

SENATE, No. 3249

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 10, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Co-Sponsored by:

Senators Bateman, Oroho and Testa

SYNOPSIS

Provides additional ways for transferring deceased voter's record to Statewide voter registration system's death file; requires Secretary of State match registration system with Social Security Administration deceased persons database.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/19/2021)

1 **AN ACT** concerning the transfer of a deceased voter's record to the
2 Statewide voter registration system's death file and
3 supplementing Title 19 of the Revised Statutes and amending
4 P.L.2005, c.145.

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

8
9 1. (New section) a. In addition to the provisions of R.S.19:31-
10 16, a deceased registrant's voter registration record may be
11 transferred to the death file by the commissioner of registration of
12 the county in which the deceased registrant is a registered voter
13 upon the proper execution by the next of kin of a form affirming the
14 death of the deceased registrant, as prescribed by the Secretary of
15 State, and a copy of the deceased registrant's death certificate. A
16 copy of the deceased registrant's death certificate and the
17 affirmation statement shall be filed in person by the deceased
18 registrant's next of kin with the commissioner of registration. The
19 affirmation statement shall be notarized. Upon receipt of the
20 deceased registrant's death certificate and the affirmation statement,
21 the commissioner of registration shall transfer the deceased
22 registrant's voter registration record to the death file as soon as
23 possible.

24 b. The Director of the Division of Veterans' Healthcare
25 Services in the Department of Military and Veterans' Affairs or a
26 nursing home administrator, as that term is defined in section 12 of
27 P.L.1968, c.356 (C.30:11-22), may execute a form prescribed by the
28 Secretary of State to notify the commissioner of registration of the
29 county in which the deceased registrant is a registered voter of the
30 death of a veterans' facility or nursing home facility resident who is
31 a registered voter. The director or the nursing home administrator's
32 signature on such form shall be notarized.

33 c. A funeral director, as defined in subsection f. of section 3 of
34 P.L.1952, c.3 (C.45:7-34), may execute a form prescribed by the
35 Secretary of State to notify the commissioner of registration of the
36 county in which the deceased registrant is a registered voter of the
37 death of a registered voter. The funeral director's signature on such
38 form shall be notarized.

39
40 2. Section 2 of P.L.2005, c.145 (C.19:31-32) is amended to
41 read as follows:

42 2. a. The Statewide voter registration system shall replace all
43 other computer or electronic-based registry files of voters and other
44 voter registration files established and maintained by each county
45 commissioner of registration for voter registration and election

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 administration purposes established pursuant to the provisions of
2 Title 19 and Title 40 of the Revised Statutes, and shall be the single
3 system for storing and managing the official file of registered voters
4 throughout the State. A commissioner may, however, continue to
5 use and maintain as a supplement to the system the original and
6 duplicate permanent registration binders and voting records and
7 shall continue to use and maintain the signature copy registers or
8 polling records provided for in Title 19 of the Revised Statutes.

9 b. Each county commissioner of registration shall be
10 responsible for adding to, deleting from, amending and otherwise
11 conducting on a regular basis maintenance for the files of every
12 legally registered voter in that commissioner's county as contained
13 in the Statewide voter registration system, pursuant to the
14 provisions of section 303 of Pub.L.107-252 (42 U.S.C. s. 15301 et
15 seq.) and Title 19 of the Revised Statutes. Each commissioner shall
16 be responsible for verifying the accuracy of the name, address and
17 other data of registered voters in the commissioner's respective
18 county as contained in the system. The commissioner who receives
19 the voter registration forms of individuals who have registered to
20 vote in the county or who are re-registering for any reason shall be
21 responsible for entering the information on those forms into the
22 system on an expedited basis, and electronically transferring into
23 the system the information from online voter registration forms
24 completed pursuant to section 1 of P.L.2019, c.382 (C.19:31-6.4c),
25 including but not limited to forms and information received
26 pursuant to chapter 31 of Title 19 of the Revised Statutes. The
27 information the commissioner shall use to update and maintain the
28 system shall be that required by subsection c. of section 1 of
29 P.L.2005, c.145 (C.19:31-31).

30 c. The Secretary of State and each county commissioner of
31 registration shall be responsible for developing and providing the
32 technological security measures needed to prevent unauthorized
33 access to the Statewide voter registration system established
34 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and to the
35 information for any individual on the system required by subsection
36 c. of section 1 of that act.

37 d. The Secretary of State, in consultation with each county
38 commissioner of registration, shall develop minimum standards to
39 safeguard the accuracy of the files contained in the Statewide voter
40 registration system. Such standards shall include procedures to
41 ensure that reasonable effort is made to remove registrants who are
42 ineligible to vote pursuant to federal or State law and to ensure that
43 eligible voters are not removed in error from the system.

44 e. (1) The Secretary of State and the Chief Administrator of
45 the New Jersey Motor Vehicle Commission in the Department of
46 Transportation shall enter into an agreement to match information
47 in the database of the Statewide voter registration system with
48 information in the database of the commission, including social

1 security numbers, to the extent required to enable verification of the
2 accuracy of the information provided on applications for voter
3 registration, and to locate and utilize for voter registration purposes
4 the digitized signatures of licensed drivers or holders of non-driver
5 identification cards who register to vote using an online voter
6 registration form, as provided pursuant to section 1 of P.L.2019,
7 c.382 (C.19:31-6.4c).

8 (2) The Secretary of State shall enter into an agreement with the
9 Commissioner of the Department of Health and Senior Services to
10 match information in the database of the Statewide voter
11 registration system with State agency information on death records.

12 (3) The Secretary of State shall enter into an agreement with the
13 Commissioner of the Department of Corrections to match
14 information in the database of the Statewide voter registration
15 system with State agency information on individuals who are
16 incarcerated, on probation, or on parole as the result of a conviction
17 for an indictable offense.

18 (4) The Secretary of State shall enter into an agreement with the
19 Administrative Office of the Courts to match information in the
20 database of the Statewide voter registration system with State
21 agency information on individuals who are incarcerated, on
22 probation, or on parole as the result of a conviction for an indictable
23 offense.

24 (5) The Secretary of State shall enter into an agreement with the
25 State Parole Board to match information in the database of the
26 Statewide voter registration system with State agency information
27 on individuals who are on parole.

28 (6) The Secretary of State shall enter into an agreement with the
29 Social Security Administration to match information in the database
30 of the Statewide voter registration system with the database of
31 deceased persons maintained by the Social Security Administration
32 on or before October 1 of each year.

33 (cf: P.L.2019, c.382, s.5)

34
35 3. This act shall take effect immediately.

36
37
38 STATEMENT

39
40 This bill provides additional ways for deceased voters to be
41 transferred from the active file to the death file of the Statewide
42 voter registration system and requires the Secretary of State to
43 conduct a match of the registration system with the database of
44 deceased persons maintained by the Social Security Administration.

45 Under current law, each month, the health officer or other officer
46 in charge of records of death in each municipality is required to file
47 with the commissioner of registration of the county in which the
48 municipality is located the age, date of death, and the names and

1 addresses of all persons 18 years of age or older who have died
2 within such municipality during the previous month. In addition,
3 the State registrar of vital statistics, the Commissioner of the
4 Department of Health, and funeral directors across the State are
5 required to file death certificates. If the commissioner of
6 registration finds sufficient evidence that the voter is deceased, the
7 deceased voter's record is transferred from the active file to the
8 death file of the Statewide voter registration system.

9 This bill provides additional ways for deceased voters' records to
10 be transferred. Under the bill, the next of kin of a deceased voter
11 will be permitted to submit a form created by the Secretary of State
12 to have a deceased family member transferred from the active file to
13 the death file. In addition, the Director of the Division of Veterans'
14 Healthcare Services or an administrator of a nursing home facility
15 may submit a form created by the Secretary of State to notify the
16 commissioner of registration of a deceased resident and have the
17 resident transferred from the active file to the death file. Funeral
18 home directors in the State would also be eligible to submit a form
19 to the commissioner.

20 Additionally, the bill would require the Secretary of State to
21 conduct a match of the Statewide voter registration system with the
22 database of deceased persons maintained by the Social Security
23 Administration.