

19:31-1

LEGISLATIVE HISTORY CHECKLIST
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(Voter registration--
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NJSA: 19:31-1

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SPONSOR(S): Russo and Geist

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SENATE: ---

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[FIRST REPRINT]
ASSEMBLY, No. 2307

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 14, 1994

By Assemblymen RUSSO and GEIST

1 AN ACT concerning voter registration and revising and
2 supplementing various parts of the statutory law.

3

4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

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

7 19:31-1. No person shall be permitted to vote at any election
8 unless such person shall have been [permanently] registered in the
9 manner hereinafter in this chapter provided.

10 (cf: P.L.1981, c.462, s.23)

11 2. R.S.19:31-2 is amended to read as follows:

12 19:31-2. In all counties having a superintendent of elections,
13 the superintendent of elections is hereby constituted the
14 commissioner of registration and in all other counties the
15 secretary of the county board is hereby constituted the
16 commissioner of registration.

17 The commissioner of registration [in all counties having a
18 superintendent of elections, and the county board in all other
19 counties,] shall have complete charge of the [permanent]
20 registration of all eligible voters within their respective counties.

21 The commissioner of registration [in counties of the first class
22 having a superintendent of elections and having less than 800,000
23 inhabitants, and the county board in all other counties,] shall have
24 power to appoint temporarily, and the commissioner of
25 registration in counties of the first class having more than
26 800,000 inhabitants shall have power to appoint on a permanent,
27 or temporary basis, such number of persons, as in [his or its] the
28 commissioner's judgment may be necessary in order to carry out
29 the provisions of this Title. All persons appointed by the
30 commissioner of registration in counties of the first class having
31 more than 850,000 inhabitants according to the latest federal
32 decennial census to serve for terms of more than [6] six months in
33 any [1] one year shall be in the [classified] career service of the
34 civil service and shall be appointed, and hold their positions, in
35 accordance with the provisions of Title [11] 11A, Civil Service.
36 All persons appointed by the commissioner of registration in
37 counties of the first class having more than 600,000 but less than
38 850,000 inhabitants according to the latest federal decennial
39 census to serve for terms of more than [6] six months in any [1]
40 one year, other than the chief deputy and chief clerk and
41 confidential secretary and chief custodian, shall be in the

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.

Matter enclosed in superscript numerals has been adopted as follows:
1 Assembly ASG committee amendments adopted November 21, 1994.

1 [classified] career service of the civil service and shall be
2 appointed and hold their positions, in accordance with the
3 provisions of Title [11] 11A, Civil Service. Persons appointed by
4 the commissioner of registration in such counties to serve for
5 terms of [6] six months or less in any [1] one year and persons
6 appointed by the commissioner of registration[, or by the county
7 board of elections, in other counties,] shall not be subject to any
8 of the provisions of Title [11] 11A, Civil Service, but shall be in
9 the unclassified service.

10 In each county the commissioner of registration shall submit to
11 the Secretary of State on or before February 15 of each year a
12 plan providing for evening registration for the primary election
13 and on or before July 1 plans providing for evening [and
14 out-of-office] registration for the general election, which plans
15 shall be subject to approval by the Secretary of State. Evening
16 registration shall be made available in the office of each
17 commissioner of registration [between the hours of 4 p.m. and 9
18 p.m. for at least 6 working days immediately preceding the close
19 of registration, in each municipality having a population in excess
20 of 12,000 persons according to the most recent United States
21 census between the hours of 4 p.m. and 9 p.m. for at least 3
22 working days immediately preceding the close of registration, and
23 in each municipality having a population of less than 12,000
24 persons] between the hours of 4 p.m. and 9 p.m. on the 29th day
25 [of the close of registration for] preceding the primary and
26 general elections and [for], in any year in which municipal
27 elections are to be held in any municipality within the county, on
28 the 29th day preceding those municipal elections.

29 [Such] In each county, the commissioner of registration may
30 also establish a plan for out-of-office registration [may include],
31 including door-to-door registration[, and shall include the
32 schedule and route to be followed by any out-of-office
33 registration units, as well as a description of the number and
34 nature of units to be used, and such further pertinent information
35 as the Secretary of State may by rule or regulation require.
36 Out-of-office registration shall be made available pursuant to
37 such plan in each municipality having a population in excess of
38 12,000 persons according to the most recent United States
39 census].

40 Nothing in this section shall preclude the commissioner from
41 providing pursuant to plan evening registration [or out-of-office
42 registration] in excess of the requirements of this section, or
43 shall preclude or in any way limit out-of-office registration
44 conducted by persons or groups other than the commissioner.

45 [During the month of March of each year the commissioner of
46 registration in all counties shall arrange for and conduct
47 registration in each public and nonpublic high school in the
48 county, of all students who are eligible to register to vote in the
49 ensuing election. School officials shall cooperate with efforts to
50 register students in such schools. The commissioner of
51 registration shall complete, on a form prescribed by the
52 Secretary of State, a report concerning the number of students
53 registered during the designated month. Copies of such report
54 shall be forwarded to the Secretary of State.]

1 The commissioner of registration [in counties having a
2 superintendent of elections, and the county board in all other
3 counties,] shall provide such printed forms, blanks, supplies and
4 office telephone and transportation equipment and shall prescribe
5 such reasonable rules and regulations not inconsistent with those
6 of the Secretary of State as are necessary in the opinion of the
7 commissioner [or county board] to carry out the provisions of this
8 Title and any amendments or supplements thereto.

9 Subject to the limitations set forth in chapter 32 of this Title
10 [as hereby amended], all necessary expenses incurred, as and
11 when certified and approved by the commissioner of registration
12 [in counties having a superintendent of elections, and by the
13 county board in all other counties,] shall be paid by the county
14 treasurer of the county.

15 Nothing in the provisions of subtitle 2 of the Title,
16 Municipalities and Counties (40:16-1 et seq.), shall in anywise be
17 construed to affect, restrict or abridge the powers herein
18 conferred on the commissioners [in counties having a
19 superintendent of elections, and upon the county boards in all
20 other counties] of registration of the several counties.

21 All powers granted to the commissioner in all counties not
22 having superintendents of elections by the provisions of this Title
23 are hereby conferred on the county board in such counties and
24 any and all duties conferred upon the commissioner in all counties
25 not having a superintendent of elections by the provisions of this
26 Title shall only be exercised and performed by such commissioner
27 under the instructions and directions of and subject to the
28 approval of the county board of such counties.

29 (cf: P.L.1981, c.462, s.24)

30 3. R.S.19:31-3 is amended to read as follows:

31 19:31-3. a. [Permanent registration forms for the registration
32 of voters shall be prepared and supplied by the commissioner in
33 sufficient quantities to enable all eligible voters to register] The
34 commissioner of registration in each county shall maintain one
35 original and one duplicate registration form for the registration
36 of each duly registered voter in the county. Such forms shall
37 consist of an equal number of original forms of one color and
38 duplicate forms of another color. Each set of original and
39 duplicate [permanent] registration forms shall be serially
40 numbered and each of such forms shall be suitable for locking in a
41 looseleaf binder, shall be approximately 10 inches by 16 inches so
42 as to contain on the face thereof a margin of approximately 2
43 inches for binding, and shall contain the information hereinafter
44 required.

45 b. Space shall be provided on both the original and duplicate
46 forms at the top for the word "original" on the original forms and
47 the word "duplicate" on the duplicate forms, to be followed
48 immediately below by the [words "permanent registration"] word
49 "registration" on both forms[, which shall contain the following
50 information concerning each applicant for registration:

51 (1) The full name, including middle initials if any

52 (2) The place of residence and street address. If the applicant
53 resides in a hotel, apartment or tenement house or institution,
54 such additional information shall be included as may be deemed

1 necessary to give the exact location of the applicant's place of
2 residence.

3 (3) The applicant's statement that he is 18 years of age of
4 over, that he is a citizen of the United States and of the State of
5 New Jersey, that he will have resided in the State of New Jersey
6 for at least 30 days and in the county for at least 30 days
7 immediately preceding the next general election, all of which
8 shall be indicated by the word "Yes."

9 (4) Whether he is a native-born citizen or a citizen by
10 naturalization.

11 (5) The name of the municipality and house number and street
12 in such municipality from which he last registered.

13 (6) The signature in person or by the mark of the applicant.

14 (7) Immediately above the space for the signature of the
15 applicant shall be printed these words:

16 "I, being duly sworn on oath (or affirmation), depose and say (or
17 affirm), to the best of my knowledge and belief, that the
18 foregoing statements made by me are true and correct."

19 (8) Date of filling out the blank and the signature of the
20 person recording such information and taking such affidavit and
21 the authority of the person taking such affidavit.

22 Following the above information shall appear additional
23 questions to be answered only in the event that the applicant is
24 unable to sign his name; leaving space above the questions for the
25 words "identification statement" followed immediately below by
26 the words "applicant unable to sign name."

27 (9) What is your full name?

28 (10) What is or was your father's full name?

29 (11) What is or was your mother's full name?

30 (12) Are you married or single?

31 (13) Where did you actually reside immediately prior to taking
32 up your present residence; state floor and character of premises?

33 (14) Immediately below shall be printed these words:

34 "I, being duly sworn on oath (or affirmation), depose and say (or
35 affirm), to the best of my knowledge and belief, that the
36 foregoing statements made by me are true and correct."

37 (15) Date of filling out the answers, and the signature of the
38 person recording such answers and taking such affidavit and the
39 authority of the person taking such affidavit].

40 Immediately to the left of the [above permanent] registration
41 and identification statement shall be printed a column
42 approximately 2 1/2 inches wide for subsequent changes in
43 address or removals of such applicant from one district to
44 another.

45 Immediately to the right of the [permanent] registration and
46 identification statement shall be printed a form for recording the
47 fact that the registered voters have voted. The face of the
48 record of voting form shall be ruled to provide for serial number,
49 the words "original voting record" on the original record of
50 voting form and the words "duplicate voting record" on the
51 duplicate record of voting forms, followed by the name, address
52 and the municipality, ward and district of the registrant at the
53 top of the space. The remainder of the space shall be ruled to
54 provide a record for a period of 20 years of the number of the

1 ballot cast by the registrant at the primary election for the
2 general election, the general election and other elections and also
3 the first three letters of the name of the political party whose
4 ballot such registrant cast at the primary election for the general
5 election.

6 c. The original and duplicate [permanent] registration and
7 voting forms shall be in [substantially the following] the form[:]

1 *****
2
3 This bill omits the Permanent Registration Form,
4 please consult the printed copy of the bill.
5
6 *****

1 the Secretary of State prescribes pursuant to section 16 of
2 P.L.1974, c.30 (C.19:31-6.4).
3 (cf: P.L.1974, c.30, s.5)

4 4. R.S.19:31-5 is amended to read as follows:

5 19:31-5. Each person, who at the time he applies for
6 registration resides in the district in which he expects to vote,
7 who will be of the age of 18 years or more at the next ensuing
8 [general] election, who is a citizen of the United States, and who,
9 if he continues to reside in the district until the next [general]
10 election, will at the time have fulfilled all the requirements as to
11 length of residence to qualify him as a legal voter, shall, unless
12 otherwise disqualified, be entitled to be registered in such
13 district; and when once registered shall not be required to
14 register again in such district as long as he resides therein,
15 except when required to do so by the commissioner, because of
16 the loss of or some defect in his registration record.

17 The registrant, when registered as provided in this Title, shall
18 be eligible to vote at any election to be held subsequent to such
19 registration, if he shall be a citizen of the United States of the
20 age of 18 years and shall have been a resident of the State for at
21 least 30 days and of the county at least 30 days, when the same is
22 held, subject to any change in his qualifications which may later
23 disqualify him[; but if such registrant does not vote at any
24 election during 4 consecutive years his original and duplicate
25 permanent registration and record of voting forms shall be
26 removed to the inactive file and he shall be required to reregister
27 before being allowed to vote at any subsequent election]. No
28 registrant shall lose the right to vote, and no registrant's name
29 shall be removed from the registry list of the county in which the
30 person is registered, solely on grounds of the person's failure to
31 vote in one or more elections.

32 (cf: P.L.1974, c.30, s.6)

33 5. R.S.19:31-6 is amended to read as follows:

34 19:31-6. [Up to and including] Any person qualified to vote in
35 an election shall be entitled to vote in the election if the person
36 shall have registered to vote on or before the 29th day preceding
37 [any] the election [the commissioner, in counties having a
38 superintendent of elections, and the members of the county board
39 in all other counties, or a duly authorized clerk or clerks acting
40 for him or it, as the case may be, shall receive the application for
41 registration of all eligible voters who shall personally appear for
42 registration during office hours at the office of the commissioner
43 or the county board, as the case may be, or at such other place or
44 places as may from time to time be designated by him or it for
45 registration.

46 When any person shall apply to the commissioner in writing
47 setting forth that due to a chronic or incurable illness, or that he
48 is totally incapacitated and he cannot attend a place of
49 registration and such application is accompanied by an affidavit
50 by a physician duly licensed to practice medicine in this State
51 certifying that such person is chronically or incurably ill or
52 totally incapacitated, that such person is mentally competent and
53 that such person cannot attend a place of registration, then the
54 commissioner shall cause such person to be registered at his place

1 of residence or confinement.

2 A duly authorized clerk is any person that has been appointed
3 by the commissioner or the county board, as the case may be, to
4 accept such registrations] by:

5 a. registering in person at any offices designated by the
6 commissioner of registration for providing and receiving
7 registration forms;

8 b. completing a voter registration form while applying for a
9 motor vehicle driver's license from an agent of the Division of
10 Motor Vehicles, as provided for in section 24 of P.L. , c.
11 (C.)(now pending before the Legislature as this bill);

12 c. completing and returning to the Secretary of State or having
13 returned thereto a voter registration form received from a voter
14 registration agency, as defined in subsection a. of section 26 of
15 P.L. , c. (C.)(now pending before the Legislature as this
16 bill), while applying for services or assistance or seeking a
17 recertification, renewal or change of address at an office of that
18 agency;

19 d. completing and returning to the Secretary of State a voter
20 registration form obtained from a public agency, as defined in
21 subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

22 e. completing and returning to the Secretary of State or having
23 returned thereto a voter registration form received from a
24 door-to-door canvass or mobile registration drive, as provided for
25 in section 19 of P.L.1974, c.30 (C.19:31-6.7);

26 f. completing and returning to the Secretary of State a federal
27 mail voter registration form, as prescribed in subsection (b) of
28 section 9 of the "National Voter Registration Act of 1993," (42
29 U.S.C.§1973gg et seq.); or

30 g. completing and returning to the Secretary of State or the
31 appropriate county clerk an application for a federal postcard
32 application form to register to vote, as provided for in the
33 "Overseas Absentee Voting Act" (42 U.S.C.§1973ff-1 et seq.) and
34 section 4 of P.L.1976, c.23 (C.19:59-4).

35 When the commissioner [or county board] has designated a
36 place or places other than his office [or its office] for receiving
37 registrations, [he or it, as the case may be,] the commissioner
38 shall cause to be published a notice in a newspaper circulated in
39 the municipality wherein such place or places of registration shall
40 be located. Such notice shall be published pursuant to
41 R.S.19:12-7.

42 [Any eligible voter who applies for registration in person shall
43 subscribe to the following oath or affirmation, viz.:

44 "You do solemnly swear (or affirm) that you will fully and truly
45 answer such questions as shall be put to you touching your
46 eligibility as a voter under the laws of this State."

47 Upon being sworn the applicant shall answer such questions as
48 are provided for in the original and duplicate permanent
49 registration forms hereinbefore set forth, and the person
50 receiving the application shall fill out the forms which the
51 applicant shall sign. If an eligible voter is unable to write his
52 name, he shall be required to make a cross, which shall be
53 followed by the writing of the words "his or her mark," as the
54 case may be, by the person receiving the application, and such

1 applicant shall answer the additional questions required under this
2 Title. Such additional questions shall be sworn to or affirmed in
3 the manner above-provided.]

4 Any office designated by the commissioner [or the county
5 board] of registration for receiving registration forms shall have
6 displayed, in a conspicuous location, registration and voting
7 instructions. These instructions shall be the same as those
8 provided for polling places under R.S.19:9-2 and shall be provided
9 by the commissioner [or county board].
10 (cf: P.L.1991, c.429, s.10)

11 6. Section 15 of P.L.1974, c.30 (C.19:31-6.3) is amended to
12 read as follows:

13 15. a. As used in this section, "public agency" shall mean:

14 The [Division of Motor Vehicles in the Department of Law and
15 Public Safety, constituted pursuant to section 19 of P.L.1948,
16 c.439 (C.52:17B-19), including any agent of the director of that
17 division designated under R.S.39:3-3;

18 The] Division of Worker's Compensation, the Division of
19 Employment Services and the Division of Unemployment and
20 Temporary Disability Insurance, established initially by section 5
21 of P.L.1948, c.446 (C.34:1A-5), in the Department of Labor;

22 The Division of Taxation in the Department of the Treasury,
23 continued under section 24 of P.L.1948, c.92 (C.52:18A-24);

24 The New Jersey Transit Corporation, established pursuant to
25 section 4 of P.L.1979, c.150 (C.27:25-4); [and

26 Any county welfare agency or county board of social services
27 constituted under the provisions of article 3 of chapter 1 of Title
28 44 of the Revised Statutes]

29 Any free county library established under the provisions of
30 article 1 of chapter 33 of Title 40 of the Revised Statutes;

31 Any regional library established under the provisions of
32 P.L.1962, c.134 (C.40:33-13.3 et seq.);

33 Any free public library established under the provisions of
34 article 1 of chapter 54 of Title 40 of the Revised Statutes;

35 Any joint free public library established under the provisions of
36 P.L.1959, c.155 (C.40:54-29.3 et seq.); ¹[and]¹

37 Any office or commercial establishment where State licenses
38 or permits, other than licenses or permits issued by a professional
39 or occupational board established under the laws of this State,
40 are available to individual members of the public ¹; and

41 Any recruitment office of the New Jersey National Guard¹.

42 b. Any person entitled to register to vote may register as a
43 voter in the election district in which that person resides at any
44 time prior to the twenty-ninth day preceding any [primary or
45 general] election by completing a registration form described in
46 section 16 of [this act] P.L.1974, c.30 (C.19:31-6.4)[, having his
47 signature or mark witnessed by a person registered to vote in
48 New Jersey] and submitting the form to the commissioner of
49 registration of the county wherein the person resides or
50 alternatively, in the case of a registration form provided by the
51 employees or agents of a public agency or a voter registration
52 agency, as defined in subsection a. of section 26 of P.L. , c.
53 (C.) (now pending before the Legislature as this bill), to those
54 employees or agents or to the Secretary of State. Any

1 registration form addressed to a commissioner of registration
 2 may be mailed to or delivered to the office of that commissioner,
 3 and in the case of a registration form [provided by the employees
 4 or agents of] available at a public agency, the form [may] shall be
 5 [submitted to those employees or agents,] mailed to the Secretary
 6 of State, or delivered to the commissioner of registration in the
 7 county of the registrant. A registration form postmarked [or, in
 8 the case of a registration form forwarded from a public agency],
 9 stamped or otherwise marked as having been received from the
 10 registration applicant, on or before the twenty-ninth day
 11 preceding any [municipal, primary, special or general] election
 12 shall be deemed timely.

13 (cf: P.L.1991, c.318, s.1)

14 7. Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended to
 15 read as follows:

16 16. a. The Secretary of State shall cause to be prepared and
 17 shall provide to each county commissioner of registration
 18 registration forms of size and weight suitable for mailing, which
 19 shall require the information required by R.S.19:31-3 in
 20 substantially the following form:

21 VOTER REGISTRATION [FORM] APPLICATION

22 [(Please print] Print clearly in ink [or type)]. Use ballpoint pen
 23 or marker.

24 (1) This form is being used as (check one):

25 [] New registration

26 [] Address change

27 [] Name change

28 [(1)] (2) Name:.....

29 Last First Middle

30 [(2) Residence] (3) Street Address where you live:

31

32 Street Address Apt. No.

33

34 [Municipality] (4) City or Town County Zip Code

35 [(3) Rural Mailing Address (if any)] (5) Address Where You
 36 Receive Your Mail (if different from above):

37

38 [R.D. Number Box Municipality Zip]

39 [(4) This form is being used as (check one):

40 [] New registration

41 [] Change of address

42 [] Change of name]

43 [(5) Birth] (6) Date of Birth:

44

45 Month Day Year

46 (7) Telephone Number (optional)

47 [(6) From what address did you last register to vote; and under
 48 what name?] (8) Name and address of Your Last Voter
 49 Registration

50

51 [Last First Middle]

52

53 [Street Address Apt. No.]

54

55 [Municipality] County [State Zip]

1 [(7) I am a native born [] naturalized [] citizen (check one). I
2 was naturalized on

3 Month Day Year in

4

5 Municipality State]

6 [(8) By the time of the next general election, I will be at least
7 18 years of age, I will be a citizen of the United States, and I will
8 have resided in this State at least 30 days and in the county of
9 at least 30 days. To the best of my
10 knowledge and belief, all the foregoing statements made by me
11 are true and correct.] (9) Declaration - I swear or affirm that:

12 I am a U.S. citizen

13 I live at the above address

14 I will be at least 18 years old on or before the day of the next
15 election

16 I am not on parole, probation or serving sentence due to a
17 conviction for an indictable offense under any federal or State
18 laws

19 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
20 REGISTRATION [OR ATTEMPTED REGISTRATION] MAY
21 SUBJECT ME TO A FINE OF UP TO \$1,000.00 [OR],
22 IMPRISONMENT [OF] UP TO FIVE YEARS, OR BOTH
23 PURSUANT TO R.S.19:34-1.

24

25 Signature or mark of the registrant Date

26 [(9) I, being a registered voter in county in
27 the State of New Jersey, witnessed the making of the above
28 signature or mark.

29

30 Signature of the witness Date

31

32 Name (Please print)

33

34 Street Address of the witness

35

36 Municipality County Zip]

37 (10) If applicant is unable to complete this form, print name
38 and address of individual who completed this form.

39 _____

40 Name

41 _____

42 Address

43 In addition, the form may include notice to the applicant of
44 information and options relating to the registration and voting
45 process, including but not limited to notice of qualifications
46 required of a registered voter; notice of the final day by which a
47 person must be registered to be eligible to vote in an election; a
48 place at which the applicant may indicate availability for service
49 as a member of the district board of elections; and a place at
50 which the applicant may indicate a desire to receive information
51 concerning absentee voting.

52 b. The reverse side of the registration form shall bear the
53 address of the Secretary of State or the commissioner of
54 registration to whom such form is supplied, and a United States

1 postal permit the charges upon which shall be paid by the State.

2 c. The Secretary of State shall cause to be prepared
3 registration forms of the size, weight and form described in
4 subsection a. of this section in both the English and Spanish
5 language and shall provide such forms to each commissioner of
6 registration of any county in which there is at least one election
7 district in which bilingual sample ballots must be provided
8 pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965,
9 c.29 (C.19:23-22.4).

10 d. The commissioner of registration shall furnish such
11 registration forms upon request in person to any person or
12 organization in such reasonable quantities as such person or
13 organization shall request. The commissioner shall furnish no
14 fewer than two such forms to any person upon request by mail or
15 by telephone.

16 e. Each such registration form shall have annexed thereto
17 instructions specifying the manner and method of registration and
18 stating the qualifications for an eligible voter.

19 f. The Secretary of State shall also furnish such registration
20 forms and such instructions to the Director of the Division of
21 [Motor Vehicles in the Department of Law and Public Safety; to
22 the Director of the Division of] Worker's Compensation, the
23 Director of the Division of Employment Services, and the
24 Director of the Division of Unemployment and Temporary
25 Disability Insurance in the Department of Labor; to the Director
26 of the Division of Taxation in the Department of the Treasury; to
27 the Executive Director of the New Jersey Transit Corporation;
28 [and] to the appropriate administrative officer of any other public
29 agency, as defined by subsection a. of section 15 of P.L.1974,
30 c.30 (C.19:31-6.3); ¹to the Adjutant General of the Department
31 of Military and Veterans' Affairs;¹ and to the chief
32 administrative officer of any voter registration agency, as
33 defined in subsection a. of section 26 of P.L. , c. (C.
34)(now pending before the Legislature as this bill). [The forms
35 shall bear the address of the Secretary of State on the reverse
36 side, but shall not include any United States postal permit. The
37 Secretary of State shall adopt, pursuant to consultation with the
38 commissioners of registration of the several counties, regulations
39 for the prompt return, but in any case not later than the fifth day
40 following the date on which they are received by a public agency,
41 of those forms to the secretary.]

42 g. All registration forms received by the Secretary of State in
43 the mail or forwarded to the Secretary of State [by employees or
44 agents of a public agency] shall be forwarded to the commissioner
45 of registration in the county of the registrant.

46 h. An application to register to vote received from the Division
47 of Motor Vehicles or a voter registration agency, as defined in
48 subsection a. of section 26 of P.L. , c. (C.)(now
49 pending before the Legislature as this bill), shall be deemed to
50 have been timely made for the purpose of qualifying an eligible
51 applicant as registered to vote in an election if the date on which
52 the division or agency shall have received that document in
53 completed form, as indicated in the lower right hand corner of
54 the form, was not later than the 29th day preceding that election.
55 (cf: P.L.1991, c.318, s.2)

1 8. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to
2 read as follows:

3 17. a. Upon receipt of any completed registration form, the
4 commissioner of registration [in counties having a superintendent
5 of elections, and the members of the county board in all other
6 counties,] shall review it, and if it is found to be in order, shall:

7 (1) Send to the registrant written notification that such
8 registrant is duly registered to vote. No registrant shall be
9 considered a registered voter until the commissioner of
10 registration reviews the application submitted by the registrant
11 and deems it acceptable. On the face of such notification in the
12 upper left-hand corner shall be printed the words: "Do Not
13 Forward. Return Postage Guaranteed. If not delivered in 2 days,
14 return to the ['Superintendent of Elections' " in counties having a
15 superintendent of elections and to the "Commissioner of
16 Registration" in all other counties] Commissioner of
17 Registration."

18 (2) Paste [or], tape, or photocopy the completed registration
19 form onto an original [permanent] registration form, and shall
20 paste or tape a copy of such completed registration form onto a
21 duplicate [permanent] registration form, both of which shall be
22 filed as provided in R.S.19:31-10. Nothing in this paragraph shall
23 preclude any commissioner of registration from [transferring by
24 photocopy an image of the mail registration form to the original
25 and duplicate permanent registration forms and] keeping the
26 original mail registration form on file.

27 (3) In the case of a registrant currently registered in another
28 county of this State, notify the commissioner of registration of
29 such other county to delete such registrant's name from the list
30 of persons registered in such other county.

31 b. The commissioner [in counties having a superintendent of
32 elections, and the members of the county board in all other
33 counties,] shall notify a registrant of the reasons for any refusal
34 to approve his registration.

35 c. [If the registration form has been signed by someone other
36 than the registrant, any additional information required on the
37 original and duplicate permanent registration form shall be
38 obtained by the district board or the commissioner of registration
39 at the first election at which the registrant shall appear or apply
40 to vote.] (Deleted by amendment, P.L. , c. .)
41 (cf: P.L.1976, c.49, s.1)

42 9. Section 19 of P.L.1974, c.30 (C.19:31-6.7) is amended to
43 read as follows:

44 19. a. On December 31 of every year in which a Presidential
45 Election has been held, each county may certify to the Secretary
46 of State the number of newly registered voters who have been
47 registered by door-to-door canvassing and registration, if any,
48 during that calendar year. The funds provided pursuant to
49 subsection c. of this section shall be allocated by the Secretary of
50 State to each county wherein such canvassing and registration has
51 been conducted in the same proportion as the number of voters
52 newly registered by door-to-door canvassing in each such county
53 is to the total number of voters newly registered by door-to-door
54 canvassing in all such counties throughout the State.

1 b. Plans for any door-to-door canvassing and registration
2 [shall] may be included in the plan, if any, for mobile registration
3 for the general election submitted pursuant to R.S. 19:31-2.

4 c. [The Legislature shall appropriate to the Department of
5 State \$100,000.00 in each year during which a Presidential
6 Election is to be held for carrying out the purposes of this
7 section.] (Deleted by amendment, P.L. , c. .)

8 (cf: P.L.1974, c.30, s.19)

9 10. R.S.19:31-10 is amended to read as follows:

10 19:31-10. The original and duplicate [permanent] registration
11 forms when filled out shall be filed alphabetically by districts at
12 the office of the commissioner in separate sets of locked binders,
13 one for the permanent office record and the other for use in the
14 polling places on election days. Each set of the locked binders of
15 original and duplicate [and permanent] registration forms shall
16 consist of two volumes for each election district to be known as
17 volume I and volume II. Volume I shall contain an index
18 alphabetically arranged beginning with the letter "A" and ending
19 with the letter "K", and volume II shall contain a similar index
20 beginning with the letter "L" and ending with the letter "Z". In
21 filing the forms there shall be inserted after the original and
22 duplicate [permanent] registration forms of each registrant a
23 record of voting form with the corresponding serial number and
24 the name and address of the registrant thereon. The binders
25 containing the duplicate [permanent] registration forms and the
26 corresponding record of voting forms shall constitute and be
27 known as the signature copy registers.

28 The original [permanent] registration forms shall not be open to
29 public inspection except during such period as the duplicate
30 registration forms are in process of delivery to or from the
31 district boards or in the possession of such district boards. The
32 original [permanent] registration forms shall not be removed from
33 the office of the commissioner except upon the order of a court
34 of competent jurisdiction. The signature copy registers shall at
35 all times, except during the time as above provided and subject to
36 reasonable rules and regulations be open to public inspection.

37 [The permanent registration forms shall be the official record
38 of a person's eligibility to vote in any election in a municipality
39 having permanent registration.]

40 (cf: R.S.19:31-10)

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

42 19:31-11. a. In all counties within the State, change of
43 residence notices shall be made by a written request, signed by
44 the registrant, forwarded to the commissioner by mail, and
45 actually received by [him] the commissioner, or by calling in
46 person at the office of the commissioner or the municipal clerk.
47 The commissioner shall provide change of residence notices in
48 card form for the use of any registered voter moving to another
49 address within the same election district or to another election
50 district within the same county. Copies of these notices shall
51 also be available at the office of the municipal clerk in each
52 municipality. Each municipal clerk shall transmit daily to the
53 commissioner all the filled out change of residence notices that
54 [he] may [have] be in [his] the municipal clerk's office at the

1 time. These notices shall be printed upon cards, shall contain a
2 blank form showing where the applicant last resided and the
3 address and exact location to which [he] the applicant has moved
4 and shall have a line for [his] the applicant's signature. Upon
5 receipt of such change of residence notice the commissioner shall
6 cause the signature to be compared with the [permanent]
7 registration forms of the applicant and, if such signature appears
8 to be of and by one and the same legal voter, the commissioner
9 shall cause the entry of the change of residence to be made on
10 [the permanent] those registration forms and the registrant shall
11 thereupon be qualified to vote in the election district to which
12 [he] the registrant shall have so moved. If the commissioner is
13 not satisfied as to the signature on the request for a change of
14 residence, a confirmation notice as prescribed by subsection d. of
15 R.S.19:31-15 shall be sent by mail with postage prepaid to the
16 registrant at [his] the new address [directing him to appear at a
17 time to be fixed in the notice not less than 10 days from the date
18 thereof at the office of the commissioner to answer such
19 questions as may be deemed necessary to determine the
20 applicant's place of residence and eligibility to vote. If such
21 registrant fails to appear at the time and place as directed, or if
22 the notice is returned as not delivered or if it is not returned as
23 undelivered, the registration forms of the applicant shall be
24 placed in the inactive file until such time as he establishes to the
25 satisfaction of the commissioner the accuracy of the signature on
26 such change of residence notice; provided, however, that such].

27 The application for change of residence shall be filed with the
28 commissioner or municipal clerk, as the case may be, on or
29 before the twenty-ninth day preceding any election. All
30 applications for change of residence postmarked on or before the
31 twenty-ninth day preceding any election shall be deemed timely.

32 b. In any county any voter who, prior to an election, shall
33 move within the same county after the time above prescribed for
34 filing an application for change of residence without having made
35 application for change of residence, or who has not returned a
36 confirmation notice sent to the voter by the commissioner of
37 registration of the county or has otherwise failed to notify the
38 commissioner of registration of the voter's change of address
39 within the county, shall be permitted to vote in that election in
40 the district [from] to which [he] the voter has moved, upon
41 signing an affidavit, which shall set forth (1) the date upon which
42 [he] the voter moved, (2) the address from which [he] the voter
43 moved, and (3) the address to which [he] the voter moved, and
44 submitting that affidavit, completed and signed, to the municipal
45 clerk of the municipality in which the voter resides, and such
46 affidavit shall constitute a transfer to the said new residence for
47 any subsequent election. The municipal clerk shall, immediately
48 following the election, transmit each such affidavit so submitted
49 to the commissioner of registration for the county in which the
50 district is located, and the commissioner shall correct the voter's
51 address in the registry list of the county. The county clerk shall
52 furnish to the [election board of each district] municipal clerks
53 form affidavits for this purpose and the [said district boards]
54 municipal clerks shall turn over all signed affidavits to the

1 commissioner; provided, however, if the voter has moved from
2 one residence to another within the same election district at any
3 time, [he or she] the voter shall be permitted to vote in such
4 election district at any election [within 2 years subsequent to the
5 date of such change of residence within the district upon signing
6 the affidavit herein set forth] upon written affirmation by the
7 registrant to the municipal clerk of the registrant's change of
8 address.

9 c. A voter who moves from an election district in one county
10 to an election district in another county shall register in the new
11 county of residence, in accordance with the provisions of
12 R.S.19:31-6, in order to be permitted to vote.

13 (cf: P.L.1977, c.89, s.1)

14 12. R.S.19:31-13 is amended to read as follows:

15 19:31-13. Whenever the registrant after his or her original
16 registration shall change his or her name due to marriage,
17 divorce, or by judgment of court, the registrant shall [be required
18 to reregister and the] in person or by mail submit to the
19 commissioner of registration a written statement notifying the
20 commissioner of the change, which statement shall take such
21 form, and be printed on a postal card suitable for mailing of such
22 design, as the Secretary of State shall prescribe and shall be
23 signed by the registrant. The commissioner, upon receipt of
24 [information or] such a notice of [such] change of name, shall
25 [transfer] revise accordingly the name of the registrant as it
26 appears among the items of information concerning the registrant
27 included on the [permanent] registrant's registration forms [of
28 such persons to the inactive file, subject to the provisions of this
29 section] , shall make a photographic copy of the notice of name
30 change submitted by the registrant, and shall affix the original
31 notice so submitted to the registrant's original registration form
32 and the photographic copy of that notice to the registrant's
33 duplicate registration record.

34 When notice [or information] of such change in name has not
35 been received by or filed with the commissioner prior to the
36 twenty-ninth day preceding any election, such person may be
37 permitted to vote under [his or her original registration] the name
38 under which the person was registered prior to that change at the
39 [next] first election following such change in name at which the
40 person shall appear to vote, after signing the signature copy
41 register with both the registered name and his or her new name.
42 ¹[Such person shall be required to [reregister] submit to the
43 commissioner of registration, in the manner hereinabove
44 prescribed, a notice of the change before being permitted to vote
45 at any subsequent election.]¹ The commissioner shall then
46 [transfer the former permanent registration form to the inactive
47 file and notify the registrant by regular mail of such transfer and
48 the requirement to reregister before being permitted to vote at
49 any election] revise accordingly the name of the registrant as it
50 appears on the registrant's registration forms, make a
51 photographic copy of the notice, and affix the original and copy
52 of the notice to the registrant's permanent registration forms as
53 hereinabove prescribed.

54 [If a registrant shall, upon receipt of notice of transfer of her

1 registration to the inactive file, or otherwise, notify the
 2 commissioner of her inability to appear and reregister due to
 3 continued absence from the State with her husband while he is
 4 serving in the Armed Forces of the United States and shall
 5 support such statement under oath, the commissioner shall
 6 restore her registration form to the active file, with appropriate
 7 notations and dates thereon, and notify the registrant that she
 8 may continue to vote during such absence from the State, by
 9 civilian absentee ballot, by signing both her registered name and
 10 her new name on applications for and certificates pertinent to,
 11 civilian absentee ballots. The right to continue to so vote without
 12 reregistration shall continue until the registrant's return to the
 13 State or 6 years from date of marriage, whichever shall occur
 14 first at which time the commissioner shall transfer the
 15 permanent registration form to the inactive file.]

16 (cf: P.L.1974, c.30, s.11)

17 13. R.S.19:31-15 is amended to read as follows:

18 19:31-15. [For the purpose of preventing fraudulent voting and
 19 of eliminating names improperly registered, the commissioner in
 20 counties having a superintendent of elections, and the county
 21 board in all other counties, may within ninety days after each
 22 general election preceding the general election at which members
 23 of the House of Representatives are elected send by government
 24 reply postal card to each registrant who failed to vote at such
 25 election, at his registered address, a notice substantially as
 26 follows:

27 "Please answer the question as to residence and removal as
 28 indicated on attached reply card.

29

30 Commissioner of Registration"

31 The reply card shall be addressed to the commissioner and shall
 32 bear substantially the following questions with appropriate spaces
 33 for answers:

34 "(1) Do you still reside at the address to which this notice has
 35 been mailed?

36 (2) If not, where do you now reside? (Stating street address and
 37 city or town to which you have moved.)

38 Signed....."

39 The county board in counties not having a superintendent of
 40 elections may also, and in addition to the method hereinbefore
 41 provided, direct at any time an authorized clerk or clerks to
 42 make any personal investigation which the commissioner or
 43 county board may deem necessary to establish the fact of
 44 continued residence or of removal of any registrant.

45 The commissioner in counties having a superintendent of
 46 elections, and the county board in all other counties, shall, in
 47 addition to the method hereinbefore provided, at least once
 48 during every four years and as often as the commissioner in
 49 counties having a superintendent of elections or the county board
 50 in all other counties may deem necessary, cause the entire
 51 registry list to be investigated by house-to-house canvass to
 52 establish the fact of continued residence, removal, death,
 53 disqualification or improper registration.

54 In case of registrants who have been found to the satisfaction

1 of the commissioner in counties having a superintendent of
2 elections and to the county board in all other counties, to have
3 moved from one address to another within the same county, the
4 commissioner in counties having a superintendent of elections,
5 and the county board in all other counties, shall cause the
6 permanent registration forms of said registrants to be transferred
7 to the proper registers, upon receipt of a change of residence
8 notice duly executed by such registrants, as provided by law.

9 In case of registrants so found to have moved to any place
10 outside the county or State, the commissioner in counties having
11 a superintendent of elections, and the county board in all other
12 counties, shall cause the permanent registration forms of such
13 persons to be transferred to the inactive file. Such persons upon
14 return to any municipality within the county shall be required to
15 reregister before being allowed to vote.

16 In case of registrants so found to have died, been disqualified
17 or improperly registered, the county board in counties not having
18 a superintendent of elections shall cause the permanent
19 registration forms of such persons to be transferred to the
20 inactive or death file as the case may be.

21 The county board in counties not having a superintendent of
22 elections before removing, for any reason whatsoever, the
23 permanent registration forms of any registrant from the
24 signature copy registers, or before transferring such forms to the
25 inactive file shall cause to be published a notice setting forth the
26 proposed action of the county board. This notice shall contain the
27 list of the names and registered addresses of all registrants to be
28 affected by the proposed action. Such notice and list shall be
29 published at least two entire days prior to the removal of such
30 names and shall be published in at least one, and if the county
31 board deems necessary, two or more newspapers published within
32 the county, one of which newspapers, at least, shall be published
33 in the municipality affected, if there be one published therein;
34 otherwise, one which shall have a circulation in said municipality.
35 At least one of such newspapers shall be a daily newspaper, but if
36 there be no daily newspapers published in the county then such
37 notices shall be published as above provided in weekly papers. The
38 notice and list shall in addition specify the reason or reasons for
39 the contemplated removal or transfer of the permanent
40 registration forms of the registrants affected. The notice and list
41 shall be published in the manner above provided prior to the
42 second Tuesday preceding any election.

43 Any person affected by any action of the county board in
44 counties not having a superintendent of elections shall, during the
45 two weeks immediately preceding any election and on election
46 day, have the right to make application to any judge of the
47 Superior Court in that county, for the purpose of obtaining an
48 order entitling him to vote in the district in which he actually
49 resides. The burden of proof shall be upon the applicant. The
50 judge of the Superior Court if satisfied that the applicant is
51 entitled, under the law, to vote at such election, and after
52 determining the election district in which such person actually
53 resides, may issue an order directing the district board of that
54 district to permit such person to vote. Such person must

1 reregister before voting at any subsequent election by court order
2 or otherwise. If the applicant shall be refused the right to vote,
3 due to inability of the district board or of the commissioner or of
4 the county board to find the permanent registration forms of such
5 applicant, then in addition such applicant shall establish by
6 reference to the registry lists of former elections, that he was
7 previously registered. Such evidence shall be deemed sufficient to
8 establish the fact that the applicant was formerly registered. If
9 the order is directed to a district board, the district board shall
10 certify and return the order at the close of the election to the
11 commissioner.

12 In counties having a superintendent of elections, any registrant
13 so found to have died, or been disqualified by conviction of a
14 crime which would disfranchise a person under the laws of this
15 State, or never has resided at the place of registry or is
16 registered from some place other than his actual residence, or
17 does not possess the qualifications to vote required by the
18 Constitution of this State, or is otherwise not entitled to vote,
19 the commissioner shall cause the permanent registration forms of
20 such registrant to be transferred to the inactive or death file as
21 the case may be.

22 The commissioner in counties having a superintendent of
23 elections, before transferring such forms to the inactive file or
24 death file, shall serve an order in writing, signed by him, upon the
25 proper district board, ordering it to refuse to allow such person to
26 vote at the next election.

27 The commissioner in counties having a superintendent of
28 elections, before signing such order in writing to any district
29 board, shall give notice of his proposed action to such registered
30 person (1) personally, or (2) by leaving the same at the person's
31 registered place of residence with a person above the age of
32 fourteen years, if any such person can be found, and if not, by
33 affixing the same to the outer door of such place of residence or
34 to any other portion of such premises if no building be found
35 thereon, or (3) by sending the same by mail addressed to the
36 person at his registered place of residence at least two entire
37 days before the issuance of the order; and the commissioner shall
38 cause a list of the names of such persons, with their registry
39 addresses, to be published at least two entire days before the
40 issuance of the order in at least one, and if the commissioner
41 deems necessary, two or more newspapers published within the
42 county, at least one of which shall be a daily newspaper, if there
43 be one published therein; otherwise, one which shall be published
44 most frequently. Such published notice, in addition to containing
45 the names and addresses of such persons, shall give notice to
46 them of the proposed action of the commissioner. No such order
47 in writing shall be signed by the commissioner subsequent to the
48 Tuesday preceding an election.

49 In all counties when the transfer of any person's permanent
50 registration form is to be made to the death file or is to be made
51 to the inactive file because such person did not vote at any
52 election during four consecutive years, or because the name of
53 such person has been ordered stricken from the register by the
54 court, or because such person has changed his or her name by

1 decree of court, or because such person is a woman who changed
2 her name due to marriage or divorce and neglected to reregister
3 in accordance with law, or because the information which forms
4 the basis of such proposed action in making such transfer was
5 received from such person directly, no notice of such proposed
6 action need be given to such registered person and such person's
7 name and registry address need not be published as required in
8 this section.

9 The commissioner in counties having a superintendent of
10 elections shall cause such order to be delivered to the district
11 board at the same time as the challenge lists are delivered, which
12 order shall be receipted for by the judge of the district board,
13 who shall use the order in conjunction with the registry list, so
14 that no person whose name appears upon the order shall be
15 allowed to vote. Such order shall be signed and certified to by
16 each member of the district board to the effect that no person
17 whose name appears therein has been allowed to vote. The order
18 shall be returned to the commissioner at the same time and
19 together with the challenge lists. Upon receipt of such order the
20 commissioner shall thereupon transfer the permanent registration
21 forms of the person named in such order to the inactive, death or
22 conviction file, as the case may be, and he shall not be permitted
23 to vote at any subsequent election, by court order or otherwise,
24 unless he has reregistered.

25 Any person affected by the action of the commissioner in
26 counties having a superintendent of elections shall, during the
27 week immediately preceding the election and on the election day,
28 have the right to make application to a judge of the Superior
29 Court in the county for the purpose of obtaining an order
30 entitling him to vote in the district in which he actually resides.
31 The burden of proof shall be upon the applicant. The judge of the
32 Superior Court if satisfied that the applicant is entitled under the
33 law to vote at such election and after determining the election
34 district in which the person actually resides may issue an order
35 directing the district board of that district to permit such person
36 to vote. If the applicant shall be refused the right to vote, due to
37 the inability of the district board or of the commissioner or of
38 the county board to find the permanent registration forms of such
39 applicant, then in addition such applicant shall establish by
40 reference to the registry lists of former elections that he was
41 previously registered. Such evidence shall be deemed sufficient to
42 establish the fact that the applicant was formerly registered. The
43 district board shall certify and return the order to the
44 commissioner at the close of the election, who thereupon shall
45 restore the permanent registration forms of such person to the
46 active file. Before the issuance of such order, the commissioner
47 shall be heard personally, or by his chief deputy or assistants, as
48 to the reasons why he has issued an order denying such person the
49 right to vote. The commissioner or any one representing him shall
50 have full power to cross-examine any witness. The judge of the
51 Superior Court making such order shall cause a full record of the
52 proceedings of the application to be taken stenographically,
53 transcribed and filed in the office of the county clerk of the
54 county, which record shall be open and public record. All costs

1 and expenses of such proceedings shall be paid by the county.

2 In no event shall the permanent registration forms or voting
3 record of any registrant be removed or transferred to the
4 inactive file subsequent to the second Tuesday preceding any
5 election, until after such election; nor shall the permanent
6 registration forms or voting record of any registrant in counties
7 not having a superintendent of elections be removed or
8 transferred to the inactive file if the name of such registrant is
9 not first published in the manner above described, except as
10 herein otherwise provided.

11 Any commissioner who, after ascertaining that a person has
12 died, been disqualified, moved out of the permanent registration
13 area or has been improperly registered, and who willfully or
14 fraudulently refuses to cause to transfer the permanent
15 registration forms of such persons to the proper file shall be
16 guilty of a misdemeanor.]

17 a. Upon receipt by the commissioner of registration of a
18 county from a registered voter of that county of a request that
19 the name of the registrant be removed from the registry list of
20 voters of the county, the commissioner shall so remove the
21 registrant's name from that list. Notice by a registered voter to
22 the commissioner of registration of a county that the registrant
23 has ceased to reside in the county shall, for the purposes of this
24 subsection, be deemed a request for removal of the registrant's
25 name from the county registry list.

26 b. The commissioner of registration of any county may agree
27 with the United States Postal Service or its licensee to receive
28 information provided by the Postal Service concerning the change
29 by any Postal Service customer of that customer's address within
30 the county. If it appears from information so received that a
31 Postal Service customer registered to vote in the county has
32 moved to a different address, then (1) if that address is within the
33 county, the commissioner shall cause the registration records of
34 the registrant to be corrected accordingly and shall transmit to
35 the resident by forwardable mail a notice of the change and a
36 postage prepaid, pre-addressed return form by which the
37 registrant may verify or correct the address information, or (2) if
38 that address is not within the county, the commissioner shall
39 undertake the confirmation notice procedure prescribed under
40 subsection d. of this section to confirm the change of address.

41 c. The commissioner of registration of a county shall cause the
42 name of a registrant to be removed from the registry list of the
43 county if the registrant (1) confirms in writing, by return of a
44 confirmation notice as prescribed under subsection d. of this
45 section or by other means, that the registrant has changed
46 residence to a place outside the county, or (2) has failed to
47 respond to a confirmation notice as so prescribed and has not, in
48 any election during the period beginning on the date on which the
49 commissioner sends the confirmation notice to the registrant and
50 ending on the day after the second general election for federal
51 office following that date on which the notice is sent, (a) voted,
52 or (b) appeared to vote and, if necessary, correct the official
53 record of the registrant's address.

54 Other than as provided under subsection a. of this section, the

1 name of a registrant shall not be removed from the registry list
2 of a county on the ground that the registrant has changed
3 residence except as provided by this subsection.

4 d. A confirmation notice sent to ascertain whether a
5 registrant continues to reside at the address from which that
6 registrant is registered to vote shall be a postage prepaid and
7 pre-addressed return card, sent by forwardable mail, which shall
8 include: (1) space on which the registrant's current address may
9 be entered; (2) the statement "To any voter who continues to
10 reside at the residence address to which this notice is addressed
11 or who no longer resides at that residence address but continues
12 to reside in (name of county): please mail or
13 personally deliver this postage prepaid card to the commissioner
14 of registration to whom it is addressed not later than
15 (calendar date of the 29th day preceding the next election to be
16 held in the county). If you do not return this card by that date,
17 then at any election held subsequent to that date and on or before
18 (calendar date of the day after the second general
19 election for federal office following that date), you may be
20 required at the polls to affirm or confirm your address before you
21 are permitted to vote, and if you do not vote in an election during
22 that period, your name will be removed from the registry of
23 eligible voters."; and (3) a statement, the text of which shall be
24 prescribed by the Secretary of State, setting forth the means by
25 which a registrant who has changed residence to a county
26 different from that in which is located the residence to which the
27 notice was originally addressed may retain the right to vote.

28 e. The commissioner of registration shall correct the registry
29 list of eligible voters in accordance with change of residence
30 information obtained in conformity with the provisions of this
31 section.

32 (cf: P.L.1991, c.91, s.249)

33 14. R.S.19:31-16 is amended to read as follows:

34 19:31-16. The health officer or other officer in charge of
35 records of death in each municipality shall file with the
36 commissioner [in counties not having a superintendent of
37 elections and with the superintendent in counties having a
38 superintendent of elections] of registration for the county in
39 which the municipality is located once each month, during the
40 first five days thereof, the age, date of death, and the names and
41 addresses of all persons [over twenty-one] 18 years of age or
42 older who have died within such municipality during the previous
43 month. Upon receipt of such list the commissioner [or
44 superintendent, as the case may be,] shall make such
45 investigation as is necessary to establish to his satisfaction that
46 such deceased person is [actually the same person who is
47 permanently] registered as a voter in the county. If such fact is
48 so established, the commissioner shall cause the [permanent]
49 registration and record of voting forms of the deceased registrant
50 to be transferred to the death file. [In counties having a
51 superintendent of elections the superintendent shall certify to the
52 commissioner such fact forthwith, including the address,
53 municipality, ward and district of the deceased registrant, and
54 the commissioner shall cause the permanent registration and

1 record of voting forms of the deceased registrant to be
2 transferred to the death file.] If the deceased person was not so
3 registered in the county, but the list filed with the commissioner
4 indicates that the person maintained a residence in one or more
5 other counties of this State, the commissioner shall notify the
6 commissioner in that other county or those other counties of
7 having received official notice of the death of the person, and
8 any commissioner of such other county who receives such
9 notification shall undertake the procedures prescribed herein with
10 respect to the registration in that county of the decedent.
11 (cf: P.L.1947,c.168,s.20)

12 15. R.S.19:31-17 is amended to read as follows:

13 19:31-17. a. Once each month during the first five days
14 thereof, the chief State election official shall notify the
15 commissioner of registration of a county of any information
16 which the official shall have received during the previous month
17 from the United States Attorney under subsection g. of section 8
18 of Pub.L. 103-31 (42 U.S.C. 1973gg-6) concerning the conviction
19 of a resident of the county of a crime under the laws of the
20 United States, or any other official action relating to such a
21 conviction, that would constitute grounds for disfranchisement of
22 the person under the laws of this State.

23 b. Once each month during the first five days thereof the
24 prosecutor of the county shall deliver to the commissioner [in
25 counties not having a superintendent of elections and to the
26 superintendent in counties having a superintendent of elections] a
27 list of the names and addresses of all persons and their ages and
28 offenses who have been convicted during the previous month of a
29 crime which would disfranchise them under the laws of this State,
30 including therewith the date upon which judgment of conviction
31 was entered against the person, and also including a statement of
32 any sentence imposed by the court during the month upon any
33 person so convicted during that month or any previous month;
34 provided, however, if the address of the person so convicted is
35 located in a county other than the county in which the conviction
36 was obtained the said prosecutor shall mail a report of such
37 conviction to the proper election official of the county in which
38 the address of such person is located.

39 c. Upon the receipt of the notice prescribed under subsection
40 a. of this section or the list [or the report] prescribed under
41 subsection b. hereof, the commissioner [or superintendent, as the
42 case may be,] shall make such investigation as is necessary to
43 establish to his satisfaction that the convicted person is [actually
44 the same person who is permanently] registered to vote in the
45 county. If it is so established, the commissioner shall cause the
46 [permanent] registration and record of voting forms of such
47 convicted registrant to be transferred to the conviction file. [In
48 counties having a superintendent of elections, the superintendent
49 shall certify to the commissioner such fact forthwith, including
50 the address, municipality, ward and district of the convicted
51 registrant and the commissioner shall cause the permanent
52 registration and record of voting forms of the convicted
53 registrant to be transferred to the inactive file.] In the event the
54 person so convicted is not registered at the time the list or report

1 is received, the commissioner [or superintendent, as the case may
2 be,] shall cause an index card to be made out and inserted in its
3 proper place in the master index file bearing the information
4 received from the State election official or a county prosecutor,
5 and the person so convicted shall be denied the right to register.
6 Such persons upon the restoration of their citizenship rights or
7 upon being pardoned shall be required to register or reregister
8 before being allowed to vote.

9 (cf: P.L.1950, c.37, s.1)

10 16. R.S.19:31-23 is amended to read as follows:

11 19:31-23. Following each election the commissioner shall
12 cause the record of voting as shown on the record of voting forms
13 in the signature copy registers or, in counties in which polling
14 records are used in place of those signature copy registers
15 pursuant to section 2 of P.L. , c. (C.) (now pending before
16 the Legislature as Assembly Bill No. 874 (2R)), as shown in the
17 polling records, to be entered on the record of voting forms in the
18 original [permanent] registration binders or to be entered into
19 electronic data processing equipment used to file and store voter
20 information for the voters registered in a county, pursuant to
21 section 1 of P.L. , c. (C.) (now pending before the
22 Legislature as Assembly Bill No. 874 (2R)). An entry of any
23 record of voting which shall have been made by means of
24 electronic data processing equipment under that section 1 shall
25 be retained for a period of not less than six years following the
26 election at which the vote so recorded was cast.

27 (cf: R.S.19:31-23)

28 17. R.S.19:31-24 is amended to read as follows:

29 19:31-24. In the event of the loss or destruction of any or all
30 of the original or duplicate [permanent] registration binders for
31 any reason other than their elimination as permitted pursuant to
32 sections 1 and 2, respectively, of P.L. , c. (C.) (now
33 pending before the Legislature as Assembly Bill No. 874 (2R)), or,
34 in counties in which registration information has been filed and is
35 stored by means of data processing equipment in accordance with
36 the provisions of that section 1 of P.L. , c. , in the event of
37 the loss or destruction of any or all of the original completed
38 voter registration forms or any new or amended forms required
39 under subsection c. of that section to be maintained in a
40 permanent and separate file, the commissioner shall promptly
41 provide for a general registration at the regular polling places in
42 the district or districts for which the binders¹, registration
43 forms, or other official voter registration information¹ have been
44 lost or destroyed.

45 (cf: R.S.19:31-24)

46 18. R.S.19:31-26 is amended to read as follows:

47 19:31-26. [The] Unless voter registration information is filed
48 and stored in electronic data processing equipment in accordance
49 with the provisions of subsection a. of section 1 of P.L. , c.
50 (C.) (now pending before the Legislature as Assembly Bill No.
51 874 (2R)), the commissioner shall make and maintain a card index
52 file showing on separate cards the full name, address,
53 municipality, ward and district, registration number and date of
54 registration of each person registered [permanently] in his

1 county. This file shall be arranged alphabetically according to
2 names irrespective of municipality, ward, district, registration
3 number, and date of registration. Reasonably sufficient space
4 shall be reserved on each card for the notations to be made
5 thereon as herein provided.

6 The commissioner shall cause to be made notation on these
7 cards as to each registrant respectively whose registration forms
8 have been transferred from one register to another or to the
9 inactive, death or conviction files concurrently with such
10 transfer. The card with such notations shall show the location of
11 the registration forms of each registrant at all times. All
12 changes of address of the registrant, including those within the
13 same district, shall be noted on these cards concurrently with
14 changes of address on the [permanent] registration forms.

15 (cf: R.S.19:31-26)

16 19. Section 4 of P.L.1991, c.318 (C.34:1A-12.4) is amended to
17 read as follows:

18 4. The Director of the Division of Worker's Compensation
19 shall:

20 a. cause copies of the voter registration forms furnished under
21 subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be
22 prominently displayed at each public office of the division and to
23 be made readily available to each individual who, when applying
24 for benefits under R.S. 43:21-19 et seq., may wish, on a voluntary
25 basis, to register to vote. An employee of the division [shall
26 inquire of every applicant for such benefits whether the
27 applicant, if not already registered to vote from the place of his
28 or her present residence, wishes to be so registered and shall
29 inform the applicant that whether or not the applicant chooses to
30 register will not affect the applicant's eligibility for those
31 benefits. The employee] shall provide the applicant with any
32 assistance necessary in completing the form; shall inform the
33 applicant that the applicant may leave the completed form with
34 the employee; and, if the applicant chooses to leave the form,
35 shall accept the completed form, stamp or otherwise mark it with
36 the date on which it was so received, and forward it to the
37 Secretary of State;

38 b. provide for the continuous supply of the forms and
39 instructions specified in subsection a. of this section to every
40 office of the division which distributes application forms for
41 benefits administered by the division;

42 c. provide the forms and instructions specified in subsection a.
43 of this section in both the English and Spanish languages to each
44 office of the division which distributes application forms for
45 benefits administered by the division which is located in any
46 county in which bilingual sample ballots must be provided
47 pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965,
48 c.29 (C.19:23-22.4); and

49 d. provide for the collection of completed voter registration
50 forms by any employee of the division who is employed in any
51 office which distributes application forms for benefits
52 administered by the division, and for the transmittal of the forms
53 to the Secretary of State.

54 (cf: P.L.1991, c.318, s.4)

1 ¹[20. Section 6 of P.L.1991, c.318 (C.34:1A-15.2) is amended
2 to read as follows:

3 6. The Director of the Division of Unemployment and
4 Temporary Disability Insurance shall:

5 a. cause copies of the voter registration forms furnished under
6 subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be
7 prominently displayed at each public office of the division and to
8 be made readily available to each individual who, when applying
9 for benefits administered by the division, may wish, on a
10 voluntary basis, to register to vote. An employee of the division
11 [shall inquire of every applicant for such services whether the
12 applicant, if not already registered to vote from the place of his
13 or her present residence, wishes to be so registered and shall
14 inform the applicant that whether or not the applicant chooses to
15 register will not affect the applicant's eligibility for those
16 benefits. The employee] shall provide the applicant with any
17 assistance necessary in completing the form; shall inform the
18 applicant that the applicant may leave the completed form with
19 the employee; and, if the applicant chooses to leave the form,
20 shall accept the completed form, stamp or otherwise mark it with
21 the date on which it was so received, and forward it to the
22 Secretary of State;

23 b. provide for the continuous supply of the forms and
24 instructions specified in subsection a. of this section to every
25 office of the division which receives applications for services
26 administered by the division;

27 c. provide the forms and instructions specified in subsection a.
28 of this section in both the English and Spanish languages to each
29 office of the division that receives applications for services
30 administered by the division which is located in any county in
31 which bilingual sample ballots must be provided pursuant to
32 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
33 (C.19:23-22.4); and

34 d. provide for the collection of completed voter registration
35 forms by any employee of the division who is employed in any
36 office which receives applications for services administered by
37 the division, and for the transmittal of the forms to the Secretary
38 of State.

39 (cf: P.L.1991, c.318, s.6)]

40 20. (New section) The Secretary of State is authorized, on
41 behalf of this State, to enter into and to carry out an agreement
42 with the Secretary of Defense of the United States for joint
43 development and implementation of procedures for persons to
44 apply at recruitment offices of the Armed Forces of the United
45 States to register as voters of this State. The terms of the
46 agreement with respect to the implementation of those
47 procedures shall conform as nearly as possible to the provisions
48 for the implementation of such procedures at each agency or
49 office providing or administering assistance under the "New
50 Jersey Medical Assistance and Health Services Program"
51 pursuant to the provisions of section 28 of P.L. _____, c.
52 (C. _____)(now pending before the Legislature as this bill).¹

53 21. Section 9 of P.L.1991, c.318 (C.44:1-24.2) is amended to
54 read as follows:

1 9. The superintendent, director or other chief administrative
2 officer of each county welfare agency or county board of social
3 services shall:

4 a. cause copies of the voter registration forms furnished under
5 subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) and the
6 declination form provided for in subsection b. of section 26 of
7 P.L. , c. (C.) (now pending before the Legislature as this
8 bill) to be [prominently displayed] distributed at the [principal
9 location of the office and to be made readily available] offices of
10 the agency or board to each person [who, when] appearing in
11 person at that location to apply for services under any program
12 administered by the office [, may wish, on a voluntary basis, to
13 register to vote] or to seek a recertification, renewal or change
14 of address relative to the assistance provided at such office. An
15 employee of the office shall inquire of every such person whether
16 the person, if not already registered to vote from the place of his
17 or her present residence, wishes to be so registered and shall
18 inform the person that whether or not the applicant chooses to
19 register will not affect the person's eligibility for those
20 services. The employee shall subsequently review the forms to
21 determine whether or not the applicant wishes to register to
22 vote. If the person does not wish to register, the employee shall
23 provide the person with any assistance necessary to complete the
24 declination form and then inform the person that the form will be
25 retained by the employee. If the applicant wishes to register, the
26 employee shall provide the person with any assistance necessary
27 in completing the voter registration form; shall inform the person
28 that the person may leave the completed form with the employee
29 or mail it personally to the Secretary of State; and, if the person
30 chooses to leave the form, shall accept the completed form,
31 stamp or otherwise mark [it] the lower right hand corner of the
32 document with the date on which it was so received, and forward
33 it to the county [board of elections] commissioner of
34 registration. The employee shall provide to each applicant who
35 does not decline to register to vote the same degree of assistance
36 with regard to the completion of the voter registration form as is
37 provided by the division with regard to the completion of its own
38 forms, unless the applicant refuses such assistance;

39 b. provide for the continuous supply of the forms and
40 instructions specified in subsection a. of this section to [that
41 location] every office of the agency or board;

42 c. provide the forms and instructions specified in subsection a.
43 of this section in both the English and Spanish languages to the
44 location in the case of any office on aging which is located in any
45 county in which bilingual sample ballots must be provided
46 pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965,
47 c.29 (C.19:23-22.4); [and]

48 d. provide for the collection of completed voter registration
49 forms by any employee of the office and for the transmittal of
50 the forms to the county [board of elections] commissioner of
51 registration or the Secretary of State;

52 e. provide that the forms, instructions and assistance specified
53 in subsection a. of this section shall be provided to any applicant
54 with a disability who receives assistance or services at that

- 1 person's home from an agent or employee of the agency or board;
2 f. inform each agent or employee of the agency or board who
3 assists in registering a person to vote that that agent or employee
4 shall not:
5 (1) seek to influence an applicant's political preference or
6 party registration;
7 (2) display any such political preference or party allegiance;
8 (3) make any statement to an applicant or take any action the
9 purpose or effect of which is to discourage the applicant from
10 registering to vote; or
11 (4) make any statement to an applicant or take any action the
12 purpose or effect of which is to lead the applicant to believe that
13 a decision to register or not to register has any bearing on the
14 availability of services or benefits; and
15 g. make certain that no information relating to a declination to
16 register to vote by an individual in connection with any type of
17 application for service made by that individual at an office of the
18 agency or board is used for any purpose other than voter
19 registration.

20 (cf: P.L.1991, c.318, s.9)

21 22. Section 7 of P.L.1991, c.318 (C.52:18A-24.1) is amended to
22 read as follows:

23 7. The Director of the Division of Taxation shall:

- 24 a. cause copies of the voter registration forms furnished under
25 subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be
26 included in the pamphlet of instructions concerning the filing
27 with the division of a tax return required to be filed under the
28 "New Jersey Gross Income Tax Act", P.L.1976, c.47
29 (N.J.S.54A:1-1 et seq.), and also to be prominently displayed at
30 each public office of the division and to be made readily available
31 to each person who, when appearing in person at that office, may
32 wish, on a voluntary basis, to register to vote. An employee of
33 the division shall inquire of every such person whether the person,
34 if not already registered to vote from the place of his or her
35 present residence, wishes to be so registered and shall inform the
36 person that whether or not the applicant chooses to register will
37 not affect the person's legal obligation under any law
38 administered by the division. The employee shall provide the
39 person with any assistance necessary in completing the form;
40 shall inform the person that the person may leave the completed
41 form with the employee; and, if the person chooses to leave the
42 form, shall accept the completed form, stamp or otherwise mark
43 it with the date on which it was so received, and forward it to the
44 Secretary of State;
45 b. provide for the continuous supply of the forms and
46 instructions specified in subsection a. of this section to every
47 office of the division which provides assistance to the public with
48 respect to the laws administered by the division;
49 c. provide the forms and instructions specified in subsection a.
50 of this section in both the English and Spanish languages to each
51 office of the division which provides assistance to the public with
52 respect to the laws administered by the division which is located
53 in any county in which bilingual sample ballots must be provided
54 pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965,

1 c.29 (C.19:23-22.4); and

2 d. provide for the collection of completed voter registration
3 forms by any employee of the division who is employed in any
4 office which provides assistance to the public with respect to the
5 laws administered by the division, and for the transmittal of the
6 forms to the Secretary of State.

7 (cf: P.L.1991, c.318, s.7)

8 23. (New section) Notwithstanding any law, rule or regulation
9 to the contrary, each applicant for a State motor vehicle driver's
10 license application, including any application for a renewal
11 thereof, submitted to an agent of the Division of Motor Vehicles
12 in the Department of Law and Public Safety shall be offered an
13 opportunity to register to vote.

14 24. (New section) a. The Secretary of State, with the
15 assistance and concurrence of the Director of the Division of
16 Motor Vehicles, shall formulate a means of permitting a person
17 to simultaneously apply for a motor vehicle driver's license and
18 to register to vote which satisfies both the requirements
19 necessary to receive a license to operate a motor vehicle,
20 pursuant to R.S.39:3-10, and to be permitted to register to vote,
21 pursuant to R.S.19:4-1.

22 The Division of Motor Vehicles, upon receipt of a completed
23 voter registration application under this section, shall stamp or
24 otherwise mark the lower right hand corner of the document with
25 the date on which it was so received and forward the document to
26 the Secretary of State no later than the 10th day following the
27 date of acceptance.

28 b. Each application for voter registration which is received by
29 the Division of Motor Vehicles shall be considered and processed
30 as the replacement for any pre-existing voter registration of the
31 applicant.

32 c. Each change of address notification submitted to the
33 Director of the Division of Motor Vehicles for the purpose of
34 maintaining current information on a person's motor vehicle
35 license shall be reported to the Secretary of State no later than
36 the ¹[fifth] 10th¹ day following its receipt by the Division of
37 Motor Vehicles and shall serve as notification for the change of
38 address process, unless the registrant indicates that the change of
39 address is not for voter registration purposes.

40 25. (New section) The Secretary of State is designated the
41 chief State election official and shall be responsible for the
42 coordination of this State's responsibilities pursuant to the
43 provisions of the "National Voter Registration Act of 1993,"
44 Pub.L. 103-31 (42 U.S.C. §1973gg et seq.).

45 26. (New section) a. As used in this section, "voter
46 registration agency" means:

47 Any agency or office serving as a food stamp issuer, pursuant
48 to P.L.1988, c.79 (C.44:8-153 et seq.) and the "Food Stamp Act
49 of 1977," Pub.L. 95-113 (7 U.S.C. §2011 et seq.);

50 Any agency or office providing or administering assistance
51 under the "New Jersey Medical Assistance and Health Services
52 Program," pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and 42
53 U.S.C. §1395 et seq.;

54 Any agency or office distributing food pursuant to the special

1 supplemental food program for women, infants and children
2 (WIC), established pursuant to P.L.1987, c.261 (C.26:1A-36.1 et
3 seq.) and Pub.L. 95-267 (42 U.S.C.§1786);

4 Any agency or office administering assistance under the "Aid
5 to Families With Dependent Children Program," established
6 pursuant to P.L.1959, c.86 (C.44:10-1) and 42 U.S.C.§601 et seq.;

7 Any public office of the Division of Developmental Disabilities,
8 established pursuant to section 2 of P.L.1985, c.145 (C.30:6D-24),
9 in the Department of Human Services; ¹[and]

10 Any recruitment office of the Armed Forces of the United
11 States, subject to any agreement between this State and the
12 Secretary of Defense of the United States for the joint
13 development and implementation, as provided under subsection
14 (c) of section 7 of Pub.L.103-31 (42 USC §1973gg-6), of
15 procedures for applying at those offices to register to vote;

16 Any office of the Division of Vocational Rehabilitation
17 Services of the New Jersey Department of Labor;

18 Any office of the Commission for the Blind and Visually
19 Impaired of the New Jersey Department of Human Services;¹

20 Any county welfare agency or county board of social services
21 established pursuant to the provisions of chapter 1 or chapter 4 of
22 Title 44 of the Revised Statutes ¹;

23 The office of the commissioner of registration in the several
24 counties of this State; and

25 Any office of the municipal clerk in the several municipalities
26 of this State¹.

27 b. With each voter registration form and instructions provided
28 to the chief administrative officer at each voter registration
29 agency under subsections e. and f. of section 16 of P.L.1974, c.30
30 (C.19:31-6.4), the Secretary of State shall provide at the same
31 time a declination form that includes:

32 (1) the question: "If you are not registered to vote where you
33 live now, would you like to apply to register to vote here today?";

34 (2) the statement: "Applying to register or declining to
35 register to vote will not affect the amount of assistance that you
36 will be provided by this agency.";

37 (3) boxes for the applicant to check to indicate whether the
38 applicant would or would not like to register to vote, together
39 with the statement "IF YOU DO NOT CHECK EITHER BOX,
40 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO
41 REGISTER TO VOTE AT THIS TIME.";

42 (4) the statement: "If you would like help in filling out the
43 voter registration application form, we will help you. The
44 decision to seek or accept help is yours. You may fill out the
45 application form in private.";

46 (5) the statement: "If you believe that someone has interfered
47 with your right to register or to decline to register to vote, your
48 right to privacy in deciding whether to register or in applying to
49 register to vote, or your right to choose your own political party
50 or other political preference, you may file a complaint with the
51 Secretary of State." (insert address and current telephone
52 number); and

53 (6) the statement: IF YOU DECLINE TO REGISTER TO VOTE
54 AT THIS TIME, YOUR DECISION WILL REMAIN CONFIDENTIAL

1 AND WILL BE USED ONLY FOR VOTER REGISTRATION
2 PURPOSES. IF YOU DO REGISTER TO VOTE, THE WAY IN
3 WHICH YOU DO SO WILL REMAIN CONFIDENTIAL AND WILL
4 BE USED ONLY FOR VOTER REGISTRATION PURPOSES.

5 c. The Secretary of State shall cause to be prepared declination
6 forms in the form provided for by subsection b. of this section in
7 both the English and Spanish languages and shall provide such
8 forms to the chief administrative officer of each voter
9 registration agency which has an office in any county in which
10 there is at least one election district in which bilingual sample
11 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
12 section 2 of P.L.1965, c.29 (C.19:23-22.4).

13 d. The Secretary of State shall adopt, pursuant to consultation
14 with the chief administrative officers at voter registration
15 agencies, regulations for the prompt return of the completed
16 voter registration forms, but in no case shall the forms be
17 returned later than the fifth day following the date on which the
18 completed forms are received by the voter registration agencies.

19 e. All registration forms received by the Secretary of State in
20 the mail or forwarded to the Secretary of State by employees or
21 agents of the voter registration agencies shall be forwarded to
22 the commissioner of registration in the county of the registrant.

23 f. Each completed declination form received by a voter
24 registration agency shall be kept confidential for a period of at
25 least two years. The Secretary of State shall determine, pursuant
26 to consultation with the chief administrative officers at voter
27 registration agencies, which office or agency shall retain the
28 declination forms.

29 27. (New section) The director or other chief administrative
30 officer of each agency or office serving as a food stamp issuer
31 shall:

32 a. cause copies of the voter registration forms and instructions
33 provided for under subsections e. and f. of section 16 of P.L.1974,
34 c.30 (C.19:31-6.4) and the declination form provided for in
35 subsection b. of section 26 of P.L. , c. (C.)(now pending
36 before the Legislature as this bill) to be distributed at each such
37 agency or office to each person appearing in person thereat to
38 apply for services or assistance provided thereby or to seek a
39 recertification, renewal or change of address relative to the
40 assistance provided at such office. An employee of the agency or
41 office shall inquire of every such person whether the person, if
42 not already registered to vote from the place of his or her
43 present residence, wishes to be so registered and shall inform the
44 person that whether or not the applicant chooses to register will
45 not affect the person's eligibility for those services. The
46 employee shall subsequently review the forms to determine
47 whether or not the person wishes to register to vote. If the
48 person does not wish to register, the employee shall provide the
49 person with any assistance necessary to complete the declination
50 form and then inform the person that the form will be retained by
51 the employee. If the person wishes to register, the employee
52 shall provide the person with any assistance necessary in
53 completing the voter registration form; shall inform the applicant
54 that the applicant may leave the completed form with the

1 employee or mail it personally to the Secretary of State; and if
2 the applicant chooses to leave the form, shall accept the
3 completed form, stamp or otherwise mark the lower right hand of
4 the document with the date on which it was so received, and
5 forward it to the Secretary of State. The employee shall provide
6 to each applicant who does not decline to register to vote the
7 same degree of assistance with regard to the completion of the
8 voter registration form as is provided by the office with regard to
9 the completion of its own forms, unless the applicant refuses such
10 assistance;

11 b. provide for the continuous supply of the forms and
12 instructions specified in subsection a. of this section to every
13 agency and office which provides assistance under P.L.1988, c.79
14 (C.44:8-153 et seq.) and the "Food Stamp Act of 1977,"
15 Pub.L.95-113 (7 U.S.C.§2011 et seq.);

16 c. provide the forms and instructions specified in subsection a.
17 of this section in both the English and Spanish languages to the
18 agencies and offices which are located in any county in which
19 bilingual sample ballots must be provided pursuant to
20 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
21 (C.19:23-22.4);

22 d. provide for the collection of completed voter registration
23 forms by any employee of the agency or office for the
24 transmittal of the forms to the Secretary of State;

25 e. provide that the forms, instructions and assistance specified
26 in subsection a. of this section shall be provided to any person
27 with a disability who receives assistance or services at that
28 person's home from an employee of the agency or office;

29 f. inform each employee of the agency or office who assists in
30 registering a person to vote that that employee shall not:

31 (1) seek to influence an applicant's political preference or
32 party registration;

33 (2) display any such political preference or party allegiance;

34 (3) make any statement to an applicant or take any action the
35 purpose or effect of which is to discourage the applicant from
36 registering to vote; or

37 (4) make any statement to an applicant or take any action the
38 purpose or effect of which is to lead the applicant to believe that
39 a decision to register or not to register has any bearing on the
40 availability of services or benefits; and

41 g. make certain that no information relating to a declination to
42 register to vote by an individual in connection with any type of
43 application for service made by that individual at any agency or
44 office is used for any purpose other than voter registration.

45 28. (New section) The director or other chief administrative
46 officer of each agency or office providing or administering
47 assistance under the "New Jersey Medical Assistance and Health
48 Services Program" shall:

49 a. cause copies of the voter registration forms and instructions
50 provided for under subsections e. and f. of section 16 of P.L.1974,
51 c.30 (C.19:31-6.4) and the declination form provided for in
52 subsection b. of section 26 of P.L. , c. (C.)(now pending
53 before the Legislature as this bill) to be distributed at each such
54 agency or office to each person appearing in person thereat to

1 apply for services or assistance provided thereby or to seek a
2 recertification, renewal or change of address relative to the
3 assistance provided at such office. An employee of the agency or
4 office shall inquire of every such person whether the person, if
5 not already registered to vote from the place of his or her
6 present residence, wishes to be so registered and shall inform the
7 person that whether or not the applicant chooses to register will
8 not affect the person's eligibility for those services. The
9 employee shall subsequently review the forms to determine
10 whether or not the person wishes to register to vote. If the
11 person does not wish to register, the employee shall provide the
12 person with any assistance necessary to complete the declination
13 form and then inform the person that the form will be retained by
14 the employee. If the person wishes to register, the employee
15 shall provide the person with any assistance necessary in
16 completing the voter registration form; shall inform the applicant
17 that the applicant may leave the completed form with the
18 employee or mail it personally to the Secretary of State; and if
19 the applicant chooses to leave the form, shall accept the
20 completed form, stamp or otherwise mark the lower right hand
21 corner of the document with the date on which it was so
22 received, and forward it to the Secretary of State. The employee
23 shall provide to each applicant who does not decline to register to
24 vote the same degree of assistance with regard to the completion
25 of the voter registration form as is provided by the office with
26 regard to the completion of its own forms, unless the applicant
27 refuses such assistance;

28 b. provide for the continuous supply of the forms and
29 instructions specified in subsection a. of this section to every
30 agency and office which provides assistance under P.L.1968,
31 c.413 (C.30:4D-1 et seq.) and 42 U.S.C.§1395 et seq.;

32 c. provide the forms and instructions specified in subsection a.
33 of this section in both the English and Spanish languages to the
34 agencies and offices which are located in any county in which
35 bilingual sample ballots must be provided pursuant to
36 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
37 (C.19:23-22.4);

38 d. provide for the collection of completed voter registration
39 forms by any employee of the agency or office for the
40 transmittal of the forms to the Secretary of State;

41 e. provide that the forms, instructions and assistance specified
42 in subsection a. of this section shall be provided to any person
43 with a disability who receives assistance or services at that
44 person's home from an employee of the agency or office;

45 f. inform each employee of the agency or office who assists in
46 registering a person to vote that that employee shall not:

47 (1) seek to influence an applicant's political preference or
48 party registration;

49 (2) display any such political preference or party allegiance;

50 (3) make any statement to an applicant or take any action the
51 purpose or effect of which is to discourage the applicant from
52 registering to vote; or

53 (4) make any statement to an applicant or take any action the
54 purpose or effect of which is to lead the applicant to believe that

1 a decision to register or not to register has any bearing on the
2 availability of services or benefits; and

3 g. make certain that no information relating to a declination to
4 register to vote by an individual in connection with any type of
5 application for service made by that individual at any agency or
6 office is used for any purpose other than voter registration.

7 29. (New section) The director or other chief administrative
8 officer of each agency or office distributing food pursuant to the
9 special supplemental food program for women, infants and
10 children (WIC) shall:

11 a. cause copies of the voter registration forms and instructions
12 provided for under subsections e. and f. of section 16 of P.L.1974,
13 c.30 (C.19:31-6.4) and the declination form provided for in
14 subsection b. of section 26 of P.L. , c. (C.)(now pending
15 before the Legislature as this bill) to be distributed at each such
16 agency or office to each person appearing in person thereat to
17 apply for services or assistance provided thereby or to seek a
18 recertification, renewal or change of address relative to the
19 assistance provided at such office. An employee of the agency or
20 office shall inquire of every such person whether the person, if
21 not already registered to vote from the place of his or her
22 present residence, wishes to be so registered and shall inform the
23 person that whether or not the applicant chooses to register will
24 not affect the person's eligibility for those services. The
25 employee shall subsequently review the forms to determine
26 whether or not the person wishes to register to vote. If the
27 person does not wish to register, the employee shall provide the
28 person with any assistance necessary to complete the declination
29 form and then inform the person that the form will be retained by
30 the employee. If the person wishes to register, the employee
31 shall provide the person with any assistance necessary in
32 completing the voter registration form; shall inform the applicant
33 that the applicant may leave the completed form with the
34 employee or mail it personally to the Secretary of State; and if
35 the applicant chooses to leave the form, shall accept the
36 completed form, stamp or otherwise mark the lower right hand
37 corner of the document with the date on which it was so
38 received, and forward it to the Secretary of State. The employee
39 shall provide to each applicant who does not decline to register to
40 vote the same degree of assistance with regard to the completion
41 of the voter registration form as is provided by the office with
42 regard to the completion of its own forms, unless the applicant
43 refuses such assistance;

44 b. provide for the continuous supply of the forms and
45 instructions specified in subsection a. of this section to every
46 agency and office which provides assistance under P.L.1987,
47 c.261 (C.26:1A-36.1 et seq.) and Pub.L. 95-267 (42 U.S.C.§1786);

48 c. provide the forms and instructions specified in subsection a.
49 of this section in both the English and Spanish languages to the
50 agencies and offices which are located in any county in which
51 bilingual sample ballots must be provided pursuant to
52 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
53 (C.19:23-22.4);

54 d. provide for the collection of completed voter registration

1 forms by any employee of the agency or office for the
2 transmittal of the forms to the Secretary of State;

3 e. provide that the forms, instructions and assistance specified
4 in subsection a. of this section shall be provided to any person
5 with a disability who receives assistance or services at that
6 person's home from an employee of the agency or office;

7 f. inform each employee of the agency or office who assists in
8 registering a person to vote that that employee shall not:

9 (1) seek to influence an applicant's political preference or
10 party registration;

11 (2) display any such political preference or party allegiance;

12 (3) make any statement to an applicant or take any action the
13 purpose or effect of which is to discourage the applicant from
14 registering to vote; or

15 (4) make any statement to an applicant or take any action the
16 purpose or effect of which is to lead the applicant to believe that
17 a decision to register or not to register has any bearing on the
18 availability of services or benefits; and

19 g. make certain that no information relating to a declination
20 to register to vote by an individual in connection with any type of
21 application for service made by that individual at any agency or
22 office is used for any purpose other than voter registration.

23 30. (New section) The director or other chief administrative
24 officer of each agency or office administering assistance under
25 the "Aid to Families With Dependent Children" program shall:

26 a. cause copies of the voter registration forms and instructions
27 provided for under subsections e. and f. of section 16 of P.L.1974,
28 c.30 (19:31-6.4) and the declination form provided for in
29 subsection b. of section 26 of P.L. , c. (C.)(now pending
30 before the Legislature as this bill) to be distributed at each such
31 agency or office to each person appearing in person thereat to
32 apply for services or assistance provided thereby or to seek a
33 recertification, renewal or change of address relative to the
34 assistance provided at such office. An employee of the agency or
35 office shall inquire of every such person whether the person, if
36 not already registered to vote from the place of his or her
37 present residence, wishes to be so registered and shall inform the
38 person that whether or not the applicant chooses to register will
39 not affect the person's eligibility for those services. The
40 employee shall subsequently review the forms to determine
41 whether or not the person wishes to register to vote. If the
42 person does not wish to register, the employee shall provide the
43 person with any assistance necessary to complete the declination
44 form and then inform the person that the form will be retained by
45 the employee. If the person wishes to register, the employee
46 shall provide the person with any assistance necessary in
47 completing the voter registration form; shall inform the applicant
48 that the applicant may leave the completed form with the
49 employee or mail it personally to the Secretary of State; and if
50 the applicant chooses to leave the form, shall accept the
51 completed form, stamp or otherwise mark the lower right hand
52 corner of the document with the date on which it was so
53 received, and forward it to the Secretary of State. The employee
54 shall provide to each applicant who does not decline to register to

- 1 vote the same degree of assistance with regard to the completion
2 of the voter registration form as is provided by the office with
3 regard to the completion of its own forms, unless the applicant
4 refuses such assistance;
- 5 b. provide for the continuous supply of the forms and
6 instructions specified in subsection a. of this section to every
7 agency and office which provides assistance under P.L.1959, c.86
8 (C.44:10-1) and 42 U.S.C.§601 et seq.;
- 9 c. provide the forms and instructions specified in subsection a.
10 of this section in both the English and Spanish languages to the
11 agencies and offices which are located in any county in which
12 bilingual sample ballots must be provided pursuant to
13 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
14 (C.19:23-22.4);
- 15 d. provide for the collection of completed voter registration
16 forms by any employee of the agency or office for the
17 transmittal of the forms to the Secretary of State;
- 18 e. provide that the forms, instructions and assistance specified
19 in subsection a. of this section shall be provided to any person
20 with a disability who receives assistance or services at that
21 person's home from an employee of the agency or office;
- 22 f. inform each employee of the agency or office who assists in
23 registering a person to vote that that employee shall not:
- 24 (1) seek to influence an applicant's political preference or
25 party registration;
- 26 (2) display any such political preference or party allegiance;
- 27 (3) make any statement to an applicant or take any action the
28 purpose or effect of which is to discourage the applicant from
29 registering to vote; or
- 30 (4) make any statement to an applicant or take any action the
31 purpose or effect of which is to lead the applicant to believe that
32 a decision to register or not to register has any bearing on the
33 availability of services or benefits; and
- 34 g. make certain that no information relating to a declination to
35 register to vote by an individual in connection with any type of
36 application for service made by that individual at any agency or
37 office is used for any purpose other than voter registration.
- 38 31. (New section) The director or other chief administrative
39 officer of any public office of the Division of Developmental
40 Disabilities shall:
- 41 a. cause copies of the voter registration forms and instructions
42 provided for under subsections e. and f. of section 16 of P.L.1974,
43 c.30 (C.19:31-6.4) and the declination form provided for in
44 subsection b. of section 26 of P.L. , c. (C.)(now pending
45 before the Legislature as this bill) to be distributed at each such
46 office to each person appearing in person thereat to apply for
47 services or assistance provided thereby or to seek a
48 recertification, renewal or change of address relative to the
49 assistance provided at such office. An employee of the office
50 shall inquire of every such person whether the person, if not
51 already registered to vote from the place of his or her present
52 residence, wishes to be so registered and shall inform the person
53 that whether or not the applicant chooses to register will not
54 affect the person's eligibility for those services. The employee

1 shall subsequently review the forms to determine whether or not
2 the person wishes to register to vote. If the person does not wish
3 to register, the employee shall provide the person with any
4 assistance necessary to complete the declination form and then
5 inform the person that the form will be retained by the
6 employee. If the person wishes to register, the employee shall
7 provide the person with any assistance necessary in completing
8 the voter registration form; shall inform the applicant that the
9 applicant may leave the completed form with the employee or
10 mail it personally to the Secretary of State; and if the applicant
11 chooses to leave the form, shall accept the completed form,
12 stamp or otherwise mark the lower right hand corner of the
13 document with the date on which it was so received, and forward
14 it to the Secretary of State. The employee shall provide to each
15 applicant who does not decline to register to vote the same
16 degree of assistance with regard to the completion of the voter
17 registration form as is provided by the office with regard to the
18 completion of its own forms, unless the applicant refuses such
19 assistance;

20 b. provide for the continuous supply of the forms and
21 instructions specified in subsection a. of this section to every
22 office which provides assistance under section 2 of P.L.1985,
23 c.145 (C.30:6D-24);

24 c. provide the forms and instructions specified in subsection a.
25 of this section in both the English and Spanish languages to the
26 offices which are located in any county in which bilingual sample
27 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
28 section 2 of P.L.1965, c.29 (C.19:23-22.4);

29 d. provide for the collection of completed voter registration
30 forms by any employee of the office for the transmittal of the
31 forms to the Secretary of State;

32 e. provide that the forms, instructions and assistance specified
33 in subsection a. of this section shall be provided to any person
34 with a disability who receives assistance or services at that
35 person's home from an employee of the office;

36 f. inform each employee of the office who assists in registering
37 a person to vote that that employee shall not:

38 (1) seek to influence an applicant's political preference or
39 party registration;

40 (2) display any such political preference or party allegiance;

41 (3) make any statement to an applicant or take any action the
42 purpose or effect of which is to discourage the applicant from
43 registering to vote; or

44 (4) make any statement to an applicant or take any action the
45 purpose or effect of which is to lead the applicant to believe that
46 a decision to register or not to register has any bearing on the
47 availability of services or benefits; and

48 g. make certain that no information relating to a declination to
49 register to vote by an individual in connection with any type of
50 application for service made by that individual at any office is
51 used for any purpose other than voter registration.

52 32. (New section) The director or other chief administrative
53 officer of the Division of Vocational Rehabilitation Services in
54 the Department of Labor shall:

- 1 a. cause copies of the voter registration forms and instructions
2 provided for in subsections e. and f. of section 16 of P.L.1974,
3 c.30 (C.19:31-6.4) and the declination form provided for in
4 subsection b. of section 26 of P.L. , c. (C.)(now pending
5 before the Legislature as this bill) to be distributed at each office
6 thereof to each person appearing in person at the office to apply
7 for services or assistance provided by the office or to seek a
8 recertification, renewal or change of address relative to the
9 assistance provided at such office. An employee of the office
10 shall inquire of every such person whether the person, if not
11 already registered to vote from the place of his or her present
12 residence, wishes to be so registered and shall inform the person
13 that whether or not the applicant chooses to register will not
14 affect the person's eligibility for those services. The employee
15 shall subsequently review the forms to determine whether or not
16 the person wishes to register to vote. If the person does not wish
17 to register, the employee shall provide the person with any
18 assistance necessary to complete the declination form and then
19 inform the person that the form will be retained by the
20 employee. If the person wishes to register, the employee shall
21 provide the person with any assistance necessary in completing
22 the voter registration form; shall inform the applicant that the
23 applicant may leave the completed form with the employee or
24 mail it personally to the Secretary of State; and if the applicant
25 chooses to leave the form, shall accept the completed form,
26 stamp or otherwise mark the lower right hand corner of the
27 document with the date on which it was so received, and forward
28 it to the Secretary of State. The employee shall provide to each
29 applicant who does not decline to register to vote the same
30 degree of assistance with regard to the completion of the voter
31 registration form as is provided by the office with regard to the
32 completion of its own forms, unless the applicant refuses such
33 assistance;
- 34 b. provide for the continuous supply of the forms and
35 instructions specified in subsection a. of this section to each such
36 office;
- 37 c. provide the forms and instructions specified in subsection a.
38 of this section in both the English and Spanish languages in those
39 offices which are located in any county in which bilingual sample
40 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
41 section 2 of P.L.1965, c.29 (C.19:23-22.4);
- 42 d. provide for the collection of completed voter registration
43 forms by any employee of the office and for the transmittal of
44 the forms to the Secretary of State;
- 45 e. provide that the forms, instructions and assistance specified
46 in subsection a. of this section shall be provided to any person
47 with a disability who receives assistance or services at that
48 person's home from an employee of the office;
- 49 f. inform each employee of the office who assists in registering
50 a person to vote that that employee shall not:
- 51 (1) seek to influence an applicant's political preference or
52 party registration;
- 53 (2) display any such political preference or party allegiance;
- 54 (3) make any statement to an applicant or take any action the

1 purpose or effect of which is to discourage the applicant from
2 registering to vote; or

3 (4) make any statement to an applicant or take any action the
4 purpose or effect of which is to lead the applicant to believe that
5 a decision to register or not to register has any bearing on the
6 availability of services or benefits; and

7 g. make certain that no information relating to a declination to
8 register to vote by an individual in connection with any type of
9 application for service made by that individual at any office is
10 used for any purpose other than voter registration.

11 33. (New section) The director or other chief administrative
12 officer of any public office of the Commission for the Blind and
13 Visually Impaired shall:

14 a. cause copies of the voter registration forms and instructions
15 provided for under subsections e. and f. of section 16 of P.L.1974,
16 c.30 (C.19:31-6.4) and the declination form provided for in
17 subsection b. of section 26 of P.L. , c. (C.) (now pending
18 before the Legislature as this bill) to be distributed at each such
19 office to each person appearing in person thereat to apply for
20 services or assistance provided thereby or to seek a
21 recertification, renewal or change of address relative to the
22 assistance provided at such office. An employee of the office
23 shall inquire of every such person whether the person, if not
24 already registered to vote from the place of his or her present
25 residence, wishes to be so registered and shall inform the person
26 that whether or not the applicant chooses to register will not
27 affect the person's eligibility for those services. The employee
28 shall subsequently review the forms to determine whether or not
29 the person wishes to register to vote. If the person does not wish
30 to register, the employee shall provide the person with any
31 assistance necessary to complete the declination form and then
32 inform the person that the form will be retained by the
33 employee. If the person wishes to register, the employee shall
34 provide the person with any assistance necessary in completing
35 the voter registration form; shall inform the applicant that the
36 applicant may leave the completed form with the employee or
37 mail it personally to the Secretary of State; and if the applicant
38 chooses to leave the form, shall accept the completed form,
39 stamp or otherwise mark the lower right hand corner of the
40 document with the date on which it was so received, and forward
41 it to the Secretary of State. The employee shall provide to each
42 applicant who does not decline to register to vote the same
43 degree of assistance with regard to the completion of the voter
44 registration form as is provided by the office with regard to the
45 completion of its own forms, unless the applicant refuses such
46 assistance;

47 b. provide for the continuous supply of the forms and
48 instructions specified in subsection a. of this section to every
49 office of the commission which provides assistance;

50 c. provide the forms and instructions specified in subsection a.
51 of this section in both the English and Spanish languages in those
52 offices which are located in any county in which bilingual sample
53 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
54 section 2 of P.L.1965, c.29 (C.19:23-22.4);

1 d. provide for the collection of completed voter registration
2 forms by any employee of the office and for the transmittal of
3 the forms to the Secretary of State;

4 e. provide that the forms, instructions and assistance specified
5 in subsection a. of this section shall be provided to any person
6 with a disability who receives assistance or services at that
7 person's home from an employee of the office;

8 f. inform each employee of the office who assists in registering
9 a person to vote that that employee shall not:

10 (1) seek to influence an applicant's political preference or
11 party registration;

12 (2) display any such political preference or party allegiance;

13 (3) make any statement to an applicant or take any action the
14 purpose or effect of which is to discourage the applicant from
15 registering to vote; or

16 (4) make any statement to an applicant or take any action the
17 purpose or effect of which is to lead the applicant to believe that
18 a decision to register or not to register has any bearing on the
19 availability of services or benefits; and

20 g. make certain that no information relating to a declination to
21 register to vote by an individual in connection with any type of
22 application for service made by that individual at any office is
23 used for any purpose other than voter registration.

24 ¹34. (New section) The commissioner of registration in each
25 of the several counties shall make available at the office of the
26 commissioner to each person appearing in person thereat to apply
27 for services or assistance provided thereby the assistance in
28 registration prescribed by paragraph (4) of subsection (a) of
29 section 7 of Pub.L.103-31 (42 U.S.C. 1973gg-5). Any person
30 providing such assistance in registration shall be subject to the
31 restrictions of paragraph (5) of that subsection.¹

32 ¹35. (New section) The municipal clerk in each of the several
33 municipalities of this State shall make available at the office of
34 the clerk to each person appearing in person thereat to apply for
35 services or assistance provided thereby the assistance in
36 registration prescribed by paragraph (4) of subsection (a) of
37 section 7 of Pub.L. 103-31 (42 U.S.C. 1973gg-5). Any person
38 providing such assistance in registration shall be subject to the
39 restrictions of paragraph (5) of that subsection.¹

40 ¹[34.] 36.¹ (New section) The director or other chief
41 administrative officer of each free county library shall:

42 a. cause copies of the voter registration forms and instructions
43 furnished under subsection f. of section 16 of P.L.1974, c.30
44 (C.19:31-6.4) to be displayed at the principal and any branch
45 location of that library and to be made available to each person
46 who, when appearing in person at such location to apply for
47 services administered by the library, may wish, on a voluntary
48 basis, to register to vote;

49 b. provide for the continuous supply of the forms and
50 instructions specified in subsection a. of this section to each such
51 principal or branch location; and

52 c. provide the forms and instructions specified in subsection a.
53 of this section in both the English and Spanish languages to each
54 library which provides services under any program administered

1 by the library which is located in any county in which bilingual
2 sample ballots must be provided pursuant to R.S.19:14-21,
3 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

4 ¹[35.] 37.¹ (New section) The director or other chief
5 administrative officer of each regional library established under
6 the provisions of P.L.1962, c.134 (C.40:33-13.3 et seq.) shall:

7 a. cause copies of the voter registration forms and instructions
8 furnished under subsection f. of section 16 of P.L.1974, c.30
9 (C.19:31-6.4) to be displayed at the principal and any branch
10 location of that library and to be made available to each person
11 who, when appearing in person at such location, may wish, on a
12 voluntary basis, to register to vote;

13 b. provide for the continuous supply of the forms and
14 instructions specified in subsection a. of this section to each such
15 principal or branch location; and

16 c. provide the forms and instructions specified in subsection a.
17 of this section in both the English and Spanish languages to each
18 library which provides services under any program administered
19 by the library which is located in any county in which bilingual
20 sample ballots must be provided pursuant to R.S.19:14-21,
21 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

22 ¹[36.] 38.¹ (New section) The director or other chief
23 administrative officer of a free public library in any municipality
24 shall:

25 a. cause copies of the voter registration forms and instructions
26 furnished under subsection f. of section 16 of P.L.1974, c.30
27 (C.19:31-6.4) to be displayed at the principal and any branch
28 location of that library and to be made available to each person
29 who, when appearing in person at such location, may wish, on a
30 voluntary basis, to register to vote;

31 b. provide for the continuous supply of the forms and
32 instructions specified in subsection a. of this section to each such
33 principal or branch location; and

34 c. provide the forms and instructions specified in subsection a.
35 of this section in both the English and Spanish languages to each
36 library which provides services under any program administered
37 by the library which is located in any county in which bilingual
38 sample ballots must be provided pursuant to R.S.19:14-21,
39 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

40 ¹[37.] 39.¹ (New section) The director or other chief
41 administrative officer of a joint free public library serving two or
42 more municipalities shall:

43 a. cause copies of the voter registration forms and instructions
44 furnished under subsection f. of section 16 of P.L.1974, c.30
45 (C.19:31-6.4) to be displayed at the principal and any branch
46 location of that library and to be made available to each person
47 who, when appearing in person at such location, may wish, on a
48 voluntary basis, to register to vote;

49 b. provide for the continuous supply of the forms and
50 instructions specified in subsection a. of this section to each such
51 principal or branch location; and

52 c. provide the forms and instructions specified in subsection a.
53 of this section in both the English and Spanish languages to each
54 library which provides services under any program administered

1 by the library which is located in any county in which bilingual
2 sample ballots must be provided pursuant to R.S.19:14-21,
3 R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

4 ¹[38.] 40.¹ (New section) The manager or other chief
5 administrative officer of any office or commercial establishment
6 where State licenses or permits, other than licenses or permits
7 issued by a professional or occupational board established under
8 the laws of this State, are available to individual members of the
9 public shall:

10 a. cause copies of the voter registration forms and instructions
11 furnished under subsection f. of section 16 of P.L.1974, c.30
12 (C.19:31-6.4) to be displayed at the office or commercial
13 establishment and to be made available to each person who, when
14 appearing in person at such location to obtain a State license or
15 permit, may wish, on a voluntary basis, to register to vote;

16 b. provide for the continuous supply of the forms and
17 instructions specified in subsection a. of this section to each such
18 office or establishment; and

19 c. provide the forms and instructions specified in subsection a.
20 of this section in both the English and Spanish languages to each
21 office or establishment which provides services under any
22 program administered thereby which is located in any county in
23 which bilingual sample ballots must be provided pursuant to
24 R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29
25 (C.19:23-22.4).

26 ¹[39.] 41.¹ (New section) The Adjutant General of the
27 Department of Military and Veterans' Affairs shall:

28 a. cause copies of the voter registration forms and instructions
29 furnished under subsection f. of section 16 of P.L.1974, c.30
30 (C.19:31-6.4) to be displayed at each recruitment office of the
31 New Jersey National Guard and to be made available to each
32 person who, when appearing in person at such office to apply for
33 enlistment in the Guard, may wish, on a voluntary basis, to
34 register to vote;

35 b. provide for the continuous supply of the forms and
36 instructions specified in subsection a. of this section to each such
37 office; and

38 c. provide the forms and instructions specified in subsection a.
39 of this section in both the English and Spanish languages to each
40 recruitment office of the New Jersey National Guard which is
41 located in any county in which bilingual sample ballots must be
42 provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of
43 P.L.1965, c.29 (C.19:23-22.4).

44 ¹[40.] 42.¹ (New section) a. Any person who believes that he or
45 she has been denied an opportunity to register to vote or to
46 remain a registered voter in violation of the provisions of P.L. ,
47 c. (C.)(now pending before the Legislature as this bill), may
48 seek relief by providing written notice to the Secretary of State.
49 Such notice shall include the date which the person seeking relief
50 believes the violation to have occurred and as many of the
51 particulars relative to the violation as that person can recount.
52 The notice shall also include the name and address of the person
53 seeking relief and shall be certified by that person's signature.

54 b. If the violation of the provisions of P.L. , c. (C.)

1 (now pending before the Legislature as this bill) has not been
2 investigated or corrected within 90 days after the Secretary of
3 State receives written notice of the violation, or within 20 days
4 after the Secretary of State receives written notice of the
5 violation if the violation occurred within 120 days prior to the
6 day of an election, the aggrieved person may bring a civil action
7 in the appropriate superior court for declaratory or injunctive
8 relief with respect to the violation.

9 c. If the violation occurred within 30 days prior to the day of
10 an election, the aggrieved person shall not be required to first
11 provide written notice to the Secretary of State, as provided for
12 in subsection a. of this section, but may instead bring a civil
13 action in the appropriate superior court, as provided for in
14 subsection b. of this section.

15 d. In any civil actions brought under subsections b. or c. of this
16 section, the superior court may allow the prevailing party, other
17 than the United States, reasonable attorney fees, including
18 litigation fees and costs.

19 ¹[41.] 43.1 (New section) a. Any person, other than an election
20 official, who:

21 (1) knowingly and willfully intimidates, threatens or coerces, or
22 attempts to intimidate, threaten or coerce, any person for
23 registering to vote, voting or attempting to register to vote or
24 vote, urging or aiding any person to register to vote, to vote or to
25 attempt to register or vote or exercising any right under the
26 provisions of P.L. , c. (C.)(now pending before the
27 Legislature as this bill); or

28 (2) knowingly and willfully deprives, defrauds or attempts to
29 deprive or defraud the residents of this State of a fair and
30 impartially conducted election by the procurement or submission
31 of voter registration applications that are known by the person to
32 be materially false, fictitious or fraudulent under the provisions
33 of Title 19 of the Revised Statutes or the procurement, casting or
34 tabulation of ballots that are known by the person to be
35 materially false, fictitious or fraudulent under the provisions of
36 Title 19 of the Revised Statutes, is guilty of a crime of the third
37 degree.

38 b. Any election official who:

39 (1) knowingly and willfully intimidates, threatens or coerces, or
40 attempts to intimidate, threaten or coerce, any person for
41 registering to vote, voting or attempting to register to vote or
42 vote, urging or aiding any person to register to vote, to vote or to
43 attempt to register or vote, or exercising any right under the
44 provisions of P.L. , c. (C.)(now pending before the
45 Legislature as this bill); or

46 (2) knowingly and willfully deprives, defrauds or attempts to
47 deprive or defraud the residents of this State of a fair and
48 impartially conducted election by the procurement or submission
49 of voter registration applications that are known by the election
50 official to be materially false, fictitious or fraudulent under the
51 provisions of Title 19 of the Revised Statutes or the procurement,
52 casting or tabulation of ballots that are known by the election
53 official to be materially false, fictitious or fraudulent under the
54 provisions of Title 19 of the Revised Statutes, is guilty

1 of a crime of the second degree.

2 c. As used in this section, "election official" shall include, but
3 not be limited to, any superintendent or deputy superintendent of
4 elections, commissioner of registration, member of a county
5 board of elections, county clerk, municipal clerk, member of a
6 district board of elections, member of a board of county
7 canvassers and member of a board of State canvassers.

8 ¹[42.] 44.¹ (New section) The Secretary of State shall
9 promulgate, pursuant to the "Administrative Procedure Act,"
10 P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations as
11 are necessary to effectuate the purposes of this act.

12 ¹[43.] 45.¹ The following sections are repealed:

13 R.S.19:31-9;

14 R.S.19:31-27;

15 R.S.19:31-28;

16 Section 1 of P.L.1941, c.218 (C.19:31-1.1);

17 Section 1 of P.L.1940, c.54 (C.19:31-11.1);

18 R.S.19:32-15 through 32-20;

19 Sections 13 through 18 of P.L.1947, c.167 (C.19:32-38 through
20 32-43);

21 ¹[Section 4 of P.L.1991, c.318 (C.34:1A-12.4);]¹ and

22 Section 3 of P.L.1991, c.318 (C.39:2-3.1).

23 ¹[44.] 46.¹ This act shall take effect immediately but shall
24 remain inoperative until January 1, 1995.

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29

Revises procedures for registration of voters.

1 b. Any election official who:

2 (1) knowingly and willfully intimidates, threatens or coerces, or
 3 attempts to intimidate, threaten or coerce, any person for
 4 registering to vote, voting or attempting to register to vote or
 5 vote, urging or aiding any person to register to vote, to vote or to
 6 attempt to register or vote, or exercising any right under the
 7 provisions of P.L. , c. (C.)(now pending before the
 8 Legislature as this bill); or

9 (2) knowingly and willfully deprives, defrauds or attempts to
 10 deprive or defraud the residents of this State of a fair and
 11 impartially conducted election by the procurement or submission
 12 of voter registration applications that are known by the election
 13 official to be materially false, fictitious or fraudulent under the
 14 provisions of Title 19 of the Revised Statutes or the procurement,
 15 casting or tabulation of ballots that are known by the election
 16 official to be materially false, fictitious or fraudulent under the
 17 provisions of Title 19 of the Revised Statutes,
 18 is guilty of a crime of the second degree.

19 c. As used in this section, "election official" shall include, but
 20 not be limited to, any superintendent or deputy superintendent of
 21 elections, commissioner of registration, member of a county
 22 board of elections, county clerk, municipal clerk, member of a
 23 district board of elections, member of a board of county
 24 canvassers and member of a board of State canvassers.

25 42. (New section) The Secretary of State shall promulgate,
 26 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
 27 (C.52:14B-1 et seq.), such rules and regulations as are necessary
 28 to effectuate the purposes of this act.

29 43. The following sections are repealed:

30 R.S.19:31-9;

31 R.S.19:31-27;

32 R.S.19:31-28;

33 Section 1 of P.L.1941, c.218 (C.19:31-1.1);

34 Section 1 of P.L.1940, c.54 (C.19:31-11.1);

35 R.S.19:32-15 through 32-20;

36 Sections 13 through 18 of P.L.1947, c.167 (C.19:32-38 through
 37 32-43);

38 Section 4 of P.L.1991, c.318 (C.34:1A-12.4); and

39 Section 3 of P.L.1991, c.318 (C.39:2-3.1).

40 44. This act shall take effect immediately but shall remain
 41 inoperative until January 1, 1995.

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STATEMENT

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46 This bill revises the procedures for the registration of voters in
 47 this State to facilitate the registration process and to conform
 48 those procedures to the requirements of the federal "National
 49 Voter Registration Act of 1993", Pub.L.103-31 (42 U.S.C. 1973gg
 50 et seq.).

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55 Revises procedures for registration of voters.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2307

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 1994

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 2307.

This bill revises the procedures for the registration of voters in this State to facilitate the registration process and ensure that those procedures conform to or exceed the requirements of the federal "National Voter Registration Act of 1993", Pub.L.103-31 (42 U.S.C. 1973gg et seq.).

Section 1 deletes an obsolete reference to voter registration as "permanent" registration.

Section 2 limits the evening registration that the county commissioner of registration is statutorily mandated to conduct to the evening of the closing day of registration for the primary, general and municipal elections. Current law mandates the commissioner to conduct such pre-election evening registration at the commissioner's office during six working days immediately before the close of registration and in municipalities within the county during the one or three days (depending upon municipal population) immediately before the close of registration. In addition, this section makes out-of-office registration optional in each county and eliminates the existing requirement for out-of-office registration in municipalities having a population in excess of 12,000. The existing provisions of law mandating high school registration are deleted.

Section 3 amends the statute providing for the original and duplicate registration records to (a) delete references to "permanent" registration, and (b) require that the form of those records be the same as the mail-in voter registration form.

Section 4, in accordance with the "National Voter Registration Act of 1993", prohibits the automatic loss of the right to vote solely on grounds of failure to vote in one or more elections.

Section 5, likewise in accordance with the "National Voter Registration Act of 1993", provides that registration to vote may be effected by: registering in person at offices designated by the commissioner of registration; completing a voter registration form received in the course of applying for a motor vehicle driver's license or for services from a "voter registration agency" (defined in section 26 of the bill); completing such a form obtained from a "public agency" (defined in N.J.S.A.19:31-6.3) or a door-to-door canvass or mobile registration drive; or completing a federal mail voter registration or a federal postcard application form. The section deletes a current provision that an individual applying in person to register as a voter shall be required to "answer such questions as shall be put" regarding the person's eligibility to vote.

Section 6 amends the law that provides generally for registration of voters at certain government offices by (a) adding to the current statutory list of "public agencies" at which voter registration forms are to be available all public libraries, any "office or commercial establishment where State licenses or permits, other than licenses or permits issued by a professional or occupational board . . . , are available to individual members of the public", and any recruitment office of the New Jersey National Guard; (b) deleting from the list of such public agencies the Division of Motor Vehicles, which is subject to special voter registration obligations under sections 23 and 24 of the bill; and (c) extending the scope of the law to encompass any "voter registration agency".

Section 7 revises the statutorily prescribed mail-in voter registration application to redesign that form for purposes of conforming it to the requirements of the "National Voter Registration Act of 1993". The revised form omits the existing requirement that the application be witnessed by a registered voter. In addition, this section expands the universe of agencies to which the Secretary of State is required to furnish mail-in voter registration forms to include the Adjutant General of the Department of Military and Veterans' Affairs and "voter registration agencies".

Section 8 deletes the existing requirement that, when a voter registration form has been signed by someone other than the registrant, additional information required on the permanent registration form shall be obtained by the district board or commissioner of registration at the first election at which the registrant applies to vote.

Section 9 deletes an appropriation mandate from and clarifies the provisions of the statute concerning canvassing and registration of voters in Presidential election years.

Section 10 makes technical changes in the statute governing the filing and opening to public inspection of permanent registration records.

Section 11 revises the procedure to be followed when a voter changes residence.

(a) In the case of a voter who, having moved from one residence to another within the same county, provides notice of the change and a request for correction of registration to the county commissioner of registration or the municipal clerk by the 29th day preceding an election, the notice that the commissioner is to send to the voter if not satisfied as to the signature on the request would no longer direct the voter to appear in person to provide documentation of residence and eligibility to vote. Instead, that notice would take the form of a "confirmation notice" (described in section 13) returnable by mail to the commissioner.

(b) In the case of a voter who changes residence within the county after the 29th day preceding an election, the signed affidavit of removal and new residency that the voter must submit before being allowed to vote in the election would no longer be submitted to the district board, but to the municipal clerk. Also, this affidavit procedure would be extended to cases in which the voter has failed to return a confirmation notice sent by the

commissioner of registration or otherwise failed to notify the commissioner of a change of address. Finally, the place at which these removed residents are to be permitted to vote would be the district to which, rather than that from which, the voter has moved.

(c) A new provision is added permitting voters who have moved their residence from one county to another to register in the new county of residence by any of the means prescribed under the amendatory provisions of section 5 of the bill.

Section 12 eliminates the current statutory requirement that a voter who changes name must reregister to vote under the new name. Instead, the voter would simply fill out and sign a form notice of the name change and mail or present that notice to the commissioner of registration.

Section 13 deletes in its entirety the existing law providing for removal of voters from the registry list for failure to vote; for periodic house-to-house canvass of all voters; and for removal of voters found to have moved, died, or otherwise become disqualified to vote. In place of these provisions, the section establishes procedures for:

(a) removal of a voter's name from the registry list upon the voter's request;

(b) agreement by the commissioner of registration with the U.S. Postal Service that the commissioner shall receive notice that a Postal Service customer has changed address. If the new address is within the county, the commissioner is to correct the voter's registration record accordingly and notify the voter of the change by means of a returnable form on which the voter may verify or correct the change. Otherwise, the commissioner is to confirm the change of address by means of the confirmation notice procedure; and

(c) removal by the commissioner from the county registry list of the name of any voter who confirms by return of a confirmation notice or otherwise that the voter has moved to another county, or who has failed to respond to such a confirmation notice and, after the notice was sent and through the second general election for federal office after the notice was sent, shall not have voted or applied to vote.

(d) Finally, this section provides for the form and content of the "confirmation notice". It is to be a postage prepaid and pre-addressed card, sent by forwardable mail, which includes: a space for entry of the registrant's current address; notice that failure to return the card timely may result in a request at the polls for confirmation or affirmation of address or, upon failure to vote in two consecutive federal elections, removal from the registry list; and information as to the procedure by which a registrant, after removing residence to another county, may retain the right to vote.

Section 14 clarifies and makes editorial changes in the statute requiring a municipal health officer to notify the commissioner of registration of the death of any person within the municipality who was eligible to register as a voter.

Section 15 provides for notification by the chief State election official to each county commissioner of registration of any information that the official has received from the U.S. Attorney

concerning a county resident's conviction of a federal offense or any other official action constituting grounds for disenfranchisement of the resident. This section also broadens the requirement of notice to the commissioner by a county prosecutor with respect to such convictions in State courts to include date of conviction and statement of sentence imposed.

Sections 16 through 18 allow counties using electronic data processing equipment to file and store voter registration information to eliminate the use of original permanent registration binders.

Section 19 deletes from the voter registration procedures now imposed upon the Division of Worker's Compensation the requirement that Division employees inquire of benefits applicants whether they wish to register as a voter.

Section 20 authorizes the Secretary of State, on behalf of the State, to enter into and carry out an agreement with the U.S. Secretary of Defense for joint development and implementation of procedures for persons to apply at U.S. Armed Forces recruitment offices to register to vote.

Section 21 amends the provisions of a 1991 statute prescribing the voter registration obligations of county welfare offices and county boards of social services to include all of the functions required of agencies mandatorily designated under the "National Voter Registration Act of 1993" as "voter registration agencies".

Section 22 requires the Director of the Division of Taxation to include a copy of the mail-in voter registration form prescribed by N.J.S.A.19:31-6.4 in the pamphlet of instructions for the filing of a New Jersey Gross Income Tax return.

Sections 23 and 24 require that applicants for State motor vehicle driver's licenses (including renewals) shall be offered the opportunity to register to vote and provide for formulation of a procedure for such registration.

Section 25 designates the Secretary of State as the "chief State election official" responsible for coordination of the State's responsibilities under the "National Voter Registration Act of 1993".

Section 26 designates the governmental agencies and offices to be included in the category of "voter registration agencies". In addition, this section requires the Secretary of State to provide these agencies, along with the voter registration forms and instructions elsewhere mandated to be supplied, copies of a "declination form" by which an agency client may indicate a desire not to register as a voter and prescribes the content of this form. Also under this section, the Secretary is required to issue regulations providing for the prompt return of voter registration forms from voter registration agencies and to forward all forms received to the appropriate commissioner of registration. Provision is made for confidentiality of any declination form.

Sections 27 through 35 prescribe the voter registration obligations of each voter registration agency for which such obligations are not already prescribed elsewhere. Generally, these obligations include distributing registration and declination forms; inquiring of each agency client at the agency office whether the

person is registered to vote and informing the client that registration or non-registration will not affect the client's right to agency services or benefits; helping the client to fill out the registration or declination form; and providing for the forwarding of forms to the Secretary of State. Agency employees are to be informed that any expression of political preference or other attempt to influence a client's registration or declination is prohibited.

Sections 36 through 41 prescribe the obligations of agencies, newly designated under the amendatory provisions of section 6 as "public agencies", to make voter registration forms available at their offices.

Section 42 authorizes suit in Superior Court by any person alleging denial, in violation of the provisions of the legislation, of an opportunity to register to vote or to remain a registered voter.

Section 43 establishes penalties applicable to election officials and others who interfere with a person's exercise under the legislation of the right to register as a voter or to vote.

Section 44 authorizes the Secretary of State to promulgate such rules and regulations as are necessary to effectuate the provisions of the legislation.

Section 45 repeals various sections of existing law.

Section 46 provides that the legislation shall take effect immediately, but remain inoperative until January 1, 1995.

COMMITTEE AMENDMENTS

The committee adopted amendments to the bill to: incorporate the provision for agreement between the Secretary of State and the U.S. Secretary of Defense to provide for registration in Armed Forces recruitment offices; add recruitment offices of the New Jersey National Guard to the category of "public agencies" (i.e., those where registration forms are available); add Armed Forces recruitment offices and offices of the commissioners of registration and municipal clerks as "voter registration agencies"; and make various technical changes.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]
ASSEMBLY, No. 2307

STATE OF NEW JERSEY

DATED: January 6, 1995

Assembly Bill No. 2307 (1R) of 1994 revises the State's procedures for the registration of voters to comply with the requirements of the federal "National Voter Registration Act (NVRA) of 1993." The general purpose of this act is to increase voter registration.

The bill permits the Secretary of State to revise the mail-in voter registration form to comply with the NVRA. The bill also expands the universe of agencies to which the Secretary of State is required to furnish mail-in voter registration forms to include: public libraries; public assistance and disability offices; military recruitment centers; and other office or commercial establishments where State permits or licenses are available to the public. The bill requires these agencies to offer to assist voters in completing voter registration or declination forms and to forward these forms to the Secretary of State.

The bill directs the Division of Motor Vehicles (DMV) in the Department of Law and Public Safety to afford persons applying for or renewing a driver's license the opportunity to register to vote. It also requires the Division of Taxation in the Department of Treasury to include a copy of the mail-in voter registration form in the pamphlet of instructions for the filing of income tax returns.

The bill permits the counties to electronically store voter information instead of maintaining registration binders. The bill requires that all voting records electronically recorded must be retained for a period of not less than six years following the election at which the vote was so recorded and cast.

The bill eliminates a statutory provision requiring an appropriation of \$100,000 to the Department of State to canvass and register voters during Presidential election years. According to the Division of Elections in the Department of State, the appropriation has not been made in the past several years.

The division proposes to establish a statewide voter registration data system to initiate the electronic transfer of voter information and improve the accuracy of voter records. This system will consist of a computer network linking county boards of elections and the DMV voter registration data base with the division.

An informal estimate by the division places the cost of implementing the total program at \$3,900,000 in the first year following enactment. This estimate includes \$40,000 for salary of one staff coordinator. This estimate also includes \$150,000 for printing costs, \$40,000 for postage, \$10,000 for training, \$1,200,000 for county board of elections computers and software, and \$2,460,000 for one-time computer programming costs. Deducting one-time costs and computer programming costs, the division estimates it will cost \$118,000 to implement data systems and procedures in the second year. This estimate includes \$40,000 for one position, \$10,000 for training, \$18,000 for computer network

maintenance, and \$50,000 for postage. The division estimates it will cost \$126,000 to implement this bill in the third year. This estimate includes \$50,000 for printing for the federal election, \$40,000 for postage, and \$36,000 for on-going computer network maintenance. The amount of this estimate for the first year would be covered by the \$4 million appropriated to the Department of State for this purpose in FY 1995.

The Office of Legislative Services (OLS) concurs with the division's estimate, but notes that the Divisions of Motor Vehicles and Taxation and the counties may incur some additional costs in complying with this bill. Information on which to base an estimate of these costs was not immediately available.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.