

ASSEMBLY, No. 272

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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SYNOPSIS

Requires board of elections to use voter's signature on certificate of mail-in voter to create signature record in Statewide Voter Registration System.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the signature record of voters who vote by mail
2 in all general elections and amending P.L.2005, c.145 and
3 P.L.2009, c.79.

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

7
8 1. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to
9 read as follows:

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

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

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

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

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

39 (4) the ability to permit any county commissioner of registration
40 to enter voter registration information on an expedited basis at the
41 time the information is provided thereto and to permit the Secretary
42 of State to provide technical support to do so whenever needed;

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

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

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

13 (8) the ability to record and monitor all requests for mail-in
14 ballots; to enable the county clerk to verify the identity and
15 signature of each person requesting a mail-in ballot; to record the
16 name and address of each voter determined to be eligible to receive
17 a mail-in ballot for a particular election and to note when a mail-in
18 ballot has been transmitted to that voter by mail or hand delivery;
19 and to make such information available to the Secretary of State so
20 that a voter can be notified whether the application for such a ballot
21 was accepted or rejected, and the reason for the rejection, using the
22 free-access system established by section 5 of P.L.2004, c.88
23 (C.19:61-5); and

24 (9) any other functions required pursuant to Pub.L.107-252
25 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
26 that may be deemed necessary by the Secretary of State.

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

30 (1) last, first and middle name;

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

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

34 (4) date of birth;

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

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

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

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

41 (b) if the registrant has not been issued a New Jersey driver's
42 license number, the last four digits of the registrant's social security
43 number; or

44 (c) unique identifying number for any individual who has not
45 been issued the information sought in subparagraph (a) or (b) of this
46 paragraph;

47 (9) notation that a copy of one of the following documents has
48 been submitted with the voter registration application, if required:

1 current and valid photo identification card; a current utility bill,
2 bank statement, government check, pay check or any other
3 government document showing the registrant's name and current
4 address;

5 (10) the method by which the individual registered and whether
6 that person needs to provide additional identification information to
7 vote using a voting machine instead of a provisional ballot;

8 (11) political party affiliation, if designated;

9 (12) digitalized signature and, if the voter is authorized to vote
10 by mail-in ballot in all general elections, the digitalized signature
11 obtained from each of the voter's certificate of mail-in voter
12 required to be submitted with the voted ballot pursuant to
13 subsection a. of section 13 of P.L.2009, c.79 (C.19:63-13);

14 (13) date of registration or re-registration;

15 (14) name and street address of the individual assisting in the
16 completion of the form, if the applicant for registration is unable to
17 do so;

18 (15) voting participation record for ten-year period; and

19 (16) any other information required pursuant to Pub.L.107-252
20 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
21 that the Secretary of State determines is necessary to assess the
22 eligibility of an individual to be registered to vote and to vote in
23 this State.

24 (cf: P.L.2009, c.287, s.2)

25
26 2. Section 23 of P.L.2009, c.79 (C.19:63-23) is amended to
27 read as follows:

28 23. a. As soon as practicable after each election, the board of
29 elections shall mark in the Statewide voter registration system and
30 all duplicate voting records to show that mail-in ballots were
31 delivered or forwarded to the respective registered voters. For each
32 mail-in ballot that has been voted, received and counted, the board
33 of elections shall also, by reference to the certificates removed from
34 the inner envelopes of such ballots, place the word "Voted" in the
35 space provided in the Statewide voter registration system and
36 duplicate voting record for recording the ballot number of the
37 voter's ballot in the election. In the case of the primary election for
38 the general election, the board shall also cause to be noted in the
39 proper space of the Statewide voter registration system or other
40 record of voting form the first three letters of the name of the
41 political party primary in which such ballot was voted. The record
42 contained in the Statewide voter registration system and of voting
43 forms in the original permanent registration binders shall be
44 conformed to the foregoing entries in the duplicate forms.

45 b. In addition to the information required to be entered into the
46 Statewide voter registration system under subsection a. of this
47 section from the mail-in voter certificate required to be submitted
48 by the voter with the general election voted ballot pursuant to

1 subsection a. of section 13 of P.L.2009, c.79 (C.19:63-13), and only
2 with respect to each voter who is approved to vote by mail-in ballot
3 in all general elections, the board of elections shall digitalize and
4 enter into the system the voter's signature from the certificate. The
5 record of digitalized signatures required to be created pursuant to
6 this subsection shall serve as the basis for comparison of the
7 signature of a mail-in voter approved to vote by mail in all general
8 elections.

9 (cf: P.L.2011, c.134, s.57)

10
11 3. This act shall take effect immediately.

12 13 14 STATEMENT

15
16 Under current law, a voter who is approved to vote by mail may
17 select to do so in all general elections indefinitely. When a voter
18 votes by mail, the voter must sign a certificate that is attached to the
19 inner envelope of the voted ballot. By signing the certificate, and
20 subject to penalties for fraudulent voting, the voter certifies that he
21 or she applied for the ballot and completed the ballot and certificate
22 in secret or received assistance from a family member. Boards of
23 election currently enter into the Statewide Voter Registration
24 System (SVRS) certain information from the mail-in voter
25 certificates, including that the voter has voted and, if a primary
26 election, the political party primary in which the ballot was voted.

27 This bill would require boards of election to enter into the SVRS
28 the digitalized signature from the voter's certificate of each voter
29 who is approved to vote by mail in all general elections. Under the
30 bill, the record of digitalized signatures would serve as the basis for
31 comparison of the signature of a mail-in voter approved to vote by
32 mail in all general elections.

33 The purpose of the bill is to establish a record of signatures for
34 each mail-in voter who is approved to vote by mail in all general
35 elections. Under current law, once such voters file a vote-by-mail
36 application, they do not have to reapply and may vote by mail in all
37 general elections indefinitely. In the meantime, the signature of
38 such voters may change over time. Only such voters who do not
39 vote by mail in four consecutive general elections are required to
40 reapply in order to continue to vote by mail, thereby updating their
41 signature. This bill would establish a record of signatures for voters
42 who are approved to vote by mail in all general elections.