

19:57-4  
AND 17

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Laws of 1975 Chapter 223

Bill No. A1027

Sponsor(s) Codey

Date Introduced Jan. 31, 1974

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

Senate " " " " "

Amended during passage Yes  amendments during passage denoted by asterisks

Date of passage: Assembly Sept. 30, 1974

Senate April 10, 1975

Date of approval Oct. 8, 1975

Following statements are attached if available:

Sponsor statement  No

Committee Statement: Assembly  No

Senate Yes

Fiscal Note  No

Veto message  No

Message on signing  No

Following were printed:

Reports  No

Hearings  No

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CHARTER 223  
APPROVED 10-8-75

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**ASSEMBLY, No. 1027**

**STATE OF NEW JERSEY**

INTRODUCED JANUARY 31, 1974

By Assemblyman CODEY, Assemblywoman BURGIO, Assemblymen  
KEEGAN, NERI and BROWN

Referred to Committee on State Government, Federal and  
Interstate Relations

AN ACT to amend the "Absentee Voting Law (1953)," approved  
July 1, 1953 (P. L. 1953, c. 211).

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

1 1. Section 4 of P. L. 1953, c. 211 (C. 19:57-4) is amended to read  
2 as follows:

3 4. At any time not less than 7 days prior to an election in which  
4 he desires to vote by mail, a civilian absentee voter may apply to  
5 the person designated in section 6 of this act, for a civilian absentee  
6 ballot. Such application or request shall be made in writing, shall  
7 be signed by the applicant and shall state his or her place of voting  
8 residence and the address to which said ballot shall be sent, and  
9 the reason for which the ballot is requested.

10 Any military service voter desiring to vote in any election or any  
11 relative or friend of a military service voter who believes that such  
12 voter will desire to vote in any election, may apply to the person  
13 designated in section 6 of this act for a military service ballot to  
14 be sent to such voter.

15 Any civilian absentee voter who fails to apply within the 7-day  
16 time prescribed above may apply in person to the county clerk  
17 for an absentee ballot on any day up to 3 p.m. of the day before the  
18 election.

19 In the event of sickness or confinement, the qualified voter may  
20 apply in writing for and obtain an absentee ballot by authorized  
21 messenger so designated over the signature of the voter. The  
22 county clerk is authorized to deliver to such authorized messenger  
23 a ballot to be delivered to the qualified voter.

24 *Where under section 17 of this act a voter is recorded as per-*  
25 *manently and totally physically disabled the county board shall so*

26 *notify the county clerk. Upon such notice the county clerk shall*  
 27 *enter the name and address of such voter on a list which he shall*  
 28 *maintain of permanently and totally physically disabled voters.*  
 29 *Until notified to the contrary by the board, voters whose names are*  
 30 *placed on such list shall, without any further application on their*  
 31 *part, be provided by the county clerk with an absentee ballot for*  
 32 *any election in which under this Title they are entitled to vote*  
 33 *\*provided, however, that in every fourth year following the place-*  
 34 *ment of such names on such list, and at any time in such year not*  
 35 *less than 7 days prior to any election in that year, the county board*  
 36 *shall ascertain that such voters continue to be permanently and*  
 37 *totally physically disabled and validate their continuing eligibility*  
 38 *to receive absentee ballots without any further application on their*  
 39 *part\*. The board shall inform the voter of its action and the action*  
 40 *to be taken by the county clerk.*

1 2. Section 17 of P. L. 1953, c. 211 (C. 19:57-17) is amended to  
 2 read as follows:

3 17. Upon the said margin of said flap on the envelopes to be sent  
 4 to military service voters there shall be printed a certificate in the  
 5 following form:

6 I hereby certify that

7 1. I am a citizen of the United States;

8 2. The date of my birth was .....

9 3. On the date of the (Description of election in which ballot is  
 10 used to be printed here.) election I will have resided in New Jersey  
 11 for ..... and in .....  
 (years or months)

12 county for ..... ;  
 (years, months or days)

13 4. My home address is at .....  
 (street and number, if any, or rural

14 ..... ; in ..... ;  
 route) (city, borough, town, township or village)

15 5. My military service voter's address is .....

16 6. I am (place a cross (X) in the box preceding the applicable  
 17 category below, and insert serial number where required):

18 (a)  A person in military service.

19 My serial number is .....

20 (b)  A spouse or dependent of a person in category (a) whose  
 21 serial number is .....

22 (c)  A patient in a veterans' hospital.

23 (d)  A civilian attached to or serving with the Armed Forces  
 24 of the United States.

25 (e)  A spouse or dependent of and residing with a person in  
26 category (d).

27 .....  
(write your usual signature above)

28 .....  
(print your name clearly above)

**PENALTY FOR FRAUDULENT VOTING**

29 Any person who, knowingly, violates any of the provisions of this  
30 act, or who, not being entitled to vote thereunder, fraudulently  
31 votes or attempts to vote thereunder or enables or attempts to  
32 enable another person, not entitled to vote thereunder, to vote  
33 fraudulently thereunder or who prevents or attempts to prevent  
34 by fraud the voting of any person legally entitled to vote under  
35 this act, shall be guilty of a misdemeanor, and upon conviction  
36 thereof shall be subject, in addition to such other penalties as are  
37 authorized by law, to disenfranchisement unless and until pardoned  
38 or restored by law to the right of suffrage.

39 (P. L. 1953, c. 211, s. 37 (C. 19:57-37))

40 (P. L. 1964, c. 134, s. 33 (C. 19:58-33))

41 Upon said margin of said flap on the inner envelopes to be sent  
42 to civilian absentee voters there shall be printed a certificate in  
43 the following form:

44 I, ....., do solemnly swear that I am a  
45 registered voter of the State of New Jersey, and that I have resided  
46 in the county of ..... continuously since  
47 .....  
(month, date and year)

48 My address in said county is .....  
(street and number, if any, or  
rural route)

49 where I have resided since .....  
(month, date and year)

50 I will be a resident of the State of New Jersey at the above  
51 address on .....  
(date of election)

**FILL IN ONLY IF YOU HAVE MOVED OR INTEND TO MOVE YOUR  
RESIDENCE AFTER**

52 .....  
(county clerk insert date of fortieth day before election)

**AND BEFORE THE ELECTION**

53 I moved or will move to the above address from my previous  
54 home address at .....  
(street and number, if any, or rural route)

55 in the ..... county of  
(city, borough, town, township or village)

56 ..... State of ..... on .....  
(give date)

57 Place a cross (X) in the box preceding the applicable statement  
58 below.

59 My reason for voting this absentee ballot is:

60  I will be absent from the State on the date of the election.

61  I am unable to leave my place of confinement at .....  
(home

62 ..... because of  
address, hospital address or other place of confinement)

63 ..... and will, therefore,  
(name of sickness or physical disability)

64 be unable to cast my ballot at the polling place in my election dis-  
65 trict on the date of the election.

66  *I am unable to attend at my polling place on the date of the*  
67 *election because of permanent and total physical disability* .....

68 ..... *and will,*  
(*nature of permanent and total physical disability*)

69 *therefore, be unable to cast my ballot at the polling place in my*  
70 *election district.*

71  I will be unable to attend at my polling place on the date of  
72 the election because of the observance of a religious holiday, pur-  
73 suant to the tenets of my religion.

74  I will be unable to attend at my polling place on the date of  
75 the election because I will be in resident attendance at .....  
(name of

76 ..... located in ..... ,  
school, college or university) (name of city or town)

77 New Jersey.

78  I will be unable to attend at my polling place on the date of the  
79 school election because of the nature and hours of my employment.

80 I marked the enclosed ballot in secret.

81 .....  
(signature of absentee voter)

82 .....  
(print your name clearly above)

PENALTY FOR FRAUDULENT VOTING

83 Any person who, knowingly, violates any of the provisions of this  
84 act, or who, not being entitled to vote thereunder, fraudulently  
85 votes or attempts to vote thereunder or enables or attempts to  
86 enable another person, not entitled to vote thereunder, to vote

87 fraudulently thereunder or who prevents or attempts to prevent  
88 by fraud the voting of any person legally entitled to vote under  
89 this act, shall be guilty of a misdemeanor, and upon conviction  
90 thereof shall be subject, in addition to such other penalties as are  
91 authorized by law, to disenfranchisement unless and until pardoned  
92 or restored by law to the right of suffrage.

93 (P. L. 1953, c. 211, s. 37 (C. 19:57-37))

94 (P. L. 1964, c. 134, s. 33 (C. 19:58-33))

1 3. This act shall take effect immediately.

SENATE STATE GOVERNMENT AND FEDERAL AND  
INTERSTATE RELATIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1027**

with Senate committee amendment

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**STATE OF NEW JERSEY**

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DATED: FEBRUARY 27, 1975

The purpose of this bill is to provide for continuing registration for absentee ballots, without further application, for voters who are totally and permanently physically disabled. The committee amended the bill to provide that the county board of elections shall, every 4 years, ascertain that the voters in this category continue to be totally and permanently physically disabled and to validate the eligibility of these voters to receive absentee ballots.