place or room and claim his right to vote at such election in his
6 proper district, and he shall claim such right in person before the
7 district board in the district. The board shall permit no person to
8 vote whose name does not appear in the signature copy register of
9 its election district. Each voter in claiming the right to vote shall
10 first give his full name and address to the member of the district
11 board having charge of the duplicate permanent registration binder
12 and voting record and the signature comparison record, and shall
13 present a document as valid proof of identification or an executed
14 affidavit as to a religious objection to being photographed as an
15 exemption from this requirement in accordance with subsection b.
16 of R.S.19:15-17. Such clerk, if after examining the document
17 presented, is satisfied that it is valid proof of identification or a
18 valid executed affidavit as to a religious objection to being
19 photographed as an exemption to the identification requirement,
20 shall thereupon locate the permanent registration form and voting
21 record and signature comparison record of the voter and shall
22 require the voter to thereupon sign his name in the proper space on
23 his signature comparison record if the voter has previously signed
24 his name on the line marked sample signature. If the voter has not
25 so signed the member of the district board shall require the voter to
26 sign the line marked sample signature and compare the sample
27 signature with the signature made by such person at the time he
28 registered and if satisfied that they were made by one and the same
29 person he shall then permit the voter to sign his name in the proper
30 space on the signature comparison record. The voter shall sign his
31 name without assistance using black ink in the proper column on
32 the signature comparison record. Such signature being completed
33 on the signature comparison record the member of the board having
34 charge of the duplicate permanent registration binder shall audibly
35 and publicly announce the name of the claimant and if the member
36 of the board has ascertained from the duplicate permanent
37 registration binder that the claimant is registered as a qualified voter
38 and upon comparison the member of the board is satisfied that the
39 signature of the claimant and the sample signature on the signature
40 copy register has been made by one and the same person, the
41 member of the board who compared the signature of the voter shall
42 place his initials in the proper column on the signature comparison
43 record signifying that he has made such comparison and is satisfied
44 that the signature of the claimant and sample signature has been
45 made by one and the same person; whereupon the voter shall be
46 eligible to receive a ballot unless it be shown to the satisfaction of a
47 majority of the members of the district board that he is not entitled
48 to vote in the district or has otherwise become disqualified.

1 In addition to signing the signature comparison record and after
2 the comparison of the signature with the signature in the register, a
3 person offering to vote at a primary election for the general election
4 shall announce his name and the party primary in which he wishes
5 to vote.

6 After a person has voted, the member of the district board having
7 charge of the signature copy register shall place the number of the
8 person's ballot in the proper column on the record of voting form of
9 such person, which number shall constitute a record that the person
10 has voted. In the case of a primary election for the general election
11 such member of the district board shall also place in the proper
12 column on the record of voting form the first three letters of the
13 name of the political party whose primary ballot such person has
14 voted.

15 No person shall be required to sign the signature comparison
16 record as a means of identification if he shall have been unable to
17 write his name when he registered, or if, having been able to write
18 his name when registered, he subsequently shall have lost his sight
19 or lost the hand with which he was accustomed to write or shall by
20 reason of disease or accident be unable to write his name when he
21 applies to vote, but each such person who alleges his inability to
22 sign his name on the signature comparison record shall establish his
23 identity as follows: one of the members of the district board shall
24 read the same list of questions to the voter as were required upon
25 registration, such questions shall be provided at each election by the
26 commissioner of registration and are to be known as "identification
27 statements for election day." The member of the board shall write
28 the answers of the voter upon the identification statement. These
29 statements shall be inserted in the front of the duplicate registry
30 binders, at each election, and shall be numbered serially from one to
31 twenty.

32 Each statement shall contain the same questions as the voter was
33 required to answer upon registration. The questions answered upon
34 registration shall not be turned to or inspected until the answers to
35 the questions shall have been written on election day by the member
36 of the board.

37 At the end of each list of questions shall be printed the following
38 statement: "I certify that I have read to the above named voter each
39 of the foregoing questions and that I have duly recorded his answers
40 as above to each of said questions"; and the member of the board
41 who has made the above record shall sign his name to such
42 certificate and date the same, and note the time of day of making
43 such record. If the answers to the questions asked of the voter on
44 election day agree with the answers given by him to the same
45 questions at the time he registered, he shall then be eligible to
46 receive a ballot. Any person who shall permit or attempt to furnish
47 the answers on behalf of the voter shall be guilty of a crime of the
48 fourth degree. The commissioner of registration shall furnish

1 sufficient identification statements for each election district in each
2 county. The statements shall be printed on sheets approximately ten
3 by sixteen inches and shall contain a margin of approximately two
4 inches for binding and shall be inserted in the front of the duplicate
5 registry binders each election and shall be in substantially the
6 following form:

7 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

8 At any election any person who declares under oath and
9 establishes to the satisfaction of a majority of all the members of
10 the district board, that by reason of an inability to read or write,
11 blindness or other physical disability he is unable to mark his ballot
12 without assistance, shall have the assistance of two members of the
13 board who shall not be members of the same political party, to be
14 assigned by the board, in preparing his ballot. Such members shall
15 retire with such voter to the booth and assist him in the preparation
16 of his ballot and folding the same. The member acting as clerk of
17 the district board shall make an entry on a disability certificate for
18 assistance, which entry shall be in the form of an oath and be
19 inserted in the front of the duplicate registry binders each election.

20 In every instance when such oath was administered to a voter as
21 herein provided, it shall state briefly what facts were sworn to and
22 the names of the members of the board who aided such voter. Any
23 members of the district board shall be eligible to witness the
24 preparation of the ballot of any such voter, but no other person shall
25 be allowed to assist him in marking his ballot or to witness the
26 marking of the same. No member of the board shall reveal the
27 name of any person for whom such voter has voted or anything that
28 took place while he was being assisted.

29 Such voter, if blind, disabled, or unable to read or write, may, in
30 lieu of the assistance of the board as above provided, have
31 assistance of some person of his own selection in preparing his
32 ballot. Such person shall retire with such voter to the booth and
33 assist him in the preparation of his ballot and folding the same. The
34 name and address of such person shall be recorded as above. In
35 such case, no other person than the one so selected by the voter
36 shall be allowed to assist such voter in marking his ballot or witness
37 the marking of the same. No person so selected shall reveal the
38 name of any person for whom such voter has voted or anything that
39 took place while he was being assisted.

40 The disability certificates shall be numbered serially one to
41 twenty. The commissioner of registration shall furnish sufficient
42 disability certificates for assistance for each election district in his
43 county. The disability certificates for assistance shall be printed on
44 sheets approximately ten by sixteen inches and shall contain a
45 margin of approximately two inches for binding and shall be in
46 substantially the following form:

47 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

1 The commissioner of registration in each county shall furnish
2 sufficient certificates of signature comparison records for each
3 election district in his county to be filled in and signed at the close
4 of the polls by the members of the district board. A blank space
5 shall also be provided for on the certificate for the signatures of the
6 members of the election board. Under said certificate there shall
7 also be printed the word "Remarks" together with a number of blank
8 lines. The commissioner shall insert one of such certificates in the
9 front of the signature copy register in each election district in the
10 county. At primary elections the certificate shall be in substantially
11 the following form:

12 PRIMARY ELECTION

13 CERTIFICATION OF SIGNATURE COMPARISON RECORD

14 The undersigned constituting the district board of election in the
15 County of..... in the.....

16 (City, Town, Township, Borough or Village)

17 Ward..... District hereby
18 certify that (.....) is the correct

19 (Figures)

20 total of the number of names of voters who actually signed the
21 signature comparison records and voted in the DEMOCRATIC
22 PRIMARY ELECTION held on the

23 day of..... 20....

24 And hereby certify that (.....) is the correct total of

25 (Figures)

26 the number of names of voters who actually signed the signature
27 comparison records and voted in the REPUBLICAN PRIMARY
28 ELECTION held on the..... day of....., 20....

29 DISTRICT

30Judge..... Clerk.

31
32 BOARD OF ELECTION

33Inspector..... Clerk.

34
35 Remarks:.....
36
37
38
39

40 At all other elections the certificates shall be in substantially the
41 following form:

42
43 CERTIFICATION OF SIGNATURE COMPARISON RECORD

44 The undersigned constituting the district board of election in the
45 County of..... in

46 the.....

47 (City, Town, Township, Borough or Village)

48 Ward..... District hereby

1 certify that (.....) is the correct
 2 (Figures)
 3 total of the number of names of voters who actually signed the
 4 signature comparison records and voted in
 5 the.....election held
 6 (General, Special or other Election as the case may be)
 7 on the day of....., 20..... .

8
 9 DISTRICT
 10 Judge..... Clerk.

11
 12
 13 BOARD OF ELECTION
 14Inspector..... Clerk.

15 Remarks:.....
 16
 17
 18
 19
 20
 21
 22

23 After each election the commissioner of registration shall remove
 24 from the binders the identification statements, the disability
 25 certificates for assistance, and certifications of signature
 26 comparison records and shall preserve them in his office in a
 27 suitable place for a period of two years.

28 (cf: P.L.2005, c.154, s.9)

29
 30 17. Section 7 of P.L.1999, c.232 (C.19:53C-1) is amended to
 31 read as follows:

32 7. a. (1) The county clerk or the municipal clerk, in the case
 33 of a municipal election, shall arrange for the preparation of a
 34 provisional ballot packet for each election district. It shall include
 35 the appropriate number of provisional ballots, the appropriate
 36 number of envelopes with an affirmation statement, the appropriate
 37 number of written notices to be distributed to voters who vote by
 38 provisional ballot and one provisional ballot inventory form affixed
 39 to the provisional ballot bag. The clerk shall arrange for the
 40 preparation of and placement in each provisional ballot bag of a
 41 provisional ballot packet and an envelope containing a numbered
 42 seal. The envelope shall contain, on its face, the instructions for the
 43 use of the seal, the number and the election district location of the
 44 provisional ballot bag, and the identification numbers of the seal
 45 placed in the envelope. Each provisional ballot bag shall be sealed
 46 with a numbered security seal before being forwarded to the
 47 appropriate election district.

1 (2) Each provisional ballot bag and the inventory of the contents
2 of each such bag shall be delivered to the designated polling place
3 no later than the opening of the polls on the day of an election.

4 b. The county clerk or the municipal clerk, in the case of a
5 municipal election, shall arrange for the preparation of the
6 envelope, affirmation statement, and written notice that is to
7 accompany each provisional ballot. The envelope shall be of
8 sufficient size to accommodate the provisional ballot, and the
9 affirmation statement shall be affixed thereto in a manner that
10 enables it to be detached once completed and verified by the county
11 commissioner of registration. The statement shall require the voter
12 to provide the voter's name, and to indicate whether the voter is
13 registered to vote in a county but has moved within that county
14 since registering to vote; or is registered to vote in the election
15 district in which that polling place is located but the voter's
16 registration information is missing or otherwise deficient; or
17 indicate the voter has applied for a mail-in ballot and not received
18 either the ballot or an explanation for not receiving such a ballot
19 pursuant to notification by the county clerk or from the free-access
20 system, or has applied for and received a mail-in ballot and has not
21 transmitted it to the county board of elections or given it to a bearer
22 for delivery to the county board before the time for the opening of
23 the polls on the day of an election but wants, nevertheless, to vote
24 in the election. The statement shall further require the voter to
25 provide the voter's most recent prior voter registration address and
26 address on the day of the election and date of birth. The statement
27 shall include the statement: "I swear or affirm, that the foregoing
28 statements made by me are true and correct and that I understand
29 that any fraudulent voting may subject me to a fine of up to
30 \$15,000, imprisonment up to five years or both, pursuant to
31 R.S.19:34-11." It shall be followed immediately by spaces for the
32 voter's signature and printed name, and in the case of a name
33 change, the voter's printed old and new name and a signature for
34 each name, the date the statement was completed, political party
35 affiliation, if used in a primary election, and the name of the person
36 providing assistance to the voter, if applicable. Each statement
37 shall also note the number of the election district, or ward, and
38 name of the municipality at which the statement will be used. The
39 Secretary of State shall prepare for inclusion in the affirmation
40 statement language for the voter to submit the information required
41 in the registration form described in section 16 of P.L.1974, c.30
42 (C.19:31-6.4) in order to enable the county commissioner of
43 registration to process the statement as a voter registration
44 application, which shall be valid for future elections if the
45 individual who submitted the provisional ballot is determined not to
46 be a registered voter. The Secretary of State shall also prepare and
47 shall provide language for any written instructions necessary to
48 assure proper completion of the statement.

1 The written notice shall contain information to be distributed to
2 each voter who votes by provisional ballot. The notice shall state
3 that, if the voter is a mail-in registrant voting for the first time in his
4 or her current county of residence following registration or,
5 regardless of the method of registration, voting in any election on or
6 after January 1, 2016, and **【was】** given a provisional ballot because
7 he or she did not provide required personal identification
8 information or required executed affidavit of a religious objection
9 to being photographed as an exemption from the identification
10 requirement in accordance with subsection b. of R.S.19:15-17, the
11 voter shall be given until the close of business on the second day
12 after the election to provide identification or an executed affidavit
13 as to a religious objection to being photographed as an exemption to
14 the identification requirement to the applicable county
15 commissioner of registration**【,】**; and the notice shall contain a
16 telephone number at which the commissioner may be contacted.
17 The notice shall further state that failure to provide the required
18 personal identification information within that time period shall
19 result in the rejection of the ballot.

20 The notice shall state that pursuant to section 4 of P.L.2004, c.88
21 (C.19:61-4), any individual who casts a provisional ballot will be
22 able to ascertain under a system established by the State whether
23 the ballot was accepted for counting, and if the vote was not
24 counted, the reason for the rejection of the ballot. The notice shall
25 include instructions on how to access such information.

26 c. For the primary for the general election, the provisional
27 ballots shall be printed in ink on paper of a color that matches the
28 color of the voting authority, which shall indicate the party primary
29 of the voter. The provisional ballots shall be uniform in size, quality
30 and type and of a thickness that the printing thereon cannot be
31 distinguished from the back of the paper, and without any mark,
32 device or figure on the front or back other than as provided in
33 P.L.1999, c.232 (C.19:53C-1 et seq.). Each such ballot shall
34 include near the top thereof and in large type the designation
35 PROVISIONAL BALLOT. In all other respects, the provisional
36 ballots shall conform generally to the other ballots to be used in the
37 election district for the primary election.

38 The clerk of the county or municipality shall arrange for the
39 preparation of each provisional ballot package with an appropriate
40 number of provisional ballots for each political party, a
41 corresponding number of envelopes with affirmation statements,
42 and a corresponding number of written notices. Additional
43 provisional ballots, envelopes, and notices shall be available for
44 delivery to that election district on the day of the election, if
45 necessary.

46 d. For the general election the provisional ballots shall be
47 printed in ink. The provisional ballots shall be uniform in size,
48 quality and type and of a thickness that the printing thereon cannot

1 be distinguished from the back of the paper, and without any mark,
2 device or figure on the front or back other than as provided in this
3 act. Each such ballot shall include near the top thereof and in large
4 type the designation PROVISIONAL BALLOT. In all other
5 respects, the provisional ballots shall conform generally to the other
6 ballots to be used in the election district for the general election.

7 The clerk of the county or municipality shall arrange for the
8 preparation of each provisional ballot package with an appropriate
9 number of provisional ballots, a corresponding number of envelopes
10 with affirmation statements, and a corresponding number of written
11 notices. Additional provisional ballots, envelopes, and notices shall
12 be available for delivery to that election district on the day of the
13 election, if necessary.

14 e. For a school election the provisional ballots shall be printed
15 in ink. The provisional ballots shall be uniform in size, quality and
16 type and of a thickness that the printing thereon cannot be
17 distinguished from the back of the paper, and without any mark,
18 device or figure on the front or back other than as provided in this
19 act. Each such ballot shall include near the top thereof and in large
20 type the designation PROVISIONAL BALLOT. In all other
21 respects, the provisional ballots shall conform generally to the other
22 ballots to be used in the election district for the school election.

23 The clerk of the county shall arrange for the preparation of each
24 provisional ballot package with an appropriate number of
25 provisional ballots, a corresponding number of envelopes with
26 affirmation statements, and a corresponding number of written
27 notices. Additional provisional ballots, envelopes, and notices shall
28 be available for delivery to that election district on the day of the
29 election, if necessary.

30 f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et
31 al.), a provisional ballot that requires the voter to punch out a hole
32 in the ballot as a means of recording the voter's vote shall not be
33 used in any election in this State.

34 g. (Deleted by amendment, P.L.2011, c.134).
35 (cf: P.L.2011, c.134, s.47)

36
37 18. Section 3 of P.L.2009, c.79 (C.19:63-3) is amended to read
38 as follows:

39 3. a. A qualified voter shall be entitled to vote using a mail-in
40 ballot in any election held in this State.

41 b. Not less than seven days before an election in which a voter
42 wants to vote by mail, the voter may apply to the person designated
43 in section 5 of P.L.2009, c.79 (C.19:63-5), for a mail-in ballot. The
44 application shall be in writing, shall be signed by the applicant and
45 shall state the applicant's place of voting residence and the address
46 to which the ballot shall be sent. The Secretary of State shall
47 prepare a mail-in application form and shall have the authority to

- 1 promulgate any rules and regulations the secretary deems necessary
2 to effectuate the purposes of this subsection.
- 3 c. Any voter wanting to vote by mail in any election may apply
4 to the person designated in section 5 of P.L.2009, c.79 (C.19:63-5)
5 for a mail-in ballot to be sent to the voter. A voter who is a member
6 of the armed forces of the United States may use a federal postcard
7 application form to apply for a mail-in ballot.
- 8 d. Any voter who fails to apply for a mail-in ballot before the
9 seven-day period prescribed in subsection b. of this section may
10 apply in person to the county clerk for a mail-in ballot up to 3 p.m.
11 of the day before the election.
- 12 e. (1) A voter who wishes to vote only by mail-in ballot in all
13 future general elections in which the voter is eligible to vote, and
14 who states that on an application for a mail-in ballot, shall be
15 furnished such a ballot by the county clerk without further request
16 on the part of the voter and until the voter requests that the voter no
17 longer be sent a mail-in ballot. A voter shall also have the option to
18 indicate on an application for a mail-in ballot that the voter would
19 like to receive such a ballot for each election that takes place during
20 the remainder of the calendar year in which the application is
21 completed and submitted. A voter who exercises this option shall
22 be furnished with a mail-in ballot for each election that takes place
23 during the remainder of the calendar year without further request by
24 the voter. A person voting by mail-in ballot who registered by mail
25 after January 1, 2003, who did not provide personal identification
26 information when registering pursuant to section 16 of P.L.1974,
27 c.30 (C.19:31-6.4) and is voting for the first time in his or her
28 current county of residence following registration shall include
29 copies of the required identification information with the mail-in
30 ballot. In addition to providing this personal identification
31 information as may be required, beginning with the first election
32 held after January 1, 2016, a person voting by mail-in ballot,
33 regardless of the method of voter registration, shall include a copy
34 of a document for valid proof of identification as described in
35 paragraph (2) of subsection b. of R.S.19:15-17, or an original
36 executed affidavit of a religious objection to being photographed as
37 an exemption from this requirement as described in paragraph (3) of
38 that subsection, with the mail-in ballot. Failure to include such
39 information with the mail-in ballot shall result in its rejection.
- 40 (2) In the event that a voter who has requested a mail-in ballot
41 for all general elections does not complete and return such a ballot
42 for canvassing for the fourth general election following the general
43 election at which the voter last voted, the county clerk shall send a
44 notice to that voter to ascertain whether he or she continues to
45 reside at the address from which that voter is registered to vote and
46 continues to be eligible to vote. If the notice is not completed and
47 returned by the voter to the clerk before the 40th day prior to the
48 next general election, a mail-in ballot shall not be sent to the voter

1 for that election. The ability of such a voter to receive a mail-in
2 ballot for all future general elections shall be suspended until the
3 voter submits a new application for such a ballot that indicates that
4 the voter wishes to receive the ballot for all future general elections.

5 (3) The county clerk shall not transmit a mail-in ballot to any
6 person who is deemed by a county commissioner of registration to
7 be an inactive voter or whose registration file has been transferred
8 to the deleted file pursuant to R.S.19:31-19.

9 (cf: P.L.2009, c.79, s.3)

10

11 19. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read
12 as follows:

13 6. a. The county clerk, in the case of any Statewide election,
14 countywide election, or school election in a regional or other school
15 district comprising more than one municipality; the municipal clerk,
16 in the case of any municipal election or school election in a school
17 district comprising a single municipality; and the commissioners or
18 other governing or administrative body of the district, in the case of
19 any election to be held in any fire district or other special district,
20 other than a municipality, created for specified public purposes
21 within one or more municipalities, shall publish the following
22 notice in substantially the following form:

23 **NOTICE TO PERSONS WANTING MAIL-IN BALLOTS**

24 If you are a qualified and registered voter of the State who wants
25 to vote by mail in the..... (school, municipal, primary,
26 general, or other) election to be held on..... (date of election)
27 complete the application form below and send to the undersigned,
28 or write or apply in person to the undersigned at once requesting
29 that a mail-in ballot be forwarded to you. The request must state
30 your home address and the address to which the ballot should be
31 sent. The request must be dated and signed with your signature.

32 If any person has assisted you to complete the mail-in ballot
33 application, the name, address and signature of the assistor must be
34 provided on the application, and you must sign and date the
35 application for it to be valid and processed. No person shall serve
36 as an authorized messenger for more than 10 qualified voters in an
37 election. No person who is a candidate in the election for which the
38 voter requests a mail-in ballot may provide any assistance in the
39 completion of the ballot or may serve as an authorized messenger or
40 bearer.

41 No mail-in ballot will be provided to any applicant who submits
42 a request therefor by mail unless the request is received at least
43 seven days before the election and contains the requested
44 information. A voter may, however, request an application in
45 person from the county clerk up to 3 p.m. of the day before the
46 election.

47 Voters who want to vote only by mail in all future general
48 elections in which they are eligible to vote, and who state that on

1 their application shall, after their initial request and without further
2 action on their part, be provided a mail-in ballot by the county clerk
3 until the voter requests that the voter no longer be sent such a
4 ballot. A voter's failure to vote in the fourth general election
5 following the general election at which the voter last voted may
6 result in the suspension of that voter's ability to receive a mail-in
7 ballot for all future general elections unless a new application is
8 completed and filed with the county clerk.

9 Voters also have the option of indicating on their mail-in ballot
10 applications that they would prefer to receive mail-in ballots for
11 each election that takes place during the remainder of this calendar
12 year. Voters who exercise this option will be furnished with mail-in
13 ballots for each election that takes place during the remainder of
14 this calendar year, without further action on their part.

15 Application forms may be obtained by applying to the
16 undersigned either in writing or by telephone, or the application
17 form provided below may be completed and forwarded to the
18 undersigned.

19 Dated.....
20
21 (signature and title of county clerk)
22
23 (address of county clerk)
24
25 (telephone no. of county clerk)

26 b. (1) The Secretary of State shall be responsible for providing
27 all information regarding overseas ballots to each overseas voter
28 eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et
29 seq.). The secretary shall also make available valid overseas voter
30 registration and ballot applications to any voter who is a member of
31 the armed forces of the United States and who is a permanent
32 resident of this State, or who is an overseas voter who wishes to
33 register to vote or to vote in any jurisdiction in this State. The
34 secretary shall provide such public notice as may be deemed
35 necessary to inform members of the armed forces of the United
36 States and overseas voters how to obtain valid overseas voter
37 registration and ballot applications.

38 (2) The Secretary of State shall undertake a program to inform
39 voters in this State about their eligibility to vote by mail pursuant to
40 this act. Dissemination of this information shall be included in the
41 standard notices required by this section and other provisions of
42 current law, including but not limited to the notice requirements of
43 R.S.19:12-7, and shall be effectuated by such means as the secretary
44 deems appropriate and to the extent that funds for such
45 dissemination are appropriated including, but not limited to, by
46 means of Statewide or local electronic media, public service
47 announcements broadcast by such media, notices on the Internet site
48 of the Department of State or any other department or agency of the

1 Executive Branch of State government or its political subdivisions
2 deemed appropriate by the secretary, and special mailings or notices
3 in newspapers or other publications circulating in the counties or
4 municipalities of this State.

5 c. The mail-in ballot materials shall contain a notice that any
6 person voting by mail-in ballot who has registered by mail after
7 January 1, 2003, who did not provide personal identification
8 information when registering and is voting for the first time in his
9 or her current county of residence following registration shall
10 include copies of the required identification information with the
11 mail-in ballot~~[,]~~; and ~~that~~ (2) in addition to providing the
12 personal identification information as may be required by paragraph
13 (1) of this subsection, any person voting by mail-in ballot in any
14 election after January 1, 2016, regardless of the method of
15 registration, shall include a copy of a document for valid proof of
16 identification as described in paragraph (2) of subsection b. of
17 R.S.19:15-17, or an original executed affidavit as to a religious
18 objection to being photographed as an exemption from the
19 identification requirement as described in paragraph (3) of tat
20 subsection, with the mail-in ballot. The notice shall also state that
21 failure to include such information shall result in the rejection of the
22 ballot.

23 d. The notice provided for in subsection a. of this section shall
24 be published before the 55th day immediately preceding the holding
25 of any election.

26 Notices relating to any Statewide or countywide election shall be
27 published in at least two newspapers published in each county. All
28 officials charged with the duty of publishing such notices shall
29 publish the same in at least one newspaper published in each
30 municipality or district in which the election is to be held, or if no
31 newspaper is published in the municipality or district, then in a
32 newspaper published in the county and circulating in the
33 municipality or district. All such notices shall be display
34 advertisements.

35 (cf: P.L.2011, c.134, s.50)

36
37 20. Section 6 of P.L.1980, c.47 (C.39:3-29.7) is amended to read
38 as follows:

39 6. The **Division of Motor Vehicles** commission shall charge
40 fees as follows:

41		
42	Identification Card, Original	\$18
43		
44	Identification Card, Duplicate	\$5
45		
46	Identification Card, Renewal	\$18

1 Digitized picture \$6, in addition to
2 the fees required
3 above
4

5 The fees above shall not be charged to any person who,
6 beginning with the first election held after January 1, 2016, requires
7 the identification card as a means of demonstrating valid proof of
8 identification in order to be permitted to vote in accordance with the
9 provisions of Title 19 of the New Jersey Statutes, and the person
10 submits an affidavit of indigence to the chief administrator.

11 (cf. P.L.2001, c.391, s.8)

12

13 21. This act shall take effect immediately but remain inoperative
14 until January 1, 2016; however, the Secretary of State and the Chief
15 Administrator of the New Jersey Motor Vehicle Commission shall
16 take any administrative action in advance of the operative date as
17 necessary to implement the provisions of this act.

18

19

20

STATEMENT

21

22 This bill would require voters to present certain documentation
23 as proof of voter identity to vote, beginning with the first election
24 held after January 1, 2016. A voter, whether voting in person or
25 through mail-in ballot, would be required to show or submit a copy
26 of a New Jersey's driver's license, New Jersey nondriver's
27 identification card, or other document, that includes all of the
28 following criteria: (1) the name of the voter to whom the document
29 was issued; (2) a photograph of the voter to whom the document
30 was issued; (3) an expiration date, showing that the document is not
31 expired or expired only after the date of the most recent election;
32 and (4) was issued by the federal government or this State.

33 For first-time voters, this documentation would be required in
34 addition to the production of any document necessary to fulfill the
35 proof of identity requirement mandated by the federal "Help
36 America Vote Act of 2002," if that first-time voter had registered to
37 vote by mail without submitting federally-acceptable identity
38 verification with the registration. However, a first-time voter in this
39 situation would be required to present only one document with
40 respect to both identification requirements, if that document is able
41 to satisfy the document criteria as applicable to each requirement.

42 The requirement for verifying voter identity through additional
43 documentation would not apply to any voter entitled to vote by
44 mail-in ballot under the federal "Uniformed and Overseas Citizens
45 Absentee Voting Act," or provided the right to vote otherwise than
46 in person under the federal "Voting Accessibility for the Elderly
47 and Handicapped Act," or any other federal law. Additionally,
48 because the bill's verification of identity requires the production of

1 a document containing a photograph of the voter, it incorporates an
2 exemption from the production of such document if the voter has a
3 religious objection to being photographed, and this is established by
4 a sworn affidavit from the voter.

5 In order to administer the bill's new voter verification
6 requirement, the bill updates the statutory provisions governing
7 election day challenges to a person's right to vote by district board
8 members or other authorized challengers, as appointed pursuant to
9 Chapter 7 of Title 19 of the Revised Statutes. With respect to any
10 voter who is denied the right to vote for failing to display
11 acceptable documentation, that voter would be provided a
12 provisional ballot. In order for that ballot to be officially counted in
13 an election, the voter would need to produce the required
14 documentation by the close of business on the second day after the
15 election to the applicable county commissioner of registration.

16 Finally, to ensure that no one is denied the right to vote based
17 solely on an inability to pay for a government-issued document with
18 photograph as required under the bill for identity verification, the
19 Motor Vehicle Commission would issue a nondriver identification
20 card without cost to any voter requiring such document upon
21 execution of an affidavit of indigence.