

ASSEMBLY, No. 4548

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 24, 2020

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

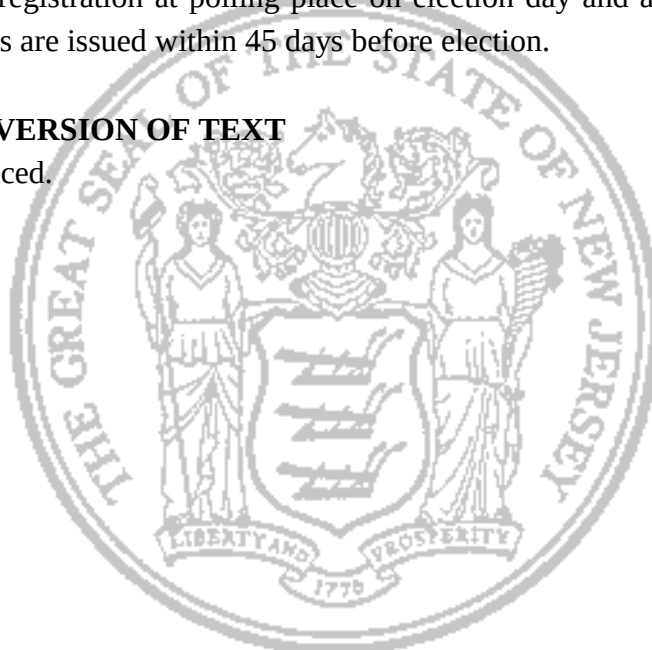
Assemblyman Mazzeo, Assemblywomen Jasey, Timberlake, Assemblymen Zwicker, Benson, Spearman, Verrelli, Assemblywoman McKnight, Assemblyman Moriarty, Assemblywomen Speight, Mosquera, Assemblymen Johnson and Giblin

SYNOPSIS

Reduces standard voter registration deadline to eight days before election; allows voter registration at polling place on election day and at offices where mail-in ballots are issued within 45 days before election.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/6/2021)

1 AN ACT concerning voter registration and amending various parts
2 of the statutory law and supplementing chapter 31 of Title 19 of
3 the Revised Statutes.

4

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

7

8 1. (New section) a. As used in this section:

9 “Applicant” means any person otherwise eligible to vote, but
10 who is not registered to vote for an election and is applying for such
11 registration pursuant to this section in person (1) at the person’s
12 assigned polling place on the day of an election, or (2) at an office
13 where a mail-in ballot may be issued under “The Vote By Mail
14 Law,” P.L.2009, c.79 (C.19:63-1 et seq.), for the period beginning
15 45 days before the election and ending at 3 P.M. the day before the
16 election.

17 “Identifying document” means (1) a current and valid photo
18 identification card that shows the applicant’s name and current
19 address; (2) a current utility bill, bank statement, government check
20 or pay check that shows the applicant’s name and current address;
21 (3) any other government document that shows the applicant’s name
22 and current address; or (4) any other identifying document that the
23 Secretary of State has determined to be acceptable for this purpose.

24 b. Notwithstanding any other law, rule, or regulation to the
25 contrary, an applicant may register to vote on the day of any
26 election at the polling place to which the applicant is assigned, or at
27 an office where a mail-in ballot may be issued under “The Vote By
28 Mail Law,” P.L.2009, c.79 (C.19:63-1 et seq.), for the period
29 beginning 45 days before the election and ending at 3 P.M. the day
30 before the election, by:

- 31 (1) presenting or submitting a copy of an identifying document;
- 32 (2) completing an appropriate voter registration form; and
- 33 (3) submitting an affidavit in which the applicant declares that
34 the applicant is not already properly registered to vote for the
35 election in which the applicant is voting, will have lived in the
36 county in which the applicant is voting for at least 30 days prior to
37 that election, has not previously voted in that election, and upon
38 voting will not thereafter vote in that election.

39 The commissioner of registration shall furnish to each polling
40 place and office where a mail-in ballot may be issued voter
41 registration forms and affidavit forms for the purposes of this
42 section.

43 c. The commissioner of registration shall designate an
44 individual at each office where a mail-in ballot may be issued to
45 receive and review the forms and affidavits provided for under

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 subsection b. of this section for an applicant registering to vote at
2 that office during the period beginning 45 days before the election
3 and ending at 3 P.M. the day before the election. The designee shall
4 read to an applicant, prior to accepting the forms and affidavits, the
5 penalty provision for voter fraud provided under subsection f. of
6 this section. The designee shall issue a temporary registration
7 certificate to a qualified applicant. The certificate shall be in
8 triplicate, with one copy to be retained by the designee, one copy to
9 be retained by the office, and one copy to be retained by the
10 applicant. The applicant shall be then permitted to vote either
11 immediately at the office or on election day at the applicant's
12 assigned polling place in a manner promulgated by the Secretary of
13 the State to allow verification of the applicant's identity and ensure
14 the security of the ballot.

15 d. The commissioner of registration shall designate an
16 individual in each polling place to receive and review the forms and
17 affidavits provided for under subsection b. of this section. The
18 designee shall read to an applicant, prior to accepting the forms and
19 affidavits, the penalty provision for voter fraud provided under
20 subsection f. of this section. The designee shall issue a temporary
21 registration certificate to a qualified applicant. The certificate shall
22 be in triplicate, with one copy to be retained by the designee, one
23 copy to be retained by the district board, and one copy to be
24 retained by the applicant. The applicant shall be permitted to vote at
25 the polling place in a manner promulgated by the Secretary of the
26 State to allow verification of the applicant's identity and ensure the
27 security of the ballot.

28 e. All forms and affidavits received by the commissioner's
29 designee pursuant to subsections c. and d. of this section shall be
30 delivered to the commissioner of registration as soon as possible,
31 and no later than within two days of completion. Upon receipt of
32 the voter registration forms completed pursuant to this section, the
33 commissioner shall:

34 (1) send to the registrant written notification that such registrant
35 is duly registered to vote. On the face of such notification in the
36 upper left-hand corner shall be printed the words: "Do Not Forward.
37 Return Postage Guaranteed. If not delivered in two days, return to
38 the Commissioner of Registration;"

39 (2) as soon as possible, enter the information provided for the
40 registrant on the completed registration form into the Statewide
41 voter registration system established pursuant to section 1 of
42 P.L.2005, c.145 (C.19:31-31);

43 (3) paste, tape, or photocopy the completed registration form
44 onto an original registration form, and paste or tape a copy of such
45 completed registration form onto a duplicate registration form, both
46 of which shall be filed as provided in R.S.19:31-10. Nothing in this
47 paragraph shall preclude any commissioner of registration from
48 keeping the original registration form on file; and

1 (4) in the case of a registrant currently registered in another
2 county of this State, notify the commissioner of registration of such
3 other county to delete such registrant's name from the list of
4 persons registered in such other county.

5 The commissioner shall notify a registrant of the reasons for any
6 refusal to approve that person's registration within two business
7 days of such determination.

8 f. An applicant who willfully or fraudulently registers more
9 than once, or who registers under any but the applicant's true name,
10 or attempts to vote more than once, or who willfully registers in any
11 election district where the applicant is not a resident at the time of
12 registering, is guilty of a crime of the fourth degree. Any person
13 who aids and abets an applicant in violating the provisions of this
14 section is guilty of a crime of the fourth degree.

15

16 2. R.S.19:31-6 is amended to read as follows:

17 19:31-6. Any person qualified to vote in an election shall be
18 entitled to vote in the election if the person shall have registered to
19 vote on or before the **【21st】** eighth day preceding the election by:

20 a. registering in person at any offices designated by the
21 commissioner of registration for providing and receiving
22 registration forms;

23 b. completing a voter registration form while applying for a
24 motor vehicle driver's license from an agent of the New Jersey
25 Motor Vehicle Commission, as provided for in section 24 of
26 P.L.1994, c.182 (C.39:2-3.2);

27 c. completing and returning to the Secretary of State or having
28 returned thereto a voter registration form received from a voter
29 registration agency, as defined in subsection a. of section 26 of
30 P.L.1994, c.182 (C.19:31-6.11), while applying for services or
31 assistance or seeking a recertification, renewal or change of address
32 at an office of that agency;

33 d. completing and returning to the Secretary of State a voter
34 registration form obtained from a public agency, as defined in
35 subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

36 e. completing and returning to the Secretary of State or having
37 returned thereto a voter registration form received from a door-to-
38 door canvass or mobile registration drive, as provided for in section
39 19 of P.L.1974, c.30 (C.19:31-6.7);

40 f. completing and returning to the Secretary of State a federal
41 mail voter registration form, as prescribed in subsection (b) of
42 section 9 of the "National Voter Registration Act of 1993," (42
43 U.S.C. s. 1973gg et seq.);

44 g. completing and returning to the Secretary of State or the
45 appropriate county clerk an application for a federal postcard
46 application form to register to vote, as permitted pursuant to the
47 "Overseas Absentee Voting Act" (42 U.S.C. s. 1973ff-1 et seq.) and
48 section 4 of P.L.1976, c.23 (C.19:59-4);

1 h. completing a provisional ballot affirmation statement and
2 voting the provisional ballot in the previous election, if the person
3 who submitted the provisional ballot in that election is determined
4 not to be a registered voter; or

5 i. completing and submitting an online voter registration form
6 available on the Secretary of State's Internet website, as provided
7 under section 1 of P.L.2019, c.382 (C.19:31-6.4c).

8 Any person qualified to vote in the election shall be entitled to
9 vote in the election if the person registers at the person's assigned
10 polling place on the day of the election, or at an office where a
11 mail-in ballot may be issued for the period beginning 45 days
12 before the election and ending at 3 P.M. the day before the election,
13 as provided under section 1 of P.L. , c. (C.) (pending before the
14 Legislature as this bill).

15 When the commissioner has designated a place or places other
16 than his office for receiving registrations, the commissioner shall
17 cause to be published a notice in a newspaper circulated in the
18 municipality wherein such place or places of registration shall be
19 located. Such notice shall be published pursuant to R.S.19:12-7.

20 Any office designated by the commissioner of registration for
21 receiving registration forms shall have displayed, in a conspicuous
22 location, registration and voting instructions. These instructions
23 shall be the same as those provided for polling places under
24 R.S.19:9-2 and shall be provided by the commissioner.

25 (cf: P.L.2019, c.382, s.2)

26
27 3. Section 1 of P.L.1966, c.177 (C.19:31-6.1) is amended to
28 read as follows:

29 1. Notwithstanding any other provisions of the Title to which
30 this act is a supplement, any person authorized by law to accept
31 applications for voter registration shall accept, during the **【20-day】**
32 period prior to any election or on the day of the election, as the case
33 may be, the application for registration of all eligible voters who
34 shall personally appear for registration before such person, or the
35 registration card mailed or delivered to such person **【**, but no
36 eligible voter so registered shall be entitled to vote in the election
37 immediately following said 20-day period**】**. Any person registered
38 **【under the provisions of this act】** after the eighth day preceding an
39 election at the locations and in the manner specified under
40 subsections a. through i. of R.S.19:31-6, subsection a. of section 15
41 of P.L.1974, c.30 (C.19:31-6.3), and subsection a. of section 26 of
42 P.L.1994, c.182 (C.19:31-6.11) shall be advised that **【he】** the
43 person will not be eligible to vote in the election immediately
44 forthcoming but will be eligible to vote in elections held thereafter,
45 and that the person may vote at the election immediately
46 forthcoming if the person registers at the person's assigned polling
47 place on the day of the election, or at an office where a mail-in

1 ballot may be issued for the period beginning 45 days before the
2 election and ending at 3 P.M. the day before the election, as
3 provided under section 1 of P.L. , c. (C.) (pending before the
4 Legislature as this bill).

5 Applications for registration pursuant to the provisions of this act
6 shall be received at such place or places as may be designated by
7 any duly authorized election official.
8 (cf: P.L.2005, c.139, s.9)

9
10 4. Section 15 of P.L.1974, c.30 (C.19:31-6.3) is amended to
11 read as follows:

12 15. a. As used in this section, "public agency" shall mean:

13 The Division of Worker's Compensation, the Division of
14 Employment Services and the Division of Unemployment and
15 Temporary Disability Insurance, established initially by section 5 of
16 P.L.1948, c.446 (C.34:1A-5), in the Department of Labor and
17 Workforce Development;

18 The Division of Taxation in the Department of the Treasury,
19 continued under section 24 of P.L.1948, c.92 (C.52:18A-24);

20 The New Jersey Transit Corporation, established pursuant to
21 section 4 of P.L.1979, c.150 (C.27:25-4);

22 Any free county library established under the provisions of
23 article 1 of chapter 33 of Title 40 of the Revised Statutes;

24 Any regional library established under the provisions of
25 P.L.1962, c.134 (C.40:33-13.3 et seq.);

26 Any free public library established under the provisions of article
27 1 of chapter 54 of Title 40 of the Revised Statutes;

28 Any joint free public library established under the provisions of
29 P.L.1959, c.155 (C.40:54-29.3 et seq.);

30 Any public institution of higher education as included under the
31 provisions of N.J.S.18A:62-1;

32 Any eligible institution, as defined by subsection a. of section 3
33 of P.L.1979, c.132 (C.18A:72B-17), that receives financial
34 assistance, aid, or grants from State funds;

35 Any office or commercial establishment where State licenses or
36 permits, other than licenses or permits issued by a professional or
37 occupational board established under the laws of this State, are
38 available to individual members of the public; and

39 Any recruitment office of the New Jersey National Guard.

40 b. Any person entitled to register to vote may register as a
41 voter in the election district in which that person resides at any time
42 **【prior to the 21st】** on or before the eighth day preceding any
43 election by completing a registration form described in section 16
44 of P.L.1974, c.30 (C.19:31-6.4) and submitting the form to the
45 commissioner of registration of the county wherein the person
46 resides or alternatively, in the case of a registration form provided
47 by the employees or agents of a public agency or a voter
48 registration agency, as defined in subsection a. of section 26 of

1 P.L.1994, c.182 (C.19:31-6.11), to those employees or agents or to
2 the **【Attorney General】** Secretary of State. Any registration form
3 addressed to a commissioner of registration may be mailed to or
4 delivered to the office of that commissioner, and in the case of a
5 registration form available at a public agency, the form shall be
6 mailed to the **【Attorney General】** Secretary of State or delivered to
7 the commissioner of registration in the county of the registrant. A
8 registration form postmarked, stamped or otherwise marked as
9 having been received from the registration applicant, on or before
10 the **【21st】** eighth day preceding any election shall be deemed
11 timely.

12 (cf: P.L.2005, c.139, s.10)

13

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

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

21 VOTER REGISTRATION APPLICATION

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

23 (1) This form is being used as:

24 ☐ New registration

25 ☐ Address change

26 ☐ Name change

27 (2) Name:.....

28Last First Middle

29 (3) Are you a citizen of the United States of America? ☐Yes

30 ☐No

31 (4) Will you be 18 years of age on or before election day? ☐Yes

32 ☐ No

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

35 (5) Street Address where you live:

36

37 Street Address Apt. No.

38

39 (6) City or Town County Zip Code

40 (7) Address Where You Receive Your Mail (if different from
41 above):

42

43 (8) Date of Birth:

44

45 Month Day Year

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

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

1 (10) Name and address of Your Last Voter Registration
2
3
4
5 (11) If you are registering by mail to vote and will be voting for
6 the first time in your current county of residence, please provide
7 one of the following:
8 (a) your New Jersey driver's license
9 number:.....
10 (b) the last four digits of your Social Security
11 Number.....
12 OR submit with this form a copy of any one of the following
13 documents: a current and valid photo identification card; a current
14 utility bill, bank statement, government check, pay check or any
15 other government or other identifying document that shows your
16 name and current address. If you do not provide either your New
17 Jersey driver's license number or the last four digits of your Social
18 Security Number, or enclose a copy of one of the documents listed
19 above, you will be asked for identification when voting for the first
20 time, unless you are exempt from doing so under federal or State
21 law.
22 (12) Do you wish to declare a political party affiliation?
23 (Optional):
24 ☐ YES. Name of Party:
25 ☐ NO. I do not wish to declare a political party affiliation at
26 this time.
27 (13)☐ I wish to receive a Mail-in Ballot for all future elections,
28 until I request otherwise in writing.
29 (14)Declaration - I swear or affirm that:
30 I am a U.S. citizen.
31 I live at the above address.
32 I will be at least 18 years old on or before the day of the next
33 election.
34 I am not serving a sentence of incarceration due to a conviction
35 for an indictable offense under any federal or State laws.
36 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
37 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO
38 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH
39 PURSUANT TO R.S.19:34-1.
40
41 Signature or mark of the registrant Date
42 (15)If applicant is unable to complete this form, print the name
43 and address of individual who completed this form.
44
45 Name
46
47 Address

1 In addition, the form may include notice to the applicant of
2 information and options relating to the registration and voting
3 process, including but not limited to notice of qualifications
4 required of a registered voter; notice of the final day by which a
5 person must be registered to be eligible to vote in an election;
6 notice of the effect of a failure to provide required identification
7 information; a place at which the applicant may indicate availability
8 for service as a member of the district board of elections; a place at
9 which the applicant may indicate whether he or she requires a
10 polling place which is accessible to individuals with disabilities and
11 the elderly or whether he or she is legally blind; a place at which
12 the applicant may indicate a desire to receive additional information
13 concerning voting by mail; and if the application indicates a
14 political party affiliation, the voter is permitted to vote in the
15 primary election of a political party other than the political party in
16 which the voter was affiliated previously only if the voter
17 registration form with the change of political party affiliation is
18 filed prior to the 50th day next preceding the primary election. The
19 form may also include a space for the voter registration agency to
20 record whether the applicant registered in person, by mail or by
21 other means.

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

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

33 d. The commissioner of registration shall furnish such
34 registration forms upon request in person to any person or
35 organization in such reasonable quantities as such person or
36 organization shall request. The commissioner shall furnish no fewer
37 than two such forms to any person upon request by mail or by
38 telephone.

39 e. Each such registration form shall have annexed thereto
40 instructions specifying the manner and method of registration, and
41 the vote by mail option specified on the form, and stating the
42 qualifications for an eligible voter.

43 f. The Secretary of State shall also furnish such registration
44 forms and such instructions to the Director of the Division of
45 Workers' Compensation, the Director of the Division of
46 Employment Services, and the Director of the Division of
47 Unemployment and Temporary Disability Insurance in the
48 Department of Labor and Workforce Development; to the Director

1 of the Division of Taxation in the Department of the Treasury; to
2 the Executive Director of the New Jersey Transit Corporation; to
3 the appropriate administrative officer of any other public agency, as
4 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-
5 6.3); to the Adjutant General of the Department of Military and
6 Veterans' Affairs; and to the chief administrative officer of any
7 voter registration agency, as defined in subsection a. of section 26
8 of P.L.1994, c.182 (C.19:31-6.11).

9 g. All registration forms received by the Secretary of State in
10 the mail or forwarded to the Secretary of State shall be forwarded to
11 the commissioner of registration in the county of the registrant.
12 Each such form, and any registration form received otherwise by a
13 commissioner of registration, shall be forwarded to the county clerk
14 if the vote by mail option is selected on a form.

15 h. An application to register to vote received from the New
16 Jersey Motor Vehicle Commission or a voter registration agency, as
17 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-
18 6.11), shall be deemed to have been timely made for the purpose of
19 qualifying an eligible applicant as registered to vote in an election if
20 the date on which the commission or agency shall have received
21 that document in completed form, as indicated in the lower right
22 hand corner of the form, was not later than the **【21st】** eighth day
23 preceding that election.

24 i. Each commissioner of registration shall make note in the
25 permanent registration file of each voter who is required to provide
26 the personal identification information required pursuant to this
27 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-
28 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of
29 identification provided by the voter and the date on which it is
30 provided. Prior to the June 2004 primary election, when such a
31 newly registered voter seeks to vote for the first time following his
32 or her registration, the voter will be required to provide such
33 personal identification information. Beginning with the June 2004
34 primary election, when such a newly registered voter seeks to vote
35 for the first time following his or her registration, the voter will not
36 be required to provide such information if he or she had previously
37 provided the personal identification information required pursuant
38 to this section. The required information shall be collected and
39 stored for the time and in the manner required pursuant to
40 regulations promulgated by the Secretary of State.

41 j. The Secretary of State shall amend the voter registration
42 application form if necessary to conform to the requirements of
43 applicable federal or State law.

44 k. In the event that the name of any political party entered on
45 the voter registration form by a voter who wishes to declare a
46 political party affiliation is not legible, the commissioner of
47 registration shall mail the voter a political party declaration form
48 and a letter explaining that the voter's choice was not understood

1 and that the voter should complete and return the declaration form
2 in order to be affiliated with a party.

3 (cf: P.L.2019, c.270, s.3)

4
5 6. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to
6 read as follows:

7 17. a. Upon receipt of any completed registration form, the
8 commissioner of registration shall review it, and if it is found to be
9 in order, shall:

10 (1) Send to the registrant written notification that such registrant
11 is duly registered to vote. **[No]** Except as otherwise provided for
12 temporary registration certificates pursuant to section 1 of
13 P.L. , c. (C.) (pending before the Legislature as this bill), no
14 registrant shall be considered a registered voter until the
15 commissioner of registration reviews the application submitted by
16 the registrant and deems it acceptable. On the face of such
17 notification in the upper left-hand corner shall be printed the words:
18 "Do Not Forward. Return Postage Guaranteed. If not delivered in 2
19 days, return to the Commissioner of Registration."

20 (2) In as timely a manner as possible, enter the information
21 provided for the registrant on the completed registration form, or
22 electronically transfer the information from an online voter
23 registration form completed pursuant to section 1 of P.L.2019,
24 c.382 (C.19:31-6.4c), into the Statewide voter registration system
25 established pursuant to section 1 of P.L.2005, c.145 (C.19:31-31).

26 (3) Paste, tape, or photocopy the completed registration form
27 onto an original registration form, and shall paste or tape a copy of
28 such completed registration form onto a duplicate registration form,
29 both of which shall be filed as provided in R.S.19:31-10. Nothing
30 in this paragraph shall preclude any commissioner of registration
31 from keeping the original mail registration form on file.

32 (4) In the case of a registrant currently registered in another
33 county of this State, notify the commissioner of registration of such
34 other county to remove the individual's name from the registry list
35 of voters of the county and place into an appropriate retention file
36 all registration documents or material relating to that voter. The
37 commissioner of registration of the current county of the registrant
38 shall secure and maintain the entire voting history of that registrant.

39 b. The commissioner shall notify a registrant of the reasons for
40 any refusal to approve his registration within two business days of
41 such determination.

42 c. (Deleted by amendment, P.L.1994, c.182.)

43 (cf: P.L.2019, c.382, s.3)

44
45 7. R.S.19:31-7 is amended to read as follows:

46 19:31-7. For the convenience of the voters the respective
47 municipal clerks or their duly authorized clerk or clerks in all
48 municipalities shall also be empowered to register applicants for

1 permanent registration up to and including the **【21st】** eighth day
2 preceding any election and after any such election in the manner
3 indicated above, subject to such rules and regulations as may be
4 prescribed by the commissioner, in counties having a
5 superintendent of elections, and the county board in all other
6 counties. Duly authorized clerk as used in this section shall mean a
7 clerk who resides within the municipality and has been approved by
8 the commissioner or the county board as the case may be. For this
9 purpose the commissioner shall forward to each municipal clerk a
10 sufficient supply of registration forms. The commissioners shall
11 keep a record of the serial numbers of these forms and shall
12 periodically make such checks as are necessary to accurately
13 determine if all such forms are satisfactorily accounted for. Each
14 municipal clerk shall transmit daily to the commissioner all of the
15 filled out registration forms that he may have in his office at the
16 time.

17 (cf: P.L.2005, c.139, s.12)

18

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

20 19:31-11. a. In all counties within the State, change of
21 residence notices shall be made by a written request, signed by the
22 registrant, forwarded to the commissioner by mail, and actually
23 received by the commissioner, or by calling in person at the office
24 of the commissioner, the county clerk, or the municipal clerk. The
25 commissioner shall provide change of residence notices in card
26 form for the use of any registered voter moving to another address
27 within the same election district or to another election district
28 within the same county. Copies of these notices shall also be
29 available at the office of the municipal clerk in each municipality
30 and at the office of the county clerk in each county. Each municipal
31 or county clerk shall transmit daily to the commissioner all the
32 filled out change of residence notices that may be in the municipal
33 or county clerk's office at the time. These notices shall be printed
34 upon cards, shall contain a blank form showing where the applicant
35 last resided and the address and exact location to which the
36 applicant has moved and shall have a line for the applicant's
37 signature, printed name and date of birth. Upon receipt of such
38 change of residence notice the commissioner shall cause the
39 signature to be compared with the registration forms of the
40 applicant and, if such signature appears to be of and by one and the
41 same legal voter, the commissioner shall cause the entry of the
42 change of residence to be made on those registration forms and the
43 registrant shall thereupon be qualified to vote in the election district
44 to which the registrant shall have so moved. If the commissioner is
45 not satisfied as to the signature on the request for a change of
46 residence, a confirmation notice as prescribed by subsection d. of
47 R.S.19:31-15 shall be sent by mail with postage prepaid to the
48 registrant at the new address.

1 The application for change of residence shall be filed with the
2 commissioner or municipal clerk or county clerk, as the case may
3 be, on or before the **【21st】** eighth day preceding any election.

4 b. In any county any voter who, prior to an election, shall move
5 within the same county after the time above prescribed for filing an
6 application for change of residence without having made
7 application for change of residence, or who has not returned a
8 confirmation notice sent to the voter by the commissioner of
9 registration of the county, if such a notice has been sent to the voter,
10 or who has not moved since the previous election but whose
11 registration information is missing or otherwise deficient, or has
12 otherwise failed to notify the commissioner of registration of the
13 voter's change of address within the county, shall be permitted to
14 vote in that election in the district to which the voter has moved,
15 upon making a written affirmation regarding the change of address
16 at the polling place of the district in which the voter resides on the
17 day of the election or at an office where a mail-in ballot may be
18 issued for the period beginning 45 days before the election and
19 ending at 3 P.M. the day before the election. No identifying
20 document shall be required from the voter for this affirmation. **【A】**
21 The voter shall be permitted to vote in a manner promulgated by the
22 Secretary of State that ensures the security of the ballot. If the voter
23 is casting a provisional ballot, a district board member shall provide
24 the voter with a provisional ballot, and an envelope with an
25 affirmation statement that conforms with the requirements for such
26 documents contained in subsection b. of section 7 of P.L.1999,
27 c.232 (C.19:53C-1). The voter shall complete the provisional ballot
28 and affirmation statement, place the ballot in the envelope, seal and
29 return it to the district board member. The board member shall
30 review the information in the affirmation statement for
31 completeness before forwarding it for inspection, tabulation and
32 notation by the county board of elections, as provided for by
33 sections 7 through 26 of P.L.1999, c.232 (C.19:53C-1 through
34 C.19:53C-20). The affirmation statement shall constitute a transfer
35 to the registrant's new residence for any subsequent election.
36 However, if the voter has moved from one residence to another
37 within the same election district at any time, the voter shall be
38 permitted to vote in such election district at any election in the same
39 manner as other voters at the polling place upon written affirmation
40 by the registrant to the district board member or official designated
41 by the commissioner of registration of the registrant's change of
42 address.

43 c. A voter who moves from an election district in one county to
44 an election district in another county prior to the close of
45 registration preceding an election shall register in the new county of
46 residence, in accordance with the provisions of R.S.19:31-6, in
47 order to be permitted to vote.

48 (cf: P.L.2005, c.139, s.13)

1 9. R.S.19:31-13 is amended to read as follows:

2 19:31-13. Whenever the registrant after his or her original
3 registration shall change his or her name due to marriage, divorce,
4 or by judgment of court, the registrant shall in person or by mail
5 submit to the commissioner of registration a written statement
6 notifying the commissioner of the change, which statement shall
7 take such form, and be printed on a postal card suitable for mailing
8 of such design, as the **【Attorney General】** Secretary of State shall
9 prescribe and shall be signed by the registrant. The commissioner,
10 upon receipt of such a notice of change of name, shall revise
11 accordingly the name of the registrant as it appears among the items
12 of information concerning the registrant included on the registrant's
13 registration forms, shall make a photographic copy of the notice of
14 name change submitted by the registrant, and shall affix the original
15 notice so submitted to the registrant's original registration form and
16 the photographic copy of that notice to the registrant's duplicate
17 registration record.

18 When notice of such change in name has not been received by or
19 filed with the commissioner prior to the **【21st】** eighth day
20 preceding any election, such person may be permitted to vote under
21 the name under which the person was registered prior to that change
22 at the first election following such change in name at which the
23 person shall appear to vote, after signing the signature copy register
24 with both the registered name and his or her new name. The
25 commissioner shall then revise accordingly the name of the
26 registrant as it appears on the registrant's registration forms, make a
27 photographic copy of the notice, and affix the original and copy of
28 the notice to the registrant's permanent registration forms as
29 hereinabove prescribed.

30 (cf: P.L.2005, c.139, s.14)

31

32 10. R.S.19:31-18 is amended to read as follows:

33 19:31-18. On or before the **【eighth】** fifth day preceding any
34 general election the commissioner shall certify and transmit to the
35 county clerk a complete list of all persons who are registered in
36 each election district in each municipality in the county as of that
37 day together with a statement as to the number of persons registered
38 in each district. The list of registered voters shall include only the
39 following information for each registered voter: name, address,
40 date of birth, political party affiliation, and voting history. Except
41 when so ordered by a court, the list of registered voters shall not
42 include voter signatures. The list shall be drawn from the Statewide
43 voter registration system, established pursuant to section 1 of
44 P.L.2005, c.145 (C.19:31-31). It shall in figures state the total
45 number of names of persons registered. Such lists shall be arranged
46 substantially in the following form: Grand Street

1 Residence number Name of voter
2 or other designation

3 14 Jones, Charles M.

4 15 Smith, John M.

5 (cf: P.L.2005, c.145, s.13)

7 11. Section 9 of P.L.1999, c.232 (C.19:53C-3) is amended to
8 read as follows:

9 9. Whenever a voter enters a polling place to vote on the day of
10 an election and the circumstance of that voter matches the
11 circumstance of a voter described in subsection b. of R.S.19:31-11,
12 the district board shall query the voter and follow the appropriate
13 procedure herein described.

14 a. If, at any time, the voter has moved from one residence to
15 another in the same election district, the board shall permit the voter
16 to vote at that polling place in the same manner as other voters at
17 the polling place upon written affirmation by the voter to the district
18 board.

19 b. If the voter has moved within a municipality but currently
20 resides in an election district different from that listed for the voter
21 by the commissioner of registration, the district board shall direct
22 the voter to the appropriate election district and polling place for the
23 voter and inform that person that: (1) the person must go to that
24 polling place to vote; and (2) the person will be permitted to vote
25 thereat by provisional ballot after completing an affirmation
26 statement or by using any other manner of voting promulgated by
27 the Secretary of State that ensures the security of the ballot, as
28 provided under section 1 of P.L. , c. (C.) (pending before the
29 Legislature as this bill).

30 c. If the voter has moved within the county but currently
31 resides in a municipality different from that listed for the voter by
32 the commissioner of registration, the district board shall determine
33 the appropriate election district and polling place for the voter and
34 inform that person that: (1) the person must go to that polling place
35 to vote; and (2) the person will be permitted to vote thereat by
36 provisional ballot after completing an affirmation statement or by
37 using any other manner of voting promulgated by the Secretary of
38 State that ensures the security of the ballot, as provided under
39 section 1 of P.L. , c. (C.) (pending before the Legislature as this
40 bill).

41 d. **【**If, on or before the 21st day prior to the day of the election,
42 the voter has moved into the county from another county or state
43 and has not registered to vote in that county, the board shall inform
44 the voter that he is not eligible to vote in that county at that
45 election.**】** (Deleted by amendment, P.L. , c.) (pending before the
46 Legislature as this bill)

1 e. If, after the ~~21st~~ 30th day prior to the day of an election,
2 the voter has moved into the county from another county in this
3 State, the board shall inform the voter that: (1) the voter is not
4 eligible to vote in the county where he resides currently at that
5 election; and (2) the voter may be eligible to vote in the election
6 district where the voter resided prior to moving to the voter's
7 current residence.

8 f. If the voter's registration information has been marked by
9 the county commissioner of registration to indicate a problem
10 therewith, or if the voter's sample ballot has been returned as
11 undeliverable to the county or municipal clerk, as the case may be,
12 but the voter states that the voter has not moved prior to the day of
13 an election, but instead continues to reside at the same address the
14 voter resided at when voting previously, the voter shall be permitted
15 to vote in such election district in the same manner as other voters
16 at the polling place upon written affirmation to the district board of
17 that election district.

18 g. If the voter's registration information is missing, the voter
19 shall be permitted to vote by registering at the voter's assigned
20 polling place on the day of an election as provided under section 1
21 of P.L. , c. (C.) (pending before the Legislature as this bill).
22 Alternatively, the voter shall be permitted to vote by provisional
23 ballot after completing the affirmation statement attached to the
24 envelope provided with the provisional ballot.

25 h. In accordance with the requirements of subsection (c) of
26 section 302 of Pub.L.107-252 (42 U.S.C.s.15482), whenever a voter
27 is voting as a result of a federal or State court order or any other
28 order extending the time established for closing the polls in effect
29 10 days before the date of an election, the voter may vote only by
30 provisional ballot. Any such ballot shall be separated by the county
31 board from other provisional ballots cast at the election and the
32 results shall be canvassed and recorded separately in the official
33 canvas for the election.

34 i. Any person who, pursuant to subsection b. of R.S.19:15-17,
35 votes by provisional ballot at the polling place because of his or her
36 failure to provide required personal identification information shall
37 be given until the close of business on the second day after the
38 election to provide the applicable county commissioner of
39 registration with the identification information. Failure to provide
40 the required personal identification information within that time
41 period shall result in the rejection of the ballot.

42 j. If the voter (1) has applied for a mail-in ballot and not
43 received either the ballot or an explanation for not receiving such a
44 ballot pursuant to notification by the county clerk or from the free-
45 access system established pursuant to section 5 of P.L.2004, c.88
46 (C.19:61-5) to provide such information; or (2) has applied for and
47 received a mail-in ballot and has not transmitted it to the county
48 board of elections or given it to a bearer for delivery to the county

1 board before the time for the opening of the polls on the day of an
2 election, the voter shall be permitted to vote at that election by
3 provisional ballot after completing the affirmation statement
4 attached to the envelope provided with the provisional ballot.
5 (cf: P.L.2009, c.79, s.34)

6
7 12. This act shall take effect on the 30th day next following
8 enactment, except the Secretary of State may take any anticipatory
9 administrative action in advance thereof as shall be necessary for
10 the implementation of this act.

11 12 13 STATEMENT

14
15 This bill reduces the standard voter registration deadline from 21
16 days before election day to eight days before election day. The bill
17 also allows persons to register to vote at their assigned polling place
18 on election day, and at an office where a mail-in ballot may be
19 issued during the period beginning 45 days before the election and
20 ending at 3 P.M. the day before the election.

21 Under the bill, an applicant registering to vote at the polling
22 place on the day of any election, at an office where a mail-in ballot
23 may be issued under “The Vote By Mail Law” for the period
24 beginning 45 days before the election and ending at 3 P.M. the day
25 before the election, would be required to (1) present or submit a
26 copy of an identifying document; (2) complete an appropriate voter
27 registration form; and (3) submit an affidavit in which the applicant
28 declares that the applicant is not already properly registered to vote
29 for the election in which the applicant is voting, will have lived in
30 the county in which the applicant is voting for at least 30 days prior
31 to that election, has not previously voted in that election, and upon
32 voting will not thereafter vote in that election.

33 The bill requires the commissioner of registration to designate an
34 individual at each polling place, and at each office where a mail-in
35 ballot may be issued, to receive and review the forms and affidavits.
36 The commissioner’s designee would be required to read to an
37 applicant, prior to accepting the forms and affidavits, the penalty
38 provision for voter fraud. The designee would then issue a
39 temporary registration certificate to a qualified applicant. The
40 certificate would be in triplicate, with one copy to be retained by
41 the designee, one copy to be retained by the office, and one copy to
42 be retained by the applicant. The applicant would then be permitted
43 to vote at the polling place on election day, or immediately at the
44 office where mail-in ballots are issued, as the case may be, in a
45 manner promulgated by the Secretary of the State to allow
46 verification of the applicant’s identity and ensure the security of the
47 ballot.

1 The bill requires the commissioner of registration in each county
2 to furnish voter registration forms and affidavit forms to each
3 polling place and to each office where a mail-in ballot may be
4 issued. Under the bill, the completed forms and affidavits received
5 by the commissioner's designee at these locations would be
6 delivered to the commissioner as soon as possible, and no later than
7 within two days of completion. The bill directs the commissioner,
8 upon receiving these forms, to send to the registrant written
9 notification of the registrant's registration; to enter the information
10 into the Statewide voter registration system; to file the records as
11 required by current law; and, in the case of a registrant currently
12 registered in another county of this State, to notify the
13 commissioner of registration of such other county to delete such
14 registrant's name from the list of persons registered in such other
15 county. The bill also requires the commissioner to notify a
16 registrant of the reasons for any refusal to approve that person's
17 registration within two business days of such determination.

18 The bill also allows the county clerk of each county to accept
19 change of residence notices. Under current law, such notices are
20 accepted by each county commissioner of registration and each
21 municipal clerk.