

19:23-45

LEGISLATIVE HISTORY CHECKLIST
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(Voters--political parties
--change)

NJSA: 19:23-45

LAWS OF: 1952 **CHAPTER:** 158

BILL NO: S237

SPONSOR(S) Dumont

DATE INTRODUCED: March 10, 1952

COMMITTEE: **ASSEMBLY:** Elections
SENATE: Elections

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** April 2, 1952
SENATE: March 21, 1952

DATE OF APPROVAL: May 9, 1952

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

SENATE, No. 237

STATE OF NEW JERSEY

INTRODUCED MARCH 10, 1952

By Mr. DUMONT

Referred to Committee on Elections

AN ACT concerning elections, and amending section 19:23-45 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 19:23-45 of the Revised Statutes is amended to read as fol-
2 lows:

3 19:23-45. No voter shall be allowed to vote at the primary election un-
4 less his name appears in the signature copy register [or primary election
5 registry book; *provided, however,* that in municipalities not having perma-
6 nent registration in counties of the first class any qualified elector whose
7 name does not appear upon the primary election registry book may upon
8 application to the district board on the primary election day have his name
9 placed upon such book by the district board. After his name has been so
10 placed upon that book, he shall be allowed to vote at the primary; but he shall
11 first have signed, sworn to or duly affirmed, and filed an affidavit with the
12 district board, on a form to be supplied by the county clerk, which affidavit
13 shall show that the affiant is eligible to register and vote in that district,
14 shall set forth the place of his residence, the fact that he actually resides
15 at that place, the length of time of such residence, and also all the facts
16 necessary to qualify him as a voter under the Constitution of this State].

17 A member of any political organization espousing the cause of a candi-
 18 date or candidates of any political party shall be ineligible to vote in the pri-
 19 mary of another political party while such membership is in force or within
 20 one year thereafter; such person shall be deemed for all intents and purposes
 21 a member of the political party whose candidate or candidates such or-
 22 ganization is espousing.

23 A voter who votes in a primary election of a political party shall be deemed
 24 to be a member of that party until two subsequent annual primary elections
 25 have elapsed after casting of such party primary vote.

26 A voter who has not voted in a primary election of a political party for
 27 two subsequent annual primary elections shall not be permitted to vote in any
 28 primary election of a political party until he has first signed and filed with
 29 the district board [an affidavit which shall contain the following declara-
 30 tion:

31 "I am a member of the party (giving
 32 name of party) and am not a member or identified with any other political
 33 party. I intend to vote for the nominees of the said party at the next en-
 34 suing general election. I am not a member of any political organization
 35 espousing the cause of candidates of any other political party."] a declaration
 36 designating the political party in whose primary election he desires to vote.

37 A member of the county committee of a political party and a public
 38 official or public employee holding any office or public employment to which
 39 he has been elected or appointed as a member of a political party shall be
 40 deemed a member of such political party.

41 Any voter who, within one year preceding a primary election, has con-
 42 tributed toward the campaign funds of a political party shall not be eligible
 43 to vote in the ballot-box of any other political party at such primary elec-
 44 tion.

45 Any person voting in the primary ballot-box of any political party in any
 46 primary election in contravention of the election law shall be guilty of a
 47 misdemeanor, and any person who aids or assists any such person in such

48 violation by means of public proclamation or order, or by means of any
49 public or private direction or suggestions, or by means of any help or assist-
50 ance or co-operation, shall likewise be guilty of a misdemeanor.

1 2. This act shall take effect immediately.

STATEMENT

The provision that any voter must omit two consecutive primary elections before being permitted to change allegiance to another political party makes this affidavit unnecessary and undesirable. There should be no mandatory declaration of intention as to nominees required of voters seeking to exercise their free right and privilege of franchise. As a practical matter this affidavit, when and if enforced, tends to keep voters away from the polls at primary elections.

This bill also contains revision as necessitated as a result of the permanent registration law.

[OFFICIAL COPY REPRINT]

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