

SENATE, No. 3185

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 16, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senator Lagana

SYNOPSIS

Allows current and former judicial officers, prosecutors, and law enforcement officers and certain family or household members to register to vote without disclosing residential address; prohibits public disclosure of that information.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/4/2021)

1 AN ACT concerning voter registration for certain judicial officers,
2 prosecutors, and law enforcement officers and certain family or
3 household members thereof and amending P.L.1994, c.182 and
4 supplementing chapter 31 of Title 19 of the Revises Statutes.

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

8
9 1. (New section) a. A person who is (1) an active, formerly
10 active, or retired judicial officer, prosecutor, or law enforcement
11 officer, or (2) a member of the immediate family of such a person,
12 or (3) a person residing in the same household as such a person,
13 shall be allowed to register to vote without disclosing their street
14 address. The person registering to vote shall leave the space for a
15 street address on the original permanent registration form blank and
16 shall, instead, attach to the form a document showing proof that the
17 person qualifies to register to vote pursuant to paragraphs (1), (2),
18 or (3) of this subsection. The form shall contain a mailing address,
19 post office box, or other contact point where mail can be received
20 by the person registering to vote.

21 b. Upon receipt of a voter registration form completed pursuant
22 to subsection a. of this section, the commissioner of registration in
23 all counties having a superintendent of elections, and the county
24 board of elections in all other counties, shall provide the person
25 registering to vote with a map of the municipality in which the
26 person resides which shows the various voting districts. The person
27 shall indicate to the commissioner or board, as appropriate, the
28 voting district in which the person resides and shall be permitted to
29 vote at the polling place for that district. If such a person thereafter
30 changes residences, and the person continues to qualify to register
31 to vote pursuant to subsection a. of this section, the person shall so
32 inform the commissioner or board by completing a new permanent
33 registration form in the manner described in this section.

34 c. Any person who makes public any information which has
35 been provided by a registrant pursuant to this section concerning the
36 mailing address, post office box, or other contact point of the
37 registrant, or concerning the election district in which the registrant
38 resides, is guilty of a crime of the fourth degree.

39 d. The Secretary of State, in consultation with the county
40 boards of elections and county superintendents of elections, shall
41 develop guidelines and criteria to be used for the implementation of
42 the voter registration provisions authorized under this section,
43 which shall include, but may not be limited to, the documents that
44 may be submitted as proof that a person qualifies to register to vote
45 pursuant to paragraphs (1), (2), or (3) of subsection a. of this
46 section.

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 e. As used in this section:

2 "Judicial officer" means any active, formerly active, or retired
3 federal, state, county, or municipal judge, including a judge of the
4 Tax Court and any other court of limited jurisdiction established,
5 altered, or abolished by law, a judge of the Office of Administrative
6 Law, a judge of the Division of Workers' Compensation, and any
7 other judge established by law who serves in the executive branch.

8

9 2. Section 24 of P.L.1994, c.182 (C.39:2-3.2) is amended to
10 read as follows:

11 24. a. The Secretary of State, with the assistance of the Chief
12 Administrator of the New Jersey Motor Vehicle Commission, shall
13 provide for an eligible applicant to simultaneously apply for a
14 motor vehicle driver's license, an examination permit, a
15 probationary driver's license, or a non-driver identification card, as
16 applicable, and be automatically registered to vote, or have an
17 existing voter registration updated, in a manner which satisfies both
18 the requirements necessary to receive a license to operate a motor
19 vehicle, pursuant to R.S.39:3-10, or an examination permit, a
20 probationary driver's license, or a non-driver identification card, as
21 applicable, and to register to vote, pursuant to R.S.19:4-1. The
22 applicant shall be offered an opportunity to decline the automatic
23 voter registration under this section.

24 b. (1) Pursuant to subsection a. of this section, for every
25 application for a motor vehicle driver's license, an examination
26 permit, a probationary driver's license, or a non-driver identification
27 card, and each related update, renewal, or change of address, except
28 as provided in paragraphs (2) and (3) of this subsection, the Chief
29 Administrator shall ensure that the information necessary for voter
30 registration is collected from the application and promptly
31 transmitted electronically to the Secretary of State. The Chief
32 Administrator shall ensure that electronic records are not
33 transmitted to the Secretary of State for any applicant who has
34 declined registration. The Commissioner of Registration shall
35 register to vote or update an existing registration for any eligible
36 applicant who has not declined voter registration.

37 (2) Voter registration information from an application received
38 online for the renewal of a motor vehicle driver's license or non-
39 driver identification card shall be collected and promptly
40 transmitted electronically to the Secretary of State upon the
41 implementation by the Secretary of State of online voter
42 registration. Subsection c. of this section shall be inapplicable to
43 such applications until that time.

44 (3) Voter registration information from an application received
45 through the mail for the renewal of a motor vehicle driver's license
46 or non-driver identification card shall be exempt from collection
47 and electronic transmission to the Secretary of State until such time
48 as the Chief Administrator determines that the prompt electronic

1 transmission of the information is practicable. Subsection c. of this
2 section shall be inapplicable to such applications until that time.
3 Following the effective date of P.L.2018, c.6, the Chief
4 Administrator shall inform the Governor and the Legislature every
5 six months of the practicability of collecting and transmitting to the
6 Secretary of State voter registration information from such
7 applications. This paragraph shall not be construed to preclude the
8 Motor Vehicle Commission from processing voter registration
9 applications received in the manner in which such applications were
10 processed in connection with such renewals prior to the effective
11 date of P.L.2018, c.6.

12 c. The Chief Administrator shall provide for the following
13 notices to be provided with every application for a motor vehicle
14 driver's license, an examination permit, a probationary driver's
15 license, or a non-driver identification card and every related update,
16 renewal, or change of address:

17 (1) a notice that the applicant will be registered to vote, if
18 eligible, unless the applicant specifically declines the automatic
19 voter registration;

20 (2) a notice of the voter eligibility requirements under R.S.19:4-
21 1 and the penalties for false registration and illegal voting under
22 Title 19 of the Revised Statutes, which notice shall contain an
23 affirmation that the applicant meets each such requirement and shall
24 require the signature of the applicant, under penalty of law; **[and]**

25 (3) a notice that an applicant who is a victim of domestic
26 violence or stalking may decline the automatic voter registration
27 and register to vote without disclosing the applicant's street address
28 pursuant to section 1 of P.L.1994, c.148 (C.19:31-3.2); **and**

29 (4) a notice that an applicant who is an active, formerly active,
30 or retired judicial officer, prosecutor, or law enforcement officer, or
31 a member of the immediate family of such a person, or a person
32 residing in the same household as such a person, may decline the
33 automatic voter registration and register to vote without disclosing
34 the applicant's street address pursuant to section 1 of
35 P.L. , c. (C.) (pending before the Legislature as this bill).

36 d. For each applicant already registered to vote, any change of
37 address notification submitted to the Chief Administrator for the
38 purpose of maintaining current information on an applicant shall be
39 promptly reported to the Secretary of State. A change of address
40 notification received by the Chief Administrator in paper format
41 shall be reported to the Secretary of State no later than the 10th day
42 following its receipt by the Chief Administrator. The Commissioner
43 of Registration shall use the change of address notification to
44 update an existing voter registration unless the applicant declines
45 the automatic voter registration pursuant to this section and
46 indicates that the change of address is not for voter registration
47 purposes. A change of address notification submitted to the
48 commission, which is used for voter registration purposes, shall be

1 subject to the provisions of section 1 of P.L.1994, c.148 (C.19:31-
2 3.2) if the person submitting the change of address notification
3 previously registered to vote in accordance with that section.

4 e. If a person who is not entitled to vote becomes registered to
5 vote pursuant to this section, that person's registration shall be
6 presumed to have been effected with official authorization, and the
7 person shall not be deemed to have committed a crime under
8 R.S.19:34-1. This subsection shall not apply to a person who
9 knowingly and willfully makes a false statement to effectuate voter
10 registration.

11 f. The Secretary of State, with the assistance of the Chief
12 Administrator, shall take appropriate measures to educate the public
13 about voter registration under this section.

14 For the purposes of this section, "eligible applicant" means a
15 person submitting to the commission an application for a motor
16 vehicle driver's license, an examination permit, a probationary
17 driver's license, or a non-driver identification card who meets all
18 requirements for eligibility to vote under R.S.19:4-1.

19 (cf: P.L.2018, c.6, s.3)

20

21 3. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill allows current and former judicial officers, prosecutors,
27 and law enforcement officers, and certain family members and
28 persons residing in the same household, to register to vote without
29 disclosing their residential address. This bill also prohibits the
30 public disclosure of the voter registration information of those
31 persons.

32 Under the bill, any (1) active, formerly active, or retired judicial
33 officer, prosecutor, or law enforcement officer, or (2) a member of
34 the immediate family of such a person, or (3) a person residing in
35 the same household as such a person, would be permitted to register
36 to vote without disclosing their street address. Such registrants
37 would leave the space for a street address on the voter registration
38 form blank and would, instead, attach to the form a document
39 showing proof that the person qualifies to register to vote as
40 permitted under the bill. The form would contain a mailing address,
41 post office box, or other contact point where mail can be received
42 by the person registering to vote. Upon receiving a voter
43 registration form, the commissioner of registration or county board
44 of elections, as the case may be, would provide the person
45 registering to vote with a map of the municipality in which the
46 person resides to select the voting district in which the registrant
47 will be permitted to vote. Future address updates to the qualified

1 registrant's voter registration form would be conducted in the same
2 manner.

3 Under the bill, any person who makes public any information
4 which has been provided by a registrant concerning the mailing
5 address, post office box, or other contact point of the registrant, or
6 concerning the election district in which the registrant resides, is
7 guilty of a crime of the fourth degree. The bill directs the Secretary
8 of State, in consultation with the county boards of elections and
9 county superintendents of elections, to develop implementation
10 guidelines and criteria including, but not be limited to, the required
11 documentation and proof of eligibility.

12 The bill also amends current law concerning automatic voter
13 registration services at the New Jersey Motor Vehicle Commission
14 to require that a notice be provided to eligible applicants to inform
15 them that they may decline the automatic voter registration and may
16 register to vote without disclosing the applicant's street address as
17 provided by the bill.

18 This bill is modeled after the privacy protections afforded under
19 current law for victims of domestic violence and stalking with
20 respect to their voter registration.