

ASSEMBLY, No. 242

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Co-Sponsored by:

Assemblyman Danielsen and Assemblywoman Murphy

SYNOPSIS

Clarifies that persons unable to write because of disability may execute legal signatures using fingerprint or other identifying mark.

CURRENT VERSION OF TEXT

As reported by the Assembly Human Services Committee with technical review.



(Sponsorship Updated As Of: 2/24/2020)

1 **AN ACT** concerning legal signatures, amending R.S.1:1-2, and
2 supplementing Title 19 of the Revised Statutes.

3

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

6

7 1. R.S.1:1-2 is amended to read as follows:

8 1:1-2. Unless it be otherwise expressly provided or there is
9 something in the subject or context repugnant to such construction,
10 the following words and phrases, when used in any statute and in
11 the Revised Statutes, shall have the meaning herein given to them.

12 Affirmation; affirmed. See "Oath; sworn," *infra*, this section.

13 Assessor. The word "assessor," when used in relation to the
14 assessment of taxes or water rents or other public assessments,
15 includes all officers, boards or commissions charged with the duty
16 of making such assessments, unless a particular officer, board or
17 commission is specified.

18 Census. When used with reference to the population of this
19 State, or of any subdivision thereof, the word "census" means the
20 latest Federal census effective within this State.

21 Certified mail. The words "certified mail" include private
22 express carrier service, provided that the private express carrier
23 service provides confirmation of mailing. For purposes of this
24 definition, confirmation of mailing may be by electronic means, and
25 shall include, at a minimum, confirmation of fact of mail, time of
26 mailing, date and time of delivery, attempted delivery, signature, or
27 other similar information for confirmation or proof associated with
28 the delivery service.

29 Collector. The word "collector," when used in relation to the
30 collection of taxes or water rents or other public assessments,
31 includes all officers charged with the duty of collecting such taxes,
32 water rents or assessments, unless a particular officer is specified.

33 Folio; sheet. A sheet or folio shall consist of 100 words, and in
34 all cases where an entry of any writing or copy is to be paid for, the
35 sheet or folio shall consist of 100 words.

36 Gender. See "Number; gender," *infra*, this section.

37 General election. The words "general election" shall be taken to
38 mean the annual election to be held on the first Tuesday after the
39 first Monday in November and in any statute in which it is provided
40 that any public officer shall be elected, or any public question shall
41 be voted upon, at an election at which members of the General
42 Assembly are to be voted for or elected, or words to that effect,
43 shall be taken to mean, and shall be construed to be the equivalent
44 of a provision, that said public officers shall be elected, or that said
45 public question shall be voted upon, "at a general election."

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 He. "Number; gender," infra, this section.

2 Inhabitants. See "Population; inhabitants," infra, this section.

3 It. See "Number; gender," infra, this section.

4 Magistrate. The word "magistrate" includes any judge,
5 municipal magistrate or officer or other person having the powers
6 of a committing magistrate.

7 Masculine. See "Number; gender," infra, this section.

8 Month; year. The word "month" means a calendar month, and
9 the word "year" means a calendar year.

10 Municipality; municipal corporation. The words "municipality"
11 and "municipal corporation" include cities, towns, townships,
12 villages and boroughs, and any municipality governed by a board of
13 commissioners or an improvement commission.

14 Neuter. See "Number; gender," infra, this section.

15 Number; gender. Whenever, in describing or referring to any
16 person, party, matter or thing, any word importing the singular
17 number or masculine gender is used, the same shall be understood
18 to include and to apply to several persons or parties as well as to
19 one person or party and to females as well as males, and to bodies
20 corporate as well as individuals, and to several matters and things as
21 well as one matter or thing.

22 Oath; sworn. The word "oath" includes "affirmation;" and the
23 word "sworn" includes "affirmed."

24 Other property. See "Property; other property," infra, this
25 section.

26 Person. The word "person" includes corporations, companies,
27 associations, societies, firms, partnerships and joint stock
28 companies as well as individuals, unless restricted by the context to
29 an individual as distinguished from a corporate entity or specifically
30 restricted to one or some of the above enumerated synonyms and,
31 when used to designate the owner of property which may be the
32 subject of an offense, includes this State, the United States, any
33 other State of the United States as defined infra and any foreign
34 country or government lawfully owning or possessing property
35 within this State.

36 Personal property. "Personal property" includes goods and
37 chattels, rights and credits, moneys and effects, evidences of debt,
38 choses in action and all written instruments by which any right to,
39 interest in, or lien or encumbrance upon, property or any debt or
40 financial obligation is created, acknowledged, evidenced,
41 transferred, discharged or defeated, in whole or in part, and
42 everything except real property as herein defined which may be the
43 subject of ownership.

44 Plural. See "Number; gender," supra, this section.

45 Population; inhabitants. The word "population," when used in
46 any statute, shall be taken to mean the population as shown by the
47 latest Federal census effective within this State, and shall be
48 construed as synonymous with "inhabitants."

1 Property; other property. The words "property" and "other
2 property," unless restricted or limited by the context to either real or
3 personal property, includes both real and personal property.

4 Real estate; real property. The words "real estate" and "real
5 property," include lands, tenements and hereditaments and all rights
6 thereto and interests therein.

7 Registered mail. The words "registered mail" include "certified
8 mail".

9 Revised Statutes. The words "Revised Statutes" mean the
10 Revised Statutes of 1937, unless some other revision is expressly
11 indicated or referred to.

12 Revision law. The words "Revision law" mean any statute which
13 is expressed in its title or body to be a revision of any part of the
14 statutory law.

15 She. See "Number; gender," supra, this section.

16 Sheet. See "Folio," supra, this section.

17 Ship. The word "Ship" includes vessels, steamers, canal boats
18 and every boat or structure adapted to navigation or movement from
19 place to place, upon the ocean, lakes, rivers or artificial waterways,
20 either by its own power or otherwise.

21 Signature. The word "Signature" means the proper handwriting
22 of the person, except that if the person is unable to write because of
23 a disability, the person may provide an identifying mark or a clear
24 and classifiable fingerprint made electronically or with ink or
25 another substance. Nothing in this paragraph shall be construed to
26 permit the use of an identifying mark or fingerprint in lieu of a
27 handwritten signature if expressly prohibited by law, and nothing in
28 this paragraph shall be construed to require any person to provide a
29 fingerprint for signature purposes.

30 Singular. See "Number; gender," supra, this section.

31 State. The word "State" extends to and includes any State,
32 territory or possession of the United States, the District of Columbia
33 and the Canal Zone.

34 Sworn. See "Oath; sworn," supra, this section.

35 Taxing district. The words "taxing district," when used in a law
36 relating to the assessment or collection of taxes, assessments or
37 water rates or water rents, include every political division of the
38 State, less than a county, whose inhabitants, governing body or
39 officers have the power to levy taxes, assessments or rates.

40 Territory. The word "territory" extends to and includes any
41 territory or possession of the United States, the District of Columbia
42 and the Canal Zone.

43 United States. The words "United States" extend to and include
44 every State, territory and possession of the United States, the
45 District of Columbia and the Canal Zone.

46 Year. See "Month; year," supra, this section.

47 (cf: P.L.2015, c.251, s.1)

- 1 2. (New section) Whenever a registrant is required to provide
2 a signature for the purposes of this Title and the registrant is unable
3 to write because of a disability, the registrant may provide an
4 identifying mark or a clear and classifiable fingerprint in such form
5 as may be authorized by the Division of Elections in the
6 Department of State. Nothing in this section shall be construed to
7 require any registrant to provide a fingerprint for signature
8 purposes. If a registrant who is unable to write declines to provide
9 a fingerprint or other identifying mark for the purposes of verifying
10 the person's identity for the purposes of this Title, the person's
11 identity shall be verified as otherwise provided by law.
12
- 13 3. Each department, division, and agency in the State shall
14 make available to the public, on its Internet website, information
15 concerning the provisions of this act.
16
- 17 4. This act shall take effect immediately.