

ASSEMBLY, No. 4709

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Creates online form to update name and residence on existing voter registration record; allows change of residence notice to update existing record when voter moves to another county.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning the manner of updating the name and address
2 of a registered voter on an existing voter registration record,
3 amending R.S.19:31-11 and R.S.19:31-13, and supplementing
4 chapter 31 of Title 19 of the Revised Statutes.

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

8
9 1. R.S.19:31-11 is amended to read as follows:
10 19:31-11. a. In all counties within the State, change of residence
11 notices shall be made: (1) by a written request, signed by the
12 registrant, forwarded to the commissioner by mail, and actually
13 received by the commissioner **[, or]** (2) by calling in person at the
14 office of the commissioner or the municipal clerk; or (3) by
15 completing and submitting a change of residence notice online as
16 provided under section 3 of P.L. , c. (C.) (pending before the
17 Legislature as this bill). The commissioner shall provide change of
18 residence notices in card form for the use of any registered voter
19 moving to another address within the same election district **[or]**; to
20 another election district within the same county; or to another
21 election district in another county for processing as provided under
22 subsection c. of this section. Copies of these notices shall also be
23 available at the office of the municipal clerk in each municipality.
24 Each municipal clerk shall transmit daily to the commissioner all
25 the filled out change of residence notices that may be in the
26 municipal clerk's office at the time. These notices shall be printed
27 upon cards, shall contain a blank form showing where the applicant
28 last resided and the address and exact location to which the
29 applicant has moved and shall have a line for the applicant's
30 signature, printed name and date of birth. Upon receipt of such
31 change of residence notice the commissioner shall cause the
32 signature to be compared with the registration forms of the
33 applicant and, if such signature appears to be of and by one and the
34 same legal voter, the commissioner shall cause the entry of the
35 change of residence to be made on those registration forms and the
36 registrant shall thereupon be qualified to vote in the election district
37 to which the registrant shall have so moved. If the commissioner is
38 not satisfied as to the signature on the request for a change of
39 residence, a confirmation notice as prescribed by subsection d. of
40 R.S.19:31-15 shall be sent by mail with postage prepaid to the
41 registrant at the new address.

42 The application for change of residence shall be filed with the
43 commissioner or municipal clerk, as the case may be, on or before
44 the 21st day preceding any election.

45 b. In any county any voter who, prior to an election, shall move

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

33 c. A voter who moves from an election district in one county to
34 an election district in another county prior to the close of
35 registration preceding an election shall register in the new county of
36 residence, in accordance with the provisions of R.S.19:31-6, or
37 shall file a change of residence notice with the commissioner of
38 either county or complete and submit that notice online as provided
39 under section 3 of P.L. , c. (C.) (pending before the Legislature
40 as this bill), in order to be permitted to vote. A change of residence
41 notice filed by a voter pursuant to this subsection shall cause the
42 commissioners of the county of previous residence and the county
43 of new residence to update the voter registration record of that voter
44 and to transfer that record to the county of new residence. The
45 commissioner of the county of new residence shall notify the voter
46 by mail that the voter is now registered to vote in that county or, if
47 the notice submitted by the voter is incomplete, to request any
48 additional information or documentation necessary to finalize the

1 change of residence notice. Nothing in this subsection shall be
2 interpreted to waive the requirement specified under R.S.19:31-5
3 that the voter shall have been a resident of the county of new
4 residence for at least 30 days prior to being eligible to vote in any
5 election in that county.

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

7
8 2. R.S.19:31-13 is amended to read as follows:

9 19:31-13. Whenever the registrant after his or her original
10 registration shall change his or her name due to marriage, divorce,
11 or by judgment of court, the registrant shall in person or by mail
12 submit to the commissioner of registration a written statement
13 notifying the commissioner of the change, which statement shall
14 take such form, and be printed on a postal card suitable for mailing
15 of such design, as the Attorney General shall prescribe and shall be
16 signed by the registrant. A registrant may complete the form online
17 pursuant to section 3 of P.L. , c. (C.) (pending before the
18 Legislature as this bill). The commissioner, upon receipt of such a
19 notice of change of name, shall revise accordingly the name of the
20 registrant as it appears among the items of information concerning
21 the registrant included on the registrant's registration forms, shall
22 make a photographic copy of the notice of name change submitted
23 by the registrant, and shall affix the original notice so submitted to
24 the registrant's original registration form and the photographic copy
25 of that notice to the registrant's duplicate registration record.

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

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

39
40 3. (New section) The Secretary of State shall develop and make
41 available on its website a form to allow a registered voter to
42 electronically complete a change of residence notice, change of
43 name notice, or both, and to electronically submit that form to the
44 appropriate county commissioner of registration. If the voter is
45 reporting a change or residence from one county to another, the
46 form shall be submitted to both the commissioner of the previous
47 county of residence and the new county of residence. The form shall
48 contain substantively the same information required to be submitted

1 by a registered voter on a paper version of a change of residence
2 and change of name form pursuant to R.S.19:31-11 and R.S.19:31-
3 13. The form shall contain any additional information deemed
4 necessary by the secretary.

5
6 4. This act shall take effect immediately.
7
8

9 STATEMENT
10

11 Under current law, a registered voter who changes his or her
12 name or address may file a form to notify the county commissioner
13 of registration of these changes to the voter's record. When a
14 registered voter moves from one county to another, the voter is
15 required to file a new voter registration form in the new county.

16 This bill requires the Secretary of State to create an electronic
17 form on the Department of State's website for a voter to use to
18 complete and submit changes to the voter's name, address, or both.
19 This bill also allows a registered voter who moves from one county
20 to another to use the change of address form to notify the county
21 commissioners of registration of the voter's old and new counties of
22 residence of this change. The bill requires both commissioners to
23 cause the voter's registration record to be transferred to the new
24 county. The commissioner of the county of new residence would
25 notify the voter by mail that the voter is now registered to vote in
26 that county. If the notice submitted by the voter is incomplete, the
27 commissioner is required to request any additional information or
28 documentation necessary to finalize the change of residence
29 request.

30 This bill does not change any of the eligibility requirements a
31 voter must fulfill in order to vote in an election, including the 30-
32 day residency requirement in the county of residence as required by
33 the State Constitution and specified under R.S.19:31-5.