

SENATE, No. 2824

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED AUGUST 17, 2020

Sponsored by:

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senators Gopal, Turner, Diegnan and Stack

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: 11/8/2021)

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
48 ballot may be issued for the period beginning 45 days before the

1 election and ending at 3 P.M. the day before the election, as
2 provided under section 1 of P.L. , c. (C.) (pending before the
3 Legislature as this bill).

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

8
9 4. Section 15 of P.L.1974, c.30 (C.19:31-6.3) is amended to
10 read as follows:

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

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

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

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

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

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

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

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

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

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

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

38 Any recruitment office of the New Jersey National Guard.

39 b. Any person entitled to register to vote may register as a
40 voter in the election district in which that person resides at any time
41 **【prior to the 21st】** on or before the eighth day preceding any
42 election by completing a registration form described in section 16
43 of P.L.1974, c.30 (C.19:31-6.4) and submitting the form to the
44 commissioner of registration of the county wherein the person
45 resides or alternatively, in the case of a registration form provided
46 by the employees or agents of a public agency or a voter
47 registration agency, as defined in subsection a. of section 26 of
48 P.L.1994, c.182 (C.19:31-6.11), to those employees or agents or to

1 the **【Attorney General】** Secretary of State. Any registration form
 2 addressed to a commissioner of registration may be mailed to or
 3 delivered to the office of that commissioner, and in the case of a
 4 registration form available at a public agency, the form shall be
 5 mailed to the **【Attorney General】** Secretary of State or delivered to
 6 the commissioner of registration in the county of the registrant. A
 7 registration form postmarked, stamped or otherwise marked as
 8 having been received from the registration applicant, on or before
 9 the **【21st】** eighth day preceding any election shall be deemed
 10 timely.

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

12

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

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

20 VOTER REGISTRATION APPLICATION

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

22 (1) This form is being used as:

23 ☐ New registration

24 ☐ Address change

25 ☐ Name change

26 (2) Name:.....

27Last First Middle

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

29 ☐No

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

31 ☐ No

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

34 (5) Street Address where you live:

35

36 Street Address Apt. No.

37

38 (6) City or Town County Zip Code

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

41

42 (8) Date of Birth:

43

44 Month Day Year

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

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

47 (10) Name and address of Your Last Voter Registration

48

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

1 required of a registered voter; notice of the final day by which a
2 person must be registered to be eligible to vote in an election;
3 notice of the effect of a failure to provide required identification
4 information; a place at which the applicant may indicate availability
5 for service as a member of the district board of elections; a place at
6 which the applicant may indicate whether he or she requires a
7 polling place which is accessible to individuals with disabilities and
8 the elderly or whether he or she is legally blind; a place at which
9 the applicant may indicate a desire to receive additional information
10 concerning voting by mail; and if the application indicates a
11 political party affiliation, the voter is permitted to vote in the
12 primary election of a political party other than the political party in
13 which the voter was affiliated previously only if the voter
14 registration form with the change of political party affiliation is
15 filed prior to the 50th day next preceding the primary election. The
16 form may also include a space for the voter registration agency to
17 record whether the applicant registered in person, by mail or by
18 other means.

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

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

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

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

40 f. The Secretary of State shall also furnish such registration
41 forms and such instructions to the Director of the Division of
42 Workers' Compensation, the Director of the Division of
43 Employment Services, and the Director of the Division of
44 Unemployment and Temporary Disability Insurance in the
45 Department of Labor and Workforce Development; to the Director
46 of the Division of Taxation in the Department of the Treasury; to
47 the Executive Director of the New Jersey Transit Corporation; to
48 the appropriate administrative officer of any other public agency, as

1 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-
2 6.3); to the Adjutant General of the Department of Military and
3 Veterans' Affairs; and to the chief administrative officer of any
4 voter registration agency, as defined in subsection a. of section 26
5 of P.L.1994, c.182 (C.19:31-6.11).

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

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

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

38 j. The Secretary of State shall amend the voter registration
39 application form if necessary to conform to the requirements of
40 applicable federal or State law.

41 k. In the event that the name of any political party entered on
42 the voter registration form by a voter who wishes to declare a
43 political party affiliation is not legible, the commissioner of
44 registration shall mail the voter a political party declaration form
45 and a letter explaining that the voter's choice was not understood
46 and that the voter should complete and return the declaration form
47 in order to be affiliated with a party.

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

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

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

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

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

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

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

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

38 c. (Deleted by amendment, P.L.1994, c.182.)
39 (cf: P.L.2019, c.382, s.3)
40

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

42 19:31-7. For the convenience of the voters the respective
43 municipal clerks or their duly authorized clerk or clerks in all
44 municipalities shall also be empowered to register applicants for
45 permanent registration up to and including the **【21st】** eighth day
46 preceding any election and after any such election in the manner
47 indicated above, subject to such rules and regulations as may be
48 prescribed by the commissioner, in counties having a

1 superintendent of elections, and the county board in all other
2 counties. Duly authorized clerk as used in this section shall mean a
3 clerk who resides within the municipality and has been approved by
4 the commissioner or the county board as the case may be. For this
5 purpose the commissioner shall forward to each municipal clerk a
6 sufficient supply of registration forms. The commissioners shall
7 keep a record of the serial numbers of these forms and shall
8 periodically make such checks as are necessary to accurately
9 determine if all such forms are satisfactorily accounted for. Each
10 municipal clerk shall transmit daily to the commissioner all of the
11 filled out registration forms that he may have in his office at the
12 time.

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

14

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

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

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

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

40 c. A voter who moves from an election district in one county to
41 an election district in another county prior to the close of
42 registration preceding an election shall register in the new county of
43 residence, in accordance with the provisions of R.S.19:31-6, in
44 order to be permitted to vote.
45 (cf: P.L.2005, c.139, s.13)

46
47 9. R.S.19:31-13 is amended to read as follows:

1 19:31-13. Whenever the registrant after his or her original
 2 registration shall change his or her name due to marriage, divorce,
 3 or by judgment of court, the registrant shall in person or by mail
 4 submit to the commissioner of registration a written statement
 5 notifying the commissioner of the change, which statement shall
 6 take such form, and be printed on a postal card suitable for mailing
 7 of such design, as the **【Attorney General】** Secretary of State shall
 8 prescribe and shall be signed by the registrant. The commissioner,
 9 upon receipt of such a notice of change of name, shall revise
 10 accordingly the name of the registrant as it appears among the items
 11 of information concerning the registrant included on the registrant's
 12 registration forms, shall make a photographic copy of the notice of
 13 name change submitted by the registrant, and shall affix the original
 14 notice so submitted to the registrant's original registration form and
 15 the photographic copy of that notice to the registrant's duplicate
 16 registration record.

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

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

30

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

32 19:31-18. On or before the **【eighth】** fifth day preceding any
 33 general election the commissioner shall certify and transmit to the
 34 county clerk a complete list of all persons who are registered in
 35 each election district in each municipality in the county as of that
 36 day together with a statement as to the number of persons registered
 37 in each district. The list of registered voters shall include only the
 38 following information for each registered voter: name, address,
 39 date of birth, political party affiliation, and voting history. Except
 40 when so ordered by a court, the list of registered voters shall not
 41 include voter signatures. The list shall be drawn from the Statewide
 42 voter registration system, established pursuant to section 1 of
 43 P.L.2005, c.145 (C.19:31-31). It shall in figures state the total
 44 number of names of persons registered. Such lists shall be arranged
 45 substantially in the following form: Grand Street

46 Residence number Name of voter
 47 or other designation

48

1 15 Smith, John M.

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

3

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

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

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

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

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

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

44 e. If, after the **【21st】** 30th day prior to the day of an election,
45 the voter has moved into the county from another county in this
46 State, the board shall inform the voter that: (1) the voter is not
47 eligible to vote in the county where he resides currently at that
48 election; and (2) the voter may be eligible to vote in the election

1 district where the voter resided prior to moving to the voter's
2 current residence.

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

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

20 h. In accordance with the requirements of subsection (c) of
21 section 302 of Pub.L.107-252 (42 U.S.C.s.15482), whenever a voter
22 is voting as a result of a federal or State court order or any other
23 order extending the time established for closing the polls in effect
24 10 days before the date of an election, the voter may vote only by
25 provisional ballot. Any such ballot shall be separated by the county
26 board from other provisional ballots cast at the election and the
27 results shall be canvassed and recorded separately in the official
28 canvas for the election.

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

37 j. If the voter (1) has applied for a mail-in ballot and not
38 received either the ballot or an explanation for not receiving such a
39 ballot pursuant to notification by the county clerk or from the free-
40 access system established pursuant to section 5 of P.L.2004, c.88
41 (C.19:61-5) to provide such information; or (2) has applied for and
42 received a mail-in ballot and has not transmitted it to the county
43 board of elections or given it to a bearer for delivery to the county
44 board before the time for the opening of the polls on the day of an
45 election, the voter shall be permitted to vote at that election by
46 provisional ballot after completing the affirmation statement
47 attached to the envelope provided with the provisional ballot.

48 (cf: P.L.2009, c.79, s.34)

1 12. This act shall take effect on the 30th day next following
2 enactment, except the Secretary of State may take any anticipatory
3 administrative action in advance thereof as shall be necessary for
4 the implementation of this act.

5
6
7 STATEMENT

8
9 This bill reduces the standard voter registration deadline from 21
10 days before election day to eight days before election day. The bill
11 also allows persons to register to vote at their assigned polling place
12 on election day, and at an office where a mail-in ballot may be
13 issued during the period beginning 45 days before the election and
14 ending at 3 P.M. the day before the election.

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

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

42 The bill requires the commissioner of registration in each county
43 to furnish voter registration forms and affidavit forms to each
44 polling place and to each office where a mail-in ballot may be
45 issued. Under the bill, the completed forms and affidavits received
46 by the commissioner’s designee at these locations would be
47 delivered to the commissioner as soon as possible, and no later than
48 within two days of completion. The bill directs the commissioner,

1 upon receiving these forms, to send to the registrant written
2 notification of the registrant's registration; to enter the information
3 into the Statewide voter registration system; to file the records as
4 required by current law; and, in the case of a registrant currently
5 registered in another county of this State, to notify the
6 commissioner of registration of such other county to delete such
7 registrant's name from the list of persons registered in such other
8 county. The bill also requires the commissioner to notify a
9 registrant of the reasons for any refusal to approve that person's
10 registration within two business days of such determination.

11 The bill also allows the county clerk of each county to accept
12 change of residence notices. Under current law, such notices are
13 accepted by each county commissioner of registration and each
14 municipal clerk.