

STATEMENT TO

ASSEMBLY, No. 242

with Assembly Floor Amendments
(Proposed by Assemblywoman DeANGELO)

ADOPTED: FEBRUARY 24, 2020

These floor amendments would change the definition of “signature” in section 1 of the bill (which amends R.S.1:1-2) to ensure that the definition is consistent with an existing, and broader, definition codified at section 1 of P.L.1991, c.308 (C.46:14-4.2). The floor amendments would also modify the provisions of section 2 of the bill to ensure that those provisions include reference to all authorized types of signatures in the context of voting.

As introduced, the bill narrowly defined “signature” in R.S.1:1-2 as a handwritten signature, except in the case where the signatory is disabled, in which case, “signature” was defined to include an identifying mark or fingerprint provided in lieu of a handwritten signature. The floor amendments would revise the definition of “signature” to ensure that it includes: (1) handwritten signatures; (2) electronic signatures authorized pursuant to the “Uniform Electronic Transactions Act,” P.L.2001, c.116 (C.12A:12-1 et seq.); (3) a fingerprint or thumbprint; and (4) any other mark made on a document by a person who thereby intends to give legal effect to the document, including any mark that is made on a document on behalf of another person, with that person’s authority and to effectuate that person’s intent. Under the amended definition, a person’s disability or lack thereof would not be taken into account when determining what types of signatures the person may provide.

The floor amendments similarly amend section 2 of the bill to clarify that, whenever a signature is required of a voting registrant and the registrant is unable to write, the registrant may provide an identifying mark, a fingerprint or thumbprint, or an electronic signature in lieu of a handwritten signature. The amendments also clarify that nothing in section 2 of the bill may be construed to require any registrant to provide a fingerprint, thumbprint, or other identifying mark for signature purposes. Finally, the amendments remove an unnecessary provision in section 2 that would have required the identity of a registrant who has declined to provide a fingerprint or identifying mark to be verified as otherwise provided by law.