

ASSEMBLY, No. 2255

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires both paper and automatic voter registration process at agency or office providing hunting, fishing, or trapping license.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning voter registration locations, amending
2 P.L.1994, c.182 and P.L.2018, c.6, and supplementing chapter 3
3 of Title 23 of the Revised Statutes.

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

7
8 1. Section 26 of P.L.1994, c.182 (C.19:31-6.11) is amended to
9 read as follows:

10 26. a. As used in this section, "voter registration agency"
11 means:

12 Any agency or office serving as a food stamp issuer, pursuant to
13 P.L.1988, c.79 (C.44:8-153 et seq.) and the "Food Stamp Act of
14 1977," Pub.L.95-113 (7 U.S.C. s.2011 et seq.);

15 Any agency or office providing or administering assistance under
16 the "New Jersey Medical Assistance and Health Services Program,"
17 pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and 42 U.S.C.
18 s.1395 et seq.;

19 Any agency or office distributing food pursuant to the special
20 supplemental food program for women, infants and children (WIC),
21 established pursuant to P.L.1987, c.261 (C.26:1A-36.1 et seq.) and
22 Pub.L.95-267 (42 U.S.C. s.1786);

23 Any agency or office administering assistance under the Work
24 First New Jersey program established pursuant to P.L.1997, c.38
25 (C.44:10-55 et seq.);

26 Any public office of the Division of Developmental Disabilities,
27 established pursuant to section 2 of P.L.1985, c.145 (C.30:6D-24),
28 in the Department of Human Services;

29 Any public office of the Office of Disability Services,
30 established pursuant to section 3 of P.L.1999, c.91 (C.30:6E-3), in
31 the Department of Human Services;

32 Any recruitment office of the Armed Forces of the United States,
33 subject to any agreement between this State and the Secretary of
34 Defense of the United States for the joint development and
35 implementation, as provided under subsection (c) of section 7 of
36 Pub.L.103-31 (42 U.S.C. s. 1973gg-6), of procedures for applying
37 at those offices to register to vote;

38 Any office of the Division of Vocational Rehabilitation Services
39 of the New Jersey Department of Labor;

40 Any office of the Commission for the Blind and Visually
41 Impaired of the New Jersey Department of Human Services;

42 Any county welfare agency or county board of social services
43 established pursuant to the provisions of chapter 1 or chapter 4 of
44 Title 44 of the Revised Statutes;

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 Any agency or office providing hunting, fishing, or trapping
2 licenses under the Division of Fish and Wildlife in the Department
3 of Environmental Protection, established pursuant to P.L.1999,
4 c.282 (C.23:2B-15.1);

5 The office of the commissioner of registration in the several
6 counties of this State; and

7 Any office of the municipal clerk in the several municipalities of
8 this State.

9 b. With each voter registration form and instructions provided
10 to the chief administrative officer at each voter registration agency
11 under subsections e. and f. of section 16 of P.L.1974, c.30 (C.19:31-
12 6.4), the Secretary of State shall provide at the same time a
13 declination form that includes:

14 (1) the question: "If you are not registered to vote where you
15 live now, would you like to apply to register to vote here today?";

16 (2) the statement: "Applying to register or declining to register
17 to vote will not affect the amount of assistance that you will be
18 provided by this agency.";

19 (3) boxes for the applicant to check to indicate whether the
20 applicant would or would not like to register to vote, together with
21 the statement "IF YOU DO NOT CHECK EITHER BOX, YOU
22 WILL BE CONSIDERED TO HAVE DECIDED NOT TO
23 REGISTER TO VOTE AT THIS TIME.";

24 (4) the statement: "If you would like help in filling out the voter
25 registration application form, we will help you. The decision to
26 seek or accept help is yours. You may fill out the application form
27 in private.";

28 (5) the statement: "If you believe that someone has interfered
29 with your right to register or to decline to register to vote, your right
30 to privacy in deciding whether to register or in applying to register
31 to vote, or your right to choose your own political party or other
32 political preference, you may file a complaint with the Secretary of
33 State." (insert address and current telephone number); and

34 (6) the statement: IF YOU DECLINE TO REGISTER TO
35 VOTE AT THIS TIME, YOUR DECISION WILL REMAIN
36 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER
37 REGISTRATION PURPOSES. IF YOU DO REGISTER TO
38 VOTE, THE WAY IN WHICH YOU DO SO WILL REMAIN
39 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER
40 REGISTRATION PURPOSES.

41 c. The Secretary of State shall cause to be prepared declination
42 forms in the form provided for by subsection b. of this section in
43 both the English and Spanish languages and shall provide such
44 forms to the chief administrative officer of each voter registration
45 agency which has an office in any county in which there is at least
46 one election district in which bilingual sample ballots must be
47 provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of
48 P.L.1965, c.29 (C.19:23-22.4).

1 d. The Secretary of State shall adopt, pursuant to consultation
2 with the chief administrative officers at voter registration agencies,
3 regulations for the prompt return of the completed voter registration
4 forms, but in no case shall the forms be returned later than the fifth
5 day following the date on which the completed forms are received
6 by the voter registration agencies.

7 e. All registration forms received by the Secretary of State in
8 the mail or forwarded to the Secretary of State by employees or
9 agents of the voter registration agencies shall be forwarded to the
10 commissioner of registration in the county of the registrant.

11 f. Each completed declination form received by a voter
12 registration agency shall be kept confidential for a period of at least
13 two years. The Secretary of State shall determine, pursuant to
14 consultation with the chief administrative officers at voter
15 registration agencies, which office or agency shall retain the
16 declination forms.

17 (cf: P.L.1999, c.91, s.10)

18
19 2. Section 4 of P.L.2018, c.6 (C.19:31-6.14) is amended to read
20 as follows:

21 4. a. Any State agency, except for the Motor Vehicle
22 Commission, that the Secretary of State verifies already collects
23 documents that would provide proof of eligibility, including age,
24 citizenship, and residence address, may establish and implement,
25 upon approval by the Secretary of State, a procedure for
26 automatically and electronically transmitting voter registration
27 information to the Secretary of State of persons who are eligible to
28 vote for the purpose of registering such persons to vote or updating
29 their voter registration. Each person from whom such information is
30 collected shall be offered an opportunity to decline automatic voter
31 registration. Any such agency shall comply with the requirements,
32 to the extent applicable as determined by the Secretary of State, as
33 established in subsections b. through d. of section 24 of P.L.1994,
34 c.182 (C.39:2-3.2).

35 b. Any additional agencies that are designated for automatic
36 voter registration shall comply with the requirements, to the extent
37 applicable as determined by the Secretary of State, as established in
38 section 24 of P.L.1994, c.182 (C.39:2-3.2) for automatic voter
39 registration and shall provide the notices required pursuant to
40 subsection c. thereof to each person from whom such information is
41 collected.

42 c. Notwithstanding the provisions of this section to the
43 contrary, any agency or office providing hunting, fishing, or
44 trapping licenses under the Division of Fish and Wildlife in the
45 Department of Environmental Protection, established pursuant to
46 P.L.1999, c.282 (C.23:2B-15.1), and that the Secretary of State
47 verifies already collects documents that would provide proof of
48 eligibility, including age, citizenship, and residence address, shall

1 establish and implement, upon approval by the Secretary of State, a
2 procedure for automatically and electronically transmitting voter
3 registration information to the Secretary of State of persons who are
4 eligible to vote for the purpose of registering such persons to vote
5 or updating their voter registration. Each person from whom such
6 information is collected shall be offered an opportunity to decline
7 automatic voter registration. An agency or office implementing the
8 provisions of this subsection shall comply with the requirements, to
9 the extent applicable as determined by the Secretary of State, for
10 automatic voter registration as established in subsections b. through
11 d. of section 24 of P.L.1994, c.182 (C.39:2-3.2), including the
12 provision of the notices required pursuant to subsection c. thereof to
13 each person from whom voter registration information is collected.
14 (cf: P.L.2018, c.6, s.4)

15
16 3. (New section) The director of the Division of Fish and
17 Wildlife shall:

18 a. cause copies of the voter registration forms and instructions
19 provided for under subsections e. and f. of section 16 of P.L.1974,
20 c.30 (C.19:31-6.4) and the declination form provided for in
21 subsection b. of section 26 of P.L.1994, c.182 (C.19:31-6.11) to be
22 distributed at each agency or office to each person appearing in
23 person thereat to apply for a hunting, fishing, or trapping license.
24 An employee of the agency or office shall inquire of every such
25 person whether the person, if not already registered to vote from the
26 place of his or her present residence, wishes to be so registered and
27 shall inform the person that whether or not the applicant chooses to
28 register will not affect the person's eligibility for a license. The
29 employee shall subsequently review the forms to determine whether
30 or not the person wishes to register to vote. If the person does not
31 wish to register, the employee shall provide the person with any
32 assistance necessary to complete the declination form and then
33 inform the person that the form shall be forwarded by the employee
34 to the Secretary of State. If the person wishes to register, the
35 employee shall provide the person with any assistance necessary in
36 completing the voter registration form; shall inform the applicant
37 that the applicant may leave the completed form with the employee
38 or mail it personally to the Secretary of State; and if the applicant
39 chooses to leave the form, shall accept the completed form, stamp
40 or otherwise mark the lower right hand corner of the document with
41 the date on which it was so received, and forward it to the Secretary
42 of State. The employee shall provide to each applicant who does
43 not decline to register to vote the same degree of assistance with
44 regard to the completion of the voter registration form as is
45 provided by the office with regard to the completion of applications
46 for licenses, unless the applicant refuses such assistance;

47 b. provide for the continuous supply of the forms and
48 instructions specified in subsection a. of this section to every

1 agency or office providing hunting, fishing, or trapping licenses
2 pursuant to P.L. , c. (C.) (pending before the Legislature as this
3 bill);

4 c. provide the forms and instructions specified in subsection a.
5 of this section in both the English and Spanish languages to the
6 offices which are located in any county in which bilingual sample
7 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
8 section 2 of P.L.1965, c.29 (C.19:23-22.4);

9 d. provide for the collection of completed voter registration
10 forms by any employee of the office for the transmittal of the forms
11 to the Secretary of State;

12 e. inform each employee of the agency or office who assists in
13 registering a person to vote that that employee shall not:

14 (1) seek to influence an applicant's political preference or party
15 registration;

16 (2) display any such political preference or party allegiance;

17 (3) make any statement to an applicant or take any action the
18 purpose or effect of which is to discourage the applicant from
19 registering to vote; or

20 (4) make any statement to an applicant or take any action the
21 purpose or effect of which is to lead the applicant to believe that a
22 decision to register or not to register has any bearing on the
23 availability of hunting, fishing, or trapping licenses; and

24 f. make certain that no information relating to a declination to
25 register to vote by an individual in connection with any type of
26 application for a license made by that individual at any office is
27 used for any purpose other than voter registration.
28

29 4. This act shall take effect on January 1 next following the
30 date of enactment, but the Secretary of State may take such
31 anticipatory administrative action in advance thereof as shall be
32 necessary for the implementation of this act.
33
34

35 STATEMENT

36
37 This bill designates as a voter registration agency any agency or
38 office providing hunting, fishing, or trapping licenses under the
39 Division of Fish and Wildlife in the Department of Environmental
40 Protection. The bill also requires the establishment of both a paper
41 voter registration and an automatic voter registration process at
42 such an agency or office.

43 Under the paper voter registration provisions, the bill directs the
44 agency to provide paper voter registration forms to persons
45 applying for hunting, fishing, or trapping licenses in the same
46 manner applicable to existing voter registration agencies. An
47 applicant may decline to be registered to vote by completing a
48 declination form. The bill requires the agency to promptly submit

1 all completed voter registration applications to the Secretary of
2 State.

3 Under the automatic voter registration provisions, the bill directs
4 the agency to establish a process similar to that currently being
5 implemented at the New Jersey Motor Vehicle Commission
6 (NJMVC). Any agency or office providing hunting, fishing, or
7 trapping licenses that the Secretary of State verifies already collects
8 proof of eligibility documents concerning an applicant's age,
9 citizenship, and residence address, would be required to establish
10 and implement automatic voter registration upon the Secretary of
11 State's approval. Once approved, the agency would automatically
12 and electronically transmit voter registration information to the
13 Secretary of State for registering the applicant or updating their
14 existing voter registration. An applicant may decline automatic
15 voter registration. The bill requires the agency to comply with the
16 automatic voter registration requirements established under current
17 law for the NJMVC, including the provision of required notices to
18 their clients, to the extent applicable as determined by the Secretary
19 of State.