

19:31-11

LEGISLATIVE HISTORY CHECKLIST

19:31-11

LAWS OF 1977

CHAPTER 89

(Simplify voting for person who moves within the district)

Bill No. S347

Sponsor(s) Merlino

Date Introduced Pre-filed

Committee: Assembly State Gov't, Federal & Interstate Relations

Senate State Gov't, Federal & Interstate Relations

Amended during passage Yes XXX

Amendments during passage denoted by asterisks

Date of Passage: Assembly April 25, 1977

Senate July 22, 1976

Date of approval May 16, 1977

Following statements are attached if available:

Sponsor statement	Yes	XXX
Committee Statement: Assembly	XXX	No
Senate	Yes	XXX
Fiscal Note	XXX	No
Veto Message	XXX	No
Message on signing	Yes	XXX

Following were printed:

Reports	XXX	No
Hearings	XXX	No

Compare:

974.90 N.J. Election Law Revision Commission.
 E38 The New Jersey Election Law
 1975b Revision. Proposed 19A.
 19:31-11 proposed as 19A:22-12.
 See vol. 1, pages 118-119; vol. 2, p. 31.

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9/1/78

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SENATE, No. 347

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator MERLINO

AN ACT concerning elections and amending R. S. 19:31-11.

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

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

2 19:31-11. a. In all counties within the State, change of residence
3 notices shall be made by a written request, signed by the registrant,
4 forwarded to the commissioner by mail, and actually received by
5 him, or by calling in person at the office of the commissioner or the
6 municipal clerk. The commissioner shall provide change of resi-
7 dence notices in card form for the use of any registered voter
8 moving to another address within the same election district or to
9 another election district within the same county. Copies of these
10 notices shall also be available at the office of the municipal clerk in
11 each municipality. Each municipal clerk shall transmit daily to
12 the commissioner all the filled out change of residence notices that
13 he may have in his office at the time. These notices shall be printed
14 upon cards, shall contain a blank form showing where the applicant
15 last resided and the address and exact location to which he has
16 moved and shall have a line for his signature. Upon receipt of
17 such change of residence notice the commissioner shall cause the
18 signature to be compared with the permanent registration forms
19 of the applicant and, if such signature appears to be of and by
20 one and the same legal voter, the commissioner shall cause the
21 entry of the change of residence to be made on the permanent
22 registration forms and the registrant shall thereupon be qualified
23 to vote in the election district to which he shall have so moved.
24 If the commissioner is not satisfied as to the signature on the
25 request for a change of residence, a notice shall be sent by mail
26 with postage prepaid to the registrant at his new address directing
27 him to appear at a time to be fixed in the notice not less than
28 10 days from the date thereof at the office of the commissioner to

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

29 answer such questions as may be deemed necessary to determine
30 the applicant's place of residence and eligibility to vote. If such
31 registrant fails to appear at the time and place as directed, or if
32 the notice is returned as not delivered or if it is not returned as
33 undelivered, the registration forms of the applicant shall be
34 placed in the inactive file until such time as he establishes to the
35 satisfaction of the commissioner the accuracy of the signature on
36 such change of residence notice; provided, however, that such
37 application for change of residence shall be filed with the com-
38 missioner or municipal clerk, as the case may be, on or before
39 the twenty-ninth day preceding any election. All applications for
40 change of residence postmarked on or before the twenty-ninth day
41 preceding any election shall be deemed timely.

42 b. In any county any voter who shall move within the same
43 county after the time above prescribed for filing an application for
44 change of residence without having made application for change of
45 residence, shall be permitted to vote in the district from which he
46 has moved, upon signing an affidavit which shall set forth (1) the
47 date upon which he moved, (2) the address from which he moved,
48 (3) the address to which he moved, and such affidavit shall consti-
49 tute a transfer to the said new residence for any subsequent
50 election. The county clerk shall furnish to the election board of each
51 district form affidavits for this purpose and the said district boards
52 shall turn over all signed affidavits to the commissioner; provided,
53 however, if the voter has moved from one residence to another
54 within the same election district **[at any time during the year]** **at*
55 *any time,** he or she shall be permitted to vote in such election
56 district **[only]** at **[the next]** *any* election **within 2 years** sub-
57 sequent to the date of such change of residence within the district
58 upon signing the affidavit herein set forth.

1 2. This act shall take effect immediately.

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 30 the applicant's place of residence and eligibility to vote. If such
 31 registrant fails to appear at the time and place as directed, or if
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 54 within the same election district **[at any time during the year]** he
 55 or she shall be permitted to vote in such election district **[only]** at
 56 **[the next]** any election subsequent to the date of such change of
 57 residence within the district upon signing the affidavit herein set
 58 forth.

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STATEMENT

Under existing law a voter who has moved from one residence to another within the same election district—such as a college student, apartment building dweller or convalescent care patient—is entitled to vote only at the first subsequent election if he has not filed a change-of-address card. He exercises his right to vote after completing an affidavit that doubles as a change-of-address notice.

If however he should not vote at the very first election after his intradistrict change of address, when he next does appear to vote he will be barred from voting. Since in many cases, like those out-

lined above, an introduced move is a very casual affair, many affected individuals often do not think to submit a change-of-address notice; and the vast majority of citizens do not vote at each and every election.

This bill modifies existing law to provide that a voter who makes an intradistrict change of residence will be permitted to make his affidavit and vote at whatever election in which he next chooses to participate. This imposes no particular burden on the election board since the voter's registration sheet will remain in the same district book.

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS
AFFAIRS COMMITTEE

STATEMENT TO
SENATE, No. 347

STATE OF NEW JERSEY

DATED: JUNE 28, 1976

This bill adjusts an inequity in chapter 31 of Title 19 of the Revised Statutes for those individuals who are registered to vote in a given election district and who move to another location within that same election district. According to the wording of the present law, such persons are permitted to vote upon the making of an affidavit *only* at the very next election following their move. This bill would amend R. S. 19:31-11 so that individuals who made moves within their district can make their affidavit and vote at the next election of their choice whenever that may be.

FROM THE OFFICE OF THE GOVERNOR

MAY 16, 1977

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

ANNE BURNS

Governor Brendan Byrne today signed ^S A-347, sponsored by Senator Joseph P. Merlino, which permits a voter who changes his residence within the same election district to vote in whatever election in which he next chooses to vote.

The bill requires these voters to sign an affidavit indicating the date they moved, their former address and their new address.

Previously, the law required a person who changed his address within an election district to vote in the first election immediately following the change of address.

If this was not done, the voter was required to re-register to vote.

This bill removes that requirement. It is intended primarily to aid college students who frequently move from one dormitory to another.

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