

# 18A:12-2.2

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 154

**NJSA:** 18A:12-2.2 (Increases voting and voter penalties)

**BILL NO:** A39 (Substituted for S2393/2462)

**SPONSOR(S):** Sires and others

**DATE INTRODUCED:** March 7, 2005

**COMMITTEE:** **ASSEMBLY:** State Government; Appropriations  
**SENATE:**

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** **ASSEMBLY:** June 20, 2005

**SENATE:** June 20, 2005

**DATE OF APPROVAL:** July 12, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (1st reprint enacted)

**A39**

[SPONSOR'S STATEMENT](#): (Begins on page 42 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes [3-7-2005 \(State Gov't\)](#)  
[6-9-2005 \(Approp.\)](#)

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**S2393/2462**

[SPONSOR'S STATEMENT \(S2393\)](#): (Begins on page 41 of original bill) [Yes](#)

[SPONSOR'S STATEMENT \(S2462\)](#): (Begins on page 4 of original bill) [Yes](#)

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

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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No

IS 8/9/07

P.L. 2005, CHAPTER 154, *approved July 12, 2005*  
Assembly, No. 39 (*First Reprint*)

1 **AN ACT** increasing criminal penalties involving elections and amending  
2 various parts of the statutory law.

3

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

6

7 1. Section 5 of P.L.1987, c.328 (C.18A:12-2.2) is amended to  
8 read as follows:

9 5. Any member of a board of education who falsely affirms or  
10 declares that he is not disqualified as a voter pursuant to R.S.19:4-1  
11 is, in addition to immediate disqualification for office, guilty of a crime  
12 of [false swearing and is subject to the penalty provided pursuant to  
13 N.J.S.2C:28-2] the <sup>1</sup>[~~third~~] fourth<sup>1</sup> degree.

14 (cf: P.L.1987, c.328, s.5)

15

16 2. Section 7 of P.L.1960, c.195 (C.19:4-4.7) is amended to read  
17 as follows:

18 7. Any person who shall make false oath or affirmation to any  
19 statement under this act, or who shall make any false statement  
20 therein, shall be [adjudged a disorderly person and shall be punishable  
21 by a fine not to exceed \$1,000.00 or by imprisonment not to exceed 1  
22 year, or both] guilty of a crime of the <sup>1</sup>[~~third~~] fourth<sup>1</sup> degree .

23 (cf: P.L.1960, c.195, s.7)

24

25 3. R.S.19:15-26 is amended to read as follows:

26 19:15-26. Every voter to whom a ballot is given shall thereupon  
27 retire into the polling booth. Not more than one voter, except as  
28 hereinafter provided, shall be permitted to enter or be in the same  
29 booth, at one time. The voter shall prepare his ballot in the booth  
30 secretly and screened from the observation of others.

31 Any person or voter who shall violate the provisions of this section  
32 shall be deemed guilty of a [misdemeanor and shall be punished by a  
33 fine not exceeding five hundred dollars or by imprisonment not  
34 exceeding one year or both at the discretion of the court] <sup>1</sup>[~~crime of~~  
35 the third degree] disorderly persons offense<sup>1</sup>.

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

37

38 4. R.S.19:17-3 is amended to read as follows:

39 19:17-3. After the district board shall have made up and certified  
40 such statements, it shall at the same time and with the ballot boxes, as

**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:**

<sup>1</sup> Assembly AAP committee amendments adopted June 9, 2005.

1 hereinafter provided, deliver or safely transmit one of the statements  
2 to the clerk of the municipality wherein such election is held, who shall  
3 forthwith file the same. In counties having a superintendent of  
4 elections one of such statements shall forthwith be filed with the  
5 superintendent of elections of the county. The superintendent may  
6 arrange to accept such certificates in such municipality within the  
7 county at the office of the clerk of such municipality or some other  
8 convenient place. Any municipal clerk who shall refuse to permit such  
9 superintendent or his deputies or assistants access to his office for the  
10 purpose of collecting such certificates or any municipal clerk or other  
11 person who shall interfere or obstruct the superintendent, his deputies  
12 or assistants in the collection of such certificates, or any member of a  
13 district board who shall willfully fail or refuse to deliver such  
14 statement to the superintendent, his deputies or assistants as the case  
15 may be, shall be guilty of a [misdemeanor] crime of the <sup>1</sup>[third]  
16 fourth<sup>1</sup> degree. In all counties the board shall, immediately after  
17 election, deliver or safely transmit another of the statements to the  
18 clerk of the county, who shall forthwith file the same.

19 For a school election a statement shall also be delivered to the  
20 board of education of the district holding the election and to the  
21 county superintendent of schools in the county in which the district is  
22 situated.

23 If officers were voted for or public questions were voted upon at  
24 the election by the voters of the entire State or of more than one  
25 county thereof, or of a congressional district, then the board shall,  
26 immediately after the election, inclose, seal up and transmit the fourth  
27 statement to the [Secretary of State] Attorney General by mail in  
28 stamped envelopes to be furnished by the [Secretary of State]  
29 Attorney General, addressing the same in the following manner: "To  
30 the [Secretary of State] Attorney General of New Jersey, Trenton,  
31 New Jersey." Upon receiving such statements the [Secretary of  
32 State] Attorney General shall forthwith file the same in his office.

33 (cf: P.L.1995, c.278, s.19)

34

35 5. R.S.19:18-1 is amended to read as follows:

36 19:18-1. As soon as the election shall be finished and the votes  
37 canvassed and the statements made and certified by the district board  
38 as herein required, all ballots which have been cast, whether the same  
39 have been canvassed and counted or rejected for any cause, and one  
40 tally sheet, spoiled and unused ballots, shall be carefully collected and  
41 deposited in the ballot box.

42 In all municipalities the signature copy registers shall not be placed  
43 in the ballot box but shall be delivered immediately by the district  
44 board to the commissioner of registration.

45 In order to carry out his duties, any superintendent of elections in  
46 counties having a superintendent of elections shall have access and be

1 permitted to inspect and examine any and all signature copy registers  
2 for said county for any election which may have been or shall be held  
3 in said county and any official or person having possession or custody  
4 of same who shall refuse to deliver said signature copy registers to the  
5 office of said superintendent of elections forthwith upon demand  
6 having been made upon him by said superintendent of elections as  
7 aforesaid shall be guilty of a ~~crime of the~~ <sup>1</sup>~~third~~  
8 ~~fourth~~<sup>1</sup> degree. Unless the said official having custody or possession  
9 of said signature copy registers shall forthwith produce the same at the  
10 office of the superintendent of elections when demanded by him so to  
11 do, the said superintendent of elections may apply to a judge of the  
12 Superior Court assigned to the county and such judge shall forthwith  
13 make an order directing the official having possession or custody of  
14 the said signature copy registers to produce them at once in the court  
15 in which said judge may be sitting, and upon their being produced said  
16 judge shall deliver the same to the superintendent of elections.

17 (cf: P.L.1991, c.91, s.244)

18

19 6. R.S.19:23-45 is amended to read as follows:

20 19:23-45. No voter shall be allowed to vote at the primary election  
21 unless his name appears in the signature copy register.

22 A voter who votes in a primary election of a political party or who  
23 signs and files with the municipal clerk or the county commissioner of  
24 registration a declaration that he desires to vote in the primary election  
25 of a political party shall be deemed to be a member of that party until  
26 he signs and files a declaration that he desires to vote in the primary  
27 election of another political party at which time he shall be deemed to  
28 be a member of such other political party. The ~~Secretary of State~~  
29 Attorney General shall cause to be prepared political party affiliation  
30 declaration forms and shall provide such forms to the commissioners  
31 of registration of the several counties and to the clerks of the  
32 municipalities within such counties.

33 No voter, except a newly registered voter at the first primary at  
34 which he is eligible to vote, or a voter who has not previously voted  
35 in a primary election, may vote in a primary election of a political party  
36 unless he was deemed to be a member of that party on the fiftieth day  
37 next preceding such primary election.

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

42 Any person voting in the primary ballot box of any political party  
43 in any primary election in contravention of the election law shall be  
44 guilty of a ~~crime of the~~ <sup>1</sup>~~third degree~~ disorderly  
45 persons offense<sup>1</sup>, and any person who aids or assists any such person  
46 in such violation by means of public proclamation or order, or by  
47 means of any public or private direction or suggestions, or by means

1 of any help or assistance or cooperation, shall likewise be guilty of a  
2 ~~[misdemeanor]~~ <sup>1</sup>~~[crime of the third degree]~~ disorderly persons  
3 offense<sup>1</sup>.

4 (cf: P.L.1977, c.97, s.1)

5

6 7. R.S.19:23-53 is amended to read as follows:

7 19:23-53. The district board shall immediately deliver or transmit  
8 this statement to the clerks of the county and municipality within  
9 which such primary election was held. In counties having a  
10 superintendent of elections one of such statements shall forthwith be  
11 filed with the superintendent of elections of the county. The  
12 superintendent may arrange to accept such certificates in each  
13 municipality within the county at the office of the clerk of such  
14 municipality or some other convenient place. Any municipal clerk  
15 who shall refuse to permit such superintendent or his deputies or  
16 assistants access to his office for the purpose of collecting such  
17 certificates or any municipal clerk or other person who shall interfere  
18 or obstruct the superintendent, his deputies or assistants in the  
19 collection of such certificates, or any member of a district board who  
20 shall willfully fail or refuse to deliver such statement to the  
21 superintendent, his deputies or assistants as the case may be, shall be  
22 guilty of a ~~[misdemeanor]~~ crime of the <sup>1</sup>~~[third]~~ fourth<sup>1</sup> degree.

23 (cf: P.L.1947, c.168, s.14)

24

25 <sup>1</sup>[8. Section 8 of P.L.1995, c.105 (C.19:27A-8) is amended to read  
26 as follows:

27 8. a. No signature appearing on any document other than a recall  
28 petition prepared in accordance with the provisions of this section  
29 shall be counted among the signatures required under section 5 of this  
30 act to determine whether a recall election shall be held.

31 b. A recall petition shall be prepared by the recall committee in  
32 accordance with a format, consistent with the provisions of this act,  
33 which shall have been approved for such purpose by the Secretary of  
34 State. A petition may consist of any number of separate sections  
35 which shall be identical except with respect to information required to  
36 be entered thereon by the signers and circulators and as otherwise  
37 provided herein. The size of the paper used in a recall petition and the  
38 number of pages included in each section thereof shall be determined  
39 by the recall committee. The back and the front of a piece of paper  
40 shall each constitute a page and signatures may be affixed to each such  
41 page.

42 c. Each page of each section of a recall petition shall be  
43 sequentially numbered and shall include, printed in bold letters in at  
44 least 10-point type, the heading "PETITION FOR THE RECALL OF  
45 (name of the official sought to be recalled) FROM THE OFFICE OF  
46 (name of the office)" and, where appropriate, the information required

1 by subsection e. of this section. The first page of each section also  
2 shall bear, in type of uniform size but not less than 8-point type, (1)  
3 the information contained in the notice of intention, including any cost  
4 estimate prepared and the statement of the reasons for the recall, if one  
5 was provided, or a declaration that no such statement of reasons was  
6 provided, except that information on only three members of the recall  
7 committee need be listed; and (2) a copy of the answer provided by the  
8 official sought to be recalled, if one was provided, or a declaration that  
9 no such answer was provided, except that no such answer or  
10 declaration shall be included if a statement of the reasons for the recall  
11 was not provided.

12 d. Each page of a recall petition shall be arranged so that each  
13 signer of the petition shall personally affix the signer's signature;  
14 printed name and residence address, including street and number, or  
15 a designation of residence which is adequate to readily determine  
16 location; the municipality of residence; and the date on which the  
17 signer signed the petition. A space at least one inch wide shall be left  
18 blank after each name for use in verifying signatures when appropriate,  
19 as provided by this act. A box shall be provided after each name for  
20 the signer to indicate that the signer has had the opportunity to review  
21 the information on the first page of that section of the petition.

22 e. (1) Whenever the official sought to be recalled is the Governor  
23 or a United States Senator, separate sections of the petition shall be  
24 prepared for use by signers registered to vote in each county. Each  
25 page of a section shall bear in not less than 10-point type the name of  
26 the county in which that section is to be used and the statement, "Only  
27 eligible persons residing in ..... (name of county) County shall sign  
28 this page." A signer shall not affix the signer's signature to any page  
29 of any section unless it bears the name of the county in which the  
30 signer is registered to vote.

31 (2) Whenever the official sought to be recalled is a member of the  
32 Legislature or a member of the United States House of  
33 Representatives and the official's jurisdiction includes parts of more  
34 than one county, separate sections of the petition shall be prepared for  
35 use by signers registered to vote in each county included within the  
36 member's jurisdiction. Each page of a section shall bear in not less  
37 than 10-point type the name of the county in which that section is to  
38 be used and the statement, "Only eligible persons residing in (name of  
39 county) County shall sign this page." A signer shall not affix the  
40 signer's signature to any page of any section unless it bears the name  
41 of the county in which the signer is registered to vote.

42 (3) The signature of any person to a page of a recall petition  
43 bearing the name of a county in which the person is not registered to  
44 vote shall be invalid, but the invalidity of such a signature shall not  
45 invalidate or otherwise impair the section wherein or page whereon  
46 that signature appears, nor shall it invalidate or otherwise impair any

1 other signature to that or any other section of the petition.

2 f. Prior to use, the sections of a recall petition shall be reviewed by  
3 the recall election official for compliance with the provisions of this  
4 act. The recall election official shall complete the review of the  
5 petition within three business days of receipt. No section of a recall  
6 petition shall be used to solicit signatures unless it has been so  
7 approved and a statement of such approval, signed by the recall  
8 election official, has been printed on the first page of that section.

9 g. No obstruction shall be placed over any portion of a page of a  
10 petition section at the time that page is presented to a voter to be  
11 signed.

12 h. Every member of a recall committee circulating a recall petition  
13 and every circulator of that petition shall sign the petition. If any  
14 member of the committee shall fail to sign the petition, the petition  
15 shall be deemed void. In the event that the signature to the petition of  
16 a member of the recall committee shall be deemed invalid, then  
17 notwithstanding the provisions of subsection e. of this section, the  
18 petition shall be deemed void.

19 i. If a solicitation for signatures to a recall petition is presented to  
20 prospective petition signers by a paid print advertisement or paid  
21 mailing, or if a recall petition is presented to such a prospective signer  
22 by a paid circulator, the solicitation or petition, respectively, shall  
23 disclose prominently in a statement printed in at least 10-point type (1)  
24 the identity of the person paying for the printed or personal  
25 solicitation, and (2) that the circulator is paid. The Election Law  
26 Enforcement Commission shall promulgate such rules and regulations  
27 as are necessary to implement the provisions and effectuate the  
28 purposes of this subsection.

29 j. No person who is ineligible to sign a recall petition shall, with  
30 knowledge of that ineligibility, sign such a petition. No person shall  
31 offer to pay or pay another to sign or to refrain from signing a recall  
32 petition or to vote or to refrain from voting in a recall election. A  
33 person who violates any of the foregoing provisions of this subsection  
34 is guilty of a crime of the ~~fourth~~ third degree.]<sup>1</sup>  
35 (cf: P.L.1995, c.105, s.8)

36

37 <sup>1</sup>[9. Section 1 of P.L.1994, c.148 (C.19:31-3.2) is amended to  
38 read as follows:

39 1. a. A person who is (1) a victim of domestic violence who has  
40 obtained a permanent restraining order against a defendant pursuant  
41 to section 13 of the "Prevention of Domestic Violence Act of 1991,"  
42 P.L.1991, c.261 (C.2C:25-29) and fears further violent acts by the  
43 defendant, or (2) a victim of stalking, or member of the immediate  
44 family of such a victim as defined by paragraph (3) of subsection a. of  
45 section 1 of P.L.1992, c.209 (C.2C:12-10), who is protected under the  
46 terms of a permanent restraining order issued pursuant to section 3 of



1 P.L.1996, c.39 (C.2C:12-10.1) and who fears death or bodily injury  
 2 from the defendant against whom that order was issued, shall be  
 3 allowed to register to vote without disclosing the person's street  
 4 address. Such a person shall leave the space for a street address on  
 5 the original permanent registration form blank and shall, instead,  
 6 attach to the form a copy of the permanent restraining order and a  
 7 note which indicates that the person fears future violent acts by the  
 8 defendant and which contains a mailing address, post office box or  
 9 other contact point where mail can be received by the person. Upon  
 10 receipt of the person's voter registration form, the commissioner of  
 11 registration in all counties having a superintendent of elections, and  
 12 the county board of elections in all other counties, shall provide the  
 13 person with a map of the municipality in which the person resides  
 14 which shows the various voting districts. The person shall indicate to  
 15 the commissioner or board, as appropriate, the voting district in which  
 16 the person resides and shall be permitted to vote at the polling place  
 17 for that district. If such a person thereafter changes residences, the  
 18 person shall so inform the commissioner or board by completing a new  
 19 permanent registration form in the manner described above.

20 b. Any person who makes public any information which has been  
 21 provided by a victim of domestic violence, or by a victim of stalking  
 22 or the family member of such a victim, pursuant to subsection a. of this  
 23 section concerning the mailing address, post office box or other  
 24 contact point of the victim or family member or the election district in  
 25 which the victim or family member resides is guilty of a crime of the  
 26 ~~fourth~~ third degree.<sup>1</sup>

27 (cf: P.L.2001, c.177, s.2)

28

29 <sup>1</sup>~~[10.]~~ §.<sup>1</sup> Section 16 of P.L.1974, c.30 (C.19:31-6.4) is amended  
 30 to read as follows:

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

35

36 VOTER REGISTRATION APPLICATION

37

38 Print clearly in ink. Use ballpoint pen or marker.

39

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

41

42  New registration

43

44  Address change

45

46  Name change

1 (2) Name:.....

2

3 Last First Middle

4

5 (3) Are you a citizen of the United States of America?  Yes  No

6 (4) Will you be 18 years of age on or before election day?  Yes

7 No

8 If you checked 'No' in response to either of these questions, do not  
9 complete this form.

10

11 (5) Street Address where you live:

12

13 .....

14

15 Street Address Apt. No.

16

17 .....

18

19 (6) City or Town County Zip Code

20

21 (7) Address Where You Receive Your Mail (if different from  
22 above):

23

24 .....

25

26 (8) Date of Birth:

27

28 .....

29

30 Month Day Year

31

32 (9) Telephone Number (optional) .....

33

34 (10) Name and address of Your Last Voter Registration

35

36 .....

37

38 .....

39

40 .....

41

42 (11) If you are registering by mail to vote and will be voting for the  
43 first time in your current county of residence, please provide one of  
44 the following:

45 (a) your New Jersey driver's license number:.....

46 (b) the last four digits of your Social Security

1 Number.....

2 OR submit with this form a copy of any one of the following  
3 documents: a current and valid photo identification card; a current  
4 utility bill, bank statement, government check, pay check or any other  
5 government or other identifying document that shows your name and  
6 current address. If you do not provide either your New Jersey driver's  
7 license number or the last four digits of your Social Security Number,  
8 or enclose a copy of one of the documents listed above, you will be  
9 asked for identification when voting for the first time, unless you are  
10 exempt from doing so under federal or State law.

11

12 (12) Declaration - I swear or affirm that:

13

14 I am a U.S. citizen.

15

16 I live at the above address.

17

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

20

21 I am not on parole, probation or serving a sentence due to a  
22 conviction for an indictable offense under any federal or State laws.

23

24 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
25 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
26 ~~[\$1,000.00]~~ \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR  
27 BOTH PURSUANT TO R.S.19:34-1.

28

29 .....

30

31 Signature or mark of the registrant                      Date

32

33 (13) If applicant is unable to complete this form, print the name and  
34 address of individual who completed this form.

35

36 .....

37

38 Name

39

40 .....

41

42 Address

43

44 In addition, the form may include notice to the applicant of  
45 information and options relating to the registration and voting process,  
46 including but not limited to notice of qualifications required of a

1 registered voter; notice of the final day by which a person must be  
2 registered to be eligible to vote in an election; notice of the effect of  
3 a failure to provide required identification information; a place at  
4 which the applicant may indicate availability for service as a member  
5 of the district board of elections; a place at which the applicant may  
6 indicate whether he or she requires a polling place which is accessible  
7 to elderly and physically disabled voters or whether he or she is legally  
8 blind; and a place at which the applicant may indicate a desire to  
9 receive information concerning absentee voting. The form may also  
10 include a space for the voter registration agency to record whether the  
11 applicant registered in person, by mail or by other means.

12 b. The reverse side of the registration form shall bear the address  
13 of the Attorney General or the commissioner of registration to whom  
14 such form is supplied, and a United States postal permit the charges  
15 upon which shall be paid by the State.

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

23 d. The commissioner of registration shall furnish such registration  
24 forms upon request in person to any person or organization in such  
25 reasonable quantities as such person or organization shall request.  
26 The commissioner shall furnish no fewer than two such forms to any  
27 person upon request by mail or by telephone.

28 e. Each such registration form shall have annexed thereto  
29 instructions specifying the manner and method of registration and  
30 stating the qualifications for an eligible voter.

31 f. The Attorney General shall also furnish such registration forms  
32 and such instructions to the Director of the Division of Worker's  
33 Compensation, the Director of the Division of Employment Services,  
34 and the Director of the Division of Unemployment and Temporary  
35 Disability Insurance in the Department of Labor and Workforce  
36 Development; to the Director of the Division of Taxation in the  
37 Department of the Treasury; to the Executive Director of the New  
38 Jersey Transit Corporation; to the appropriate administrative officer  
39 of any other public agency, as defined by subsection a. of section 15  
40 of P.L.1974, c.30 (C.19:31-6.3); to the Adjutant General of the  
41 Department of Military and Veterans' Affairs; and to the chief  
42 administrative officer of any voter registration agency, as defined in  
43 subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11).

44 g. All registration forms received by the Attorney General in the  
45 mail or forwarded to the Attorney General shall be forwarded to the  
46 commissioner of registration in the county of the registrant.

1 h. An application to register to vote received from the New Jersey  
2 Motor Vehicle Commission or a voter registration agency, as defined  
3 in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), shall  
4 be deemed to have been timely made for the purpose of qualifying an  
5 eligible applicant as registered to vote in an election if the date on  
6 which the commission or agency shall have received that document in  
7 completed form, as indicated in the lower right hand corner of the  
8 form, was not later than the 29th day preceding that election.

9 i. Each commissioner of registration shall make note in the  
10 permanent registration file of each voter who is required to provide the  
11 personal identification information required pursuant to this section,  
12 as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-252 (42  
13 U.S.C. 15301 et seq.), to indicate the type of identification provided  
14 by the voter and the date on which it is provided. Prior to the June  
15 2004 primary election, when such a newly registered voter seeks to  
16 vote for the first time following his or her registration, the voter will  
17 be required to provide such personal identification information.  
18 Beginning with the June 2004 primary election, when such a newly  
19 registered voter seeks to vote for the first time following his or her  
20 registration, the voter will not be required to provide such information  
21 if he or she had previously provided the personal identification  
22 information required pursuant to this section. The required  
23 information shall be collected and stored for the time and in the  
24 manner required pursuant to regulations promulgated by the Attorney  
25 General.

26 j. The Attorney General shall amend the voter registration  
27 application form if necessary to conform to the requirements of  
28 applicable federal or state law.

29 (cf: P.L.2004, c.88, s.12)

30  
31 <sup>1</sup>[11.] 9.<sup>1</sup> Section 2 of P.L.1944, c.230 (C.19:31A-8) is amended  
32 to read as follows:

33 2. Every person qualified to vote in any election shall at any time  
34 after the opening of the polls be at liberty to enter the polling place or  
35 room and claim his right to vote at such election in his proper district,  
36 and he shall claim such right in person before the district board in the  
37 district. The board shall permit no person to vote whose name does  
38 not appear in the signature copy register of its election district. Each  
39 voter in claiming the right to vote shall first give his full name and  
40 address to the member of the district board having charge of the  
41 duplicate permanent registration binder and voting record and the  
42 signature comparison record. Such clerk shall thereupon locate the  
43 permanent registration form and voting record and signature  
44 comparison record of the voter and shall require the voter to  
45 thereupon sign his name in the proper space on his signature  
46 comparison record if the voter has previously signed his name on the

1 line marked sample signature. If the voter has not so signed the  
2 member of the district board shall require the voter to sign the line  
3 marked sample signature and compare the sample signature with the  
4 signature made by such person at the time he registered and if satisfied  
5 that they were made by one and the same person he shall then permit  
6 the voter to sign his name in the proper space on the signature  
7 comparison record. The voter shall sign his name without assistance  
8 using black ink in the proper column on the signature comparison  
9 record. Such signature being completed on the signature comparison  
10 record the member of the board having charge of the duplicate  
11 permanent registration binder shall audibly and publicly announce the  
12 name of the claimant and if the member of the board has ascertained  
13 from the duplicate permanent registration binder that the claimant is  
14 registered as a qualified voter and upon comparison the member of the  
15 board is satisfied that the signature of the claimant and the sample  
16 signature on the signature copy register has been made by one and the  
17 same person, the member of the board who compared the signature of  
18 the voter shall place his initials in the proper column on the signature  
19 comparison record signifying that he has made such comparison and  
20 is satisfied that the signature of the claimant and sample signature has  
21 been made by one and the same person; whereupon the voter shall be  
22 eligible to receive a ballot unless it be shown to the satisfaction of a  
23 majority of the members of the district board that he is not entitled to  
24 vote in the district or has otherwise become disqualified.

25 In addition to signing the signature comparison record and after the  
26 comparison of the signature with the signature in the register, a person  
27 offering to vote at a primary election for the general election shall  
28 announce his name and the party primary in which he wishes to vote.

29 After a person has voted, the member of the district board having  
30 charge of the signature copy register shall place the number of the  
31 person's ballot in the proper column on the record of voting form of  
32 such person, which number shall constitute a record that the person  
33 has voted. In the case of a primary election for the general election  
34 such member of the district board shall also place in the proper column  
35 on the record of voting form the first three letters of the name of the  
36 political party whose primary ballot such person has voted.

37 No person shall be required to sign the signature comparison record  
38 as a means of identification if he shall have been unable to write his  
39 name when he registered, or if, having been able to write his name  
40 when registered, he subsequently shall have lost his sight or lost the  
41 hand with which he was accustomed to write or shall by reason of  
42 disease or accident be unable to write his name when he applies to  
43 vote, but each such person who alleges his inability to sign his name  
44 on the signature comparison record shall establish his identity as  
45 follows: one of the members of the district board shall read the same  
46 list of questions to the voter as were required upon registration, such

1 questions shall be provided at each election by the commissioner of  
2 registration and are to be known as "identification statements for  
3 election day." The member of the board shall write the answers of the  
4 voter upon the identification statement. These statements shall be  
5 inserted in the front of the duplicate registry binders, at each election,  
6 and shall be numbered serially from one to twenty.

7 Each statement shall contain the same questions as the voter was  
8 required to answer upon registration. The questions answered upon  
9 registration shall not be turned to or inspected until the answers to the  
10 questions shall have been written on election day by the member of the  
11 board.

12 At the end of each list of questions shall be printed the following  
13 statement: "I certify that I have read to the above named voter each  
14 of the foregoing questions and that I have duly recorded his answers  
15 as above to each of said questions"; and the member of the board who  
16 has made the above record shall sign his name to such certificate and  
17 date the same, and note the time of day of making such record. If the  
18 answers to the questions asked of the voter on election day agree with  
19 the answers given by him to the same questions at the time he  
20 registered, he shall then be eligible to receive a ballot. Any person  
21 who shall permit or attempt to furnish the answers on behalf of the  
22 voter shall be guilty of a ~~[misdemeanor]~~ crime of the 1<sup>st</sup> [third] fourth<sup>1</sup>  
23 degree. The commissioner of registration shall furnish sufficient  
24 identification statements for each election district in each county. The  
25 statements shall be printed on sheets approximately ten by sixteen  
26 inches and shall contain a margin of approximately two inches for  
27 binding and shall be inserted in the front of the duplicate registry  
28 binders each election and shall be in substantially the following form:  
29 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

30 At any election any person who declares under oath and establishes  
31 to the satisfaction of a majority of all the members of the district  
32 board, that by reason of an inability to read or write, blindness or other  
33 physical disability he is unable to mark his ballot without assistance,  
34 shall have the assistance of two members of the board who shall not  
35 be members of the same political party, to be assigned by the board,  
36 in preparing his ballot. Such members shall retire with such voter to  
37 the booth and assist him in the preparation of his ballot and folding the  
38 same. The member acting as clerk of the district board shall make an  
39 entry on a disability certificate for assistance, which entry shall be in  
40 the form of an oath and be inserted in the front of the duplicate  
41 registry binders each election.

42 In every instance when such oath was administered to a voter as  
43 herein provided, it shall state briefly what facts were sworn to and the  
44 names of the members of the board who aided such voter. Any  
45 members of the district board shall be eligible to witness the  
46 preparation of the ballot of any such voter, but no other person shall

1 be allowed to assist him in marking his ballot or to witness the marking  
2 of the same. No member of the board shall reveal the name of any  
3 person for whom such voter has voted or anything that took place  
4 while he was being assisted.

5 Such voter, if blind, disabled, or unable to read or write, may, in  
6 lieu of the assistance of the board as above provided, have assistance  
7 of some person of his own selection in preparing his ballot. Such  
8 person shall retire with such voter to the booth and assist him in the  
9 preparation of his ballot and folding the same. The name and address  
10 of such person shall be recorded as above. In such case, no other  
11 person than the one so selected by the voter shall be allowed to assist  
12 such voter in marking his ballot or witness the marking of the same.  
13 No person so selected shall reveal the name of any person for whom  
14 such voter has voted or anything that took place while he was being  
15 assisted.

16 The disability certificates shall be numbered serially one to twenty.  
17 The commissioner of registration shall furnish sufficient disability  
18 certificates for assistance for each election district in his county. The  
19 disability certificates for assistance shall be printed on sheets  
20 approximately ten by sixteen inches and shall contain a margin of  
21 approximately two inches for binding and shall be in substantially the  
22 following form:

23 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

24 The commissioner of registration in each county shall furnish  
25 sufficient certificates of signature comparison records for each election  
26 district in his county to be filled in and signed at the close of the polls  
27 by the members of the district board. A blank space shall also be  
28 provided for on the certificate for the signatures of the members of the  
29 election board. Under said certificate there shall also be printed the  
30 word "Remarks" together with a number of blank lines. The  
31 commissioner shall insert one of such certificates in the front of the  
32 signature copy register in each election district in the county. At  
33 primary elections the certificate shall be in substantially the following  
34 form:

35 PRIMARY ELECTION  
36 CERTIFICATION OF SIGNATURE COMPARISON RECORD

37 The undersigned constituting the district board of election in the  
38 County of ..... in the  
39 .....

40 (City, Town, Township, Borough or Village)  
41 ..... Ward .....

42 District hereby  
43 certify that (.....) is the correct  
44 total of the

45 (Figures)  
46 number of names of voters who actually signed the signature



1 comparison records and voted in the DEMOCRATIC PRIMARY  
2 ELECTION held on the  
3 ..... day of ..... 194... .

4 And hereby certify that (.....) is the correct total of the  
5 number of

6 (Figures)  
7 names of voters who actually signed the signature comparison records  
8 and voted in the REPUBLICAN PRIMARY ELECTION held on the  
9 ..... day of ....., 194... .

10

11 DISTRICT

12 .....Judge .....  
13 Clerk.

14

15 BOARD OF

16 .....Inspector ..... Clerk.

17

18 ELECTION

19 Remarks:.....  
20 .....  
21 .....  
22 .....  
23 .....  
24 .....

25 At all other elections the certificates shall be in substantially the  
26 following form:

27

28 CERTIFICATION OF SIGNATURE COMPARISON RECORD

29 The undersigned constituting the district board of election in the  
30 County of ..... in the  
31 .....

32 (City, Town, Township, Borough or Village)

33 ..... Ward .....

34 District hereby

35 certify that (.....) is the correct  
36 total of the

37 (Figures)

38 number of names of voters who actually signed the signature  
39 comparison records and voted in the  
40 .....election held on  
41 the (General, Special or other Election as the case may be)  
42 ..... day of ....., 194..... .

43

44 DISTRICT

45 ..... Judge ..... Clerk.

1                                   BOARD OF  
2 .....Inspector ..... Clerk.  
3 ELECTION  
4 Remarks:.....  
5 .....  
6 .....  
7 .....  
8 .....  
9 .....  
10 .....  
11 .....

12       After each election the commissioner of registration shall remove  
13 from the binders the identification statements, the disability certificates  
14 for assistance, and certifications of signature comparison records and  
15 shall preserve them in his office in a suitable place for a period of two  
16 years.  
17 (cf: P.L.1996, c.120, s.6)

18  
19       <sup>1</sup>[12.] 10.<sup>1</sup> R.S.19:32-5 is amended to read as follows:  
20       19:32-5. Such superintendents and their assistants, in order to  
21 enforce the laws of this state regarding the conduct of elections, shall  
22 investigate all complaints relating to the registration of voters, and for  
23 that purpose the superintendents and their assistants shall have full  
24 power and authority to visit and inspect any house, dwelling, building,  
25 inn, lodging house or hotel and interrogate any inmate, house-dweller,  
26 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
27 to any person or persons residing or claiming to reside therein or  
28 thereat; to inspect and copy any books, records, papers or documents  
29 relating to or affecting the elections, either general, special, primary  
30 or municipal, or the registration of voters in the custody and control  
31 of district boards, county boards, or the clerks or other officers of  
32 municipalities; to require every lodging-house keeper, landlord or  
33 proprietor to exhibit his register of lodgers therein at any time to the  
34 superintendent, his subordinates or any other person so designated by  
35 such superintendent.

36       Any person who neglects or refuses to furnish any information  
37 required or authorized by this title, or to exhibit the records, papers,  
38 or documents herein authorized to be inspected, or which are required  
39 to be exhibited, shall be guilty of a [~~misdemeanor~~] crime of the  
40 <sup>1</sup>[~~third~~] fourth<sup>1</sup> degree.  
41 (cf: R.S.19:32-5)

42  
43       <sup>1</sup>[13.] 11.<sup>1</sup> R.S.19:32-6 is amended to read as follows:  
44       19:32-6 The superintendent shall have power to issue subpoenas  
45 for the purpose of investigating any complaint of violation of the  
46 election laws of the state, such subpoenas to be issued in the name of

1 the superintendent and for the purpose of aiding him in enforcing the  
2 provisions of the election laws. He may in proper cases issue  
3 subpoenas duces tecum. A subpoena issued by the superintendent may  
4 be served by any peace officer or any other person designated by him  
5 for that purpose.

6 A person who shall omit, neglect or refuse to obey a subpoena  
7 attested in the name of the superintendent and made returnable by him  
8 or who shall refuse to testify under oath before such superintendent  
9 shall be guilty of a [~~misdemeanor and punished accordingly~~] crime of  
10 the <sup>1</sup>[~~third~~] fourth<sup>1</sup> degree.

11 A person who shall make any false statement under oath before the  
12 superintendent shall be guilty of a [~~misdemeanor and punished~~  
13 ~~accordingly~~] crime of the <sup>1</sup>[~~third~~] fourth<sup>1</sup> degree.

14 (cf: R.S.19:32-6)

15

16 <sup>1</sup>[~~14.~~] 12.<sup>1</sup> R.S.19:32-8 is amended to read as follows:

17 19:32-8. When directed by the superintendent every landlord,  
18 proprietor, lessee or keeper of a lodging house, inn or hotel, shall keep  
19 a register in which shall be entered the names and residences, the date  
20 of arrival and departure of his guests, and the room, rooms or bed  
21 occupied by them. This register shall be arranged so that there shall  
22 be a space on the same line in which each [~~male~~] guest or [~~male~~]  
23 lodger shall sign his name.

24 Such landlord, proprietor, lessee or keeper shall make a sworn  
25 report upon a blank to be prepared and furnished by the  
26 superintendent thirty days before the election next ensuing to such  
27 superintendent, containing a detailed description of the premises so  
28 used and occupied as a lodging house, inn or hotel, including the size  
29 and character of building, and in case only part of a building is so  
30 used, a statement as to what part, and the names of the lodgers  
31 therein, and all the employees, and all other persons living therein,  
32 including the landlord, proprietor, lessee or keeper, and members of  
33 his family, who claim a voting residence at or in such lodging house,  
34 inn or hotel, together with the length of time they have been regularly  
35 lodged or lived therein, the beginning of such residence, the color,  
36 approximate age, height, weight, whereby the persons may be  
37 identified, the nationality, the occupation and place of business of  
38 such persons, and the room occupied by each person, and whether the  
39 person is a guest, landlord, proprietor, lessee or keeper, and the  
40 signature of each person. Above the space reserved for the signature  
41 of each such person shall be printed the following words, "the  
42 foregoing statements are true." In the form of affidavit, which shall  
43 be sworn to by the landlord, proprietor, lessee or keeper of such  
44 lodging house, inn or hotel, shall be included the statement that the  
45 signatures of the guests or lodgers certified to in such report were  
46 written in the presence of such landlord, proprietor, lessee or keeper,

1 and that he personally knows them to be the persons therein  
2 described.

3 To the end that the sworn report herein shall truly set forth the facts  
4 therein stated, such landlord, proprietor, lessee or keeper shall  
5 question each male person lodging or living in the lodging house, inn  
6 or hotel, as to his intention of claiming such place as a voting  
7 residence, and the person shall thereupon declare his intention thereof,  
8 and if he shall claim the place as his voting residence, he shall give to  
9 such landlord, proprietor, lessee or keeper such facts regarding  
10 himself as are required to be incorporated in the sworn report herein  
11 provided for. Such report and affidavit shall be filed personally by the  
12 landlord, proprietor, lessee or keeper with the superintendent at his  
13 office.

14 Any such landlord, proprietor, lessee or keeper or any lodger who  
15 shall violate this section shall be deemed guilty of a [misdemeanor]  
16 crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

17 (cf: R.S.19:32-8)

18

19 <sup>1</sup>[15.] 13.<sup>1</sup> R.S.19:32-12 is amended to read as follows:

20 19:32-12. Any person preventing, hindering or interfering with the  
21 said superintendent or his chief deputy or assistants in sealing such  
22 ballot box or boxes or bag or bags shall be guilty of a [misdemeanor,  
23 and shall be punished by imprisonment for a term not exceeding three  
24 years, or by the payment of a fine not exceeding one thousand dollars,  
25 or both] crime of the third degree.

26 (cf: R.S.19:32-12)

27

28 <sup>1</sup>[16.] 14.<sup>1</sup> R.S.19:32-13 is amended to read as follows:

29 19:32-13. Any person who destroys, defaces or removes, or  
30 attempts to destroy, deface or remove, such a seal shall be guilty of a  
31 [misdemeanor, and shall be punished by imprisonment for a term not  
32 exceeding three years, or by the payment of a fine not exceeding one  
33 thousand dollars, or both] crime of the third degree.

34 (cf: R.S.19:32-13)

35

36 <sup>1</sup>[17.] 15.<sup>1</sup> Section 5 of P.L.1947, c.167 (C.19:32-30) is amended  
37 to read as follows:

38 5. Such superintendents and their assistants, in order to enforce the  
39 laws of this State regarding the conduct of elections, shall investigate  
40 all complaints relating to the registration of voters, and for that  
41 purpose the superintendents and their assistants shall have full power  
42 and authority to visit and inspect any house, dwelling, building, inn,  
43 lodging house or hotel and interrogate any inmate, house-dweller,  
44 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
45 to any person or persons residing or claiming to reside therein or

1 thereat; to inspect and copy any books, records, papers or documents  
2 relating to or affecting the elections, either general, special, primary  
3 or municipal, or the registration of voters in the custody and control  
4 of district boards, county boards, or the clerks or other officers of  
5 municipalities; to require every lodging-house keeper, landlord or  
6 proprietor to exhibit his register of lodges therein at any time to the  
7 superintendent, his subordinates or any other person so designated by  
8 such superintendent.

9 Any person who neglects or refuses to furnish any information  
10 required or authorized by this Title, or to exhibit the records, papers,  
11 or documents herein authorized to be inspected, or which are required  
12 to be exhibited, shall be guilty of a [misdemeanor] <sup>1</sup>[crime of the  
13 third degree] disorderly persons offense<sup>1</sup>.

14 (cf: P.L.1947, c.167, s.5)

15  
16 <sup>1</sup>[18.] 16.<sup>1</sup> Section 6 of P.L.1947, c.167 (C.19:32-31) is amended  
17 to read as follows:

18 6. The superintendent shall have power to issue subpoenas for the  
19 purpose of investigating any complaint of violation of the election laws  
20 of the State, such subpoenas to be issued in the name of the  
21 superintendent and for the purpose of aiding him in enforcing the  
22 provisions of the election laws. He may in proper cases issue  
23 subpoenas duces tecum. A subpoena issued by the superintendent may  
24 be served by any peace officer or any other person designated by him  
25 for that purpose.

26 A person who shall omit, neglect or refuse to obey a subpoena  
27 attested in the name of the superintendent and made returnable by him  
28 or who shall refuse to testify under oath before such superintendent  
29 shall be guilty of a [misdemeanor and punished accordingly] crime of  
30 the <sup>1</sup>[third] fourth<sup>1</sup> degree.

31 A person who shall make any false statement under oath before the  
32 superintendent shall be guilty of a [misdemeanor and punished  
33 accordingly] crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

34 (cf: P.L.1947, c.167, s.6)

35  
36 <sup>1</sup>[19.] 17.<sup>1</sup> Section 8 of P.L.1947, c.167 (C.19:32-33) is amended  
37 to read as follows:

38 8. When directed by the superintendent, every landlord, proprietor,  
39 lessee or keeper of a lodging house, inn or hotel shall keep a register  
40 in which shall be entered the names and residences, the date of arrival  
41 and departure of his guests, and the room, rooms or bed occupied by  
42 them. This register shall be arranged so that there shall be a space on  
43 the same line in which each male guest or male lodger shall sign his  
44 name.

45 Such landlord, proprietor, lessee or keeper shall make a sworn  
46 report upon a blank to be prepared and furnished by the

1 superintendent thirty days before the election next ensuing to such  
2 superintendent, containing a detailed description of the premises so  
3 used and occupied as a lodging house, inn or hotel, including the size  
4 and character of building, and in case only part of a building is so  
5 used, a statement as to what part, and the names of the lodgers  
6 therein, and all the employees, and all other persons living therein,  
7 including the landlord, proprietor, lessee or keeper, and members of  
8 his family, who claim a voting residence at or in such lodging house,  
9 inn or hotel, together with the length of time they have been regularly  
10 lodged or lived therein, the beginning of such residence, the color,  
11 approximate age, height, weight, whereby the persons may be  
12 identified, the nationality, the occupation and place of business of  
13 such persons, and the room occupied by each person, and whether the  
14 person is a guest, landlord, proprietor, lessee or keeper, and the  
15 signature of each person. Above the space reserved for the signature  
16 of each such person shall be printed the following words, "the  
17 foregoing statements are true." In the form of affidavit, which shall  
18 be sworn to by the landlord, proprietor, lessee or keeper of such  
19 lodging house, inn or hotel, shall be included the statement that the  
20 signatures of the guests or lodgers certified to in such report were  
21 written in the presence of such landlord, proprietor, lessee or keeper,  
22 and that he personally knows them to be the persons therein  
23 described.

24 To the end that the sworn report herein required shall truly set forth  
25 the facts therein stated, such landlord, proprietor, lessee or keeper  
26 shall question each male person lodging or living in the lodging house,  
27 inn or hotel as to his intention of claiming such place as a voting  
28 residence, and the person shall thereupon declare his intention thereof,  
29 and if he shall claim the place as his voting residence he shall give to  
30 such landlord, proprietor, lessee or keeper such facts regarding himself  
31 as are required to be incorporated in the sworn report herein provided  
32 for. Such report and affidavit shall be filed personally by the landlord,  
33 proprietor, lessee or keeper with the superintendent at his office.

34 Any such landlord, proprietor, lessee or keeper or any lodger who  
35 shall violate this section shall be deemed guilty of a [misdemeanor]  
36 crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.  
37 (cf: P.L.1947, c.167, s.8)

38  
39 <sup>1</sup>[20.] 18.<sup>1</sup> Section 10 of P.L.1947, c.167 (C.19:32-35) is  
40 amended to read as follows:

41 10. Any person preventing, hindering or interfering with the said  
42 superintendent or his chief deputy or assistants in sealing such ballot  
43 box or boxes or bag or bags shall be guilty of a [misdemeanor, and  
44 shall be punished by imprisonment for a term not exceeding three  
45 years, or by the payment of a fine not exceeding one thousand dollars

1 (\$1,000.00), or both] crime of the third degree.

2 (cf: P.L.1947, c.167, s.10)

3

4 <sup>1</sup>[21.] 19.<sup>1</sup> Section 11 of P.L.1947, c.167 (C.19:32-36) is amended  
5 to read as follows:

6 11. Any person who destroys, defaces or removes, or attempts to  
7 destroy, deface or remove, such a seal shall be guilty of a  
8 [misdemeanor, and shall be punished by imprisonment for a term not  
9 exceeding three years, or by the payment of a fine not exceeding one  
10 thousand dollars (\$1,000.00), or both] crime of the third degree.

11 (cf: P.L.1947, c.167, s.11)

12

13 <sup>1</sup>[22.] 20.<sup>1</sup> R.S.19:34-1 is amended to read as follows:

14 19:34-1. If any member of the district board shall willfully refuse  
15 to enter in the canvassing books or upon the registers the name of any  
16 person legally entitled to vote, or shall register the name of any person  
17 contrary to the provisions of this title, such member shall be  
18 [punished by a fine not exceeding one thousand dollars, or by  
19 imprisonment not exceeding two years, or both] guilty of a crime of  
20 the third degree.

21 Any person who shall cause or procure his name to be registered in  
22 more than one election district, or shall cause or procure his name or  
23 that of any other person to be registered, knowing that he or such  
24 other person is not entitled to vote in the election district wherein  
25 such registry is made at the next election to be held therein, shall be  
26 punished for each such offense [by a fine not exceeding one thousand  
27 dollars, or imprisonment for a term not exceeding five years, or both]  
28 guilty of a crime of the third degree.

29 No district board shall execute or deliver to any voter any paper in  
30 the nature of a transfer, purporting to authorize him to vote in any  
31 other election district unless he is actually registered as now provided  
32 by law.

33 Any officer or employee who shall willfully fail to perform or  
34 enforce any of the provisions of this title or who shall unlawfully or  
35 fraudulently remove any registration records, or who shall willfully  
36 destroy any record directed by this title to be kept, or any person who  
37 shall willfully or fraudulently register more than once, or register under  
38 any but his true name, or attempt to vote by impersonating another  
39 who is registered, or who willfully registers in any election district  
40 where he is not a resident at the time of registering, or who violates  
41 any of the provisions of this title, shall be guilty of a [misdemeanor]  
42 crime of the third degree.

43 (cf: R.S.19:34-1)

44

45 <sup>1</sup>[23.] 21.<sup>1</sup> Section 43 of P.L.1994, c.182 (C.19:34-1.1) is

1 amended to read as follows:

2 43. a. Any person, other than an election official, who:

3 (1) knowingly and willfully intimidates, threatens or coerces, or  
4 attempts to intimidate, threaten or coerce, any person for registering  
5 to vote, voting or attempting to register to vote or vote, urging or  
6 aiding any person to register to vote, to vote or to attempt to register  
7 or vote or exercising any right under the provisions of P.L.1994, c.182  
8 (C.19:31-6.11 et al.); or

9 (2) knowingly and willfully deprives, defrauds or attempts to  
10 deprive or defraud the residents of this State of a fair and impartially  
11 conducted election by the procurement or submission of voter  
12 registration applications that are known by the person to be materially  
13 false, fictitious or fraudulent under the provisions of Title 19 of the  
14 Revised Statutes or the procurement, casting or tabulation of ballots  
15 that are known by the person to be materially false, fictitious or  
16 fraudulent under the provisions of Title 19 of the Revised Statutes, is  
17 guilty of a crime of the <sup>1</sup>[third] second<sup>1</sup> degree.

18 b. Any election official who:

19 (1) knowingly and willfully intimidates, threatens or coerces, or  
20 attempts to intimidate, threaten or coerce, any person for registering  
21 to vote, voting or attempting to register to vote or vote, urging or  
22 aiding any person to register to vote, to vote or to attempt to register  
23 or vote, or exercising any right under the provisions of P.L.1994,  
24 c.182 (C.19:31-6.11 et al.); or

25 (2) knowingly and willfully deprives, defrauds or attempts to  
26 deprive or defraud the residents of this State of a fair and impartially  
27 conducted election by the procurement or submission of voter  
28 registration applications that are known by the election official to be  
29 materially false, fictitious or fraudulent under the provisions of Title  
30 19 of the Revised Statutes or the procurement, casting or tabulation  
31 of ballots that are known by the election official to be materially false,  
32 fictitious or fraudulent under the provisions of Title 19 of the Revised  
33 Statutes, is guilty of a crime of the [second] <sup>1</sup>[third] second<sup>1</sup> degree  
34 <sup>1</sup>and, in addition to any other penalties provided under the law, shall  
35 be permanently barred from serving as an election official<sup>1</sup> .

36 c. As used in this section, "election official" shall include, but not  
37 be limited to, any superintendent or deputy superintendent of  
38 elections, commissioner of registration, member of a county board of  
39 elections, county clerk, municipal clerk, member of a district board of  
40 elections, member of a board of county canvassers and member of a  
41 board of State canvassers.

42 (cf: P.L.1994, c.182, s.43)

43

44 <sup>1</sup>[24.] 22<sup>1</sup> R.S.19:34-2 is amended to read as follows:

45 19:34-2. No person shall falsely make, falsely make oath to, or  
46 fraudulently deface or fraudulently destroy any certificate of



1 nomination or petition, or any part thereof, or file, or receive for filing,  
2 any certificate of nomination or petition, knowing the same or any part  
3 thereof to be falsely made, or suppress any certificate of nomination  
4 or petition which has been duly filed, or any part thereof. A person  
5 violating any of the provisions of this section shall be guilty of a  
6 [misdemeanor, and shall be punished by imprisonment for not more  
7 than five years] crime of the third degree.

8 Any person who, being a member of one political party, shall sign  
9 his name to any petition indorsing any person as a candidate for office  
10 of another political party, shall be guilty of a [misdemeanor] crime of  
11 a <sup>1</sup>[third] fourth<sup>1</sup> degree.

12 (cf: R.S.19:34-2)

13  
14 <sup>1</sup>[25.] 23.<sup>1</sup> R.S.19:34-3 is amended to read as follows:

15 19:34-3. If any printer employed by any county or municipal  
16 clerk to print official ballots, or any person engaged in printing the  
17 same, shall appropriate to himself or give or deliver or knowingly  
18 permit to be taken any of such ballots by any other person than such  
19 county or municipal clerk or his duly authorized agent, or shall print  
20 or cause to be printed any official ballot in any other form than that  
21 prescribed by the county or municipal clerk, or with any other names  
22 thereon, or with the names spelled or the names or printing thereon  
23 arranged in any other way than that authorized and directed by this  
24 title, the person so offending shall be guilty of a [misdemeanor and  
25 shall be punished by a fine not exceeding one thousand dollars or  
26 imprisonment not exceeding five years] crime of the third degree.

27 If any person not authorized by the proper officers shall print or  
28 make any official or sample ballot provided for in this title, or on or  
29 prior to election day shall willfully have in his possession an official  
30 ballot without being authorized by this title to have charge or  
31 possession thereof, the person so offending shall be guilty of a  
32 [misdemeanor] crime of the third degree.

33 If any person shall forge or falsely make any ballot or the official  
34 indorsement thereof, the person so offending shall be guilty of a  
35 [misdemeanor and shall be punished by imprisonment for not more  
36 than five years] crime of the third degree.

37 (cf: R.S.19:34-3)

38  
39 <sup>1</sup>[26.] 24.<sup>1</sup> R.S.19:34-4 is amended to read as follows:

40 19:34-4. If a person convicted of a crime which disfranchises him  
41 shall vote at any election, unless he shall have been pardoned or  
42 restored by law to the right of suffrage, he shall be guilty of a  
43 [misdemeanor, and shall be punished by a fine not exceeding two  
44 hundred dollars, or imprisonment at hard labor not exceeding two

1 years, or both] crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

2 (cf: R.S.19:34-4)

3

4 <sup>1</sup>[27.] 25.<sup>1</sup> R.S. 19:34-5 is amended to read as follows:

5 19:34-5. No person shall, during an election, with intent to hinder  
6 or delay same, or to hinder or delay any voter in the preparation of his  
7 ballot, remove or destroy any of the ballots or pencils placed in the  
8 booths or compartments for the purpose of enabling the voter to  
9 prepare his ballot.

10 Any person willfully violating any of the provisions of this section  
11 shall be guilty of a [misdemeanor and shall be punished by fine not  
12 exceeding five hundred dollars and imprisonment until such fine and  
13 the costs of the conviction are paid] <sup>1</sup>[crime of the third degree]  
14 disorderly persons offense<sup>1</sup>.

15 (cf: R.S.19:34-5)

16

17 <sup>1</sup>[28.] 26.<sup>1</sup> R.S.19:34-6 is amended to read as follows:

18 19:34-6. a. If a person shall on election day tamper, deface or  
19 interfere with any polling booth or obstruct the entrance to any polling  
20 place, or obstruct or interfere with any voter, or loiter in or near the  
21 polling place, or <sup>1</sup>, with the purpose to obstruct or interfere with any  
22 voter or to unduly delay other voters from voting.<sup>1</sup> spend an  
23 inordinate amount of time in the polling booth <sup>1</sup>[without good  
24 reason]<sup>1</sup>, or do any electioneering within any polling place or within  
25 one hundred feet thereof, he shall be guilty of a [misdemeanor and  
26 shall be punished by a fine not exceeding five hundred dollars  
27 (\$500.00) or by imprisonment not exceeding one year, or both] crime  
28 of the third degree.

29 b. This section shall not be construed to prohibit a minor from  
30 entering a polling place on the day of an election to vote in a simulated  
31 election at that polling place, or persons from supervising or working  
32 at a polling place in a simulated election in which minors vote,  
33 provided that the county board of elections has determined that the  
34 polling place can accommodate simulated election activities without  
35 interfering with the orderly conduct of the official voting process.

36 (cf: P.L.2000, c.173, s.2)

37

38 <sup>1</sup>[29.] 27.<sup>1</sup> R.S.19:34-7 is amended to read as follows:

39 19:34-7. No person shall within the polling room mark his ballot  
40 in a place other than in the polling booth or show his ballot, nor shall  
41 anyone request such person to show his ballot during the preparation  
42 thereof, nor shall any other person inspect such ballot during the  
43 preparation thereof or after it is prepared for voting in such a way as  
44 to reveal the contents, nor shall any person within the polling place or  
45 within a hundred feet thereof, loiter, electioneer, or solicit any voter.

1 No voter, at any election where official ballots are used, shall  
2 knowingly vote or offer to vote any ballot except an official ballot as  
3 by this Title required.

4 No person shall on any pretext carry any official ballot from the  
5 polling room on any election day except such persons as may by this  
6 Title be authorized to do so.

7 Any person violating any of the provisions of this section shall be  
8 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
9 five hundred dollars (\$500.00) or by imprisonment not exceeding one  
10 year, or both] crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

11 (cf: P.L.1948, c.438, s.13)

12  
13 <sup>1</sup>[30.] 28.<sup>1</sup> R.S.19:34-9 is amended to read as follows:

14 19:34-9. Any person who shall prompt a voter in answering any  
15 questions provided by this title shall be guilty of a [misdemeanor]  
16 <sup>1</sup>[crime of the third degree] disorderly persons offense<sup>1</sup>.

17 (cf: R.S.19:34-9)

18  
19 <sup>1</sup>[31.] 29.<sup>1</sup> R.S.19:34-10 is amended to read as follows:

20 19:34-10. If any person shall write, paste or otherwise place upon  
21 any official ballot any mark, sign or device of any kind as a  
22 distinguishing mark whereby to indicate to any member of any district  
23 board or other person how any voter has voted at any election, or if  
24 any person shall induce or attempt to induce any voter to write, paste  
25 or otherwise place on his ballot any mark, sign or device of any kind,  
26 as a distinguishing mark by which to indicate to any member of any  
27 district board or other person how such voter has voted, or shall enter  
28 into or attempt to form any agreement or conspiracy with any other  
29 person to induce or attempt to induce voters or any voter to so place  
30 any distinguishing mark, sign or device on his ballot, whether or not  
31 such act be committed or attempted to be committed, such person so  
32 offending shall be guilty of a [misdemeanor and shall be punished by  
33 a fine not exceeding five hundred dollars or imprisonment not  
34 exceeding one year, or both] crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

35 (cf: R.S.19:34-10)

36  
37 <sup>1</sup>[32.] 30.<sup>1</sup> R.S.19:34-11 is amended to read as follows:

38 19:34-11. Every person not entitled to vote who fraudulently  
39 votes, and every person who votes more than once at any one election;  
40 or knowingly hands in two or more ballots folded together; or  
41 changes any ballot after it has been deposited in the ballot box; or  
42 adds, or attempts to add, any ballot to those legally polled at any  
43 election, either by fraudulently introducing the same into the ballot box  
44 before or after the ballots therein have been counted; or adds to or  
45 mixes with, or attempts to add to or mix with, the ballots lawfully

1 polled, other ballots while the same are being counted or canvassed,  
2 or at any other time, with intent to change the result of such election;  
3 or carries away or destroys, or attempts to carry away or destroy, any  
4 poll list, or ballots, or ballot box, for the purpose of breaking up or  
5 invalidating the election; or willfully detains, mutilates or destroys  
6 any election returns; or in any manner so interferes with the officers  
7 holding the election, or conducting the canvass, or with the voters  
8 lawfully exercising their rights of voting at the election, as to prevent  
9 the election or canvass from being fairly had and lawfully conducted,  
10 shall be guilty of a [misdemeanor] crime of the third degree.

11 (cf: P.L.1948, c.438, s.14)

12

13 <sup>1</sup>[33.] 31.<sup>1</sup> R.S.19:34-12 is amended to read as follows:

14 19:34-12. Every person not entitled to vote who fraudulently  
15 attempts to vote, or who being entitled to vote attempts to vote more  
16 than once at any election, or who personates or attempts to personate  
17 a person legally entitled to vote, shall be guilty of a [misdemeanor]  
18 crime of the third degree.

19 (cf: P.L.1948, c.438, s.15)

20

21 <sup>1</sup>[34.] 32.<sup>1</sup> R.S.19:34-13 is amended to read as follows:

22 19:34-13. Every inspector, judge or clerk of an election, who,  
23 previous to putting the ballot of an elector in the ballot box, attempts  
24 to find out any name on such ballot, or who opens or suffers the  
25 folded ballot of any elector which has been handed in to be opened or  
26 examined previous to putting the same in the ballot box, or who  
27 makes or places any mark or device on any folded ballot with the view  
28 to ascertain the name of any person for whom the elector has voted,  
29 shall be guilty of a [misdemeanor] crime of the third degree.

30 (cf: P.L.1948, c.438, s.16)

31

32 <sup>1</sup>[35.] 33.<sup>1</sup> R.S.19:34-14 is amended to read as follows:

33 19:34-14. If a member of any district board has knowledge how  
34 any person has voted and shall reveal such knowledge to any other  
35 person, or shall fraudulently or corruptly disclose what other  
36 candidates were voted for on any ballot bearing a name not printed  
37 thereon, or fraudulently or corruptly gives any information concerning  
38 the appearance of any ballot voted, he shall be guilty of a  
39 [misdemeanor and shall be punished by a fine not exceeding two  
40 thousand dollars or imprisonment not exceeding five years] crime of  
41 the third degree.

42 (cf: R.S.19:34-14)

43

44 <sup>1</sup>[36.] 34.<sup>1</sup> R.S.19:34-15 is amended to read as follows:

45 19:34-15. If a person shall distribute or display any circular or

1 printed matter or offer any suggestion or solicit any support for any  
2 candidate, party or public question within the polling place or room or  
3 within a distance of one hundred feet of the outside entrance to such  
4 polling place or room, he shall be guilty of a [misdemeanor] <sup>1</sup>[crime  
5 of the third degree] disorderly persons offense<sup>1</sup>.

6 (cf: P.L.1948, c.438, s.17)

7

8 <sup>1</sup>[37.] 35.<sup>1</sup> R.S.19:34-16 is amended to read as follows:

9 19:34-16. A person who shall remove, destroy or mutilate any  
10 registry list or copy thereof, or who before an election closes shall  
11 remove, destroy or mutilate any list of voters posted in accordance  
12 with this title, shall be guilty of a [misdemeanor, and shall be punished  
13 by a fine of not more than one thousand dollars or imprisonment for  
14 not more than two years] crime of the third degree.

15 (cf: R.S.19:34-16)

16

17 <sup>1</sup>[38.] 36.<sup>1</sup> R.S.19:34-17 is amended to read as follows:

18 19:34-17. If a person shall rob or plunder any ballot box, or  
19 unlawfully and by stealth or violence take the same or remove  
20 therefrom any ballot or other paper, or exchange, alter or destroy any  
21 ballot or other paper contained therein, or if any person shall willfully  
22 and corruptly suppress, withhold, mutilate, destroy, alter or change  
23 any return, statement or certificate or any copy thereof, which shall  
24 have been made in pursuance of this title, and delivered to him to be  
25 filed, or which shall have been intrusted or delivered to him to be  
26 delivered or transmitted to any other person in pursuance of this title,  
27 every such person, his aiders, procurers and abettors, shall be guilty of  
28 a [misdemeanor and shall be punished by a fine not exceeding five  
29 hundred dollars, or by imprisonment at hard labor for a term not  
30 exceeding two years, or both] crime of the third degree.

31 This section shall not apply to the destruction of ballots or the  
32 performance of other acts by officials when such acts are performed  
33 as prescribed in this title.

34 (cf: R.S.19:34-17)

35

36 <sup>1</sup>[39.] 37.<sup>1</sup> R.S.19:34-18 is amended to read as follows:

37 19:34-18. A person who shall willfully obstruct or interfere with  
38 the clerk or clerks on the way from the polls to the office of the city  
39 clerk shall be guilty of a <sup>1</sup>[misdemeanor and shall be]<sup>1</sup> [punished by  
40 a fine not exceeding five hundred dollars, or by imprisonment at hard  
41 labor for a term not exceeding two years, or both] crime of the third  
42 degree.

43 (cf: R.S.19:34-18)

44

45 <sup>1</sup>[40.] 38.<sup>1</sup> R.S.19:34-19 is amended to read as follows:

1 19:34-19. No person shall display, sell, give or provide any  
2 political badge, button or other insignia to be worn at or within one  
3 hundred feet of the polls or within the polling place or room, on any  
4 primary, general or special election day or on any commission  
5 government election day, except the badge furnished by the county  
6 board as herein provided.

7 A person violating any of the provisions of this section shall be  
8 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
9 five hundred dollars or by imprisonment not exceeding one year, or  
10 both] <sup>1</sup>[crime of the third degree] disorderly persons offense<sup>1</sup>.

11 (cf: R.S.19:34-19)

12  
13 <sup>1</sup>[41.] 39.<sup>1</sup> R.S.19:34-20 is amended to read as follows:

14 19:34-20. Whoever shall solicit the registering of his name on the  
15 registry list of any election district or precinct, knowing that he is not  
16 a legal voter in such district or precinct; or shall willfully counsel,  
17 procure, aid, advise, assist or abet in the registering of the name of  
18 any other person on the registry list of any election district or  
19 precinct, knowing such other person is not entitled to vote therein;  
20 or at any election, knowing that he is not a qualified voter, votes  
21 thereat; or at any election votes or attempts to vote more than once  
22 on his own name; or at any election votes or attempts to vote in more  
23 than one election district or precinct; or at any election votes or  
24 attempts to vote upon any other name than his own; or knowingly  
25 casts or attempts to cast more than one ballot at one time by  
26 balloting; or at any election counsels, procures, aids, advises, assists  
27 or abets any person, knowing that he is not a qualified voter, to vote  
28 thereat; or at any election counsels, procures, aids, advises, assists or  
29 abets any person in voting in more than one election district or  
30 precinct; or at any election counsels, procures, aids, advises, assists  
31 or abets any person to vote or to attempt to vote upon any name other  
32 than his own, or knowingly cast or attempt to cast more than one  
33 ballot at one time of voting; or at any election shall in any way  
34 willfully mark or deface his ballot, or shall willfully counsel, procure,  
35 aid, advise, assist or abet any person in the marking or defacing of a  
36 ballot; or at any election shall in any way counsel, procure, aid,  
37 advise, assist or abet any official or person in any act which is  
38 contrary to the provisions of this title; or at any election shall in any  
39 way willfully hinder or prevent a voter from casting his legal vote,  
40 knowing such person to have a right to vote; or shall willfully tamper  
41 with, injure, mutilate, destroy or render unfit for use, any ballot box;  
42 shall be guilty of a [misdemeanor and punishable by a fine of five  
43 hundred dollars, or imprisonment in state prison for the term of three  
44 years, or both] crime of the third degree.

45 (cf: R.S.19:34-20)

1       <sup>1</sup>[42.] 40.<sup>1</sup> R.S.19:34-21 is amended to read as follows:

2       19:34-21. A person who being a member of one political party  
3 shall vote in the ballot box used for the primary election of another  
4 political party shall in each case be guilty of a [misdemeanor, and  
5 shall be punished by a fine not exceeding five hundred dollars or be  
6 imprisoned not exceeding two years, or both] crime of the <sup>1</sup>[third  
7 fourth<sup>1</sup> degree.

8 (cf: R.S.19:34-21)

9

10       <sup>1</sup>[43.] 41.<sup>1</sup> R.S.19:34-22 is amended to read as follows:

11       19:34-22. If a person not entitled to vote at any primary election  
12 as herein provided shall vote or offer to vote at such primary meeting  
13 or caucus knowing or having reason to believe himself not entitled to  
14 so vote, or if any person shall counsel or procure anyone to so vote,  
15 knowing or having reason to believe such voter not entitled to do so,  
16 or if any person having voted at any primary meeting held by any  
17 political party or organization to nominate candidates or to elect  
18 delegates to nominate candidates, to be voted for at any election, shall  
19 vote or offer to vote at the primary meeting held by any other political  
20 party or organization held to nominate candidates or to elect delegates  
21 to nominate candidates, to be voted for at the same election, such  
22 person shall be guilty of a [misdemeanor and shall for each offense be  
23 imprisoned at hard labor for a term not exceeding three months or by  
24 a fine not exceeding one hundred dollars, or both] crime of the  
25 <sup>1</sup>[third] fourth<sup>1</sup> degree.

26 (cf: R.S.19:34-22)

27

28       <sup>1</sup>[44.] 42.<sup>1</sup> R.S.19:34-23 is amended to read as follows:

29       19:34-23. If any judge, inspector, clerk or other officer of a  
30 primary election shall act in such capacity before taking and  
31 subscribing to the oath or affirmation required by this title, or shall  
32 willfully disregard or violate the provisions of any rule duly made by  
33 the party of which he is a member and for whom he is acting for the  
34 government of the primary elections of the party, or if any judge or  
35 inspector of any primary election shall knowingly reject the vote of  
36 any person entitled to vote under the rules of such party or shall  
37 knowingly receive the vote of any person not qualified, or if any  
38 judge, inspector, clerk or any other officer of a primary election shall  
39 commit any willful fraud in the discharge of his duties by destroying  
40 or marking any ballot in any way before such ballot is delivered to the  
41 voter or by defacing ballots, adding marks to the poll by false  
42 counting, making false returns or by any act or thing whatsoever, he  
43 shall be guilty of a [misdemeanor and shall be punished by a fine not  
44 exceeding five hundred dollars or by imprisonment not exceeding one

1 year, or both] crime of the third degree.

2 (cf: R.S.19:34-23)

3

4 <sup>1</sup>[45.] 43.<sup>1</sup> R.S.19:34-25 is amended to read as follows:

5 19:34-25. a. If a person shall, directly or indirectly, by himself or  
6 by any other person in his behalf, give, lend or agree to give or lend,  
7 or shall offer, promise or promise to procure, or endeavor to procure,  
8 any money or other valuable consideration or thing to or for any voter,  
9 or to or for any person, in order to induce any voter to vote or refrain  
10 from registering for any election, or shall corruptly do or commit any  
11 of the acts in this section mentioned because of any such voter having  
12 voted or refrained from voting at an election, or registered or refrained  
13 from registering at an election, he shall be guilty of a [misdemeanor  
14 and shall be punished by a fine not to exceed two thousand dollars or  
15 imprisonment not to exceed five years, or both] crime of the third  
16 degree.

17 Bribery of member of election board; acceptance. b. Whosoever  
18 shall, directly or indirectly, make or give any money or other thing of  
19 value to any member of the district board because of his membership  
20 on such board, or when it shall appear that such money or other thing  
21 of value is made or given to such member because of his membership  
22 on the board, except as hereinbefore provided as his legal  
23 compensation for service on the board, shall be guilty of a  
24 [misdemeanor and shall be punished by a fine not exceeding one  
25 thousand dollars or imprisonment not exceeding two years, or both]  
26 crime of the third degree.

27 Any member of a district board who shall, by himself, or by any  
28 other person in his behalf, receive any money or other thing of value  
29 because of his membership on such board, or when it shall appear that  
30 such money or other thing of value is accepted or received by such  
31 member because of his membership on the board, except as  
32 hereinbefore provided as his legal compensation for service on the  
33 board, shall be guilty of a [misdemeanor and shall be punished by a  
34 fine not exceeding one thousand dollars or imprisonment not  
35 exceeding two years, or both] crime of the third degree.

36 Promising office or employment. c. A person who shall directly or  
37 indirectly, by himself or by any other person in his behalf, give or  
38 procure, or agree to give or procure or offer or promise to procure, or  
39 endeavor to procure any office, place or employment to or for any  
40 voter, or to or for any person on behalf of such voter, or to or for any  
41 other person, in order to induce such voter to vote or refrain from  
42 voting, or to register or refrain from registering, or shall corruptly do  
43 any act as above because of any voter having voted or refrained from  
44 voting, or having registered or refrained from registering for any  
45 election, shall be guilty of a [misdemeanor and shall be punished by a



1 fine not exceeding two thousand dollars, or imprisonment not  
2 exceeding five years] crime of the third degree.

3 Acceptance of bribe by voter. d. Any voter who shall directly or  
4 indirectly, by himself or by any other person on his behalf, receive,  
5 agree or contract for any money, gift, loan or valuable consideration,  
6 office, place or employment for himself or for any other person for  
7 voting or agreeing to vote, or for refraining or agreeing to refrain from  
8 voting at any election, or for registering or agreeing to register, or for  
9 refraining or for agreeing to refrain from registering for any election,  
10 shall be guilty of a [misdemeanor, and shall be punished by a fine not  
11 exceeding one thousand dollars, or imprisonment not exceeding one  
12 year] crime of the third degree.

13 Bribery of delegates. e. If a person shall, directly or indirectly,  
14 give, offer or promise to give any sum or sums of money or any  
15 valuable thing in action, victuals, drink or preferment or other  
16 considerations, by way of fee, reward, gift or gratuity, or other  
17 valuable present or reward to obtain, procure or influence the opinion,  
18 behavior, vote or abstaining from voting for the election of any  
19 delegate to any convention of any political party, to nominate any  
20 candidate for member of the legislature, for member of congress, for  
21 electors for president and vice president of the United States, for  
22 governor, or for any candidate for any office in any county or  
23 municipality; or if any person being a delegate to any political  
24 convention to nominate candidates for any of the offices named in this  
25 title shall directly or indirectly, ask for, accept, receive or take any  
26 sum or sums of money, or other valuable consideration by way of fee,  
27 reward, gift or gratuity, or other valuable consideration for the giving  
28 or refusing to give his vote at any such convention, the person so  
29 offering, asking, or receiving shall be guilty of a [misdemeanor, and  
30 shall be punished by a fine not exceeding five hundred dollars or  
31 imprisonment not exceeding six months, or both] crime of the third  
32 degree.

33 Bribery at election. f. Whoever shall, directly or indirectly, give,  
34 furnish, supply or promise, or cause to be given, furnished, supplied,  
35 offered or promised, to any person or persons, any money, service,  
36 preferment or valuable thing with the intent that such money or  
37 valuable thing or any other money, service, preferment or valuable  
38 thing shall be given, offered, promised or used, by any person or  
39 persons, by way of fee, reward, gift or gratuity, for giving or refusing  
40 to give any vote of any citizen, at any election of any public officer,  
41 state, county or municipal, to be held therein, or of any member of  
42 congress, of electors for president and vice president of the United  
43 States, or at any election of any delegate or delegates to any political  
44 convention to be held for the nomination of any of the officers above,  
45 or by way of gift, gratuity or reward, for giving or withholding the  
46 vote of any delegate at any such convention, shall be guilty of a

1 [misdemeanor, and shall be punished by a fine not exceeding ten  
2 thousand dollars, or imprisonment not exceeding one year, or both]  
3 crime of the third degree.

4 Inducing voters. g. A person who shall, directly or indirectly, by  
5 himself or by any other person in his behalf, give, lend, or agree to  
6 give or lend, or procure, or agree to procure or offer or promise to  
7 procure, or endeavor to procure, any money or other valuable  
8 consideration or thing, or any office, place or employment to or for  
9 any voter, or to or for any person, in order to induce such voter to  
10 vote or refrain from registering or voting at any election, or shall  
11 corruptly do or commit any of the acts in this section mentioned,  
12 because of any voter having voted or refrained from voting or having  
13 registered or refrained from registering for any election, shall be guilty  
14 of a [misdemeanor, and shall be sentenced to disfranchisement for a  
15 period of five years, from the date of conviction] crime of the third  
16 degree.

17 Contributions for use in bribing. h. A person who shall give,  
18 advance or pay, or cause to be given, advanced or paid, any money or  
19 other valuable thing to any person, or to the use of any person, with  
20 the intent that such money or other valuable thing, or any part thereof,  
21 shall be expended, or used for bribery of voters, or for any other  
22 unlawful purpose at any election, or who shall knowingly pay, or cause  
23 to be paid money to any person wholly or in part expended in bribery  
24 of a voter at any election, shall be guilty of a [misdemeanor, and shall  
25 be sentenced to disfranchisement for five years from the date of  
26 conviction] crime of the third degree .

27 Receiving rewards. i. A person who shall, directly or indirectly, by  
28 himself, or by any other person on his behalf, receive, agree or  
29 contract for any money, gift, loan or valuable consideration, office,  
30 place or employment for himself or for any other person for voting or  
31 agreeing to vote, or for refraining or agreeing to refrain from voting  
32 at any election, or for registering or agreeing to register, or for  
33 refraining or for agreeing to refrain from registering for any election,  
34 shall be guilty of a [misdemeanor, and shall be sentenced to  
35 disfranchisement for a period of five years from the date of  
36 conviction] crime of the third degree .

37 Gift, or promise of, for certain purposes. j. No person shall give or  
38 agree to give for the purpose of promoting or procuring or for the  
39 purpose of opposing or preventing the election of a candidate for  
40 public office, or for the purpose of promoting or procuring or for the  
41 purpose of opposing or preventing the nomination of any person as a  
42 candidate for public office, any money or any valuable thing to be used  
43 for any of the following purposes:

44 1. To provide or give or to pay, wholly or in part, the expense of  
45 giving or providing any meat, drink, entertainment or provision to or  
46 for any person for the purpose of influencing that person or any other

1 person to give or refrain from giving his vote at any election, or  
 2 because of any such person or any other person having voted or  
 3 refrained from voting.

4 2. To provide for the payment of rent for or for the purpose of  
 5 providing and fitting up any clubroom for social or recreative  
 6 purposes, or providing for uniforms for any organized club.

7 3. To provide for the payment for the insertion in any newspaper  
 8 or magazine of any article tending to influence any person to give or  
 9 refrain from giving his vote to any candidate or candidates at any  
 10 election; or to provide for payment for the distribution of any  
 11 newspaper or magazine wherein any such article is printed; or to  
 12 provide for payment of the printing or of the distribution of any  
 13 circular, handbill, card, pamphlet or statement tending to influence  
 14 any person to give or refrain from giving his vote to any candidate at  
 15 any election; but this prohibition shall not be construed to prohibit the  
 16 printing and distribution of paid advertisements, which advertisements  
 17 shall be indicated by the words "This advertisement has been paid for  
 18 by " (inserting the true name and address of the person or  
 19 persons paying for the same); nor shall it be construed to prohibit the  
 20 printing and distribution of circulars, handbills, cards, pamphlets or  
 21 statements which shall have printed on the face thereof the true name  
 22 and address of the person or persons paying for the printing and  
 23 distribution thereof, which fact shall be indicated by the words "The  
 24 cost of the printing and distribution of this circular (or as the case  
 25 may be) has been paid by " (inserting the true name and address of  
 26 the person or persons paying for the same).

27 Accepting gifts. k. No person shall accept any money or other  
 28 valuable thing, the payment of which is prohibited by paragraph "j"  
 29 of this section.

30 Penalty. 1. Any person who shall violate any of the provisions of  
 31 paragraphs "j" and "k" of this section shall be guilty of a  
 32 **[misdemeanor] crime of the third degree**, and shall for the first  
 33 offense be disfranchised for a period of <sup>1</sup>**[two] five<sup>1</sup>** years from the  
 34 date of conviction, and for any subsequent offense shall be perpetually  
 35 disfranchised, and in addition thereto the court in which such  
 36 conviction is obtained, may in case of a subsequent conviction,  
 37 impose upon the person so convicted the punishment now prescribed  
 38 by law for a **[misdemeanor] crime of the <sup>1</sup>**[third] second<sup>1</sup> degree**.  
 39 (cf: R.S.19:34-25)**

40

41 <sup>1</sup>**[46.] 44.<sup>1</sup>** R.S.19:34-26 is amended to read as follows:

42 19:34-26. If a person shall be guilty of willful and corrupt false  
 43 swearing or affirming, or by any means shall willfully and corruptly  
 44 suborn or procure a person to swear or affirm falsely, in taking any  
 45 oath, affirmation or deposition prescribed or authorized by this title,  
 46 he shall be deemed guilty of a **[high misdemeanor, and shall be**

1 punished by a fine not exceeding eight hundred dollars or  
2 imprisonment at hard labor not exceeding seven years, or both] crime  
3 of the third degree, and be deemed to be an incompetent witness  
4 thereafter for any purpose within this state, until such time as he shall  
5 have been pardoned.

6 (cf: R.S.19:34-26)

7

8 <sup>1</sup>[47.] 45.<sup>1</sup> R.S.19:34-27 is amended to read as follows:

9 19:34-27. An employer of any workman, or any agent,  
10 superintendent or overseer of any company or corporation employing  
11 workmen, or any person who shall directly or indirectly, by himself or  
12 by any other person in his behalf or by his direction, make use of or  
13 threaten to make use of any force, violence or restraint, or inflict or  
14 threaten to inflict by himself or by any other person any injury,  
15 damage, harm or loss against any person in his employ, in order to  
16 induce or compel such employee to vote or refrain from voting for any  
17 particular candidate at any election, or because of such employee  
18 having voted or refrained from voting for any particular candidate at  
19 any election, or who shall, by any duress, constraint or improper  
20 influence or by any fraudulent or improper device, contrivance or  
21 scheme, impede, hinder or prevent the free exercise of the franchise of  
22 any voter at any election, or shall thereby compel, induce or prevail  
23 upon any voter to vote for or against any particular candidate at any  
24 election, shall be guilty of a [misdemeanor, and shall be punished by  
25 a fine not exceeding two thousand dollars, or imprisonment not  
26 exceeding five years, or both] crime of the third degree.

27 (cf: R.S.19:34-27)

28

29 <sup>1</sup>[48.] 46.<sup>1</sup> 19:34-35 is amended to read as follows:

30 19:34-35. Any person who shall expend, aid or assist in the  
31 expenditure of any such money for a purpose not authorized by this  
32 title, or for a purpose not named in the statement accompanying such  
33 contribution, shall be guilty of a [misdemeanor] crime of the third  
34 degree.

35 (cf: R.S.19:34-35)

36

37 <sup>1</sup>[49.] 47.<sup>1</sup> R.S.19:34-47 is amended to read as follows:

38 19:34-47. A person who, having once been convicted of a  
39 violation of any of the provisions of this title, shall again be convicted  
40 of a violation of any of its provisions, whether such conviction be for  
41 the same offense or not, shall on such second conviction, be sentenced  
42 to [disfranchisement and to pay a fine not exceeding one thousand  
43 dollars, or to imprisonment for a term not exceeding five years, or  
44 both] <sup>1</sup>[a crime of the third degree] a mandatory minimum term of  
45 imprisonment, without eligibility for parole, of one year for a crime of

1 the fourth degree, of two years for a crime of the third degree and of  
2 five years for a crime of the second degree, unless the provisions of  
3 any other law provide for a higher mandatory minimum term<sup>1</sup>.

4 (cf: R.S.19:34-47)

5

6 <sup>1</sup>[50.] 48.<sup>1</sup> R.S.19:34-48 is amended to read as follows:

7 19:34-48. Every person charged with the performance of any duty  
8 under the provisions of any law of this state relating to elections who  
9 willfully neglects or refuses to perform it, or who, in his official  
10 capacity, knowingly and fraudulently acts in contravention or violation  
11 of any of the provisions of such laws, shall be guilty of a  
12 **[misdemeanor]** crime of the third degree.

13 (cf: R.S.19:34-48)

14

15 <sup>1</sup>[51.] 49.<sup>1</sup> R.S.19:34-49 is amended to read as follows:

16 19:34-49. Any candidate who procures, aids, assists, counsels,  
17 advises or knowingly permits any person to violate this title shall be  
18 guilty of a **[misdemeanor]** crime of the third degree.

19 (cf: R.S.19:34-49)

20

21 <sup>1</sup>[52.] 50.<sup>1</sup> R.S.19:34-53 is amended to read as follows:

22 19:34-53. Any person who neglects or refuses to furnish any  
23 information required or authorized by this title or to exhibit the  
24 records, papers or documents herein authorized to be inspected, or  
25 which are required to be exhibited, shall be guilty of a **[misdemeanor]**  
26 a crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

27 (cf: R.S.19:34-53)

28

29 <sup>1</sup>[53.] 51.<sup>1</sup> R.S.19:34-54 is amended to read as follows:

30 19:34-54. Any person who shall omit, neglect or refuse to obey a  
31 subpoena attested in the name of the county clerk, municipal clerk, or  
32 county board and made returnable by such clerk or board, or refuses  
33 to testify under oath before such clerk or board, shall be guilty of a  
34 **[misdemeanor]** crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

35 (cf: R.S.19:34-54)

36

37 <sup>1</sup>[54.] 52.<sup>1</sup> 19:34-55. is amended to read as follows:

38 19:34-55. Any person who makes any false statement under oath  
39 before the county clerk, municipal clerk or county board shall be guilty  
40 of a **[misdemeanor]** crime of the <sup>1</sup>[third] fourth<sup>1</sup> degree.

41 (cf: R.S.19:34-55)

42

43 <sup>1</sup>[55.] 53.<sup>1</sup> R.S.19:53-1 is amended to read as follows:

44 19:53-1. Any unauthorized person found in possession of any such  
45 voting machine in use or to be used in any election, or keys thereof,

1 shall be guilty of a [misdemeanor] crime of the <sup>1</sup>[third] fourth<sup>1</sup>  
2 degree. Any person willfully tampering or attempting to tamper with,  
3 disarrange, deface or impair in any manner whatsoever, or destroy any  
4 such voting machine while the same is in use at any election, or who  
5 shall, after such machine is locked in order to preserve the registration  
6 or record of any election made by the same, tamper or attempt to  
7 tamper with any such voting machine, shall be guilty of a [high  
8 misdemeanor] crime of the third degree.

9 (cf: R.S.19:53-1)

10

11 <sup>1</sup>[56.] 54.<sup>1</sup> Section 15 of P.L.1973, c.82 (C.19:53A-15) is  
12 amended to read as follows:

13 15. a. Any person who before, during or after an election tampers  
14 with or willfully injures any voting device, ballot cards, or other  
15 records or equipment used in the election, or interferes or attempts to  
16 interfere with the correct operation of such device or equipment or  
17 the secrecy of voting, is guilty of a [high misdemeanor] crime of the  
18 third degree.

19 b. The penal laws and election laws relating to misconduct at  
20 elections apply to elections conducted with voting devices and  
21 automatic tabulating equipment.

22 (cf: P.L.1973, c.82, s.15)

23

24 <sup>1</sup>[57.] 55.<sup>1</sup> Section 15 of P.L.1992, c.3 (C.19:53B-6) is amended  
25 to read as follows:

26 15. Every voter to whom an emergency ballot is given shall retire  
27 into the polling booth or to the designated voting area, as the case may  
28 be. Not more than one voter shall be permitted to enter or be in the  
29 same booth or voting area at one time. The voter shall prepare the  
30 emergency ballot in the booth or the voting area screened from the  
31 observation of others.

32 Any person or voter who shall violate the provisions of this section  
33 shall be guilty of a <sup>1</sup>[crime of the [fourth] third degree] disorderly  
34 persons offense<sup>1</sup>.

35 (cf: P.L.1992, c.3, s.15)

36

37 <sup>1</sup>[58.] 56.<sup>1</sup> Section 7 of P.L.1999, c.232 (C.19:53C-1) is amended  
38 to read as follows:

39 7. a. (1) The county clerk or the municipal clerk, in the case of a  
40 municipal election, shall arrange for the preparation of a provisional  
41 ballot packet for each election district. It shall include the appropriate  
42 number of provisional ballots, the appropriate number of envelopes  
43 with an affirmation statement, the appropriate number of written  
44 notices to be distributed to voters who vote by provisional ballot and  
45 one provisional ballot inventory form affixed to the provisional ballot  
46 bag. The clerk shall arrange for the preparation of and placement in

1 each provisional ballot bag of a provisional ballot packet and an  
2 envelope containing a numbered seal. The envelope shall contain, on  
3 its face, the instructions for the use of the seal, the number and the  
4 election district location of the provisional ballot bag, and the  
5 identification numbers of the seal placed in the envelope. Each  
6 provisional ballot bag shall be sealed with a numbered security seal  
7 before being forwarded to the appropriate election district.

8 (2) Each provisional ballot bag and the inventory of the contents  
9 of each such bag shall be delivered to the designated polling place no  
10 later than the opening of the polls on the day of an election.

11 b. The county clerk or the municipal clerk, in the case of a  
12 municipal election, shall arrange for the preparation of the envelope,  
13 affirmation statement, and written notice that is to accompany each  
14 provisional ballot. The envelope shall be of sufficient size to  
15 accommodate the provisional ballot, and the affirmation statement  
16 shall be affixed thereto in a manner that enables it to be detached once  
17 completed and verified by the county commissioner of registration.  
18 The statement shall require the voter to provide the voter's name, and  
19 to indicate whether the voter is registered to vote in a county but has  
20 moved within that county since registering to vote; or is registered to  
21 vote in the election district in which that polling place is located but  
22 the voter's registration information is missing or otherwise deficient.  
23 The statement shall further require the voter to provide the voter's  
24 most recent prior voter registration address and address on the day of  
25 the election and date of birth. The statement shall include the  
26 statement: "I swear or affirm, that the foregoing statements made by  
27 me are true and correct and that I understand that any fraudulent  
28 voting may subject me to [a fine of up to \$1,000, imprisonment up to  
29 five years or both,] <sup>1</sup>[punishment for a crime of the third degree,] a  
30 fine of up to \$15,000, imprisonment up to five years or both,<sup>1</sup>  
31 pursuant to R.S.19:34-11." It shall be followed immediately by spaces  
32 for the voter's signature and printed name, and in the case of a name  
33 change, the voter's printed old and new name and a signature for each  
34 name, the date the statement was completed, political party affiliation,  
35 if used in a primary election, and the name of the person providing  
36 assistance to the voter, if applicable. Each statement shall also note  
37 the number of the election district, or ward, and name of the  
38 municipality at which the statement will be used.

39 The written notice shall contain information to be distributed to  
40 each voter who votes by provisional ballot. The notice shall state that,  
41 if the voter is a mail-in registrant voting for the first time in his or her  
42 current county of residence following registration and was given a  
43 provisional ballot because he or she did not provide required personal  
44 identification information, the voter shall be given until the close of  
45 business on the second day after the election to provide identification  
46 to the applicable county commissioner of registration, and the notice

1 shall contain a telephone number at which the commissioner may be  
2 contacted. The notice shall further state that failure to provide the  
3 required personal identification information within that time period  
4 shall result in the rejection of the ballot. The notice shall state that  
5 pursuant to section 4 of P.L.2004, c.88 (C.19:61-4), any individual  
6 who casts a provisional ballot will be able to ascertain under a system  
7 established by the State whether the ballot was accepted for counting,  
8 and if the vote was not counted, the reason for the rejection of the  
9 ballot. The notice shall include instructions on how to access such  
10 information.

11 c. For the primary for the general election, the provisional ballots  
12 shall be printed in ink on paper of a color that matches the color of the  
13 voting authority, which shall indicate the party primary of the voter.  
14 The provisional ballots shall be uniform in size, quality and type and  
15 of a thickness that the printing thereon cannot be distinguished from  
16 the back of the paper, and without any mark, device or figure on the  
17 front or back other than as provided in P.L.1999, c.232 (C.19:53C-1  
18 et seq.). Each such ballot shall include near the top thereof and in  
19 large type the designation PROVISIONAL BALLOT. In all other  
20 respects, the provisional ballots shall conform generally to the other  
21 ballots to be used in the election district for the primary election.

22 The clerk of the county or municipality shall arrange for the  
23 preparation of each provisional ballot package with an appropriate  
24 number of provisional ballots for each political party, a corresponding  
25 number of envelopes with affirmation statements, and a corresponding  
26 number of written notices. Additional provisional ballots, envelopes,  
27 and notices shall be available for delivery to that election district on  
28 the day of the election, if necessary.

29 d. For the general election the provisional ballots shall be printed  
30 in ink. The provisional ballots shall be uniform in size, quality and  
31 type and of a thickness that the printing thereon cannot be  
32 distinguished from the back of the paper, and without any mark,  
33 device or figure on the front or back other than as provided in this act.  
34 Each such ballot shall include near the top thereof and in large type the  
35 designation PROVISIONAL BALLOT. In all other respects, the  
36 provisional ballots shall conform generally to the other ballots to be  
37 used in the election district for the general election.

38 The clerk of the county or municipality shall arrange for the  
39 preparation of each provisional ballot package with an appropriate  
40 number of provisional ballots, a corresponding number of envelopes  
41 with affirmation statements, and a corresponding number of written  
42 notices. Additional provisional ballots, envelopes, and notices shall be  
43 available for delivery to that election district on the day of the election,  
44 if necessary.

45 e. For a school election the provisional ballots shall be printed in  
46 ink. The provisional ballots shall be uniform in size, quality and type



1 and of a thickness that the printing thereon cannot be distinguished  
2 from the back of the paper, and without any mark, device or figure on  
3 the front or back other than as provided in this act. Each such ballot  
4 shall include near the top thereof and in large type the designation  
5 PROVISIONAL BALLOT. In all other respects, the provisional  
6 ballots shall conform generally to the other ballots to be used in the  
7 election district for the school election.

8 The clerk of the county shall arrange for the preparation of each  
9 provisional ballot package with an appropriate number of provisional  
10 ballots, a corresponding number of envelopes with affirmation  
11 statements, and a corresponding number of written notices. Additional  
12 provisional ballots, envelopes, and notices shall be available for  
13 delivery to that election district on the day of the election, if necessary.

14 f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et  
15 al.), a provisional ballot that requires the voter to punch out a hole in  
16 the ballot as a means of recording the voter's vote shall not be used in  
17 any election in this State.

18 (cf: P.L.2004, c.88, s.22)

19

20 <sup>1</sup>[59.] 57.<sup>1</sup> Section 11 of P.L.1999, c.232 (C.19:53C-5) is  
21 amended to read as follows:

22 11. Every voter to whom a provisional ballot and envelope with an  
23 affirmation statement is given shall retire into the designated voting  
24 area. Not more than one voter shall be permitted to enter or be in the  
25 same booth or voting area at one time, unless the voter is entitled to  
26 assistance, as provided for by law.

27 Any person or voter who violates the provisions of this section is  
28 guilty of a <sup>1</sup>[crime of the] <sup>1</sup>[fourth] [~~third~~ degree] disorderly  
29 persons offense<sup>1</sup>.

30 (cf: P.L.1999, c.232, s.11)

31

32 <sup>1</sup>[60.] 58.<sup>1</sup> Section 37 of P.L.1953, c.211 (C.19:57-37) is  
33 amended to read as follows:

34 37. Any person who knowingly violates any of the provisions of  
35 this act, or who, not being entitled to vote thereunder, fraudulently  
36 votes or attempts to vote thereunder or enables or attempts to enable  
37 another person, not entitled to vote thereunder, to vote fraudulently  
38 thereunder or who prevents or attempts to prevent by fraud the voting  
39 of any person legally entitled to vote under this act, or who shall  
40 knowingly certify falsely in any paper required under this act, or who,  
41 at any time, tampers with any ballot or document used in an election  
42 or interferes with the secrecy of the voting of any person shall be  
43 guilty of a crime of the [fourth] third degree, and upon conviction  
44 thereof shall be subject, in addition to such other penalties as are  
45 authorized by law, to disenfranchisement unless and until pardoned or  
46 restored by law to the right of suffrage.

1 Any person who aids and abets another in violating any of the  
2 provisions of this section shall be guilty of a crime of the [fourth]  
3 third degree and upon conviction thereof shall be subject, in addition  
4 to such other penalties as are authorized by law, to  
5 disenfranchisement unless and until pardoned or restored by law to  
6 the right of suffrage.

7 (cf: P.L.1981, c.390, s.10).

8  
9 <sup>1</sup>[61.] 59.<sup>1</sup> Section 33 of P.L.1964, c.134 (C.19:58-33) is  
10 amended to read as follows:

11 33. Any person who knowingly violates any of the provisions of  
12 this act, or who, not being entitled to vote under this act, fraudulently  
13 votes, or attempts to vote thereunder or enables, or attempts to  
14 enable another person, not entitled to vote thereunder, to vote  
15 thereunder, or who prevents or attempts to prevent by fraud the  
16 voting of any person legally entitled to vote under this act, or who  
17 knowingly certifies falsely in any paper required to be executed under  
18 this act, shall be guilty of a [misdemeanor] crime of the third degree  
19 and upon conviction thereof shall be subject, in addition to such other  
20 penalties as are authorized by law, to disenfranchisement unless and  
21 until pardoned or restored by law to the right of suffrage.

22 (cf: P.L.1964, c.134, s.33)

23  
24 <sup>1</sup>[62.] 60.<sup>1</sup> R.S.40:75-49 is amended to read as follows:

25 40:75-49. Any person not an elector who shall willfully and  
26 knowingly sign any petition provided for in this article and any person  
27 advising, aiding or abetting any such person not an elector to sign any  
28 petition provided for in this article shall be guilty of a [misdemeanor]  
29 <sup>1</sup>[crime of the third degree] disorderly persons offense<sup>1</sup>.

30 Any person who shall violate any of the provisions of this article  
31 shall be guilty of a [misdemeanor] crime of the <sup>1</sup>[third] fourth<sup>1</sup>  
32 degree.

33 (cf: R.S.40:75-49)

34  
35 <sup>1</sup>[63.] 61.<sup>1</sup> This act shall take effect immediately but shall remain  
36 inoperative for 90 days.

37

38

39

40

41 \_\_\_\_\_  
Increases voting and voter penalties.

**ASSEMBLY, No. 39**

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**STATE OF NEW JERSEY**

**211th LEGISLATURE**

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INTRODUCED MARCH 7, 2005

**Sponsored by:**

**Assemblyman ALBIO SIRES**

**District 33 (Hudson)**

**Assemblyman ALFRED E. STEELE**

**District 35 (Bergen and Passaic)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman JACK CONNERS**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

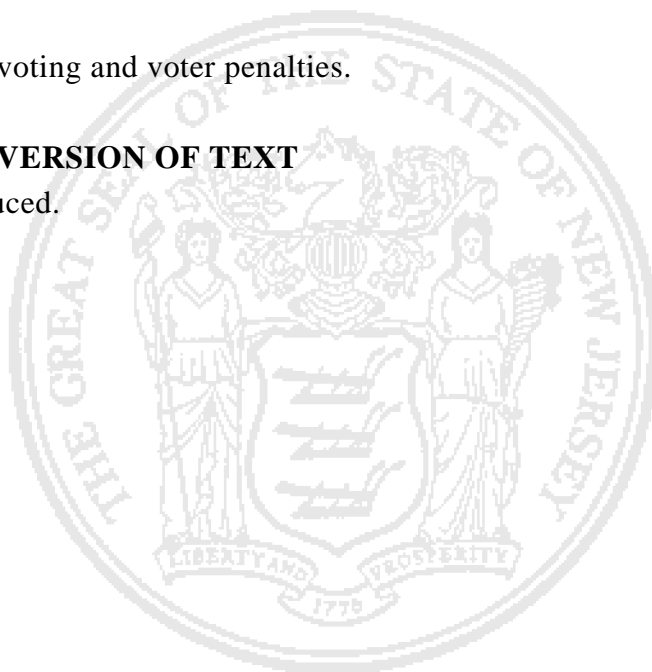
**Assemblyman Azzolina**

**SYNOPSIS**

Increases voting and voter penalties.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT increasing criminal penalties involving elections and amending  
2 various parts of the statutory law.

3

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

6

7 1. Section 5 of P.L.1987, c.328 (C.18A:12-2.2) is amended to  
8 read as follows:

9 5. Any member of a board of education who falsely affirms or  
10 declares that he is not disqualified as a voter pursuant to R.S.19:4-1  
11 is, in addition to immediate disqualification for office, guilty of a crime  
12 of **[false swearing and is subject to the penalty provided pursuant to**  
13 **N.J.S.2C:28-2] the third degree.**

14 (cf: P.L.1987, c.328, s.5)

15

16 2. Section 7 of P.L.1960, c.195 (C.19:4-4.7) is amended to read  
17 as follows:

18 7. Any person who shall make false oath or affirmation to any  
19 statement under this act, or who shall make any false statement  
20 therein, shall be **[adjudged a disorderly person and shall be punishable**  
21 **by a fine not to exceed \$1,000.00 or by imprisonment not to exceed 1**  
22 **year, or both] guilty of a crime of the third degree .**

23 (cf: P.L.1960, c.195, s. 7)

24

25 3. R.S.19:15-26 is amended to read as follows:

26 19:15-26. Every voter to whom a ballot is given shall thereupon  
27 retire into the polling booth. Not more than one voter, except as  
28 hereinafter provided, shall be permitted to enter or be in the same  
29 booth, at one time. The voter shall prepare his ballot in the booth  
30 secretly and screened from the observation of others.

31 Any person or voter who shall violate the provisions of this section  
32 shall be deemed guilty of a **[misdemeanor and shall be punished by a**  
33 **fine not exceeding five hundred dollars or by imprisonment not**  
34 **exceeding one year or both at the discretion of the court] crime of the**  
35 **third degree.**

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

37

38 4. R.S.19:17-3 is amended to read as follows:

39 19:17-3. After the district board shall have made up and certified  
40 such statements, it shall at the same time and with the ballot boxes, as  
41 hereinafter provided, deliver or safely transmit one of the statements  
42 to the clerk of the municipality wherein such election is held, who shall

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

**Matter underlined thus is new matter.**

1 forthwith file the same. In counties having a superintendent of  
2 elections one of such statements shall forthwith be filed with the  
3 superintendent of elections of the county. The superintendent may  
4 arrange to accept such certificates in such municipality within the  
5 county at the office of the clerk of such municipality or some other  
6 convenient place. Any municipal clerk who shall refuse to permit such  
7 superintendent or his deputies or assistants access to his office for the  
8 purpose of collecting such certificates or any municipal clerk or other  
9 person who shall interfere or obstruct the superintendent, his deputies  
10 or assistants in the collection of such certificates, or any member of a  
11 district board who shall willfully fail or refuse to deliver such  
12 statement to the superintendent, his deputies or assistants as the case  
13 may be, shall be guilty of a [misdemeanor] crime of the third degree.  
14 In all counties the board shall, immediately after election, deliver or  
15 safely transmit another of the statements to the clerk of the county,  
16 who shall forthwith file the same.

17 For a school election a statement shall also be delivered to the  
18 board of education of the district holding the election and to the  
19 county superintendent of schools in the county in which the district is  
20 situated.

21 If officers were voted for or public questions were voted upon at  
22 the election by the voters of the entire State or of more than one  
23 county thereof, or of a congressional district, then the board shall,  
24 immediately after the election, inclose, seal up and transmit the fourth  
25 statement to the Secretary of State by mail in stamped envelopes to be  
26 furnished by the Secretary of State, addressing the same in the  
27 following manner: "To the Secretary of State of New Jersey, Trenton,  
28 New Jersey." Upon receiving such statements the Secretary of State  
29 shall forthwith file the same in his office.

30 (cf: P.L.1995, c.278, s.19)

31

32 5. R.S.19:18-1 is amended to read as follows:

33 19:18-1. As soon as the election shall be finished and the votes  
34 canvassed and the statements made and certified by the district board  
35 as herein required, all ballots which have been cast, whether the same  
36 have been canvassed and counted or rejected for any cause, and one  
37 tally sheet, spoiled and unused ballots, shall be carefully collected and  
38 deposited in the ballot box.

39 In all municipalities the signature copy registers shall not be placed  
40 in the ballot box but shall be delivered immediately by the district  
41 board to the commissioner of registration.

42 In order to carry out his duties, any superintendent of elections in  
43 counties having a superintendent of elections shall have access and be  
44 permitted to inspect and examine any and all signature copy registers  
45 for said county for any election which may have been or shall be held  
46 in said county and any official or person having possession or custody

1 of same who shall refuse to deliver said signature copy registers to the  
2 office of said superintendent of elections forthwith upon demand  
3 having been made upon him by said superintendent of elections as  
4 aforesaid shall be guilty of a [misdemeanor] crime of the third degree.  
5 Unless the said official having custody or possession of said signature  
6 copy registers shall forthwith produce the same at the office of the  
7 superintendent of elections when demanded by him so to do, the said  
8 superintendent of elections may apply to a judge of the Superior Court  
9 assigned to the county and such judge shall forthwith make an order  
10 directing the official having possession or custody of the said signature  
11 copy registers to produce them at once in the court in which said judge  
12 may be sitting, and upon their being produced said judge shall deliver  
13 the same to the superintendent of elections.

14 (cf: P.L.1991, c.91, s.244)

15

16 6. R.S.19:23-45 is amended to read as follows:

17 19:23-45. No voter shall be allowed to vote at the primary election  
18 unless his name appears in the signature copy register.

19 A voter who votes in a primary election of a political party or who  
20 signs and files with the municipal clerk or the county commissioner of  
21 registration a declaration that he desires to vote in the primary election  
22 of a political party shall be deemed to be a member of that party until  
23 he signs and files a declaration that he desires to vote in the primary  
24 election of another political party at which time he shall be deemed to  
25 be a member of such other political party. The Secretary of State shall  
26 cause to be prepared political party affiliation declaration forms and  
27 shall provide such forms to the commissioners of registration of the  
28 several counties and to the clerks of the municipalities within such  
29 counties.

30 No voter, except a newly registered voter at the first primary at  
31 which he is eligible to vote, or a voter who has not previously voted  
32 in a primary election, may vote in a primary election of a political party  
33 unless he was deemed to be a member of that party on the fiftieth day  
34 next preceding such primary election.

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

39 Any person voting in the primary ballot box of any political party  
40 in any primary election in contravention of the election law shall be  
41 guilty of a [misdemeanor] crime of the third degree, and any person  
42 who aids or assists any such person in such violation by means of  
43 public proclamation or order, or by means of any public or private  
44 direction or suggestions, or by means of any help or assistance or  
45 cooperation, shall likewise be guilty of a [misdemeanor] crime of the  
46 third degree.

47 (cf: P.L.1977, c.97, s.1)

1       7. R.S.19:23-53 is amended to read as follows:

2       19:23-53. The district board shall immediately deliver or transmit  
3 this statement to the clerks of the county and municipality within  
4 which such primary election was held. In counties having a  
5 superintendent of elections one of such statements shall forthwith be  
6 filed with the superintendent of elections of the county. The  
7 superintendent may arrange to accept such certificates in each  
8 municipality within the county at the office of the clerk of such  
9 municipality or some other convenient place. Any municipal clerk  
10 who shall refuse to permit such superintendent or his deputies or  
11 assistants access to his office for the purpose of collecting such  
12 certificates or any municipal clerk or other person who shall interfere  
13 or obstruct the superintendent, his deputies or assistants in the  
14 collection of such certificates, or any member of a district board who  
15 shall willfully fail or refuse to deliver such statement to the  
16 superintendent, his deputies or assistants as the case may be, shall be  
17 guilty of a [misdemeanor] crime of the third degree.  
18 (cf: P.L.1947, c.168, s.14)

19

20       8. Section 8 of P.L.1995, c.105 (C.19:27A-8) is amended to read  
21 as follows:

22       8. a. No signature appearing on any document other than a recall  
23 petition prepared in accordance with the provisions of this section  
24 shall be counted among the signatures required under section 5 of this  
25 act to determine whether a recall election shall be held.

26       b. A recall petition shall be prepared by the recall committee in  
27 accordance with a format, consistent with the provisions of this act,  
28 which shall have been approved for such purpose by the Secretary of  
29 State. A petition may consist of any number of separate sections  
30 which shall be identical except with respect to information required to  
31 be entered thereon by the signers and circulators and as otherwise  
32 provided herein. The size of the paper used in a recall petition and the  
33 number of pages included in each section thereof shall be determined  
34 by the recall committee. The back and the front of a piece of paper  
35 shall each constitute a page and signatures may be affixed to each such  
36 page.

37       c. Each page of each section of a recall petition shall be  
38 sequentially numbered and shall include, printed in bold letters in at  
39 least 10-point type, the heading "PETITION FOR THE RECALL OF  
40 (name of the official sought to be recalled) FROM THE OFFICE OF  
41 (name of the office)" and, where appropriate, the information required  
42 by subsection e. of this section. The first page of each section also  
43 shall bear, in type of uniform size but not less than 8-point type, (1)  
44 the information contained in the notice of intention, including any cost  
45 estimate prepared and the statement of the reasons for the recall, if one  
46 was provided, or a declaration that no such statement of reasons was

1 provided, except that information on only three members of the recall  
2 committee need be listed; and (2) a copy of the answer provided by the  
3 official sought to be recalled, if one was provided, or a declaration that  
4 no such answer was provided, except that no such answer or  
5 declaration shall be included if a statement of the reasons for the recall  
6 was not provided.

7 d. Each page of a recall petition shall be arranged so that each  
8 signer of the petition shall personally affix the signer's signature;  
9 printed name and residence address, including street and number, or  
10 a designation of residence which is adequate to readily determine  
11 location; the municipality of residence; and the date on which the  
12 signer signed the petition. A space at least one inch wide shall be left  
13 blank after each name for use in verifying signatures when appropriate,  
14 as provided by this act. A box shall be provided after each name for  
15 the signer to indicate that the signer has had the opportunity to review  
16 the information on the first page of that section of the petition.

17 e. (1) Whenever the official sought to be recalled is the Governor  
18 or a United States Senator, separate sections of the petition shall be  
19 prepared for use by signers registered to vote in each county. Each  
20 page of a section shall bear in not less than 10-point type the name of  
21 the county in which that section is to be used and the statement, "Only  
22 eligible persons residing in ..... (name of county) County shall sign  
23 this page." A signer shall not affix the signer's signature to any page  
24 of any section unless it bears the name of the county in which the  
25 signer is registered to vote.

26 (2) Whenever the official sought to be recalled is a member of the  
27 Legislature or a member of the United States House of  
28 Representatives and the official's jurisdiction includes parts of more  
29 than one county, separate sections of the petition shall be prepared for  
30 use by signers registered to vote in each county included within the  
31 member's jurisdiction. Each page of a section shall bear in not less  
32 than 10-point type the name of the county in which that section is to  
33 be used and the statement, "Only eligible persons residing in (name of  
34 county) County shall sign this page." A signer shall not affix the  
35 signer's signature to any page of any section unless it bears the name  
36 of the county in which the signer is registered to vote.

37 (3) The signature of any person to a page of a recall petition  
38 bearing the name of a county in which the person is not registered to  
39 vote shall be invalid, but the invalidity of such a signature shall not  
40 invalidate or otherwise impair the section wherein or page whereon  
41 that signature appears, nor shall it invalidate or otherwise impair any  
42 other signature to that or any other section of the petition.

43 f. Prior to use, the sections of a recall petition shall be reviewed by  
44 the recall election official for compliance with the provisions of this  
45 act. The recall election official shall complete the review of the  
46 petition within three business days of receipt. No section of a recall



1 petition shall be used to solicit signatures unless it has been so  
2 approved and a statement of such approval, signed by the recall  
3 election official, has been printed on the first page of that section.

4 g. No obstruction shall be placed over any portion of a page of a  
5 petition section at the time that page is presented to a voter to be  
6 signed.

7 h. Every member of a recall committee circulating a recall petition  
8 and every circulator of that petition shall sign the petition. If any  
9 member of the committee shall fail to sign the petition, the petition  
10 shall be deemed void. In the event that the signature to the petition of  
11 a member of the recall committee shall be deemed invalid, then  
12 notwithstanding the provisions of subsection e. of this section, the  
13 petition shall be deemed void.

14 i. If a solicitation for signatures to a recall petition is presented to  
15 prospective petition signers by a paid print advertisement or paid  
16 mailing, or if a recall petition is presented to such a prospective signer  
17 by a paid circulator, the solicitation or petition, respectively, shall  
18 disclose prominently in a statement printed in at least 10-point type (1)  
19 the identity of the person paying for the printed or personal  
20 solicitation, and (2) that the circulator is paid. The Election Law  
21 Enforcement Commission shall promulgate such rules and regulations  
22 as are necessary to implement the provisions and effectuate the  
23 purposes of this subsection.

24 j. No person who is ineligible to sign a recall petition shall, with  
25 knowledge of that ineligibility, sign such a petition. No person shall  
26 offer to pay or pay another to sign or to refrain from signing a recall  
27 petition or to vote or to refrain from voting in a recall election. A  
28 person who violates any of the foregoing provisions of this subsection  
29 is guilty of a crime of the ~~fourth~~ third degree.

30 (cf: P.L.1995, c.105, s.8)

31

32 9. Section 1 of P.L.1994, c.148 (C.19:31-3.2) is amended to read  
33 as follows:

34 1. a. A person who is (1) a victim of domestic violence who has  
35 obtained a permanent restraining order against a defendant pursuant  
36 to section 13 of the "Prevention of Domestic Violence Act of 1991,"  
37 P.L.1991, c.261 (C.2C:25-29) and fears further violent acts by the  
38 defendant, or (2) a victim of stalking, or member of the immediate  
39 family of such a victim as defined by paragraph (3) of subsection a. of  
40 section 1 of P.L.1992, c.209 (C.2C:12-10), who is protected under the  
41 terms of a permanent restraining order issued pursuant to section 3 of  
42 P.L.1996, c.39 (C.2C:12-10.1) and who fears death or bodily injury  
43 from the defendant against whom that order was issued, shall be  
44 allowed to register to vote without disclosing the person's street  
45 address. Such a person shall leave the space for a street address on  
46 the original permanent registration form blank and shall, instead,

1 attach to the form a copy of the permanent restraining order and a  
 2 note which indicates that the person fears future violent acts by the  
 3 defendant and which contains a mailing address, post office box or  
 4 other contact point where mail can be received by the person. Upon  
 5 receipt of the person's voter registration form, the commissioner of  
 6 registration in all counties having a superintendent of elections, and  
 7 the county board of elections in all other counties, shall provide the  
 8 person with a map of the municipality in which the person resides  
 9 which shows the various voting districts. The person shall indicate to  
 10 the commissioner or board, as appropriate, the voting district in which  
 11 the person resides and shall be permitted to vote at the polling place  
 12 for that district. If such a person thereafter changes residences, the  
 13 person shall so inform the commissioner or board by completing a new  
 14 permanent registration form in the manner described above.

15 b. Any person who makes public any information which has been  
 16 provided by a victim of domestic violence, or by a victim of stalking  
 17 or the family member of such a victim, pursuant to subsection a. of this  
 18 section concerning the mailing address, post office box or other  
 19 contact point of the victim or family member or the election district in  
 20 which the victim or family member resides is guilty of a crime of the  
 21 ~~[fourth]~~ third degree.

22 (cf: P.L.2001, c.177, s.2)

23

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

26 16. a. The Attorney General shall cause to be prepared and shall  
 27 provide to each county commissioner of registration forms of size and  
 28 weight suitable for mailing, which shall require the information  
 29 required by R.S.19:31-3 in substantially the following form:

30

31 VOTER REGISTRATION APPLICATION

32

33 Print clearly in ink. Use ballpoint pen or marker.

34

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

36

37  New registration

38

39  Address change

40

41  Name change

42

43 (2) Name:.....

44

45 Last First Middle

A39 SIRES, STEELE

1 (3) Are you a citizen of the United States of America?  Yes  No

2 (4) Will you be 18 years of age on or before election day?  Yes

3 No

4 If you checked 'No' in response to either of these questions, do not  
5 complete this form.

6

7 (5) Street Address where you live:

8

9 .....

10

11 Street Address Apt. No.

12

13 .....

14

15 (6) City or Town County Zip Code

16

17 (7) Address Where You Receive Your Mail (if different from  
18 above):

19

20 .....

21

22 (8) Date of Birth:

23

24 .....

25

26 Month Day Year

27

28 (9) Telephone Number (optional) .....

29

30 (10) Name and address of Your Last Voter Registration

31

32 .....

33

34 .....

35

36 .....

37

38 (11) If you are registering by mail to vote and will be voting for the  
39 first time in your current county of residence, please provide one of  
40 the following:

41 (a) your New Jersey driver's license number:.....

42 (b) the last four digits of your Social Security  
43 Number.....

44 OR submit with this form a copy of any one of the following  
45 documents: a current and valid photo identification card; a current  
46 utility bill, bank statement, government check, pay check or any other

1 government or other identifying document that shows your name and  
2 current address. If you do not provide either your New Jersey driver's  
3 license number or the last four digits of your Social Security Number,  
4 or enclose a copy of one of the documents listed above, you will be  
5 asked for identification when voting for the first time, unless you are  
6 exempt from doing so under federal or State law.

7  
8 (12) Declaration - I swear or affirm that:

9  
10 I am a U.S. citizen.

11  
12 I live at the above address.

13  
14 I will be at least 18 years old on or before the day of the next  
15 election.

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

19  
20 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
21 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
22 ~~[\$1,000.00]~~ \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR  
23 BOTH PURSUANT TO R.S.19:34-1.

24  
25 .....

26  
27 Signature or mark of the registrant          Date

28  
29 (13) If applicant is unable to complete this form, print the name and  
30 address of individual who completed this form.

31  
32 .....

33  
34 Name

35  
36 .....

37  
38 Address

39  
40 In addition, the form may include notice to the applicant of  
41 information and options relating to the registration and voting process,  
42 including but not limited to notice of qualifications required of a  
43 registered voter; notice of the final day by which a person must be  
44 registered to be eligible to vote in an election; notice of the effect of  
45 a failure to provide required identification information; a place at  
46 which the applicant may indicate availability for service as a member

1 of the district board of elections; a place at which the applicant may  
2 indicate whether he or she requires a polling place which is accessible  
3 to elderly and physically disabled voters or whether he or she is legally  
4 blind; and a place at which the applicant may indicate a desire to  
5 receive information concerning absentee voting. The form may also  
6 include a space for the voter registration agency to record whether the  
7 applicant registered in person, by mail or by other means.

8 b. The reverse side of the registration form shall bear the address  
9 of the Attorney General or the commissioner of registration to whom  
10 such form is supplied, and a United States postal permit the charges  
11 upon which shall be paid by the State.

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

19 d. The commissioner of registration shall furnish such registration  
20 forms upon request in person to any person or organization in such  
21 reasonable quantities as such person or organization shall request.  
22 The commissioner shall furnish no fewer than two such forms to any  
23 person upon request by mail or by telephone.

24 e. Each such registration form shall have annexed thereto  
25 instructions specifying the manner and method of registration and  
26 stating the qualifications for an eligible voter.

27 f. The Attorney General shall also furnish such registration forms  
28 and such instructions to the Director of the Division of Worker's  
29 Compensation, the Director of the Division of Employment Services,  
30 and the Director of the Division of Unemployment and Temporary  
31 Disability Insurance in the Department of Labor and Workforce  
32 Development; to the Director of the Division of Taxation in the  
33 Department of the Treasury; to the Executive Director of the New  
34 Jersey Transit Corporation; to the appropriate administrative officer  
35 of any other public agency, as defined by subsection a. of section 15  
36 of P.L.1974, c.30 (C.19:31-6.3); to the Adjutant General of the  
37 Department of Military and Veterans' Affairs; and to the chief  
38 administrative officer of any voter registration agency, as defined in  
39 subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11).

40 g. All registration forms received by the Attorney General in the  
41 mail or forwarded to the Attorney General shall be forwarded to the  
42 commissioner of registration in the county of the registrant.

43 h. An application to register to vote received from the New Jersey  
44 Motor Vehicle Commission or a voter registration agency, as defined  
45 in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), shall  
46 be deemed to have been timely made for the purpose of qualifying an

1 eligible applicant as registered to vote in an election if the date on  
2 which the commission or agency shall have received that document in  
3 completed form, as indicated in the lower right hand corner of the  
4 form, was not later than the 29th day preceding that election.

5 i. Each commissioner of registration shall make note in the  
6 permanent registration file of each voter who is required to provide the  
7 personal identification information required pursuant to this section,  
8 as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-252 (42  
9 U.S.C. 15301 et seq.), to indicate the type of identification provided  
10 by the voter and the date on which it is provided. Prior to the June  
11 2004 primary election, when such a newly registered voter seeks to  
12 vote for the first time following his or her registration, the voter will  
13 be required to provide such personal identification information.  
14 Beginning with the June 2004 primary election, when such a newly  
15 registered voter seeks to vote for the first time following his or her  
16 registration, the voter will not be required to provide such information  
17 if he or she had previously provided the personal identification  
18 information required pursuant to this section. The required  
19 information shall be collected and stored for the time and in the  
20 manner required pursuant to regulations promulgated by the Attorney  
21 General.

22 j. The Attorney General shall amend the voter registration  
23 application form if necessary to conform to the requirements of  
24 applicable federal or state law.

25 (cf: P.L.2004, c.88, s.12)

26

27 11. Section 2 of P.L.1944, c.230 (C.19:31A-8) is amended to read  
28 as follows:

29 2. Every person qualified to vote in any election shall at any time  
30 after the opening of the polls be at liberty to enter the polling place or  
31 room and claim his right to vote at such election in his proper district,  
32 and he shall claim such right in person before the district board in the  
33 district. The board shall permit no person to vote whose name does  
34 not appear in the signature copy register of its election district. Each  
35 voter in claiming the right to vote shall first give his full name and  
36 address to the member of the district board having charge of the  
37 duplicate permanent registration binder and voting record and the  
38 signature comparison record. Such clerk shall thereupon locate the  
39 permanent registration form and voting record and signature  
40 comparison record of the voter and shall require the voter to  
41 thereupon sign his name in the proper space on his signature  
42 comparison record if the voter has previously signed his name on the  
43 line marked sample signature. If the voter has not so signed the  
44 member of the district board shall require the voter to sign the line  
45 marked sample signature and compare the sample signature with the  
46 signature made by such person at the time he registered and if satisfied

1 that they were made by one and the same person he shall then permit  
2 the voter to sign his name in the proper space on the signature  
3 comparison record. The voter shall sign his name without assistance  
4 using black ink in the proper column on the signature comparison  
5 record. Such signature being completed on the signature comparison  
6 record the member of the board having charge of the duplicate  
7 permanent registration binder shall audibly and publicly announce the  
8 name of the claimant and if the member of the board has ascertained  
9 from the duplicate permanent registration binder that the claimant is  
10 registered as a qualified voter and upon comparison the member of the  
11 board is satisfied that the signature of the claimant and the sample  
12 signature on the signature copy register has been made by one and the  
13 same person, the member of the board who compared the signature of  
14 the voter shall place his initials in the proper column on the signature  
15 comparison record signifying that he has made such comparison and  
16 is satisfied that the signature of the claimant and sample signature has  
17 been made by one and the same person; whereupon the voter shall be  
18 eligible to receive a ballot unless it be shown to the satisfaction of a  
19 majority of the members of the district board that he is not entitled to  
20 vote in the district or has otherwise become disqualified.

21 In addition to signing the signature comparison record and after the  
22 comparison of the signature with the signature in the register, a person  
23 offering to vote at a primary election for the general election shall  
24 announce his name and the party primary in which he wishes to vote.

25 After a person has voted, the member of the district board having  
26 charge of the signature copy register shall place the number of the  
27 person's ballot in the proper column on the record of voting form of  
28 such person, which number shall constitute a record that the person  
29 has voted. In the case of a primary election for the general election  
30 such member of the district board shall also place in the proper column  
31 on the record of voting form the first three letters of the name of the  
32 political party whose primary ballot such person has voted.

33 No person shall be required to sign the signature comparison record  
34 as a means of identification if he shall have been unable to write his  
35 name when he registered, or if, having been able to write his name  
36 when registered, he subsequently shall have lost his sight or lost the  
37 hand with which he was accustomed to write or shall by reason of  
38 disease or accident be unable to write his name when he applies to  
39 vote, but each such person who alleges his inability to sign his name  
40 on the signature comparison record shall establish his identity as  
41 follows: one of the members of the district board shall read the same  
42 list of questions to the voter as were required upon registration, such  
43 questions shall be provided at each election by the commissioner of  
44 registration and are to be known as "identification statements for  
45 election day." The member of the board shall write the answers of the  
46 voter upon the identification statement. These statements shall be

1 inserted in the front of the duplicate registry binders, at each election,  
2 and shall be numbered serially from one to twenty.

3 Each statement shall contain the same questions as the voter was  
4 required to answer upon registration. The questions answered upon  
5 registration shall not be turned to or inspected until the answers to the  
6 questions shall have been written on election day by the member of the  
7 board.

8 At the end of each list of questions shall be printed the following  
9 statement: "I certify that I have read to the above named voter each  
10 of the foregoing questions and that I have duly recorded his answers  
11 as above to each of said questions"; and the member of the board who  
12 has made the above record shall sign his name to such certificate and  
13 date the same, and note the time of day of making such record. If the  
14 answers to the questions asked of the voter on election day agree with  
15 the answers given by him to the same questions at the time he  
16 registered, he shall then be eligible to receive a ballot. Any person  
17 who shall permit or attempt to furnish the answers on behalf of the  
18 voter shall be guilty of a [misdemeanor] crime of the third degree.  
19 The commissioner of registration shall furnish sufficient identification  
20 statements for each election district in each county. The statements  
21 shall be printed on sheets approximately ten by sixteen inches and shall  
22 contain a margin of approximately two inches for binding and shall be  
23 inserted in the front of the duplicate registry binders each election and  
24 shall be in substantially the following form:

25 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

26 At any election any person who declares under oath and establishes  
27 to the satisfaction of a majority of all the members of the district  
28 board, that by reason of an inability to read or write, blindness or other  
29 physical disability he is unable to mark his ballot without assistance,  
30 shall have the assistance of two members of the board who shall not  
31 be members of the same political party, to be assigned by the board,  
32 in preparing his ballot. Such members shall retire with such voter to  
33 the booth and assist him in the preparation of his ballot and folding the  
34 same. The member acting as clerk of the district board shall make an  
35 entry on a disability certificate for assistance, which entry shall be in  
36 the form of an oath and be inserted in the front of the duplicate  
37 registry binders each election.

38 In every instance when such oath was administered to a voter as  
39 herein provided, it shall state briefly what facts were sworn to and the  
40 names of the members of the board who aided such voter. Any  
41 members of the district board shall be eligible to witness the  
42 preparation of the ballot of any such voter, but no other person shall  
43 be allowed to assist him in marking his ballot or to witness the marking  
44 of the same. No member of the board shall reveal the name of any  
45 person for whom such voter has voted or anything that took place  
46 while he was being assisted.



1 Such voter, if blind, disabled, or unable to read or write, may, in  
 2 lieu of the assistance of the board as above provided, have assistance  
 3 of some person of his own selection in preparing his ballot. Such  
 4 person shall retire with such voter to the booth and assist him in the  
 5 preparation of his ballot and folding the same. The name and address  
 6 of such person shall be recorded as above. In such case, no other  
 7 person than the one so selected by the voter shall be allowed to assist  
 8 such voter in marking his ballot or witness the marking of the same.  
 9 No person so selected shall reveal the name of any person for whom  
 10 such voter has voted or anything that took place while he was being  
 11 assisted.

12 The disability certificates shall be numbered serially one to twenty.  
 13 The commissioner of registration shall furnish sufficient disability  
 14 certificates for assistance for each election district in his county. The  
 15 disability certificates for assistance shall be printed on sheets  
 16 approximately ten by sixteen inches and shall contain a margin of  
 17 approximately two inches for binding and shall be in substantially the  
 18 following form:

19 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

20 The commissioner of registration in each county shall furnish  
 21 sufficient certificates of signature comparison records for each election  
 22 district in his county to be filled in and signed at the close of the polls  
 23 by the members of the district board. A blank space shall also be  
 24 provided for on the certificate for the signatures of the members of the  
 25 election board. Under said certificate there shall also be printed the  
 26 word "Remarks" together with a number of blank lines. The  
 27 commissioner shall insert one of such certificates in the front of the  
 28 signature copy register in each election district in the county. At  
 29 primary elections the certificate shall be in substantially the following  
 30 form:

31 PRIMARY ELECTION

32 CERTIFICATION OF SIGNATURE COMPARISON RECORD

33 The undersigned constituting the district board of election in the  
 34 County of ..... in the  
 35 .....

36 (City, Town, Township, Borough or  
 37 Village)

38 ..... Ward .....

39 District hereby  
 40 certify that (.....) is the correct  
 41 total of the

42 (Figures)  
 43 number of names of voters who actually signed the signature  
 44 comparison records and voted in the DEMOCRATIC PRIMARY  
 45 ELECTION held on the  
 46 ..... day of ..... 194... .

1 And hereby certify that (.....) is the correct total of the  
2 number of  
3 (Figures)  
4 names of voters who actually signed the signature comparison records  
5 and voted in the REPUBLICAN PRIMARY ELECTION held on the  
6 ..... day of ....., 194... .

7  
8 DISTRICT  
9 .....Judge .....  
10 Clerk.

11  
12 BOARD OF  
13 .....Inspector ..... Clerk.

14  
15 ELECTION

16 Remarks:.....  
17 .....  
18 .....  
19 .....  
20 .....  
21 .....

22 At all other elections the certificates shall be in substantially the  
23 following form:

24  
25 CERTIFICATION OF SIGNATURE COMPARISON RECORD

26 The undersigned constituting the district board of election in the  
27 County of ..... in the  
28 .....

29 (City, Town, Township, Borough or Village)  
30 ..... Ward .....

31 District hereby  
32 certify that (.....) is the correct  
33 total of the

34 (Figures)  
35 number of names of voters who actually signed the signature  
36 comparison records and voted in the  
37 .....election held on  
38 the (General, Special or other Election as the case may be)  
39 ..... day of ....., 194... .

40  
41 DISTRICT  
42 ..... Judge ..... Clerk.

43  
44 BOARD OF  
45 .....Inspector ..... Clerk.

1 ELECTION

2 Remarks:.....  
3 .....  
4 .....  
5 .....  
6 .....  
7 .....  
8 .....  
9 .....

10 After each election the commissioner of registration shall remove  
11 from the binders the identification statements, the disability certificates  
12 for assistance, and certifications of signature comparison records and  
13 shall preserve them in his office in a suitable place for a period of two  
14 years.  
15 (cf: P.L.1996, c.120, s.6)

16  
17

18 12. R.S.19:32-5 is amended to read as follows:  
19 19:32-5. Such superintendents and their assistants, in order to  
20 enforce the laws of this state regarding the conduct of elections, shall  
21 investigate all complaints relating to the registration of voters, and for  
22 that purpose the superintendents and their assistants shall have full  
23 power and authority to visit and inspect any house, dwelling, building,  
24 inn, lodging house or hotel and interrogate any inmate, house-dweller,  
25 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
26 to any person or persons residing or claiming to reside therein or  
27 thereat; to inspect and copy any books, records, papers or documents  
28 relating to or affecting the elections, either general, special, primary  
29 or municipal, or the registration of voters in the custody and control  
30 of district boards, county boards, or the clerks or other officers of  
31 municipalities; to require every lodging-house keeper, landlord or  
32 proprietor to exhibit his register of lodgers therein at any time to the  
33 superintendent, his subordinates or any other person so designated by  
34 such superintendent.

35 Any person who neglects or refuses to furnish any information  
36 required or authorized by this title, or to exhibit the records, papers,  
37 or documents herein authorized to be inspected, or which are required  
38 to be exhibited, shall be guilty of a **[misdemeanor]** crime of the third  
39 degree.  
40 (cf: R.S.19:32-5)

41

42 13. R.S.19:32-6 is amended to read as follows:  
43 19:32-6 The superintendent shall have power to issue subpoenas  
44 for the purpose of investigating any complaint of violation of the  
45 election laws of the state, such subpoenas to be issued in the name of  
46 the superintendent and for the purpose of aiding him in enforcing the

1 provisions of the election laws. He may in proper cases issue  
2 subpoenas duces tecum. A subpoena issued by the superintendent may  
3 be served by any peace officer or any other person designated by him  
4 for that purpose.

5 A person who shall omit, neglect or refuse to obey a subpoena  
6 attested in the name of the superintendent and made returnable by him  
7 or who shall refuse to testify under oath before such superintendent  
8 shall be guilty of a [misdemeanor and punished accordingly] crime of  
9 the third degree.

10 A person who shall make any false statement under oath before the  
11 superintendent shall be guilty of a [misdemeanor and punished  
12 accordingly] crime of the third degree.  
13 (cf: R.S.19:32-6)

14

15 14. R.S.19:32-8 is amended to read as follows:

16 19:32-8. When directed by the superintendent every landlord,  
17 proprietor, lessee or keeper of a lodging house, inn or hotel, shall keep  
18 a register in which shall be entered the names and residences, the date  
19 of arrival and departure of his guests, and the room, rooms or bed  
20 occupied by them. This register shall be arranged so that there shall  
21 be a space on the same line in which each male guest or male lodger  
22 shall sign his name.

23 Such landlord, proprietor, lessee or keeper shall make a sworn  
24 report upon a blank to be prepared and furnished by the  
25 superintendent thirty days before the election next ensuing to such  
26 superintendent, containing a detailed description of the premises so  
27 used and occupied as a lodging house, inn or hotel, including the size  
28 and character of building, and in case only part of a building is so  
29 used, a statement as to what part, and the names of the lodgers  
30 therein, and all the employees, and all other persons living therein,  
31 including the landlord, proprietor, lessee or keeper, and members of  
32 his family, who claim a voting residence at or in such lodging house,  
33 inn or hotel, together with the length of time they have been regularly  
34 lodged or lived therein, the beginning of such residence, the color,  
35 approximate age, height, weight, whereby the persons may be  
36 identified, the nationality, the occupation and place of business of  
37 such persons, and the room occupied by each person, and whether the  
38 person is a guest, landlord, proprietor, lessee or keeper, and the  
39 signature of each person. Above the space reserved for the signature  
40 of each such person shall be printed the following words, "the  
41 foregoing statements are true." In the form of affidavit, which shall  
42 be sworn to by the landlord, proprietor, lessee or keeper of such  
43 lodging house, inn or hotel, shall be included the statement that the  
44 signatures of the guests or lodgers certified to in such report were  
45 written in the presence of such landlord, proprietor, lessee or keeper,  
46 and that he personally knows them to be the persons therein

1 described.

2 To the end that the sworn report herein shall truly set forth the facts  
3 therein stated, such landlord, proprietor, lessee or keeper shall  
4 question each male person lodging or living in the lodging house, inn  
5 or hotel, as to his intention of claiming such place as a voting  
6 residence, and the person shall thereupon declare his intention thereof,  
7 and if he shall claim the place as his voting residence, he shall give to  
8 such landlord, proprietor, lessee or keeper such facts regarding  
9 himself as are required to be incorporated in the sworn report herein  
10 provided for. Such report and affidavit shall be filed personally by the  
11 landlord, proprietor, lessee or keeper with the superintendent at his  
12 office.

13 Any such landlord, proprietor, lessee or keeper or any lodger who  
14 shall violate this section shall be deemed guilty of a [misdemeanor]  
15 crime of the third degree.

16 (cf: R.S.19:32-8)

17

18 15. R.S.19:32-12 is amended to read as follows:

19 19:32-12. Any person preventing, hindering or interfering with the  
20 said superintendent or his chief deputy or assistants in sealing such  
21 ballot box or boxes or bag or bags shall be guilty of a [misdemeanor,  
22 and shall be punished by imprisonment for a term not exceeding three  
23 years, or by the payment of a fine not exceeding one thousand dollars,  
24 or both] crime of the third degree.

25 (cf: R.S.19:32-12)

26

27 16. R.S.19:32-13 is amended to read as follows:

28 19:32-13. Any person who destroys, defaces or removes, or  
29 attempts to destroy, deface or remove, such a seal shall be guilty of a  
30 [misdemeanor, and shall be punished by imprisonment for a term not  
31 exceeding three years, or by the payment of a fine not exceeding one  
32 thousand dollars, or both] crime of the third degree.

33 (cf: R.S.19:32-13)

34

35 17. Section 5 of P.L.1947, c.167 (C.19:32-30) is amended to read  
36 as follows:

37 5. Such superintendents and their assistants, in order to enforce the  
38 laws of this State regarding the conduct of elections, shall investigate  
39 all complaints relating to the registration of voters, and for that  
40 purpose the superintendents and their assistants shall have full power  
41 and authority to visit and inspect any house, dwelling, building, inn,  
42 lodging house or hotel and interrogate any inmate, house-dweller,  
43 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
44 to any person or persons residing or claiming to reside therein or  
45 thereat; to inspect and copy any books, records, papers or documents  
46 relating to or affecting the elections, either general, special, primary

1 or municipal, or the registration of voters in the custody and control  
2 of district boards, county boards, or the clerks or other officers of  
3 municipalities; to require every lodging-house keeper, landlord or  
4 proprietor to exhibit his register of lodges therein at any time to the  
5 superintendent, his subordinates or any other person so designated by  
6 such superintendent.

7 Any person who neglects or refuses to furnish any information  
8 required or authorized by this Title, or to exhibit the records, papers,  
9 or documents herein authorized to be inspected, or which are required  
10 to be exhibited, shall be guilty of a [misdemeanor] crime of the third  
11 degree.

12 (cf: P.L.1947, c.167, s.5)

13

14 18. Section 6 of P.L.1947, c.167 (C.19:32-31) is amended to read  
15 as follows:

16 6. The superintendent shall have power to issue subpoenas for the  
17 purpose of investigating any complaint of violation of the election laws  
18 of the State, such subpoenas to be issued in the name of the  
19 superintendent and for the purpose of aiding him in enforcing the  
20 provisions of the election laws. He may in proper cases issue  
21 subpoenas duces tecum. A subpoena issued by the superintendent may  
22 be served by any peace officer or any other person designated by him  
23 for that purpose.

24 A person who shall omit, neglect or refuse to obey a subpoena  
25 attested in the name of the superintendent and made returnable by him  
26 or who shall refuse to testify under oath before such superintendent  
27 shall be guilty of a [misdemeanor and punished accordingly] crime of  
28 the third degree.

29 A person who shall make any false statement under oath before the  
30 superintendent shall be guilty of a [misdemeanor and punished  
31 accordingly] crime of the third degree.

32 (cf: P.L.1947, c.167, s.6)

33

34 19. Section 8 of P.L.1947, c.167 (C.19:32-33) is amended to read  
35 as follows:

36 8. When directed by the superintendent, every landlord, proprietor,  
37 lessee or keeper of a lodging house, inn or hotel shall keep a register  
38 in which shall be entered the names and residences, the date of arrival  
39 and departure of his guests, and the room, rooms or bed occupied by  
40 them. This register shall be arranged so that there shall be a space on  
41 the same line in which each male guest or male lodger shall sign his  
42 name.

43 Such landlord, proprietor, lessee or keeper shall make a sworn  
44 report upon a blank to be prepared and furnished by the  
45 superintendent thirty days before the election next ensuing to such  
46 superintendent, containing a detailed description of the premises so

1 used and occupied as a lodging house, inn or hotel, including the size  
2 and character of building, and in case only part of a building is so  
3 used, a statement as to what part, and the names of the lodgers  
4 therein, and all the employees, and all other persons living therein,  
5 including the landlord, proprietor, lessee or keeper, and members of  
6 his family, who claim a voting residence at or in such lodging house,  
7 inn or hotel, together with the length of time they have been regularly  
8 lodged or lived therein, the beginning of such residence, the color,  
9 approximate age, height, weight, whereby the persons may be  
10 identified, the nationality, the occupation and place of business of  
11 such persons, and the room occupied by each person, and whether the  
12 person is a guest, landlord, proprietor, lessee or keeper, and the  
13 signature of each person. Above the space reserved for the signature  
14 of each such person shall be printed the following words, "the  
15 foregoing statements are true." In the form of affidavit, which shall  
16 be sworn to by the landlord, proprietor, lessee or keeper of such  
17 lodging house, inn or hotel, shall be included the statement that the  
18 signatures of the guests or lodgers certified to in such report were  
19 written in the presence of such landlord, proprietor, lessee or keeper,  
20 and that he personally knows them to be the persons therein  
21 described.

22 To the end that the sworn report herein required shall truly set forth  
23 the facts therein stated, such landlord, proprietor, lessee or keeper  
24 shall question each male person lodging or living in the lodging house,  
25 inn or hotel as to his intention of claiming such place as a voting  
26 residence, and the person shall thereupon declare his intention thereof,  
27 and if he shall claim the place as his voting residence he shall give to  
28 such landlord, proprietor, lessee or keeper such facts regarding himself  
29 as are required to be incorporated in the sworn report herein provided  
30 for. Such report and affidavit shall be filed personally by the landlord,  
31 proprietor, lessee or keeper with the superintendent at his office.

32 Any such landlord, proprietor, lessee or keeper or any lodger who  
33 shall violate this section shall be deemed guilty of a [misdemeanor]  
34 crime of the third degree.

35 (cf: P.L.1947, c.167, s.8)

36

37 20. Section 10 of P.L.1947, c.167 (C.19:32-35) is amended to read  
38 as follows:

39 10. Any person preventing, hindering or interfering with the said  
40 superintendent or his chief deputy or assistants in sealing such ballot  
41 box or boxes or bag or bags shall be guilty of a [misdemeanor, and  
42 shall be punished by imprisonment for a term not exceeding three  
43 years, or by the payment of a fine not exceeding one thousand dollars  
44 (\$1,000.00), or both] crime of the third degree.

45 (cf: P.L.1947, c.167, s.10)

1       21. Section 11 of P.L.1947, c.167 (C.19:32-36) is amended to read  
2 as follows:

3       11. Any person who destroys, defaces or removes, or attempts to  
4 destroy, deface or remove, such a seal shall be guilty of a  
5 [misdemeanor, and shall be punished by imprisonment for a term not  
6 exceeding three years, or by the payment of a fine not exceeding one  
7 thousand dollars (\$1,000.00), or both] crime of the third degree.

8 (cf: P.L.1947, c.167, s.11)

9

10       22. R.S.19:34-1 is amended to read as follows:

11       19:34-1. If any member of the district board shall willfully refuse  
12 to enter in the canvassing books or upon the registers the name of any  
13 person legally entitled to vote, or shall register the name of any person  
14 contrary to the provisions of this title, such member shall be  
15 [punished by a fine not exceeding one thousand dollars, or by  
16 imprisonment not exceeding two years, or both] guilty of a crime of  
17 the third degree.

18       Any person who shall cause or procure his name to be registered in  
19 more than one election district, or shall cause or procure his name or  
20 that of any other person to be registered, knowing that he or such  
21 other person is not entitled to vote in the election district wherein  
22 such registry is made at the next election to be held therein, shall be  
23 punished for each such offense [by a fine not exceeding one thousand  
24 dollars, or imprisonment for a term not exceeding five years, or both]  
25 guilty of a crime of the third degree.

26       No district board shall execute or deliver to any voter any paper in  
27 the nature of a transfer, purporting to authorize him to vote in any  
28 other election district unless he is actually registered as now provided  
29 by law.

30       Any officer or employee who shall willfully fail to perform or  
31 enforce any of the provisions of this title or who shall unlawfully or  
32 fraudulently remove any registration records, or who shall willfully  
33 destroy any record directed by this title to be kept, or any person who  
34 shall willfully or fraudulently register more than once, or register under  
35 any but his true name, or attempt to vote by impersonating another  
36 who is registered, or who willfully registers in any election district  
37 where he is not a resident at the time of registering, or who violates  
38 any of the provisions of this title, shall be guilty of a [misdemeanor]  
39 crime of the third degree.

40 (cf: R.S.19:34-1)

41

42       23. Section 43 of P.L.1994, c.182 (C.19:34-1.1) is amended to  
43 read as follows:

44       43. a. Any person, other than an election official, who:       (1)  
45 knowingly and willfully intimidates, threatens or coerces, or attempts  
46 to intimidate, threaten or coerce, any person for registering to vote,



1 voting or attempting to register to vote or vote, urging or aiding any  
2 person to register to vote, to vote or to attempt to register or vote or  
3 exercising any right under the provisions of P.L.1994, c.182  
4 (C.19:31-6.11 et al.); or

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

14 b. Any election official who:

15 (1) knowingly and willfully intimidates, threatens or coerces, or  
16 attempts to intimidate, threaten or coerce, any person for registering  
17 to vote, voting or attempting to register to vote or vote, urging or  
18 aiding any person to register to vote, to vote or to attempt to register  
19 or vote, or exercising any right under the provisions of P.L.1994,  
20 c.182 (C.19:31-6.11 et al.); or

21 (2) knowingly and willfully deprives, defrauds or attempts to  
22 deprive or defraud the residents of this State of a fair and impartially  
23 conducted election by the procurement or submission of voter  
24 registration applications that are known by the election official to be  
25 materially false, fictitious or fraudulent under the provisions of Title  
26 19 of the Revised Statutes or the procurement, casting or tabulation  
27 of ballots that are known by the election official to be materially false,  
28 fictitious or fraudulent under the provisions of Title 19 of the Revised  
29 Statutes, is guilty of a crime of the ~~[second]~~ third degree.

30 c. As used in this section, "election official" shall include, but not  
31 be limited to, any superintendent or deputy superintendent of  
32 elections, commissioner of registration, member of a county board of  
33 elections, county clerk, municipal clerk, member of a district board of  
34 elections, member of a board of county canvassers and member of a  
35 board of State canvassers.

36 (cf: P.L.1994, c.182, s.43)

37

38 24. R.S.19:34-2 is amended to read as follows:

39 19:34-2. No person shall falsely make, falsely make oath to, or  
40 fraudulently deface or fraudulently destroy any certificate of  
41 nomination or petition, or any part thereof, or file, or receive for filing,  
42 any certificate of nomination or petition, knowing the same or any part  
43 thereof to be falsely made, or suppress any certificate of nomination  
44 or petition which has been duly filed, or any part thereof. A person  
45 violating any of the provisions of this section shall be guilty of a  
46 ~~[misdemeanor,~~ and shall be punished by imprisonment for not more

1 than five years] crime of the third degree.

2 Any person who, being a member of one political party, shall sign  
3 his name to any petition indorsing any person as a candidate for office  
4 of another political party, shall be guilty of a [misdemeanor] crime of  
5 a third degree.

6 (cf: R.S.19:34-2)

7

8 25. R.S.19:34-3 is amended to read as follows:

9 19:34-3. If any printer employed by any county or municipal  
10 clerk to print official ballots, or any person engaged in printing the  
11 same, shall appropriate to himself or give or deliver or knowingly  
12 permit to be taken any of such ballots by any other person than such  
13 county or municipal clerk or his duly authorized agent, or shall print  
14 or cause to be printed any official ballot in any other form than that  
15 prescribed by the county or municipal clerk, or with any other names  
16 thereon, or with the names spelled or the names or printing thereon  
17 arranged in any other way than that authorized and directed by this  
18 title, the person so offending shall be guilty of a [misdemeanor and  
19 shall be punished by a fine not exceeding one thousand dollars or  
20 imprisonment not exceeding five years] crime of the third degree.

21 If any person not authorized by the proper officers shall print or  
22 make any official or sample ballot provided for in this title, or on or  
23 prior to election day shall willfully have in his possession an official  
24 ballot without being authorized by this title to have charge or  
25 possession thereof, the person so offending shall be guilty of a  
26 [misdemeanor] crime of the third degree.

27 If any person shall forge or falsely make any ballot or the official  
28 indorsement thereof, the person so offending shall be guilty of a  
29 [misdemeanor and shall be punished by imprisonment for not more  
30 than five years] crime of the third degree.

31 (cf: R.S.19:34-3)

32

33 26. R.S.19:34-4 is amended to read as follows:

34 19:34-4. If a person convicted of a crime which disfranchises him  
35 shall vote at any election, unless he shall have been pardoned or  
36 restored by law to the right of suffrage, he shall be guilty of a  
37 [misdemeanor, and shall be punished by a fine not exceeding two  
38 hundred dollars, or imprisonment at hard labor not exceeding two  
39 years, or both] crime of the third degree.

40 (cf: R.S.19:34-4)

41

42 27. R.S. 19:34-5 is amended to read as follows:

43 19:34-5. No person shall, during an election, with intent to hinder  
44 or delay same, or to hinder or delay any voter in the preparation of his  
45 ballot, remove or destroy any of the ballots or pencils placed in the

1 booths or compartments for the purpose of enabling the voter to  
2 prepare his ballot.

3 Any person willfully violating any of the provisions of this section  
4 shall be guilty of a [misdemeanor and shall be punished by fine not  
5 exceeding five hundred dollars and imprisonment until such fine and  
6 the costs of the conviction are paid] crime of the third degree.

7 (cf: R.S.19:34-5)

8

9 28. R.S.19:34-6 is amended to read as follows:

10 19:34-6. a. If a person shall on election day tamper, deface or  
11 interfere with any polling booth or obstruct the entrance to any polling  
12 place, or obstruct or interfere with any voter, or loiter in or near the  
13 polling place, or spend an inordinate amount of time in the polling  
14 booth without good reason, or do any electioneering within any  
15 polling place or within one hundred feet thereof, he shall be guilty of  
16 a [misdemeanor and shall be punished by a fine not exceeding five  
17 hundred dollars (\$500.00) or by imprisonment not exceeding one year,  
18 or both] crime of the third degree.

19 b. This section shall not be construed to prohibit a minor from  
20 entering a polling place on the day of an election to vote in a simulated  
21 election at that polling place, or persons from supervising or working  
22 at a polling place in a simulated election in which minors vote,  
23 provided that the county board of elections has determined that the  
24 polling place can accommodate simulated election activities without  
25 interfering with the orderly conduct of the official voting process.

26 (cf: P.L.2000, c.173, s.2)

27

28 29. R.S.19:34-7 is amended to read as follows:

29 19:34-7. No person shall within the polling room mark his ballot  
30 in a place other than in the polling booth or show his ballot, nor shall  
31 anyone request such person to show his ballot during the preparation  
32 thereof, nor shall any other person inspect such ballot during the  
33 preparation thereof or after it is prepared for voting in such a way as  
34 to reveal the contents, nor shall any person within the polling place or  
35 within a hundred feet thereof, loiter, electioneer, or solicit any voter.

36 No voter, at any election where official ballots are used, shall  
37 knowingly vote or offer to vote any ballot except an official ballot as  
38 by this Title required.

39 No person shall on any pretext carry any official ballot from the  
40 polling room on any election day except such persons as may by this  
41 Title be authorized to do so.

42 Any person violating any of the provisions of this section shall be  
43 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
44 five hundred dollars (\$500.00) or by imprisonment not exceeding one  
45 year, or both] crime of the third degree.

46 (cf: P.L.1948, c.438, s.13)

1       30. R.S.19:34-9 is amended to read as follows:

2       19:34-9. Any person who shall prompt a voter in answering any  
3 questions provided by this title shall be guilty of a [misdemeanor]  
4 crime of the third degree.

5 (cf: R.S.19:34-9)

6

7       31. R.S.19:34-10 is amended to read as follows:

8       19:34-10. If any person shall write, paste or otherwise place upon  
9 any official ballot any mark, sign or device of any kind as a  
10 distinguishing mark whereby to indicate to any member of any district  
11 board or other person how any voter has voted at any election, or if  
12 any person shall induce or attempt to induce any voter to write, paste  
13 or otherwise place on his ballot any mark, sign or device of any kind,  
14 as a distinguishing mark by which to indicate to any member of any  
15 district board or other person how such voter has voted, or shall enter  
16 into or attempt to form any agreement or conspiracy with any other  
17 person to induce or attempt to induce voters or any voter to so place  
18 any distinguishing mark, sign or device on his ballot, whether or not  
19 such act be committed or attempted to be committed, such person so  
20 offending shall be guilty of a [misdemeanor and shall be punished by  
21 a fine not exceeding five hundred dollars or imprisonment not  
22 exceeding one year, or both] crime of the third degree.

23 (cf: R.S.19:34-10)

24

25       32. R.S. 19:34-11 is amended to read as follows:

26       19:34-11. Every person not entitled to vote who fraudulently  
27 votes, and every person who votes more than once at any one election;  
28 or knowingly hands in two or more ballots folded together; or  
29 changes any ballot after it has been deposited in the ballot box; or  
30 adds, or attempts to add, any ballot to those legally polled at any  
31 election, either by fraudulently introducing the same into the ballot box  
32 before or after the ballots therein have been counted; or adds to or  
33 mixes with, or attempts to add to or mix with, the ballots lawfully  
34 polled, other ballots while the same are being counted or canvassed,  
35 or at any other time, with intent to change the result of such election;  
36 or carries away or destroys, or attempts to carry away or destroy, any  
37 poll list, or ballots, or ballot box, for the purpose of breaking up or  
38 invalidating the election; or willfully detains, mutilates or destroys  
39 any election returns; or in any manner so interferes with the officers  
40 holding the election, or conducting the canvass, or with the voters  
41 lawfully exercising their rights of voting at the election, as to prevent  
42 the election or canvass from being fairly had and lawfully conducted,  
43 shall be guilty of a [misdemeanor] crime of the third degree.

44 (cf: P.L.1948, c.438, s.14)

45

46       33. R.S.19:34-12 is amended to read as follows:

1 19:34-12. Every person not entitled to vote who fraudulently  
2 attempts to vote, or who being entitled to vote attempts to vote more  
3 than once at any election, or who personates or attempts to personate  
4 a person legally entitled to vote, shall be guilty of a [misdemeanor]  
5 crime of the third degree.  
6 (cf: P.L.1948, c.438, s.15)  
7

8 34. R.S.19:34-13 is amended to read as follows:

9 19:34-13. Every inspector, judge or clerk of an election, who,  
10 previous to putting the ballot of an elector in the ballot box, attempts  
11 to find out any name on such ballot, or who opens or suffers the  
12 folded ballot of any elector which has been handed in to be opened or  
13 examined previous to putting the same in the ballot box, or who  
14 makes or places any mark or device on any folded ballot with the view  
15 to ascertain the name of any person for whom the elector has voted,  
16 shall be guilty of a [misdemeanor] crime of the third degree.  
17 (cf: P.L.1948, c.438, s.16)  
18

19 35. R.S.19:34-14 is amended to read as follows:

20 19:34-14. If a member of any district board has knowledge how  
21 any person has voted and shall reveal such knowledge to any other  
22 person, or shall fraudulently or corruptly disclose what other  
23 candidates were voted for on any ballot bearing a name not printed  
24 thereon, or fraudulently or corruptly gives any information concerning  
25 the appearance of any ballot voted, he shall be guilty of a  
26 [misdemeanor and shall be punished by a fine not exceeding two  
27 thousand dollars or imprisonment not exceeding five years] crime of  
28 the third degree.  
29 (cf: R.S.19:34-14)  
30

31 36. R.S.19:34-15 is amended to read as follows:

32 19:34-15. If a person shall distribute or display any circular or  
33 printed matter or offer any suggestion or solicit any support for any  
34 candidate, party or public question within the polling place or room or  
35 within a distance of one hundred feet of the outside entrance to such  
36 polling place or room, he shall be guilty of a [misdemeanor] crime of  
37 the third degree.  
38 (cf: P.L.1948, c.438, s.17)  
39

40 37. R.S.19:34-16 is amended to read as follows:

41 19:34-16. A person who shall remove, destroy or mutilate any  
42 registry list or copy thereof, or who before an election closes shall  
43 remove, destroy or mutilate any list of voters posted in accordance  
44 with this title, shall be guilty of a [misdemeanor, and shall be punished  
45 by a fine of not more than one thousand dollars or imprisonment for  
46 not more than two years] crime of the third degree.

1 (cf: R.S.19:34-16)

2

3 38. R.S.19:34-17 is amended to read as follows:

4 19:34-17. If a person shall rob or plunder any ballot box, or  
5 unlawfully and by stealth or violence take the same or remove  
6 therefrom any ballot or other paper, or exchange, alter or destroy any  
7 ballot or other paper contained therein, or if any person shall willfully  
8 and corruptly suppress, withhold, mutilate, destroy, alter or change  
9 any return, statement or certificate or any copy thereof, which shall  
10 have been made in pursuance of this title, and delivered to him to be  
11 filed, or which shall have been intrusted or delivered to him to be  
12 delivered or transmitted to any other person in pursuance of this title,  
13 every such person, his aiders, procurers and abettors, shall be guilty of  
14 a [misdemeanor and shall be punished by a fine not exceeding five  
15 hundred dollars, or by imprisonment at hard labor for a term not  
16 exceeding two years, or both] crime of the third degree.

17 This section shall not apply to the destruction of ballots or the  
18 performance of other acts by officials when such acts are performed  
19 as prescribed in this title.

20 (cf: R.S.19:34-17)

21

22 39. R.S.19:34-18 is amended to read as follows:

23 19:34-18. A person who shall willfully obstruct or interfere with  
24 the clerk or clerks on the way from the polls to the office of the city  
25 clerk shall be guilty of a misdemeanor and shall be [punished by a fine  
26 not exceeding five hundred dollars, or by imprisonment at hard labor  
27 for a term not exceeding two years, or both] guilty of a crime of the  
28 third degree.

29 (cf: R.S.19:34-18)

30

31 40. R.S.19:34-19 is amended to read as follows:

32 19:34-19. No person shall display, sell, give or provide any  
33 political badge, button or other insignia to be worn at or within one  
34 hundred feet of the polls or within the polling place or room, on any  
35 primary, general or special election day or on any commission  
36 government election day, except the badge furnished by the county  
37 board as herein provided.

38 A person violating any of the provisions of this section shall be  
39 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
40 five hundred dollars or by imprisonment not exceeding one year, or  
41 both] crime of the third degree.

42 (cf: R.S.19:34-19)

43

44 41. R.S.19:34-20 is amended to read as follows:

45 19:34-20. Whoever shall solicit the registering of his name on the  
46 registry list of any election district or precinct, knowing that he is not

1 a legal voter in such district or precinct; or shall willfully counsel,  
2 procure, aid, advise, assist or abet in the registering of the name of  
3 any other person on the registry list of any election district or  
4 precinct, knowing such other person is not entitled to vote therein;  
5 or at any election, knowing that he is not a qualified voter, votes  
6 thereat; or at any election votes or attempts to vote more than once  
7 on his own name; or at any election votes or attempts to vote in more  
8 than one election district or precinct; or at any election votes or  
9 attempts to vote upon any other name than his own; or knowingly  
10 casts or attempts to cast more than one ballot at one time by  
11 balloting; or at any election counsels, procures, aids, advises, assists  
12 or abets any person, knowing that he is not a qualified voter, to vote  
13 thereat; or at any election counsels, procures, aids, advises, assists or  
14 abets any person in voting in more than one election district or  
15 precinct; or at any election counsels, procures, aids, advises, assists  
16 or abets any person to vote or to attempt to vote upon any name other  
17 than his own, or knowingly cast or attempt to cast more than one  
18 ballot at one time of voting; or at any election shall in any way  
19 willfully mark or deface his ballot, or shall willfully counsel, procure,  
20 aid, advise, assist or abet any person in the marking or defacing of a  
21 ballot; or at any election shall in any way counsel, procure, aid,  
22 advise, assist or abet any official or person in any act which is  
23 contrary to the provisions of this title; or at any election shall in any  
24 way willfully hinder or prevent a voter from casting his legal vote,  
25 knowing such person to have a right to vote; or shall willfully tamper  
26 with, injure, mutilate, destroy or render unfit for use, any ballot box;  
27 shall be guilty of a [misdemeanor and punishable by a fine of five  
28 hundred dollars, or imprisonment in state prison for the term of three  
29 years, or both] crime of the third degree.

30 (cf: R.S.19:34-20)

31

32 42. R.S.19:34-21 is amended to read as follows:

33 19:34-21. A person who being a member of one political party  
34 shall vote in the ballot box used for the primary election of another  
35 political party shall in each case be guilty of a [misdemeanor, and  
36 shall be punished by a fine not exceeding five hundred dollars or be  
37 imprisoned not exceeding two years, or both] crime of the third  
38 degree.

39 (cf: R.S.19:34-21)

40

41 43. R.S.19:34-22 is amended to read as follows:

42 19:34-22. If a person not entitled to vote at any primary election  
43 as herein provided shall vote or offer to vote at such primary meeting  
44 or caucus knowing or having reason to believe himself not entitled to  
45 so vote, or if any person shall counsel or procure anyone to so vote,  
46 knowing or having reason to believe such voter not entitled to do so,

1 or if any person having voted at any primary meeting held by any  
2 political party or organization to nominate candidates or to elect  
3 delegates to nominate candidates, to be voted for at any election, shall  
4 vote or offer to vote at the primary meeting held by any other political  
5 party or organization held to nominate candidates or to elect delegates  
6 to nominate candidates, to be voted for at the same election, such  
7 person shall be guilty of a [misdemeanor and shall for each offense be  
8 imprisoned at hard labor for a term not exceeding three months or by  
9 a fine not exceeding one hundred dollars, or both] crime of the third  
10 degree.

11 (cf: R.S.19:34-22)

12

13 44. R.S.19:34-23 is amended to read as follows:

14 19:34-23. If any judge, inspector, clerk or other officer of a  
15 primary election shall act in such capacity before taking and  
16 subscribing to the oath or affirmation required by this title, or shall  
17 willfully disregard or violate the provisions of any rule duly made by  
18 the party of which he is a member and for whom he is acting for the  
19 government of the primary elections of the party, or if any judge or  
20 inspector of any primary election shall knowingly reject the vote of  
21 any person entitled to vote under the rules of such party or shall  
22 knowingly receive the vote of any person not qualified, or if any  
23 judge, inspector, clerk or any other officer of a primary election shall  
24 commit any willful fraud in the discharge of his duties by destroying  
25 or marking any ballot in any way before such ballot is delivered to the  
26 voter or by defacing ballots, adding marks to the poll by false  
27 counting, making false returns or by any act or thing whatsoever, he  
28 shall be guilty of a [misdemeanor and shall be punished by a fine not  
29 exceeding five hundred dollars or by imprisonment not exceeding one  
30 year, or both] crime of the third degree.

31 (cf: R.S.19:34-23)

32

33 45. R.S.19:34-25 is amended to read as follows:

34 19:34-25. a. If a person shall, directly or indirectly, by himself or  
35 by any other person in his behalf, give, lend or agree to give or lend,  
36 or shall offer, promise or promise to procure, or endeavor to procure,  
37 any money or other valuable consideration or thing to or for any voter,  
38 or to or for any person, in order to induce any voter to vote or refrain  
39 from registering for any election, or shall corruptly do or commit any  
40 of the acts in this section mentioned because of any such voter having  
41 voted or refrained from voting at an election, or registered or refrained  
42 from registering at an election, he shall be guilty of a [misdemeanor  
43 and shall be punished by a fine not to exceed two thousand dollars or  
44 imprisonment not to exceed five years, or both] crime of the third  
45 degree.

46 Bribery of member of election board; acceptance. b. Whosoever



1 shall, directly or indirectly, make or give any money or other thing of  
2 value to any member of the district board because of his membership  
3 on such board, or when it shall appear that such money or other thing  
4 of value is made or given to such member because of his membership  
5 on the board, except as hereinbefore provided as his legal  
6 compensation for service on the board, shall be guilty of a  
7 [misdemeanor and shall be punished by a fine not exceeding one  
8 thousand dollars or imprisonment not exceeding two years, or both]  
9 crime of the third degree.

10 Any member of a district board who shall, by himself, or by any  
11 other person in his behalf, receive any money or other thing of value  
12 because of his membership on such board, or when it shall appear that  
13 such money or other thing of value is accepted or received by such  
14 member because of his membership on the board, except as  
15 hereinbefore provided as his legal compensation for service on the  
16 board, shall be guilty of a [misdemeanor and shall be punished by a  
17 fine not exceeding one thousand dollars or imprisonment not  
18 exceeding two years, or both] crime of the third degree.

19 Promising office or employment. c. A person who shall directly  
20 or indirectly, by himself or by any other person in his behalf, give or  
21 procure, or agree to give or procure or offer or promise to procure, or  
22 endeavor to procure any office, place or employment to or for any  
23 voter, or to or for any person on behalf of such voter, or to or for any  
24 other person, in order to induce such voter to vote or refrain from  
25 voting, or to register or refrain from registering, or shall corruptly do  
26 any act as above because of any voter having voted or refrained from  
27 voting, or having registered or refrained from registering for any  
28 election, shall be guilty of a [misdemeanor and shall be punished by a  
29 fine not exceeding two thousand dollars, or imprisonment not  
30 exceeding five years] crime of the third degree.

31 Acceptance of bribe by voter. d. Any voter who shall directly or  
32 indirectly, by himself or by any other person on his behalf, receive,  
33 agree or contract for any money, gift, loan or valuable consideration,  
34 office, place or employment for himself or for any other person for  
35 voting or agreeing to vote, or for refraining or agreeing to refrain from  
36 voting at any election, or for registering or agreeing to register, or for  
37 refraining or for agreeing to refrain from registering for any election,  
38 shall be guilty of a [misdemeanor, and shall be punished by a fine not  
39 exceeding one thousand dollars, or imprisonment not exceeding one  
40 year] crime of the third degree.

41 Bribery of delegates. e. If a person shall, directly or indirectly,  
42 give, offer or promise to give any sum or sums of money or any  
43 valuable thing in action, victuals, drink or preferment or other  
44 considerations, by way of fee, reward, gift or gratuity, or other  
45 valuable present or reward to obtain, procure or influence the opinion,  
46 behavior, vote or abstaining from voting for the election of any

**A39 SIRES, STEELE**

32

1 delegate to any convention of any political party, to nominate any  
2 candidate for member of the legislature, for member of congress, for  
3 electors for president and vice president of the United States, for  
4 governor, or for any candidate for any office in any county or  
5 municipality; or if any person being a delegate to any political

1 convention to nominate candidates for any of the offices named in this  
2 title shall directly or indirectly, ask for, accept, receive or take any  
3 sum or sums of money, or other valuable consideration by way of fee,  
4 reward, gift or gratuity, or other valuable consideration for the giving  
5 or refusing to give his vote at any such convention, the person so  
6 offering, asking, or receiving shall be guilty of a [misdemeanor, and  
7 shall be punished by a fine not exceeding five hundred dollars or  
8 imprisonment not exceeding six months, or both] crime of the third  
9 degree.

10 Bribery at election. f. Whoever shall, directly or indirectly, give,  
11 furnish, supply or promise, or cause to be given, furnished, supplied,  
12 offered or promised, to any person or persons, any money, service,  
13 preferment or valuable thing with the intent that such money or  
14 valuable thing or any other money, service, preferment or valuable  
15 thing shall be given, offered, promised or used, by any person or  
16 persons, by way of fee, reward, gift or gratuity, for giving or refusing  
17 to give any vote of any citizen, at any election of any public officer,  
18 state, county or municipal, to be held therein, or of any member of  
19 congress, of electors for president and vice president of the United  
20 States, or at any election of any delegate or delegates to any political  
21 convention to be held for the nomination of any of the officers above,  
22 or by way of gift, gratuity or reward, for giving or withholding the  
23 vote of any delegate at any such convention, shall be guilty of a  
24 [misdemeanor, and shall be punished by a fine not exceeding ten  
25 thousand dollars, or imprisonment not exceeding one year, or both]  
26 crime of the third degree.

27 Inducing voters. g. A person who shall, directly or indirectly, by  
28 himself or by any other person in his behalf, give, lend, or agree to  
29 give or lend, or procure, or agree to procure or offer or promise to  
30 procure, or endeavor to procure, any money or other valuable  
31 consideration or thing, or any office, place or employment to or for  
32 any voter, or to or for any person, in order to induce such voter to  
33 vote or refrain from registering or voting at any election, or shall  
34 corruptly do or commit any of the acts in this section mentioned,  
35 because of any voter having voted or refrained from voting or having  
36 registered or refrained from registering for any election, shall be guilty  
37 of a [misdemeanor, and shall be sentenced to disfranchisement for a  
38 period of five years, from the date of conviction] crime of the third  
39 degree.

40 Contributions for use in bribing. h. A person who shall give,  
41 advance or pay, or cause to be given, advanced or paid, any money or  
42 other valuable thing to any person, or to the use of any person, with  
43 the intent that such money or other valuable thing, or any part thereof,  
44 shall be expended, or used for bribery of voters, or for any other  
45 unlawful purpose at any election, or who shall knowingly pay, or cause  
46 to be paid money to any person wholly or in part expended in bribery

1 of a voter at any election, shall be guilty of a [misdemeanor, and shall  
2 be sentenced to disfranchisement for five years from the date of  
3 conviction] crime of the third degree .

4 Receiving rewards. i. A person who shall, directly or indirectly,  
5 by himself, or by any other person on his behalf, receive, agree or  
6 contract for any money, gift, loan or valuable consideration, office,  
7 place or employment for himself or for any other person for voting or  
8 agreeing to vote, or for refraining or agreeing to refrain from voting  
9 at any election, or for registering or agreeing to register, or for  
10 refraining or for agreeing to refrain from registering for any election,  
11 shall be guilty of a [misdemeanor, and shall be sentenced to  
12 disfranchisement for a period of five years from the date of  
13 conviction] crime of the third degree .

14 Gift, or promise of, for certain purposes. j. No person shall give  
15 or agree to give for the purpose of promoting or procuring or for the  
16 purpose of opposing or preventing the election of a candidate for  
17 public office, or for the purpose of promoting or procuring or for the  
18 purpose of opposing or preventing the nomination of any person as a  
19 candidate for public office, any money or any valuable thing to be used  
20 for any of the following purposes:

21 1. To provide or give or to pay, wholly or in part, the expense of  
22 giving or providing any meat, drink, entertainment or provision to or  
23 for any person for the purpose of influencing that person or any other  
24 person to give or refrain from giving his vote at any election, or  
25 because of any such person or any other person having voted or  
26 refrained from voting.

27 2. To provide for the payment of rent for or for the purpose of  
28 providing and fitting up any clubroom for social or recreative  
29 purposes, or providing for uniforms for any organized club.

30 3. To provide for the payment for the insertion in any newspaper  
31 or magazine of any article tending to influence any person to give or  
32 refrain from giving his vote to any candidate or candidates at any  
33 election; or to provide for payment for the distribution of any  
34 newspaper or magazine wherein any such article is printed; or to  
35 provide for payment of the printing or of the distribution of any  
36 circular, handbill, card, pamphlet or statement tending to influence  
37 any person to give or refrain from giving his vote to any candidate at  
38 any election; but this prohibition shall not be construed to prohibit the  
39 printing and distribution of paid advertisements, which advertisements  
40 shall be indicated by the words "This advertisement has been paid for  
41 by " (inserting the true name and address of the person or  
42 persons paying for the same); nor shall it be construed to prohibit the  
43 printing and distribution of circulars, handbills, cards, pamphlets or  
44 statements which shall have printed on the face thereof the true name  
45 and address of the person or persons paying for the printing and  
46 distribution thereof, which fact shall be indicated by the words "The

1 cost of the printing and distribution of this circular (or as the case  
2 may be) has been paid by " (inserting the true name and address of  
3 the person or persons paying for the same).

4 Accepting gifts. k. No person shall accept any money or other  
5 valuable thing, the payment of which is prohibited by paragraph "j"  
6 of this section.

7 Penalty. l. Any person who shall violate any of the provisions  
8 of paragraphs "j" and "k" of this section shall be guilty of a  
9 [misdemeanor] crime of the third degree, and shall for the first  
10 offense be disfranchised for a period of two years from the date of  
11 conviction, and for any subsequent offense shall be perpetually  
12 disfranchised, and in addition thereto the court in which such  
13 conviction is obtained, may in case of a subsequent conviction,  
14 impose upon the person so convicted the punishment now prescribed  
15 by law for a [misdemeanor] crime of the third degree.

16 (cf: R.S.19:34-25)

17  
18 46. R.S.19:34-26 is amended to read as follows:

19 19:34-26. If a person shall be guilty of willful and corrupt false  
20 swearing or affirming, or by any means shall willfully and corruptly  
21 suborn or procure a person to swear or affirm falsely, in taking any  
22 oath, affirmation or deposition prescribed or authorized by this title,  
23 he shall be deemed guilty of a [high misdemeanor, and shall be  
24 punished by a fine not exceeding eight hundred dollars or  
25 imprisonment at hard labor not exceeding seven years, or both] crime  
26 of the third degree, and be deemed to be an incompetent witness  
27 thereafter for any purpose within this state, until such time as he shall  
28 have been pardoned.

29 (cf: R.S.19:34-26)

30  
31 47. R.S.19:34-27 is amended to read as follows:

32 19:34-27. An employer of any workman, or any agent,  
33 superintendent or overseer of any company or corporation employing  
34 workmen, or any person who shall directly or indirectly, by himself or  
35 by any other person in his behalf or by his direction, make use of or  
36 threaten to make use of any force, violence or restraint, or inflict or  
37 threaten to inflict by himself or by any other person any injury,  
38 damage, harm or loss against any person in his employ, in order to  
39 induce or compel such employee to vote or refrain from voting for any  
40 particular candidate at any election, or because of such employee  
41 having voted or refrained from voting for any particular candidate at  
42 any election, or who shall, by any duress, constraint or improper  
43 influence or by any fraudulent or improper device, contrivance or  
44 scheme, impede, hinder or prevent the free exercise of the franchise of  
45 any voter at any election, or shall thereby compel, induce or prevail  
46 upon any voter to vote for or against any particular candidate at any

1 election, shall be guilty of a [misdemeanor, and shall be punished by  
2 a fine not exceeding two thousand dollars, or imprisonment not  
3 exceeding five years, or both] crime of the third degree.

4 (cf: R.S.19:34-27)

5

6 48. 19:34-35 is amended to read as follows:

7 19:34-35. Any person who shall expend, aid or assist in the  
8 expenditure of any such money for a purpose not authorized by this  
9 title, or for a purpose not named in the statement accompanying such  
10 contribution, shall be guilty of a [misdemeanor] crime of the third  
11 degree.

12 (cf: R.S.19:34-35)

13

14 49. R.S.19:34-47 is amended to read as follows:

15 19:34-47. A person who, having once been convicted of a  
16 violation of any of the provisions of this title, shall again be convicted  
17 of a violation of any of its provisions, whether such conviction be for  
18 the same offense or not, shall on such second conviction, be sentenced  
19 to [disfranchisement and to pay a fine not exceeding one thousand  
20 dollars, or to imprisonment for a term not exceeding five years, or  
21 both] a crime of the third degree.

22 (cf: R.S.19:34-47)

23

24 50. R.S.19:34-48 is amended to read as follows:

25 19:34-48. Every person charged with the performance of any duty  
26 under the provisions of any law of this state relating to elections who  
27 willfully neglects or refuses to perform it, or who, in his official  
28 capacity, knowingly and fraudulently acts in contravention or violation  
29 of any of the provisions of such laws, shall be guilty of a  
30 [misdemeanor] crime of the third degree.

31 (cf: R.S.19:34-48)

32

33 51. R.S.19:34-49 is amended to read as follows:

34 19:34-49. Any candidate who procures, aids, assists, counsels,  
35 advises or knowingly permits any person to violate this title shall be  
36 guilty of a [misdemeanor] crime of the third degree.

37 (cf: R.S.19:34-49)

38

39 52. R.S.19:34-53 is amended to read as follows:

40 19:34-53. Any person who neglects or refuses to furnish any  
41 information required or authorized by this title or to exhibit the  
42 records, papers or documents herein authorized to be inspected, or  
43 which are required to be exhibited, shall be guilty of a [misdemeanor]  
44 a crime of the third degree.

45 (cf: R.S.19:34-53)

46

1 53. R.S.19:34-54 is amended to read as follows:

2 19:34-54. Any person who shall omit, neglect or refuse to obey a  
3 subpoena attested in the name of the county clerk, municipal clerk, or  
4 county board and made returnable by such clerk or board, or refuses  
5 to testify under oath before such clerk or board, shall be guilty of a  
6 **[misdemeanor]** crime of the third degree.

7 (cf: R.S.19:34-54)

8

9 54. 19:34-55. is amended to read as follows:

10 19:34-55. Any person who makes any false statement under oath  
11 before the county clerk, municipal clerk or county board shall be  
12 guilty of a **[misdemeanor]** crime of the third degree.

13 (cf: R.S.19:34-55)

14

15 55. R.S.19:53-1 is amended to read as follows:

16 19:53-1. Any unauthorized person found in possession of any such  
17 voting machine in use or to be used in any election, or keys thereof,  
18 shall be guilty of a **[misdemeanor]** crime of the third degree. Any  
19 person willfully tampering or attempting to tamper with, disarrange,  
20 deface or impair in any manner whatsoever, or destroy any such voting  
21 machine while the same is in use at any election, or who shall, after  
22 such machine is locked in order to preserve the registration or record  
23 of any election made by the same, tamper or attempt to tamper with  
24 any such voting machine, shall be guilty of a **[high misdemeanor]**  
25 crime of the third degree.

26 (cf: R.S.19:53-1)

27

28 56. Section 15 of P.L.1973, c.82 (C.19:53A-15) is amended to read  
29 as follows:

30 15. a. Any person who before, during or after an election tampers  
31 with or willfully injures any voting device, ballot cards, or other  
32 records or equipment used in the election, or interferes or attempts to  
33 interfere with the correct operation of such device or equipment or  
34 the secrecy of voting, is guilty of a **[high misdemeanor]** crime of the  
35 third degree.

36 b. The penal laws and election laws relating to misconduct at  
37 elections apply to elections conducted with voting devices and  
38 automatic tabulating equipment.

39 (cf: P.L.1973, c.82, s.15)

40

41 57. Section 15 of P.L.1992, c.3 (C.19:53B-6) is amended to read  
42 as follows:

43 15. Every voter to whom an emergency ballot is given shall retire  
44 into the polling booth or to the designated voting area, as the case may  
45 be. Not more than one voter shall be permitted to enter or be in the  
46 same booth or voting area at one time. The voter shall prepare the

1 emergency ballot in the booth or the voting area screened from the  
2 observation of others.

3 Any person or voter who shall violate the provisions of this section  
4 shall be guilty of a crime of the [fourth] third degree.

5 (cf: P.L.1992, c.3, s.15)

6

7 58. Section 7 of P.L.1999, c.232 (C.19:53C-1) is amended to read  
8 as follows:

9 7. a. (1) The county clerk or the municipal clerk, in the case of a  
10 municipal election, shall arrange for the preparation of a provisional  
11 ballot packet for each election district. It shall include the appropriate  
12 number of provisional ballots, the appropriate number of envelopes  
13 with an affirmation statement, the appropriate number of written  
14 notices to be distributed to voters who vote by provisional ballot and  
15 one provisional ballot inventory form affixed to the provisional ballot  
16 bag. The clerk shall arrange for the preparation of and placement in  
17 each provisional ballot bag of a provisional ballot packet and an  
18 envelope containing a numbered seal. The envelope shall contain, on  
19 its face, the instructions for the use of the seal, the number and the  
20 election district location of the provisional ballot bag, and the  
21 identification numbers of the seal placed in the envelope. Each  
22 provisional ballot bag shall be sealed with a numbered security seal  
23 before being forwarded to the appropriate election district.

24 (2) Each provisional ballot bag and the inventory of the contents  
25 of each such bag shall be delivered to the designated polling place no  
26 later than the opening of the polls on the day of an election.

27 b. The county clerk or the municipal clerk, in the case of a  
28 municipal election, shall arrange for the preparation of the envelope,  
29 affirmation statement, and written notice that is to accompany each  
30 provisional ballot. The envelope shall be of sufficient size to  
31 accommodate the provisional ballot, and the affirmation statement  
32 shall be affixed thereto in a manner that enables it to be detached once  
33 completed and verified by the county commissioner of registration.  
34 The statement shall require the voter to provide the voter's name, and  
35 to indicate whether the voter is registered to vote in a county but has  
36 moved within that county since registering to vote; or is registered to  
37 vote in the election district in which that polling place is located but  
38 the voter's registration information is missing or otherwise deficient.  
39 The statement shall further require the voter to provide the voter's  
40 most recent prior voter registration address and address on the day of  
41 the election and date of birth. The statement shall include the  
42 statement: "I swear or affirm, that the foregoing statements made by  
43 me are true and correct and that I understand that any fraudulent  
44 voting may subject me to [a fine of up to \$1,000, imprisonment up to  
45 five years or both,] punishment for a crime of the third degree,  
46 pursuant to R.S.19:34-11." It shall be followed immediately by spaces



1 for the voter's signature and printed name, and in the case of a name  
2 change, the voter's printed old and new name and a signature for each  
3 name, the date the statement was completed, political party affiliation,  
4 if used in a primary election, and the name of the person providing  
5 assistance to the voter, if applicable. Each statement shall also note  
6 the number of the election district, or ward, and name of the  
7 municipality at which the statement will be used.

8 The written notice shall contain information to be distributed to  
9 each voter who votes by provisional ballot. The notice shall state that,  
10 if the voter is a mail-in registrant voting for the first time in his or her  
11 current county of residence following registration and was given a  
12 provisional ballot because he or she did not provide required personal  
13 identification information, the voter shall be given until the close of  
14 business on the second day after the election to provide identification  
15 to the applicable county commissioner of registration, and the notice  
16 shall contain a telephone number at which the commissioner may be  
17 contacted. The notice shall further state that failure to provide the  
18 required personal identification information within that time period  
19 shall result in the rejection of the ballot. The notice shall state that  
20 pursuant to section 4 of P.L.2004, c.88 (C.19:61-4), any individual  
21 who casts a provisional ballot will be able to ascertain under a system  
22 established by the State whether the ballot was accepted for counting,  
23 and if the vote was not counted, the reason for the rejection of the  
24 ballot. The notice shall include instructions on how to access such  
25 information.

26 c. For the primary for the general election, the provisional ballots  
27 shall be printed in ink on paper of a color that matches the color of the  
28 voting authority, which shall indicate the party primary of the voter.  
29 The provisional ballots shall be uniform in size, quality and type and  
30 of a thickness that the printing thereon cannot be distinguished from  
31 the back of the paper, and without any mark, device or figure on the  
32 front or back other than as provided in P.L.1999, c.232 (C.19:53C-1  
33 et seq.). Each such ballot shall include near the top thereof and in  
34 large type the designation PROVISIONAL BALLOT. In all other  
35 respects, the provisional ballots shall conform generally to the other  
36 ballots to be used in the election district for the primary election.

37 The clerk of the county or municipality shall arrange for the  
38 preparation of each provisional ballot package with an appropriate  
39 number of provisional ballots for each political party, a corresponding  
40 number of envelopes with affirmation statements, and a corresponding  
41 number of written notices. Additional provisional ballots, envelopes,  
42 and notices shall be available for delivery to that election district on  
43 the day of the election, if necessary.

44 d. For the general election the provisional ballots shall be printed  
45 in ink. The provisional ballots shall be uniform in size, quality and  
46 type and of a thickness that the printing thereon cannot be

1 distinguished from the back of the paper, and without any mark,  
2 device or figure on the front or back other than as provided in this act.  
3 Each such ballot shall include near the top thereof and in large type the  
4 designation PROVISIONAL BALLOT. In all other respects, the  
5 provisional ballots shall conform generally to the other ballots to be  
6 used in the election district for the general election.

7 The clerk of the county or municipality shall arrange for the  
8 preparation of each provisional ballot package with an appropriate  
9 number of provisional ballots, a corresponding number of envelopes  
10 with affirmation statements, and a corresponding number of written  
11 notices. Additional provisional ballots, envelopes, and notices shall be  
12 available for delivery to that election district on the day of the election,  
13 if necessary.

14 e. For a school election the provisional ballots shall be printed in  
15 ink. The provisional ballots shall be uniform in size, quality and type  
16 and of a thickness that the printing thereon cannot be distinguished  
17 from the back of the paper, and without any mark, device or figure on  
18 the front or back other than as provided in this act. Each such ballot  
19 shall include near the top thereof and in large type the designation  
20 PROVISIONAL BALLOT. In all other respects, the provisional  
21 ballots shall conform generally to the other ballots to be used in the  
22 election district for the school election.

23 The clerk of the county shall arrange for the preparation of each  
24 provisional ballot package with an appropriate number of provisional  
25 ballots, a corresponding number of envelopes with affirmation  
26 statements, and a corresponding number of written notices. Additional  
27 provisional ballots, envelopes, and notices shall be available for  
28 delivery to that election district on the day of the election, if necessary.

29 f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et  
30 al.), a provisional ballot that requires the voter to punch out a hole in  
31 the ballot as a means of recording the voter's vote shall not be used in  
32 any election in this State.

33 (cf: P.L.2004, c.88, s.22)

34

35 59. Section 11 of P.L.1999, c.232 (C.19:53C-5) is amended to read  
36 as follows:

37 11. Every voter to whom a provisional ballot and envelope with an  
38 affirmation statement is given shall retire into the designated voting  
39 area. Not more than one voter shall be permitted to enter or be in the  
40 same booth or voting area at one time, unless the voter is entitled to  
41 assistance, as provided for by law.

42 Any person or voter who violates the provisions of this section is  
43 guilty of a crime of the ~~fourth~~ third degree.

44 (cf: P.L.1999, c.232, s.11)

45

46 60. Section 37 of P.L.1953, c.211 (C.19:57-37) is amended to read

1 as follows:

2 37. Any person who knowingly violates any of the provisions of  
3 this act, or who, not being entitled to vote thereunder, fraudulently  
4 votes or attempts to vote thereunder or enables or attempts to enable  
5 another person, not entitled to vote thereunder, to vote fraudulently  
6 thereunder or who prevents or attempts to prevent by fraud the voting  
7 of any person legally entitled to vote under this act, or who shall  
8 knowingly certify falsely in any paper required under this act, or who,  
9 at any time, tampers with any ballot or document used in an election  
10 or interferes with the secrecy of the voting of any person shall be  
11 guilty of a crime of the [fourth] third degree, and upon conviction  
12 thereof shall be subject, in addition to such other penalties as are  
13 authorized by law, to disenfranchisement unless and until pardoned or  
14 restored by law to the right of suffrage.

15 Any person who aids and abets another in violating any of the  
16 provisions of this section shall be guilty of a crime of the [fourth]  
17 third degree and upon conviction thereof shall be subject, in addition  
18 to such other penalties as are authorized by law, to  
19 disenfranchisement unless and until pardoned or restored by law to  
20 the right of suffrage.

21 (cf: P.L.1981, c.390, s.10).

22

23 61. Section 33 of P.L.1964, c.134 (C.19:58-33) is amended to read  
24 as follows:

25 33. Any person who knowingly violates any of the provisions of  
26 this act, or who, not being entitled to vote under this act, fraudulently  
27 votes, or attempts to vote thereunder or enables, or attempts to  
28 enable another person, not entitled to vote thereunder, to vote  
29 thereunder, or who prevents or attempts to prevent by fraud the  
30 voting of any person legally entitled to vote under this act, or who  
31 knowingly certifies falsely in any paper required to be executed under  
32 this act, shall be guilty of a [misdemeanor] crime of the third degree  
33 and upon conviction thereof shall be subject, in addition to such other  
34 penalties as are authorized by law, to disenfranchisement unless and  
35 until pardoned or restored by law to the right of suffrage.

36 (cf: P.L.1964, c.134, s.33)

37

38 62. R.S.40:75-49 is amended to read as follows:

39 40:75-49. Any person not an elector who shall willfully and  
40 knowingly sign any petition provided for in this article and any person  
41 advising, aiding or abetting any such person not an elector to sign any  
42 petition provided for in this article shall be guilty of a [misdemeanor]  
43 crime of the third degree.

44 Any person who shall violate any of the provisions of this article  
45 shall be guilty of a [misdemeanor] crime of the third degree.

46 (cf: R.S.40:75-49)

1       63. This act shall take effect immediately but shall remain  
2 inoperative for 90 days.

3

4

5

STATEMENT

6

7       This bill increases criminal penalties concerning elections, including,  
8 but not limited to, for tampering with voting machines and ballot  
9 boxes or bags, voter fraud, and voter intimidation, to a crime of the  
10 third degree. Under current law, the violations are generally crimes of  
11 the fourth degree.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 39**

**STATE OF NEW JERSEY**

DATED: MARCH 7, 2005

The Assembly State Government Committee reports favorably Assembly, No. 39.

This bill increases the criminal penalty for violations of election laws, including, but not limited to, tampering with voting machines and ballot boxes or bags, voter fraud, and voter intimidation, to a crime of the third degree. Under current law, the violations are generally crimes of the fourth degree. The bill also increases from \$1,000 to \$15,000 the possible fine for any false or fraudulent voter registration.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY No. 39**

with Assembly committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 9, 2005

The Assembly Appropriations Committee reports favorably Assembly Bill No. 39, with committee amendments.

Assembly Bill No. 39, as amended, increases the criminal penalty for violations of election laws including, but not limited to, tampering with voting machines and ballot boxes or bags, voter fraud, and voter intimidation.

As amended, this bill updates the term "misdemeanor" to its current usage, "crime of the fourth degree", and increases from \$1,000 to \$15,000 the possible fine for any false or fraudulent voter registration. In addition, the penalty for promising or accepting gifts for the purpose of opposing or preventing the nomination or election of a candidate is increased to a crime of the third degree with disfranchisement for a period of five years, increased from two years. Subsequent convictions may be punished as a crime of the second degree. These amendments also impose a mandatory minimum term of imprisonment for violations of Title 19.

As amended and reported, this bill is identical to the SCS for S-2393/2462.

#### FISCAL IMPACT:

This legislation was not certified as requiring a fiscal note.

#### COMMITTEE AMENDMENTS:

The amendments adjust some penalties, update terms, impose a mandatory minimum imprisonment term, and make technical changes.

**SENATE, No. 2393**

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**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

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INTRODUCED MARCH 14, 2005

**Sponsored by:**

**Senator WAYNE R. BRYANT**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Increases voting and voter penalties.

**CURRENT VERSION OF TEXT**

As introduced.



S2393 BRYANT

2

1 AN ACT increasing criminal penalties involving elections and amending  
2 various parts of the statutory law.

3

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

6

7 1. Section 5 of P.L.1987, c.328 (C.18A:12-2.2) is amended to  
8 read as follows:

9 5. Any member of a board of education who falsely affirms or  
10 declares that he is not disqualified as a voter pursuant to R.S.19:4-1  
11 is, in addition to immediate disqualification for office, guilty of a crime  
12 of **[false swearing and is subject to the penalty provided pursuant to**  
13 **N.J.S.2C:28-2] the third degree.**

14 (cf: P.L.1987, c.328, s.5)

15

16 2. Section 7 of P.L.1960, c.195 (C.19:4-4.7) is amended to read  
17 as follows:

18 7. Any person who shall make false oath or affirmation to any  
19 statement under this act, or who shall make any false statement  
20 therein, shall be **[adjudged a disorderly person and shall be punishable**  
21 **by a fine not to exceed \$1,000.00 or by imprisonment not to exceed 1**  
22 **year, or both] guilty of a crime of the third degree .**

23 (cf: P.L.1960, c.195, s. 7)

24

25 3. R.S.19:15-26 is amended to read as follows:

26 19:15-26. Every voter to whom a ballot is given shall thereupon  
27 retire into the polling booth. Not more than one voter, except as  
28 hereinafter provided, shall be permitted to enter or be in the same  
29 booth, at one time. The voter shall prepare his ballot in the booth  
30 secretly and screened from the observation of others.

31 Any person or voter who shall violate the provisions of this section  
32 shall be deemed guilty of a **[misdemeanor and shall be punished by a**  
33 **fine not exceeding five hundred dollars or by imprisonment not**  
34 **exceeding one year or both at the discretion of the court] crime of the**  
35 **third degree.**

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

37

38 4. R.S.19:17-3 is amended to read as follows:

39 19:17-3. After the district board shall have made up and certified  
40 such statements, it shall at the same time and with the ballot boxes, as  
41 hereinafter provided, deliver or safely transmit one of the statements  
42 to the clerk of the municipality wherein such election is held, who shall

**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.**



S2393 BRYANT

1 forthwith file the same. In counties having a superintendent of  
2 elections one of such statements shall forthwith be filed with the  
3 superintendent of elections of the county. The superintendent may  
4 arrange to accept such certificates in such municipality within the  
5 county at the office of the clerk of such municipality or some other  
6 convenient place. Any municipal clerk who shall refuse to permit such  
7 superintendent or his deputies or assistants access to his office for the  
8 purpose of collecting such certificates or any municipal clerk or other  
9 person who shall interfere or obstruct the superintendent, his deputies  
10 or assistants in the collection of such certificates, or any member of a  
11 district board who shall willfully fail or refuse to deliver such  
12 statement to the superintendent, his deputies or assistants as the case  
13 may be, shall be guilty of a [misdemeanor] crime of the third degree.  
14 In all counties the board shall, immediately after election, deliver or  
15 safely transmit another of the statements to the clerk of the county,  
16 who shall forthwith file the same.

17 For a school election a statement shall also be delivered to the  
18 board of education of the district holding the election and to the  
19 county superintendent of schools in the county in which the district is  
20 situated.

21 If officers were voted for or public questions were voted upon at  
22 the election by the voters of the entire State or of more than one  
23 county thereof, or of a congressional district, then the board shall,  
24 immediately after the election, inclose, seal up and transmit the fourth  
25 statement to the Secretary of State by mail in stamped envelopes to be  
26 furnished by the Secretary of State, addressing the same in the  
27 following manner: "To the Secretary of State of New Jersey, Trenton,  
28 New Jersey." Upon receiving such statements the Secretary of State  
29 shall forthwith file the same in his office.

30 (cf: P.L.1995, c.278, s.19)

31

32 5. R.S.19:18-1 is amended to read as follows:

33 19:18-1. As soon as the election shall be finished and the votes  
34 canvassed and the statements made and certified by the district board  
35 as herein required, all ballots which have been cast, whether the same  
36 have been canvassed and counted or rejected for any cause, and one  
37 tally sheet, spoiled and unused ballots, shall be carefully collected and  
38 deposited in the ballot box.

39 In all municipalities the signature copy registers shall not be placed  
40 in the ballot box but shall be delivered immediately by the district  
41 board to the commissioner of registration.

42 In order to carry out his duties, any superintendent of elections in  
43 counties having a superintendent of elections shall have access and be  
44 permitted to inspect and examine any and all signature copy registers  
45 for said county for any election which may have been or shall be held  
46 in said county and any official or person having possession or custody

S2393 BRYANT

1 of same who shall refuse to deliver said signature copy registers to the  
2 office of said superintendent of elections forthwith upon demand  
3 having been made upon him by said superintendent of elections as  
4 aforesaid shall be guilty of a [misdemeanor] crime of the third degree.  
5 Unless the said official having custody or possession of said signature  
6 copy registers shall forthwith produce the same at the office of the  
7 superintendent of elections when demanded by him so to do, the said  
8 superintendent of elections may apply to a judge of the Superior Court  
9 assigned to the county and such judge shall forthwith make an order  
10 directing the official having possession or custody of the said signature  
11 copy registers to produce them at once in the court in which said judge  
12 may be sitting, and upon their being produced said judge shall deliver  
13 the same to the superintendent of elections.

14 (cf: P.L.1991, c.91, s.244)

15

16 6. R.S. 19:23-45 is amended to read as follows:

17 19:23-45. No voter shall be allowed to vote at the primary election  
18 unless his name appears in the signature copy register.

19 A voter who votes in a primary election of a political party or who  
20 signs and files with the municipal clerk or the county commissioner of  
21 registration a declaration that he desires to vote in the primary election  
22 of a political party shall be deemed to be a member of that party until  
23 he signs and files a declaration that he desires to vote in the primary  
24 election of another political party at which time he shall be deemed to  
25 be a member of such other political party. The Secretary of State shall  
26 cause to be prepared political party affiliation declaration forms and  
27 shall provide such forms to the commissioners of registration of the  
28 several counties and to the clerks of the municipalities within such  
29 counties.

30 No voter, except a newly registered voter at the first primary at  
31 which he is eligible to vote, or a voter who has not previously voted  
32 in a primary election, may vote in a primary election of a political party  
33 unless he was deemed to be a member of that party on the fiftieth day  
34 next preceding such primary election.

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

39 Any person voting in the primary ballot box of any political party  
40 in any primary election in contravention of the election law shall be  
41 guilty of a [misdemeanor] crime of the third degree, and any person  
42 who aids or assists any such person in such violation by means of  
43 public proclamation or order, or by means of any public or private  
44 direction or suggestions, or by means of any help or assistance or  
45 cooperation, shall likewise be guilty of a [misdemeanor] crime of the  
46 third degree.

47 (cf: P.L.1977, c.97, s.1)

**S2393 BRYANT**

1       7. R.S.19:23-53 is amended to read as follows:

2       19:23-53. The district board shall immediately deliver or transmit  
3 this statement to the clerks of the county and municipality within  
4 which such primary election was held. In counties having a  
5 superintendent of elections one of such statements shall forthwith be  
6 filed with the superintendent of elections of the county. The  
7 superintendent may arrange to accept such certificates in each  
8 municipality within the county at the office of the clerk of such  
9 municipality or some other convenient place. Any municipal clerk  
10 who shall refuse to permit such superintendent or his deputies or  
11 assistants access to his office for the purpose of collecting such  
12 certificates or any municipal clerk or other person who shall interfere  
13 or obstruct the superintendent, his deputies or assistants in the  
14 collection of such certificates, or any member of a district board who  
15 shall willfully fail or refuse to deliver such statement to the  
16 superintendent, his deputies or assistants as the case may be, shall be  
17 guilty of a **[misdemeanor] crime of the third degree.**  
18 (cf: P.L.1947, c.168, s.14)

19

20       8. Section 8 of P.L.1995, c.105 (C.19:27A-8) is amended to read  
21 as follows:

22       8. a. No signature appearing on any document other than a recall  
23 petition prepared in accordance with the provisions of this section  
24 shall be counted among the signatures required under section 5 of this  
25 act to determine whether a recall election shall be held.

26       b. A recall petition shall be prepared by the recall committee in  
27 accordance with a format, consistent with the provisions of this act,  
28 which shall have been approved for such purpose by the Secretary of  
29 State. A petition may consist of any number of separate sections  
30 which shall be identical except with respect to information required to  
31 be entered thereon by the signers and circulators and as otherwise  
32 provided herein. The size of the paper used in a recall petition and the  
33 number of pages included in each section thereof shall be determined  
34 by the recall committee. The back and the front of a piece of paper  
35 shall each constitute a page and signatures may be affixed to each such  
36 page.

37       c. Each page of each section of a recall petition shall be  
38 sequentially numbered and shall include, printed in bold letters in at  
39 least 10-point type, the heading "PETITION FOR THE RECALL OF  
40 (name of the official sought to be recalled) FROM THE OFFICE OF  
41 (name of the office)" and, where appropriate, the information required  
42 by subsection e. of this section. The first page of each section also  
43 shall bear, in type of uniform size but not less than 8-point type, (1)  
44 the information contained in the notice of intention, including any cost  
45 estimate prepared and the statement of the reasons for the recall, if one  
46 was provided, or a declaration that no such statement of reasons was

S2393 BRYANT

1 provided, except that information on only three members of the recall  
2 committee need be listed; and (2) a copy of the answer provided by the  
3 official sought to be recalled, if one was provided, or a declaration that  
4 no such answer was provided, except that no such answer or  
5 declaration shall be included if a statement of the reasons for the recall  
6 was not provided.

7 d. Each page of a recall petition shall be arranged so that each  
8 signer of the petition shall personally affix the signer's signature;  
9 printed name and residence address, including street and number, or  
10 a designation of residence which is adequate to readily determine  
11 location; the municipality of residence; and the date on which the  
12 signer signed the petition. A space at least one inch wide shall be left  
13 blank after each name for use in verifying signatures when appropriate,  
14 as provided by this act. A box shall be provided after each name for  
15 the signer to indicate that the signer has had the opportunity to review  
16 the information on the first page of that section of the petition.

17 e. (1) Whenever the official sought to be recalled is the Governor  
18 or a United States Senator, separate sections of the petition shall be  
19 prepared for use by signers registered to vote in each county. Each  
20 page of a section shall bear in not less than 10-point type the name of  
21 the county in which that section is to be used and the statement, "Only  
22 eligible persons residing in ..... (name of county) County shall sign  
23 this page." A signer shall not affix the signer's signature to any page  
24 of any section unless it bears the name of the county in which the  
25 signer is registered to vote.

26 (2) Whenever the official sought to be recalled is a member of the  
27 Legislature or a member of the United States House of  
28 Representatives and the official's jurisdiction includes parts of more  
29 than one county, separate sections of the petition shall be prepared for  
30 use by signers registered to vote in each county included within the  
31 member's jurisdiction. Each page of a section shall bear in not less  
32 than 10-point type the name of the county in which that section is to  
33 be used and the statement, "Only eligible persons residing in (name of  
34 county) County shall sign this page." A signer shall not affix the  
35 signer's signature to any page of any section unless it bears the name  
36 of the county in which the signer is registered to vote.

37 (3) The signature of any person to a page of a recall petition  
38 bearing the name of a county in which the person is not registered to  
39 vote shall be invalid, but the invalidity of such a signature shall not  
40 invalidate or otherwise impair the section wherein or page whereon  
41 that signature appears, nor shall it invalidate or otherwise impair any  
42 other signature to that or any other section of the petition.

43 f. Prior to use, the sections of a recall petition shall be reviewed by  
44 the recall election official for compliance with the provisions of this  
45 act. The recall election official shall complete the review of the  
46 petition within three business days of receipt. No section of a recall

S2393 BRYANT

1 petition shall be used to solicit signatures unless it has been so  
2 approved and a statement of such approval, signed by the recall  
3 election official, has been printed on the first page of that section.

4 g. No obstruction shall be placed over any portion of a page of a  
5 petition section at the time that page is presented to a voter to be  
6 signed.

7 h. Every member of a recall committee circulating a recall petition  
8 and every circulator of that petition shall sign the petition. If any  
9 member of the committee shall fail to sign the petition, the petition  
10 shall be deemed void. In the event that the signature to the petition of  
11 a member of the recall committee shall be deemed invalid, then  
12 notwithstanding the provisions of subsection e. of this section, the  
13 petition shall be deemed void.

14 i. If a solicitation for signatures to a recall petition is presented to  
15 prospective petition signers by a paid print advertisement or paid  
16 mailing, or if a recall petition is presented to such a prospective signer  
17 by a paid circulator, the solicitation or petition, respectively, shall  
18 disclose prominently in a statement printed in at least 10-point type (1)  
19 the identity of the person paying for the printed or personal  
20 solicitation, and (2) that the circulator is paid. The Election Law  
21 Enforcement Commission shall promulgate such rules and regulations  
22 as are necessary to implement the provisions and effectuate the  
23 purposes of this subsection.

24 j. No person who is ineligible to sign a recall petition shall, with  
25 knowledge of that ineligibility, sign such a petition. No person shall  
26 offer to pay or pay another to sign or to refrain from signing a recall  
27 petition or to vote or to refrain from voting in a recall election. A  
28 person who violates any of the foregoing provisions of this subsection  
29 is guilty of a crime of the ~~fourth~~ third degree.

30 (cf: P.L.1995, c.105, s.8)

31

32 9. Section 1 of P.L.1994, c.148 (C.19:31-3.2) is amended to read  
33 as follows:

34 1. a. A person who is (1) a victim of domestic violence who has  
35 obtained a permanent restraining order against a defendant pursuant  
36 to section 13 of the "Prevention of Domestic Violence Act of 1991,"  
37 P.L.1991, c.261 (C.2C:25-29) and fears further violent acts by the  
38 defendant, or (2) a victim of stalking, or member of the immediate  
39 family of such a victim as defined by paragraph (3) of subsection a. of  
40 section 1 of P.L.1992, c.209 (C.2C:12-10), who is protected under the  
41 terms of a permanent restraining order issued pursuant to section 3 of  
42 P.L.1996, c.39 (C.2C:12-10.1) and who fears death or bodily injury  
43 from the defendant against whom that order was issued, shall be  
44 allowed to register to vote without disclosing the person's street  
45 address. Such a person shall leave the space for a street address on  
46 the original permanent registration form blank and shall, instead,

1 attach to the form a copy of the permanent restraining order and a  
 2 note which indicates that the person fears future violent acts by the  
 3 defendant and which contains a mailing address, post office box or  
 4 other contact point where mail can be received by the person. Upon  
 5 receipt of the person's voter registration form, the commissioner of  
 6 registration in all counties having a superintendent of elections, and  
 7 the county board of elections in all other counties, shall provide the  
 8 person with a map of the municipality in which the person resides  
 9 which shows the various voting districts. The person shall indicate to  
 10 the commissioner or board, as appropriate, the voting district in which  
 11 the person resides and shall be permitted to vote at the polling place  
 12 for that district. If such a person thereafter changes residences, the  
 13 person shall so inform the commissioner or board by completing a new  
 14 permanent registration form in the manner described above.

15 b. Any person who makes public any information which has been  
 16 provided by a victim of domestic violence, or by a victim of stalking  
 17 or the family member of such a victim, pursuant to subsection a. of this  
 18 section concerning the mailing address, post office box or other  
 19 contact point of the victim or family member or the election district in  
 20 which the victim or family member resides is guilty of a crime of the  
 21 ~~[fourth]~~ third degree.

22 (cf: P.L.2001, c.177, s.2)

23

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

26 16. a. The Attorney General shall cause to be prepared and shall  
 27 provide to each county commissioner of registration forms of size and  
 28 weight suitable for mailing, which shall require the information  
 29 required by R.S.19:31-3 in substantially the following form:

30

31 VOTER REGISTRATION APPLICATION

32

33 Print clearly in ink. Use ballpoint pen or marker.

34

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

36

37  New registration

38

39  Address change

40

41  Name change

42

43 (2) Name:.....

44

45 Last First Middle

S2393 BRYANT

1 (3) Are you a citizen of the United States of America?  Yes  No

2 (4) Will you be 18 years of age on or before election day?  Yes

3 No

4 If you checked 'No' in response to either of these questions, do not  
5 complete this form.

6

7 (5) Street Address where you live:

8

9 .....

10

11 Street Address Apt. No.

12

13 .....

14

15 (6) City or Town County Zip Code

16

17 (7) Address Where You Receive Your Mail (if different from  
18 above):

19

20 .....

21

22 (8) Date of Birth:

23

24 .....

25

26 Month Day Year

27

28 (9) Telephone Number (optional) .....

29

30 (10) Name and address of Your Last Voter Registration

31

32 .....

33

34 .....

35

36 .....

37

38 (11) If you are registering by mail to vote and will be voting for the  
39 first time in your current county of residence, please provide one of  
40 the following:

41 (a) your New Jersey driver's license number:.....

42 (b) the last four digits of your Social Security  
43 Number.....

44 OR submit with this form a copy of any one of the following  
45 documents: a current and valid photo identification card; a current  
46 utility bill, bank statement, government check, pay check or any other

S2393 BRYANT

1 government or other identifying document that shows your name and  
2 current address. If you do not provide either your New Jersey driver's  
3 license number or the last four digits of your Social Security Number,  
4 or enclose a copy of one of the documents listed above, you will be  
5 asked for identification when voting for the first time, unless you are  
6 exempt from doing so under federal or State law.

7

8 (12) Declaration - I swear or affirm that:

9

10 I am a U.S. citizen.

11

12 I live at the above address.

13

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

16

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

19

20 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT  
21 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO  
22 ~~[\$1,000.00]~~ \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR  
23 BOTH PURSUANT TO R.S.19:34-1.

24

25 .....

26

27 Signature or mark of the registrant Date

28

29 (13) If applicant is unable to complete this form, print the name and  
30 address of individual who completed this form.

31

32 .....

33

34 Name

35

36 .....

37

38 Address

39

40 In addition, the form may include notice to the applicant of  
41 information and options relating to the registration and voting process,  
42 including but not limited to notice of qualifications required of a  
43 registered voter; notice of the final day by which a person must be  
44 registered to be eligible to vote in an election; notice of the effect of  
45 a failure to provide required identification information; a place at  
46 which the applicant may indicate availability for service as a member



1 of the district board of elections; a place at which the applicant may  
2 indicate whether he or she requires a polling place which is accessible  
3 to elderly and physically disabled voters or whether he or she is legally  
4 blind; and a place at which the applicant may indicate a desire to  
5 receive information concerning absentee voting. The form may also  
6 include a space for the voter registration agency to record whether the  
7 applicant registered in person, by mail or by other means.

8 b. The reverse side of the registration form shall bear the address  
9 of the Attorney General or the commissioner of registration to whom  
10 such form is supplied, and a United States postal permit the charges  
11 upon which shall be paid by the State.

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

19 d. The commissioner of registration shall furnish such registration  
20 forms upon request in person to any person or organization in such  
21 reasonable quantities as such person or organization shall request.  
22 The commissioner shall furnish no fewer than two such forms to any  
23 person upon request by mail or by telephone.

24 e. Each such registration form shall have annexed thereto  
25 instructions specifying the manner and method of registration and  
26 stating the qualifications for an eligible voter.

27 f. The Attorney General shall also furnish such registration forms  
28 and such instructions to the Director of the Division of Worker's  
29 Compensation, the Director of the Division of Employment Services,  
30 and the Director of the Division of Unemployment and Temporary  
31 Disability Insurance in the Department of Labor and Workforce  
32 Development; to the Director of the Division of Taxation in the  
33 Department of the Treasury; to the Executive Director of the New  
34 Jersey Transit Corporation; to the appropriate administrative officer  
35 of any other public agency, as defined by subsection a. of section 15  
36 of P.L.1974, c.30 (C.19:31-6.3); to the Adjutant General of the  
37 Department of Military and Veterans' Affairs; and to the chief  
38 administrative officer of any voter registration agency, as defined in  
39 subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11).

40 g. All registration forms received by the Attorney General in the  
41 mail or forwarded to the Attorney General shall be forwarded to the  
42 commissioner of registration in the county of the registrant.

43 h. An application to register to vote received from the New Jersey  
44 Motor Vehicle Commission or a voter registration agency, as defined  
45 in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), shall  
46 be deemed to have been timely made for the purpose of qualifying an

1 eligible applicant as registered to vote in an election if the date on  
2 which the commission or agency shall have received that document in  
3 completed form, as indicated in the lower right hand corner of the  
4 form, was not later than the 29th day preceding that election.

5 i. Each commissioner of registration shall make note in the  
6 permanent registration file of each voter who is required to provide the  
7 personal identification information required pursuant to this section,  
8 as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-252 (42  
9 U.S.C. 15301 et seq.), to indicate the type of identification provided  
10 by the voter and the date on which it is provided. Prior to the June  
11 2004 primary election, when such a newly registered voter seeks to  
12 vote for the first time following his or her registration, the voter will  
13 be required to provide such personal identification information.  
14 Beginning with the June 2004 primary election, when such a newly  
15 registered voter seeks to vote for the first time following his or her  
16 registration, the voter will not be required to provide such information  
17 if he or she had previously provided the personal identification  
18 information required pursuant to this section. The required  
19 information shall be collected and stored for the time and in the  
20 manner required pursuant to regulations promulgated by the Attorney  
21 General.

22 j. The Attorney General shall amend the voter registration  
23 application form if necessary to conform to the requirements of  
24 applicable federal or state law.

25 (cf: P.L.2004, c.88, s.12)

26  
27 11. Section 2 of P.L.1944, c.230 (C.19:31A-8) is amended to read  
28 as follows:

29 2. Every person qualified to vote in any election shall at any time  
30 after the opening of the polls be at liberty to enter the polling place or  
31 room and claim his right to vote at such election in his proper district,  
32 and he shall claim such right in person before the district board in the  
33 district. The board shall permit no person to vote whose name does  
34 not appear in the signature copy register of its election district. Each  
35 voter in claiming the right to vote shall first give his full name and  
36 address to the member of the district board having charge of the  
37 duplicate permanent registration binder and voting record and the  
38 signature comparison record. Such clerk shall thereupon locate the  
39 permanent registration form and voting record and signature  
40 comparison record of the voter and shall require the voter to  
41 thereupon sign his name in the proper space on his signature  
42 comparison record if the voter has previously signed his name on the  
43 line marked sample signature. If the voter has not so signed the  
44 member of the district board shall require the voter to sign the line  
45 marked sample signature and compare the sample signature with the  
46 signature made by such person at the time he registered and if satisfied

1 that they were made by one and the same person he shall then permit  
2 the voter to sign his name in the proper space on the signature  
3 comparison record. The voter shall sign his name without assistance  
4 using black ink in the proper column on the signature comparison  
5 record. Such signature being completed on the signature comparison  
6 record the member of the board having charge of the duplicate  
7 permanent registration binder shall audibly and publicly announce the  
8 name of the claimant and if the member of the board has ascertained  
9 from the duplicate permanent registration binder that the claimant is  
10 registered as a qualified voter and upon comparison the member of the  
11 board is satisfied that the signature of the claimant and the sample  
12 signature on the signature copy register has been made by one and the  
13 same person, the member of the board who compared the signature of  
14 the voter shall place his initials in the proper column on the signature  
15 comparison record signifying that he has made such comparison and  
16 is satisfied that the signature of the claimant and sample signature has  
17 been made by one and the same person; whereupon the voter shall be  
18 eligible to receive a ballot unless it be shown to the satisfaction of a  
19 majority of the members of the district board that he is not entitled to  
20 vote in the district or has otherwise become disqualified.

21 In addition to signing the signature comparison record and after the  
22 comparison of the signature with the signature in the register, a person  
23 offering to vote at a primary election for the general election shall  
24 announce his name and the party primary in which he wishes to vote.

25 After a person has voted, the member of the district board having  
26 charge of the signature copy register shall place the number of the  
27 person's ballot in the proper column on the record of voting form of  
28 such person, which number shall constitute a record that the person  
29 has voted. In the case of a primary election for the general election  
30 such member of the district board shall also place in the proper column  
31 on the record of voting form the first three letters of the name of the  
32 political party whose primary ballot such person has voted.

33 No person shall be required to sign the signature comparison record  
34 as a means of identification if he shall have been unable to write his  
35 name when he registered, or if, having been able to write his name  
36 when registered, he subsequently shall have lost his sight or lost the  
37 hand with which he was accustomed to write or shall by reason of  
38 disease or accident be unable to write his name when he applies to  
39 vote, but each such person who alleges his inability to sign his name  
40 on the signature comparison record shall establish his identity as  
41 follows: one of the members of the district board shall read the same  
42 list of questions to the voter as were required upon registration, such  
43 questions shall be provided at each election by the commissioner of  
44 registration and are to be known as "identification statements for  
45 election day." The member of the board shall write the answers of the  
46 voter upon the identification statement. These statements shall be

1 inserted in the front of the duplicate registry binders, at each election,  
2 and shall be numbered serially from one to twenty.

3 Each statement shall contain the same questions as the voter was  
4 required to answer upon registration. The questions answered upon  
5 registration shall not be turned to or inspected until the answers to the  
6 questions shall have been written on election day by the member of the  
7 board.

8 At the end of each list of questions shall be printed the following  
9 statement: "I certify that I have read to the above named voter each  
10 of the foregoing questions and that I have duly recorded his answers  
11 as above to each of said questions"; and the member of the board who  
12 has made the above record shall sign his name to such certificate and  
13 date the same, and note the time of day of making such record. If the  
14 answers to the questions asked of the voter on election day agree with  
15 the answers given by him to the same questions at the time he  
16 registered, he shall then be eligible to receive a ballot. Any person  
17 who shall permit or attempt to furnish the answers on behalf of the  
18 voter shall be guilty of a [misdemeanor] crime of the third degree.  
19 The commissioner of registration shall furnish sufficient identification  
20 statements for each election district in each county. The statements  
21 shall be printed on sheets approximately ten by sixteen inches and shall  
22 contain a margin of approximately two inches for binding and shall be  
23 inserted in the front of the duplicate registry binders each election and  
24 shall be in substantially the following form:

25 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

26 At any election any person who declares under oath and establishes  
27 to the satisfaction of a majority of all the members of the district  
28 board, that by reason of an inability to read or write, blindness or other  
29 physical disability he is unable to mark his ballot without assistance,  
30 shall have the assistance of two members of the board who shall not  
31 be members of the same political party, to be assigned by the board,  
32 in preparing his ballot. Such members shall retire with such voter to  
33 the booth and assist him in the preparation of his ballot and folding the  
34 same. The member acting as clerk of the district board shall make an  
35 entry on a disability certificate for assistance, which entry shall be in  
36 the form of an oath and be inserted in the front of the duplicate  
37 registry binders each election.

38 In every instance when such oath was administered to a voter as  
39 herein provided, it shall state briefly what facts were sworn to and the  
40 names of the members of the board who aided such voter. Any  
41 members of the district board shall be eligible to witness the  
42 preparation of the ballot of any such voter, but no other person shall  
43 be allowed to assist him in marking his ballot or to witness the marking  
44 of the same. No member of the board shall reveal the name of any  
45 person for whom such voter has voted or anything that took place  
46 while he was being assisted.

1 Such voter, if blind, disabled, or unable to read or write, may, in  
 2 lieu of the assistance of the board as above provided, have assistance  
 3 of some person of his own selection in preparing his ballot. Such  
 4 person shall retire with such voter to the booth and assist him in the  
 5 preparation of his ballot and folding the same. The name and address  
 6 of such person shall be recorded as above. In such case, no other  
 7 person than the one so selected by the voter shall be allowed to assist  
 8 such voter in marking his ballot or witness the marking of the same.  
 9 No person so selected shall reveal the name of any person for whom  
 10 such voter has voted or anything that took place while he was being  
 11 assisted.

12 The disability certificates shall be numbered serially one to twenty.  
 13 The commissioner of registration shall furnish sufficient disability  
 14 certificates for assistance for each election district in his county. The  
 15 disability certificates for assistance shall be printed on sheets  
 16 approximately ten by sixteen inches and shall contain a margin of  
 17 approximately two inches for binding and shall be in substantially the  
 18 following form:

19 PLEASE PHOTOCOPY THIS FORM FROM P.L.1996, c.120, s.6.

20 The commissioner of registration in each county shall furnish  
 21 sufficient certificates of signature comparison records for each election  
 22 district in his county to be filled in and signed at the close of the polls  
 23 by the members of the district board. A blank space shall also be  
 24 provided for on the certificate for the signatures of the members of the  
 25 election board. Under said certificate there shall also be printed the  
 26 word "Remarks" together with a number of blank lines. The  
 27 commissioner shall insert one of such certificates in the front of the  
 28 signature copy register in each election district in the county. At  
 29 primary elections the certificate shall be in substantially the following  
 30 form:

31 PRIMARY ELECTION

32 CERTIFICATION OF SIGNATURE COMPARISON RECORD

33 The undersigned constituting the district board of election in the  
 34 County of ..... in the  
 35 .....

36 (City, Town, Township, Borough or  
 37 Village)

38 ..... Ward .....

39 District hereby  
 40 certify that (.....) is the correct  
 41 total of the

42 (Figures)  
 43 number of names of voters who actually signed the signature  
 44 comparison records and voted in the DEMOCRATIC PRIMARY  
 45 ELECTION held on the  
 46 ..... day of ..... 194... .

S2393 BRYANT

1 And hereby certify that (.....) is the correct total of the  
2 number of  
3 (Figures)  
4 names of voters who actually signed the signature comparison records  
5 and voted in the REPUBLICAN PRIMARY ELECTION held on the  
6 ..... day of ....., 194... .

7  
8 DISTRICT  
9 .....Judge .....  
10 Clerk.

11  
12 BOARD OF  
13 .....Inspector ..... Clerk.

14  
15 ELECTION

16 Remarks:.....  
17 .....  
18 .....  
19 .....  
20 .....  
21 .....

22 At all other elections the certificates shall be in substantially the  
23 following form:

24  
25 CERTIFICATION OF SIGNATURE COMPARISON RECORD

26 The undersigned constituting the district board of election in the  
27 County of ..... in the  
28 .....

29 (City, Town, Township, Borough or Village)  
30 ..... Ward .....

31 District hereby  
32 certify that (.....) is the correct  
33 total of the  
34 (Figures)  
35 number of names of voters who actually signed the signature  
36 comparison records and voted in the  
37 .....election held on  
38 the (General, Special or other Election as the case may be)  
39 ..... day of ....., 194... .

40  
41 DISTRICT  
42 ..... Judge ..... Clerk.

43  
44 BOARD OF  
45 .....Inspector ..... Clerk.

1 ELECTION

2 Remarks:.....  
 3 .....  
 4 .....  
 5 .....  
 6 .....  
 7 .....  
 8 .....  
 9 .....

10 After each election the commissioner of registration shall remove  
 11 from the binders the identification statements, the disability certificates  
 12 for assistance, and certifications of signature comparison records and  
 13 shall preserve them in his office in a suitable place for a period of two  
 14 years.

15 (cf: P.L.1996, c.120, s.6)

16

17 12. R.S.19:32-5 is amended to read as follows:

18 19:32-5. Such superintendents and their assistants, in order to  
 19 enforce the laws of this state regarding the conduct of elections, shall  
 20 investigate all complaints relating to the registration of voters, and for  
 21 that purpose the superintendents and their assistants shall have full  
 22 power and authority to visit and inspect any house, dwelling, building,  
 23 inn, lodging house or hotel and interrogate any inmate, house-dweller,  
 24 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
 25 to any person or persons residing or claiming to reside therein or  
 26 thereat; to inspect and copy any books, records, papers or documents  
 27 relating to or affecting the elections, either general, special, primary  
 28 or municipal, or the registration of voters in the custody and control  
 29 of district boards, county boards, or the clerks or other officers of  
 30 municipalities; to require every lodging-house keeper, landlord or  
 31 proprietor to exhibit his register of lodgers therein at any time to the  
 32 superintendent, his subordinates or any other person so designated by  
 33 such superintendent.

34 Any person who neglects or refuses to furnish any information  
 35 required or authorized by this title, or to exhibit the records, papers,  
 36 or documents herein authorized to be inspected, or which are required  
 37 to be exhibited, shall be guilty of a [misdemeanor] crime of the third  
 38 degree.

39 (cf: R.S.19:32-5)

40

41 13. R.S.19:32-6 is amended to read as follows:

42 19:32-6 The superintendent shall have power to issue subpoenas  
 43 for the purpose of investigating any complaint of violation of the  
 44 election laws of the state, such subpoenas to be issued in the name of  
 45 the superintendent and for the purpose of aiding him in enforcing the  
 46 provisions of the election laws. He may in proper cases issue

1 subpoenas duces tecum. A subpoena issued by the superintendent may  
2 be served by any peace officer or any other person designated by him  
3 for that purpose.

4 A person who shall omit, neglect or refuse to obey a subpoena  
5 attested in the name of the superintendent and made returnable by him  
6 or who shall refuse to testify under oath before such superintendent  
7 shall be guilty of a [misdemeanor and punished accordingly] crime of  
8 the third degree.

9 A person who shall make any false statement under oath before the  
10 superintendent shall be guilty of a [misdemeanor and punished  
11 accordingly] crime of the third degree.

12 (cf: R.S.19:32-6)

13

14 14. R.S.19:32-8 is amended to read as follows:

15 19:32-8. When directed by the superintendent every landlord,  
16 proprietor, lessee or keeper of a lodging house, inn or hotel, shall keep  
17 a register in which shall be entered the names and residences, the date  
18 of arrival and departure of his guests, and the room, rooms or bed  
19 occupied by them. This register shall be arranged so that there shall  
20 be a space on the same line in which each male guest or male lodger  
21 shall sign his name.

22 Such landlord, proprietor, lessee or keeper shall make a sworn  
23 report upon a blank to be prepared and furnished by the  
24 superintendent thirty days before the election next ensuing to such  
25 superintendent, containing a detailed description of the premises so  
26 used and occupied as a lodging house, inn or hotel, including the size  
27 and character of building, and in case only part of a building is so  
28 used, a statement as to what part, and the names of the lodgers  
29 therein, and all the employees, and all other persons living therein,  
30 including the landlord, proprietor, lessee or keeper, and members of  
31 his family, who claim a voting residence at or in such lodging house,  
32 inn or hotel, together with the length of time they have been regularly  
33 lodged or lived therein, the beginning of such residence, the color,  
34 approximate age, height, weight, whereby the persons may be  
35 identified, the nationality, the occupation and place of business of  
36 such persons, and the room occupied by each person, and whether the  
37 person is a guest, landlord, proprietor, lessee or keeper, and the  
38 signature of each person. Above the space reserved for the signature  
39 of each such person shall be printed the following words, "the  
40 foregoing statements are true." In the form of affidavit, which shall  
41 be sworn to by the landlord, proprietor, lessee or keeper of such  
42 lodging house, inn or hotel, shall be included the statement that the  
43 signatures of the guests or lodgers certified to in such report were  
44 written in the presence of such landlord, proprietor, lessee or keeper,  
45 and that he personally knows them to be the persons therein  
46 described.



1 To the end that the sworn report herein shall truly set forth the facts  
2 therein stated, such landlord, proprietor, lessee or keeper shall  
3 question each male person lodging or living in the lodging house, inn  
4 or hotel, as to his intention of claiming such place as a voting  
5 residence, and the person shall thereupon declare his intention thereof,  
6 and if he shall claim the place as his voting residence, he shall give to  
7 such landlord, proprietor, lessee or keeper such facts regarding  
8 himself as are required to be incorporated in the sworn report herein  
9 provided for. Such report and affidavit shall be filed personally by the  
10 landlord, proprietor, lessee or keeper with the superintendent at his  
11 office.

12 Any such landlord, proprietor, lessee or keeper or any lodger who  
13 shall violate this section shall be deemed guilty of a [misdemeanor]  
14 crime of the third degree.  
15 (cf: R.S.19:32-8)

16

17 15. R.S.19:32-12 is amended to read as follows:

18 19:32-12. Any person preventing, hindering or interfering with the  
19 said superintendent or his chief deputy or assistants in sealing such  
20 ballot box or boxes or bag or bags shall be guilty of a [misdemeanor,  
21 and shall be punished by imprisonment for a term not exceeding three  
22 years, or by the payment of a fine not exceeding one thousand dollars,  
23 or both] crime of the third degree.

24 (cf: R.S.19:32-12)

25

26 16. R.S.19:32-13 is amended to read as follows:

27 19:32-13. Any person who destroys, defaces or removes, or  
28 attempts to destroy, deface or remove, such a seal shall be guilty of a  
29 [misdemeanor, and shall be punished by imprisonment for a term not  
30 exceeding three years, or by the payment of a fine not exceeding one  
31 thousand dollars, or both] crime of the third degree.

32 (cf: R.S.19:32-13)

33

34 17. Section 5 of P.L.1947, c.167 (C.19:32-30) is amended to read  
35 as follows:

36 5. Such superintendents and their assistants, in order to enforce the  
37 laws of this State regarding the conduct of elections, shall investigate  
38 all complaints relating to the registration of voters, and for that  
39 purpose the superintendents and their assistants shall have full power  
40 and authority to visit and inspect any house, dwelling, building, inn,  
41 lodging house or hotel and interrogate any inmate, house-dweller,  
42 keeper, caretaker, owner, proprietor or landlord thereof or therein as  
43 to any person or persons residing or claiming to reside therein or  
44 thereat; to inspect and copy any books, records, papers or documents  
45 relating to or affecting the elections, either general, special, primary  
46 or municipal, or the registration of voters in the custody and control

1 of district boards, county boards, or the clerks or other officers of  
2 municipalities; to require every lodging-house keeper, landlord or  
3 proprietor to exhibit his register of lodges therein at any time to the  
4 superintendent, his subordinates or any other person so designated by  
5 such superintendent.

6 Any person who neglects or refuses to furnish any information  
7 required or authorized by this Title, or to exhibit the records, papers,  
8 or documents herein authorized to be inspected, or which are required  
9 to be exhibited, shall be guilty of a [misdemeanor] crime of the third  
10 degree.

11 (cf: P.L.1947, c.167, s.5)

12

13 18. Section 6 of P.L.1947, c.167 (C.19:32-31) is amended to read  
14 as follows:

15 6. The superintendent shall have power to issue subpoenas for the  
16 purpose of investigating any complaint of violation of the election laws  
17 of the State, such subpoenas to be issued in the name of the  
18 superintendent and for the purpose of aiding him in enforcing the  
19 provisions of the election laws. He may in proper cases issue  
20 subpoenas duces tecum. A subpoena issued by the superintendent may  
21 be served by any peace officer or any other person designated by him  
22 for that purpose.

23 A person who shall omit, neglect or refuse to obey a subpoena  
24 attested in the name of the superintendent and made returnable by him  
25 or who shall refuse to testify under oath before such superintendent  
26 shall be guilty of a [misdemeanor and punished accordingly] crime of  
27 the third degree.

28 A person who shall make any false statement under oath before the  
29 superintendent shall be guilty of a [misdemeanor and punished  
30 accordingly] crime of the third degree.

31 (cf: P.L.1947, c.167, s.6)

32

33 19. Section 8 of P.L.1947, c.167 (C.19:32-33) is amended to read  
34 as follows:

35 8. When directed by the superintendent, every landlord, proprietor,  
36 lessee or keeper of a lodging house, inn or hotel shall keep a register  
37 in which shall be entered the names and residences, the date of arrival  
38 and departure of his guests, and the room, rooms or bed occupied by  
39 them. This register shall be arranged so that there shall be a space on  
40 the same line in which each male guest or male lodger shall sign his  
41 name.

42 Such landlord, proprietor, lessee or keeper shall make a sworn  
43 report upon a blank to be prepared and furnished by the  
44 superintendent thirty days before the election next ensuing to such  
45 superintendent, containing a detailed description of the premises so  
46 used and occupied as a lodging house, inn or hotel, including the size

1 and character of building, and in case only part of a building is so  
2 used, a statement as to what part, and the names of the lodgers  
3 therein, and all the employees, and all other persons living therein,  
4 including the landlord, proprietor, lessee or keeper, and members of  
5 his family, who claim a voting residence at or in such lodging house,  
6 inn or hotel, together with the length of time they have been regularly  
7 lodged or lived therein, the beginning of such residence, the color,  
8 approximate age, height, weight, whereby the persons may be  
9 identified, the nationality, the occupation and place of business of  
10 such persons, and the room occupied by each person, and whether the  
11 person is a guest, landlord, proprietor, lessee or keeper, and the  
12 signature of each person. Above the space reserved for the signature  
13 of each such person shall be printed the following words, "the  
14 foregoing statements are true." In the form of affidavit, which shall  
15 be sworn to by the landlord, proprietor, lessee or keeper of such  
16 lodging house, inn or hotel, shall be included the statement that the  
17 signatures of the guests or lodgers certified to in such report were  
18 written in the presence of such landlord, proprietor, lessee or keeper,  
19 and that he personally knows them to be the persons therein  
20 described.

21 To the end that the sworn report herein required shall truly set forth  
22 the facts therein stated, such landlord, proprietor, lessee or keeper  
23 shall question each male person lodging or living in the lodging house,  
24 inn or hotel as to his intention of claiming such place as a voting  
25 residence, and the person shall thereupon declare his intention thereof,  
26 and if he shall claim the place as his voting residence he shall give to  
27 such landlord, proprietor, lessee or keeper such facts regarding himself  
28 as are required to be incorporated in the sworn report herein provided  
29 for. Such report and affidavit shall be filed personally by the landlord,  
30 proprietor, lessee or keeper with the superintendent at his office.

31 Any such landlord, proprietor, lessee or keeper or any lodger who  
32 shall violate this section shall be deemed guilty of a [misdemeanor]  
33 crime of the third degree.

34 (cf: P.L.1947, c.167, s.8)

35

36 20. Section 10 of P.L.1947, c.167 (C.19:32-35) is amended to read  
37 as follows:

38 10. Any person preventing, hindering or interfering with the said  
39 superintendent or his chief deputy or assistants in sealing such ballot  
40 box or boxes or bag or bags shall be guilty of a [misdemeanor, and  
41 shall be punished by imprisonment for a term not exceeding three  
42 years, or by the payment of a fine not exceeding one thousand dollars  
43 (\$1,000.00), or both] crime of the third degree.

44 (cf: P.L.1947, c. 167, s. 10)

45

46 21. Section 11 of P.L.1947, c.167 (C.19:32-36) is amended to read

1 as follows:

2 11. Any person who destroys, defaces or removes, or attempts to  
3 destroy, deface or remove, such a seal shall be guilty of a  
4 [misdemeanor, and shall be punished by imprisonment for a term not  
5 exceeding three years, or by the payment of a fine not exceeding one  
6 thousand dollars (\$1,000.00), or both] crime of the third degree.  
7 (cf: P.L.1947, c.167, s.11)

8

9 22. R.S.19:34-1 is amended to read as follows:

10 19:34-1. If any member of the district board shall willfully refuse  
11 to enter in the canvassing books or upon the registers the name of any  
12 person legally entitled to vote, or shall register the name of any person  
13 contrary to the provisions of this title, such member shall be  
14 [punished by a fine not exceeding one thousand dollars, or by  
15 imprisonment not exceeding two years, or both] guilty of a crime of  
16 the third degree.

17 Any person who shall cause or procure his name to be registered in  
18 more than one election district, or shall cause or procure his name or  
19 that of any other person to be registered, knowing that he or such  
20 other person is not entitled to vote in the election district wherein  
21 such registry is made at the next election to be held therein, shall be  
22 punished for each such offense [by a fine not exceeding one thousand  
23 dollars, or imprisonment for a term not exceeding five years, or both]  
24 guilty of a crime of the third degree.

25 No district board shall execute or deliver to any voter any paper in  
26 the nature of a transfer, purporting to authorize him to vote in any  
27 other election district unless he is actually registered as now provided  
28 by law.

29 Any officer or employee who shall willfully fail to perform or  
30 enforce any of the provisions of this title or who shall unlawfully or  
31 fraudulently remove any registration records, or who shall willfully  
32 destroy any record directed by this title to be kept, or any person who  
33 shall willfully or fraudulently register more than once, or register under  
34 any but his true name, or attempt to vote by impersonating another  
35 who is registered, or who willfully registers in any election district  
36 where he is not a resident at the time of registering, or who violates  
37 any of the provisions of this title, shall be guilty of a [misdemeanor]  
38 crime of the third degree.  
39 (cf: R.S.19:34-1)

40

41 23. Section 43 of P.L.1994, c.182 (C.19:34-1.1) is amended to  
42 read as follows:

43 43. a. Any person, other than an election official, who: (1)  
44 knowingly and willfully intimidates, threatens or coerces, or attempts  
45 to intimidate, threaten or coerce, any person for registering to vote,  
46 voting or attempting to register to vote or vote, urging or aiding any

1 person to register to vote, to vote or to attempt to register or vote or  
2 exercising any right under the provisions of P.L.1994, c.182  
3 (C.19:31-6.11 et al.); or

4 (2) knowingly and willfully deprives, defrauds or attempts to  
5 deprive or defraud the residents of this State of a fair and impartially  
6 conducted election by the procurement or submission of voter  
7 registration applications that are known by the person to be materially  
8 false, fictitious or fraudulent under the provisions of Title 19 of the  
9 Revised Statutes or the procurement, casting or tabulation of ballots  
10 that are known by the person to be materially false, fictitious or  
11 fraudulent under the provisions of Title 19 of the Revised Statutes, is  
12 guilty of a crime of the third degree.

13 b. Any election official who:

14 (1) knowingly and willfully intimidates, threatens or coerces, or  
15 attempts to intimidate, threaten or coerce, any person for registering  
16 to vote, voting or attempting to register to vote or vote, urging or  
17 aiding any person to register to vote, to vote or to attempt to register  
18 or vote, or exercising any right under the provisions of P.L.1994,  
19 c.182 (C.19:31-6.11 et al.); or

20 (2) knowingly and willfully deprives, defrauds or attempts to  
21 deprive or defraud the residents of this State of a fair and impartially  
22 conducted election by the procurement or submission of voter  
23 registration applications that are known by the election official to be  
24 materially false, fictitious or fraudulent under the provisions of Title  
25 19 of the Revised Statutes or the procurement, casting or tabulation  
26 of ballots that are known by the election official to be materially false,  
27 fictitious or fraudulent under the provisions of Title 19 of the Revised  
28 Statutes, is guilty of a crime of the [second] third degree.

29 c. As used in this section, "election official" shall include, but not  
30 be limited to, any superintendent or deputy superintendent of  
31 elections, commissioner of registration, member of a county board of  
32 elections, county clerk, municipal clerk, member of a district board of  
33 elections, member of a board of county canvassers and member of a  
34 board of State canvassers.

35 (cf: P.L.1994, c.182, s.43)

36

37 24. R.S. 19:34-2 is amended to read as follows:

38 19:34-2. No person shall falsely make, falsely make oath to, or  
39 fraudulently deface or fraudulently destroy any certificate of  
40 nomination or petition, or any part thereof, or file, or receive for filing,  
41 any certificate of nomination or petition, knowing the same or any part  
42 thereof to be falsely made, or suppress any certificate of nomination  
43 or petition which has been duly filed, or any part thereof. A person  
44 violating any of the provisions of this section shall be guilty of a  
45 [misdemeanor, and shall be punished by imprisonment for not more  
46 than five years] crime of the third degree.

1 Any person who, being a member of one political party, shall sign  
2 his name to any petition indorsing any person as a candidate for office  
3 of another political party, shall be guilty of a [misdemeanor] crime of  
4 a third degree.

5 (cf: R.S.19:34-2)

6  
7 25. R.S.19:34-3 is amended to read as follows:

8 19:34-3. If any printer employed by any county or municipal  
9 clerk to print official ballots, or any person engaged in printing the  
10 same, shall appropriate to himself or give or deliver or knowingly  
11 permit to be taken any of such ballots by any other person than such  
12 county or municipal clerk or his duly authorized agent, or shall print  
13 or cause to be printed any official ballot in any other form than that  
14 prescribed by the county or municipal clerk, or with any other names  
15 thereon, or with the names spelled or the names or printing thereon  
16 arranged in any other way than that authorized and directed by this  
17 title, the person so offending shall be guilty of a [misdemeanor and  
18 shall be punished by a fine not exceeding one thousand dollars or  
19 imprisonment not exceeding five years] crime of the third degree.

20 If any person not authorized by the proper officers shall print or  
21 make any official or sample ballot provided for in this title, or on or  
22 prior to election day shall willfully have in his possession an official  
23 ballot without being authorized by this title to have charge or  
24 possession thereof, the person so offending shall be guilty of a  
25 [misdemeanor] crime of the third degree.

26 If any person shall forge or falsely make any ballot or the official  
27 indorsement thereof, the person so offending shall be guilty of a  
28 [misdemeanor and shall be punished by imprisonment for not more  
29 than five years] crime of the third degree.

30 (cf: R.S.19:34-3)

31  
32 26. R.S.19:34-4 is amended to read as follows:

33 19:34-4. If a person convicted of a crime which disfranchises him  
34 shall vote at any election, unless he shall have been pardoned or  
35 restored by law to the right of suffrage, he shall be guilty of a  
36 [misdemeanor, and shall be punished by a fine not exceeding two  
37 hundred dollars, or imprisonment at hard labor not exceeding two  
38 years, or both] crime of the third degree.

39 (cf: R.S.19:34-4)

40  
41 27. R.S.19:34-5 is amended to read as follows:

42 19:34-5. No person shall, during an election, with intent to hinder  
43 or delay same, or to hinder or delay any voter in the preparation of his  
44 ballot, remove or destroy any of the ballots or pencils placed in the  
45 booths or compartments for the purpose of enabling the voter to  
46 prepare his ballot.

1 Any person willfully violating any of the provisions of this section  
2 shall be guilty of a [misdemeanor and shall be punished by fine not  
3 exceeding five hundred dollars and imprisonment until such fine and  
4 the costs of the conviction are paid] crime of the third degree.

5 (cf: R.S.19:34-5)

6  
7 28. R.S.19:34-6 is amended to read as follows:

8 19:34-6. a. If a person shall on election day tamper, deface or  
9 interfere with any polling booth or obstruct the entrance to any polling  
10 place, or obstruct or interfere with any voter, or loiter in or near the  
11 polling place, or spend an inordinate amount of time in the polling  
12 booth without good reason, or do any electioneering within any  
13 polling place or within one hundred feet thereof, he shall be guilty of  
14 a [misdemeanor and shall be punished by a fine not exceeding five  
15 hundred dollars (\$500.00) or by imprisonment not exceeding one year,  
16 or both] crime of the third degree.

17 b. This section shall not be construed to prohibit a minor from  
18 entering a polling place on the day of an election to vote in a simulated  
19 election at that polling place, or persons from supervising or working  
20 at a polling place in a simulated election in which minors vote,  
21 provided that the county board of elections has determined that the  
22 polling place can accommodate simulated election activities without  
23 interfering with the orderly conduct of the official voting process.

24 (cf: P.L.2000, c.173, s.2)

25  
26 29. R.S.19:34-7 is amended to read as follows:

27 19:34-7. No person shall within the polling room mark his ballot  
28 in a place other than in the polling booth or show his ballot, nor shall  
29 anyone request such person to show his ballot during the preparation  
30 thereof, nor shall any other person inspect such ballot during the  
31 preparation thereof or after it is prepared for voting in such a way as  
32 to reveal the contents, nor shall any person within the polling place or  
33 within a hundred feet thereof, loiter, electioneer, or solicit any voter.

34 No voter, at any election where official ballots are used, shall  
35 knowingly vote or offer to vote any ballot except an official ballot as  
36 by this Title required.

37 No person shall on any pretext carry any official ballot from the  
38 polling room on any election day except such persons as may by this  
39 Title be authorized to do so.

40 Any person violating any of the provisions of this section shall be  
41 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
42 five hundred dollars (\$500.00) or by imprisonment not exceeding one  
43 year, or both] crime of the third degree.

44 (cf: P.L.1948, c.438, s.13)

45  
46 30. R.S.19:34-9 is amended to read as follows:

S2393 BRYANT

26

1 19:34-9. Any person who shall prompt a voter in answering any  
2 questions provided by this title shall be guilty of a [misdemeanor]  
3 crime of the third degree.

4 (cf: R.S.19:34-9)

5  
6 31. R.S.19:34-10 is amended to read as follows:

7 19:34-10. If any person shall write, paste or otherwise place upon  
8 any official ballot any mark, sign or device of any kind as a  
9 distinguishing mark whereby to indicate to any member of any district  
10 board or other person how any voter has voted at any election, or if  
11 any person shall induce or attempt to induce any voter to write, paste  
12 or otherwise place on his ballot any mark, sign or device of any kind,  
13 as a distinguishing mark by which to indicate to any member of any  
14 district board or other person how such voter has voted, or shall enter  
15 into or attempt to form any agreement or conspiracy with any other  
16 person to induce or attempt to induce voters or any voter to so place  
17 any distinguishing mark, sign or device on his ballot, whether or not  
18 such act be committed or attempted to be committed, such person so  
19 offending shall be guilty of a [misdemeanor and shall be punished by  
20 a fine not exceeding five hundred dollars or imprisonment not  
21 exceeding one year, or both] crime of the third degree.

22 (cf: R.S.19:34-10)

23  
24 32. R.S.19:34-11 is amended to read as follows:

25 19:34-11. Every person not entitled to vote who fraudulently  
26 votes, and every person who votes more than once at any one election;  
27 or knowingly hands in two or more ballots folded together; or  
28 changes any ballot after it has been deposited in the ballot box; or  
29 adds, or attempts to add, any ballot to those legally polled at any  
30 election, either by fraudulently introducing the same into the ballot box  
31 before or after the ballots therein have been counted; or adds to or  
32 mixes with, or attempts to add to or mix with, the ballots lawfully  
33 polled, other ballots while the same are being counted or canvassed,  
34 or at any other time, with intent to change the result of such election;  
35 or carries away or destroys, or attempts to carry away or destroy, any  
36 poll list, or ballots, or ballot box, for the purpose of breaking up or  
37 invalidating the election; or willfully detains, mutilates or destroys  
38 any election returns; or in any manner so interferes with the officers  
39 holding the election, or conducting the canvass, or with the voters  
40 lawfully exercising their rights of voting at the election, as to prevent  
41 the election or canvass from being fairly had and lawfully conducted,  
42 shall be guilty of a [misdemeanor] crime of the third degree.

43 (cf: P.L.1948, c.438, s.14)

44  
45 33. R.S.19:34-12 is amended to read as follows:

46 19:34-12. Every person not entitled to vote who fraudulently



1 attempts to vote, or who being entitled to vote attempts to vote more  
2 than once at any election, or who personates or attempts to personate  
3 a person legally entitled to vote, shall be guilty of a [misdemeanor]  
4 crime of the third degree.

5 (cf: P.L.1948, c.438, s.15)

6

7 34. R.S.19:34-13 is amended to read as follows:

8 19:34-13. Every inspector, judge or clerk of an election, who,  
9 previous to putting the ballot of an elector in the ballot box, attempts  
10 to find out any name on such ballot, or who opens or suffers the  
11 folded ballot of any elector which has been handed in to be opened or  
12 examined previous to putting the same in the ballot box, or who  
13 makes or places any mark or device on any folded ballot with the view  
14 to ascertain the name of any person for whom the elector has voted,  
15 shall be guilty of a [misdemeanor] crime of the third degree.

16 (cf: P.L.1948, c.438, s.16)

17

18 35. R.S.19:34-14 is amended to read as follows:

19 19:34-14. If a member of any district board has knowledge how  
20 any person has voted and shall reveal such knowledge to any other  
21 person, or shall fraudulently or corruptly disclose what other  
22 candidates were voted for on any ballot bearing a name not printed  
23 thereon, or fraudulently or corruptly gives any information concerning  
24 the appearance of any ballot voted, he shall be guilty of a  
25 [misdemeanor and shall be punished by a fine not exceeding two  
26 thousand dollars or imprisonment not exceeding five years] crime of  
27 the third degree.

28 (cf: R.S.19:34-14)

29

30 36. R.S.19:34-15 is amended to read as follows:

31 19:34-15. If a person shall distribute or display any circular or  
32 printed matter or offer any suggestion or solicit any support for any  
33 candidate, party or public question within the polling place or room or  
34 within a distance of one hundred feet of the outside entrance to such  
35 polling place or room, he shall be guilty of a [misdemeanor] crime of  
36 the third degree.

37 (cf: P.L.1948, c.438, s.17)

38

39 37. R.S.19:34-16 is amended to read as follows:

40 19:34-16. A person who shall remove, destroy or mutilate any  
41 registry list or copy thereof, or who before an election closes shall  
42 remove, destroy or mutilate any list of voters posted in accordance  
43 with this title, shall be guilty of a [misdemeanor, and shall be punished  
44 by a fine of not more than one thousand dollars or imprisonment for  
45 not more than two years] crime of the third degree.

46 (cf: R.S.19:34-16)

1 38. R.S.19:34-17 is amended to read as follows:

2 19:34-17. If a person shall rob or plunder any ballot box, or  
3 unlawfully and by stealth or violence take the same or remove  
4 therefrom any ballot or other paper, or exchange, alter or destroy any  
5 ballot or other paper contained therein, or if any person shall willfully  
6 and corruptly suppress, withhold, mutilate, destroy, alter or change  
7 any return, statement or certificate or any copy thereof, which shall  
8 have been made in pursuance of this title, and delivered to him to be  
9 filed, or which shall have been intrusted or delivered to him to be  
10 delivered or transmitted to any other person in pursuance of this title,  
11 every such person, his aiders, procurers and abettors, shall be guilty of  
12 a [misdemeanor and shall be punished by a fine not exceeding five  
13 hundred dollars, or by imprisonment at hard labor for a term not  
14 exceeding two years, or both] crime of the third degree.

15 This section shall not apply to the destruction of ballots or the  
16 performance of other acts by officials when such acts are performed  
17 as prescribed in this title.

18 (cf: R.S.19:34-17)

19

20 39. R.S.19:34-18 is amended to read as follows:

21 19:34-18. A person who shall willfully obstruct or interfere with  
22 the clerk or clerks on the way from the polls to the office of the city  
23 clerk shall be guilty of a misdemeanor and shall be [punished by a fine  
24 not exceeding five hundred dollars, or by imprisonment at hard labor  
25 for a term not exceeding two years, or both] guilty of a crime of the  
26 third degree.

27 (cf: R.S.19:34-18)

28

29 40. R.S.19:34-19 is amended to read as follows:

30 19:34-19. No person shall display, sell, give or provide any  
31 political badge, button or other insignia to be worn at or within one  
32 hundred feet of the polls or within the polling place or room, on any  
33 primary, general or special election day or on any commission  
34 government election day, except the badge furnished by the county  
35 board as herein provided.

36 A person violating any of the provisions of this section shall be  
37 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
38 five hundred dollars or by imprisonment not exceeding one year, or  
39 both] crime of the third degree.

40 (cf: R.S.19:34-19)

41

42 41. R.S.19:34-20 is amended to read as follows:

43 19:34-20. Whoever shall solicit the registering of his name on the  
44 registry list of any election district or precinct, knowing that he is not  
45 a legal voter in such district or precinct; or shall willfully counsel,  
46 procure, aid, advise, assist or abet in the registering of the name of

1 any other person on the registry list of any election district or  
2 precinct, knowing such other person is not entitled to vote therein;  
3 or at any election, knowing that he is not a qualified voter, votes  
4 thereat; or at any election votes or attempts to vote more than once  
5 on his own name; or at any election votes or attempts to vote in more  
6 than one election district or precinct; or at any election votes or  
7 attempts to vote upon any other name than his own; or knowingly  
8 casts or attempts to cast more than one ballot at one time by  
9 balloting; or at any election counsels, procures, aids, advises, assists  
10 or abets any person, knowing that he is not a qualified voter, to vote  
11 thereat; or at any election counsels, procures, aids, advises, assists or  
12 abets any person in voting in more than one election district or  
13 precinct; or at any election counsels, procures, aids, advises, assists  
14 or abets any person to vote or to attempt to vote upon any name other  
15 than his own, or knowingly cast or attempt to cast more than one  
16 ballot at one time of voting; or at any election shall in any way  
17 willfully mark or deface his ballot, or shall willfully counsel, procure,  
18 aid, advise, assist or abet any person in the marking or defacing of a  
19 ballot; or at any election shall in any way counsel, procure, aid,  
20 advise, assist or abet any official or person in any act which is  
21 contrary to the provisions of this title; or at any election shall in any  
22 way willfully hinder or prevent a voter from casting his legal vote,  
23 knowing such person to have a right to vote; or shall willfully tamper  
24 with, injure, mutilate, destroy or render unfit for use, any ballot box;  
25 shall be guilty of a [misdemeanor and punishable by a fine of five  
26 hundred dollars, or imprisonment in state prison for the term of three  
27 years, or both] crime of the third degree.

28 (cf: R.S.19:34-20)

29

30 42. R.S.19:34-21 is amended to read as follows:

31 19:34-21. A person who being a member of one political party  
32 shall vote in the ballot box used for the primary election of another  
33 political party shall in each case be guilty of a [misdemeanor, and  
34 shall be punished by a fine not exceeding five hundred dollars or be  
35 imprisoned not exceeding two years, or both] crime of the third  
36 degree.

37 (cf: R.S.19:34-21)

38

39 43. R.S.19:34-22 is amended to read as follows:

40 19:34-22. If a person not entitled to vote at any primary election  
41 as herein provided shall vote or offer to vote at such primary meeting  
42 or caucus knowing or having reason to believe himself not entitled to  
43 so vote, or if any person shall counsel or procure anyone to so vote,  
44 knowing or having reason to believe such voter not entitled to do so,  
45 or if any person having voted at any primary meeting held by any  
46 political party or organization to nominate candidates or to elect

1 delegates to nominate candidates, to be voted for at any election, shall  
2 vote or offer to vote at the primary meeting held by any other political  
3 party or organization held to nominate candidates or to elect delegates  
4 to nominate candidates, to be voted for at the same election, such  
5 person shall be guilty of a [misdemeanor and shall for each offense be  
6 imprisoned at hard labor for a term not exceeding three months or by  
7 a fine not exceeding one hundred dollars, or both] crime of the third  
8 degree.

9 (cf: R.S.19:34-22)

10

11 44. R.S.19:34-23 is amended to read as follows:

12 19:34-23. If any judge, inspector, clerk or other officer of a  
13 primary election shall act in such capacity before taking and  
14 subscribing to the oath or affirmation required by this title, or shall  
15 willfully disregard or violate the provisions of any rule duly made by  
16 the party of which he is a member and for whom he is acting for the  
17 government of the primary elections of the party, or if any judge or  
18 inspector of any primary election shall knowingly reject the vote of  
19 any person entitled to vote under the rules of such party or shall  
20 knowingly receive the vote of any person not qualified, or if any  
21 judge, inspector, clerk or any other officer of a primary election shall  
22 commit any willful fraud in the discharge of his duties by destroying  
23 or marking any ballot in any way before such ballot is delivered to the  
24 voter or by defacing ballots, adding marks to the poll by false  
25 counting, making false returns or by any act or thing whatsoever, he  
26 shall be guilty of a [misdemeanor and shall be punished by a fine not  
27 exceeding five hundred dollars or by imprisonment not exceeding one  
28 year, or both] crime of the third degree.

29 (cf: R.S.19:34-23)

30

31 45. R.S.19:34-25 is amended to read as follows:

32 19:34-25. a. If a person shall, directly or indirectly, by himself or  
33 by any other person in his behalf, give, lend or agree to give or lend,  
34 or shall offer, promise or promise to procure, or endeavor to procure,  
35 any money or other valuable consideration or thing to or for any voter,  
36 or to or for any person, in order to induce any voter to vote or refrain  
37 from registering for any election, or shall corruptly do or commit any  
38 of the acts in this section mentioned because of any such voter having  
39 voted or refrained from voting at an election, or registered or refrained  
40 from registering at an election, he shall be guilty of a [misdemeanor  
41 and shall be punished by a fine not to exceed two thousand dollars or  
42 imprisonment not to exceed five years, or both] crime of the third  
43 degree.

44 Bribery of member of election board; acceptance. b. Whosoever  
45 shall, directly or indirectly, make or give any money or other thing of  
46 value to any member of the district board because of his membership

1 on such board, or when it shall appear that such money or other thing  
2 of value is made or given to such member because of his membership  
3 on the board, except as hereinbefore provided as his legal  
4 compensation for service on the board, shall be guilty of a  
5 [misdemeanor and shall be punished by a fine not exceeding one  
6 thousand dollars or imprisonment not exceeding two years, or both]  
7 crime of the third degree.

8 Any member of a district board who shall, by himself, or by any  
9 other person in his behalf, receive any money or other thing of value  
10 because of his membership on such board, or when it shall appear that  
11 such money or other thing of value is accepted or received by such  
12 member because of his membership on the board, except as  
13 hereinbefore provided as his legal compensation for service on the  
14 board, shall be guilty of a [misdemeanor and shall be punished by a  
15 fine not exceeding one thousand dollars or imprisonment not  
16 exceeding two years, or both] crime of the third degree.

17 Promising office or employment. c. A person who shall directly  
18 or indirectly, by himself or by any other person in his behalf, give or  
19 procure, or agree to give or procure or offer or promise to procure, or  
20 endeavor to procure any office, place or employment to or for any  
21 voter, or to or for any person on behalf of such voter, or to or for any  
22 other person, in order to induce such voter to vote or refrain from  
23 voting, or to register or refrain from registering, or shall corruptly do  
24 any act as above because of any voter having voted or refrained from  
25 voting, or having registered or refrained from registering for any  
26 election, shall be guilty of a [misdemeanor and shall be punished by a  
27 fine not exceeding two thousand dollars, or imprisonment not  
28 exceeding five years] crime of the third degree.

29 Acceptance of bribe by voter. d. Any voter who shall directly or  
30 indirectly, by himself or by any other person on his behalf, receive,  
31 agree or contract for any money, gift, loan or valuable consideration,  
32 office, place or employment for himself or for any other person for  
33 voting or agreeing to vote, or for refraining or agreeing to refrain from  
34 voting at any election, or for registering or agreeing to register, or for  
35 refraining or for agreeing to refrain from registering for any election,  
36 shall be guilty of a [misdemeanor, and shall be punished by a fine not  
37 exceeding one thousand dollars, or imprisonment not exceeding one  
38 year] crime of the third degree.

39 Bribery of delegates. e. If a person shall, directly or indirectly,  
40 give, offer or promise to give any sum or sums of money or any  
41 valuable thing in action, victuals, drink or preferment or other  
42 considerations, by way of fee, reward, gift or gratuity, or other  
43 valuable present or reward to obtain, procure or influence the opinion,  
44 behavior, vote or abstaining from voting for the election of any  
45 delegate to any convention of any political party, to nominate any  
46 candidate for member of the legislature, for member of congress, for

1 electors for president and vice president of the United States, for  
2 governor, or for any candidate for any office in any county or  
3 municipality; or if any person being a delegate to any political  
4 convention to nominate candidates for any of the offices named in this  
5 title shall directly or indirectly, ask for, accept, receive or take any  
6 sum or sums of money, or other valuable consideration by way of fee,  
7 reward, gift or gratuity, or other valuable consideration for the giving  
8 or refusing to give his vote at any such convention, the person so  
9 offering, asking, or receiving shall be guilty of a [misdemeanor, and  
10 shall be punished by a fine not exceeding five hundred dollars or  
11 imprisonment not exceeding six months, or both] crime of the third  
12 degree.

13 Bribery at election. f. Whoever shall, directly or indirectly, give,  
14 furnish, supply or promise, or cause to be given, furnished, supplied,  
15 offered or promised, to any person or persons, any money, service,  
16 preferment or valuable thing with the intent that such money or  
17 valuable thing or any other money, service, preferment or valuable  
18 thing shall be given, offered, promised or used, by any person or  
19 persons, by way of fee, reward, gift or gratuity, for giving or refusing  
20 to give any vote of any citizen, at any election of any public officer,  
21 state, county or municipal, to be held therein, or of any member of  
22 congress, of electors for president and vice president of the United  
23 States, or at any election of any delegate or delegates to any political  
24 convention to be held for the nomination of any of the officers above,  
25 or by way of gift, gratuity or reward, for giving or withholding the  
26 vote of any delegate at any such convention, shall be guilty of a  
27 [misdemeanor, and shall be punished by a fine not exceeding ten  
28 thousand dollars, or imprisonment not exceeding one year, or both]  
29 crime of the third degree.

30 Inducing voters. g. A person who shall, directly or indirectly, by  
31 himself or by any other person in his behalf, give, lend, or agree to  
32 give or lend, or procure, or agree to procure or offer or promise to  
33 procure, or endeavor to procure, any money or other valuable  
34 consideration or thing, or any office, place or employment to or for  
35 any voter, or to or for any person, in order to induce such voter to  
36 vote or refrain from registering or voting at any election, or shall  
37 corruptly do or commit any of the acts in this section mentioned,  
38 because of any voter having voted or refrained from voting or having  
39 registered or refrained from registering for any election, shall be guilty  
40 of a [misdemeanor, and shall be sentenced to disfranchisement for a  
41 period of five years, from the date of conviction] crime of the third  
42 degree.

43 Contributions for use in bribing. h. A person who shall give,  
44 advance or pay, or cause to be given, advanced or paid, any money or  
45 other valuable thing to any person, or to the use of any person, with  
46 the intent that such money or other valuable thing, or any part thereof,

1 shall be expended, or used for bribery of voters, or for any other  
2 unlawful purpose at any election, or who shall knowingly pay, or cause  
3 to be paid money to any person wholly or in part expended in bribery  
4 of a voter at any election, shall be guilty of a [misdemeanor, and shall  
5 be sentenced to disfranchisement for five years from the date of  
6 conviction] crime of the third degree .

7 Receiving rewards. i. A person who shall, directly or indirectly,  
8 by himself, or by any other person on his behalf, receive, agree or  
9 contract for any money, gift, loan or valuable consideration, office,  
10 place or employment for himself or for any other person for voting or  
11 agreeing to vote, or for refraining or agreeing to refrain from voting  
12 at any election, or for registering or agreeing to register, or for  
13 refraining or for agreeing to refrain from registering for any election,  
14 shall be guilty of a [misdemeanor, and shall be sentenced to  
15 disfranchisement for a period of five years from the date of  
16 conviction] crime of the third degree .

17 Gift, or promise of, for certain purposes. j. No person shall give  
18 or agree to give for the purpose of promoting or procuring or for the  
19 purpose of opposing or preventing the election of a candidate for  
20 public office, or for the purpose of promoting or procuring or for the  
21 purpose of opposing or preventing the nomination of any person as a  
22 candidate for public office, any money or any valuable thing to be used  
23 for any of the following purposes:

24 1. To provide or give or to pay, wholly or in part, the expense of  
25 giving or providing any meat, drink, entertainment or provision to or  
26 for any person for the purpose of influencing that person or any other  
27 person to give or refrain from giving his vote at any election, or  
28 because of any such person or any other person having voted or  
29 refrained from voting.

30 2. To provide for the payment of rent for or for the purpose of  
31 providing and fitting up any clubroom for social or recreative  
32 purposes, or providing for uniforms for any organized club.

33 3. To provide for the payment for the insertion in any newspaper  
34 or magazine of any article tending to influence any person to give or  
35 refrain from giving his vote to any candidate or candidates at any  
36 election; or to provide for payment for the distribution of any  
37 newspaper or magazine wherein any such article is printed; or to  
38 provide for payment of the printing or of the distribution of any  
39 circular, handbill, card, pamphlet or statement tending to influence  
40 any person to give or refrain from giving his vote to any candidate at  
41 any election; but this prohibition shall not be construed to prohibit the  
42 printing and distribution of paid advertisements, which advertisements  
43 shall be indicated by the words "This advertisement has been paid for  
44 by " (inserting the true name and address of the person or  
45 persons paying for the same); nor shall it be construed to prohibit the  
46 printing and distribution of circulars, handbills, cards, pamphlets or

1 statements which shall have printed on the face thereof the true name  
2 and address of the person or persons paying for the printing and  
3 distribution thereof, which fact shall be indicated by the words "The  
4 cost of the printing and distribution of this circular (or as the case  
5 may be) has been paid by " (inserting the true name and address of  
6 the person or persons paying for the same).

7 Accepting gifts. k. No person shall accept any money or other  
8 valuable thing, the payment of which is prohibited by paragraph "j"  
9 of this section.

10 Penalty. l . Any person who shall violate any of the provisions  
11 of paragraphs "j" and "k" of this section shall be guilty of a  
12 **[misdemeanor] crime of the third degree**, and shall for the first  
13 offense be disfranchised for a period of two years from the date of  
14 conviction, and for any subsequent offense shall be perpetually  
15 disfranchised, and in addition thereto the court in which such  
16 conviction is obtained, may in case of a subsequent conviction,  
17 impose upon the person so convicted the punishment now prescribed  
18 by law for a **[misdemeanor] crime of the third degree**.

19 (cf: R.S.19:34-25)

20

21 46. R.S.19:34-26 is amended to read as follows:

22 19:34-26. If a person shall be guilty of willful and corrupt false  
23 swearing or affirming, or by any means shall willfully and corruptly  
24 suborn or procure a person to swear or affirm falsely, in taking any  
25 oath, affirmation or deposition prescribed or authorized by this title,  
26 he shall be deemed guilty of a **[high misdemeanor, and shall be  
27 punished by a fine not exceeding eight hundred dollars or  
28 imprisonment at hard labor not exceeding seven years, or both] crime  
29 of the third degree**, and be deemed to be an incompetent witness  
30 thereafter for any purpose within this state, until such time as he shall  
31 have been pardoned.

32 (cf: R.S.19:34-26)

33

34 47. R.S.19:34-27 is amended to read as follows:

35 19:34-27. An employer of any workman, or any agent,  
36 superintendent or overseer of any company or corporation employing  
37 workmen, or any person who shall directly or indirectly, by himself or  
38 by any other person in his behalf or by his direction, make use of or  
39 threaten to make use of any force, violence or restraint, or inflict or  
40 threaten to inflict by himself or by any other person any injury,  
41 damage, harm or loss against any person in his employ, in order to  
42 induce or compel such employee to vote or refrain from voting for any  
43 particular candidate at any election, or because of such employee  
44 having voted or refrained from voting for any particular candidate at  
45 any election, or who shall, by any duress, constraint or improper  
46 influence or by any fraudulent or improper device, contrivance or



1 scheme, impede, hinder or prevent the free exercise of the franchise of  
2 any voter at any election, or shall thereby compel, induce or prevail  
3 upon any voter to vote for or against any particular candidate at any  
4 election, shall be guilty of a [misdemeanor, and shall be punished by  
5 a fine not exceeding two thousand dollars, or imprisonment not  
6 exceeding five years, or both] crime of the third degree.

7 (cf: R.S.19:34-27)

8

9 48. 19:34-35 is amended to read as follows:

10 19:34-35. Any person who shall expend, aid or assist in the  
11 expenditure of any such money for a purpose not authorized by this  
12 title, or for a purpose not named in the statement accompanying such  
13 contribution, shall be guilty of a [misdemeanor] crime of the third  
14 degree.

15 (cf: R.S.19:34-35)

16

17 49. R.S.19:34-47 is amended to read as follows:

18 19:34-47. A person who, having once been convicted of a  
19 violation of any of the provisions of this title, shall again be convicted  
20 of a violation of any of its provisions, whether such conviction be for  
21 the same offense or not, shall on such second conviction, be sentenced  
22 to [disfranchisement and to pay a fine not exceeding one thousand  
23 dollars, or to imprisonment for a term not exceeding five years, or  
24 both] a crime of the third degree.

25 (cf: R.S.19:34-47)

26

27 50. R.S.19:34-48 is amended to read as follows:

28 19:34-48. Every person charged with the performance of any duty  
29 under the provisions of any law of this state relating to elections who  
30 willfully neglects or refuses to perform it, or who, in his official  
31 capacity, knowingly and fraudulently acts in contravention or violation  
32 of any of the provisions of such laws, shall be guilty of a  
33 [misdemeanor] crime of the third degree.

34 (cf: R.S.19:34-48)

35

36 51. R.S.19:34-49 is amended to read as follows:

37 19:34-49. Any candidate who procures, aids, assists, counsels,  
38 advises or knowingly permits any person to violate this title shall be  
39 guilty of a [misdemeanor] crime of the third degree.

40 (cf: R.S.19:34-49)

41

42 52. R.S.19:34-53 is amended to read as follows:

43 19:34-53. Any person who neglects or refuses to furnish any  
44 information required or authorized by this title or to exhibit the  
45 records, papers or documents herein authorized to be inspected, or  
46 which are required to be exhibited, shall be guilty of a [misdemeanor]

1 a crime of the third degree.

2 (cf: R.S.19:34-53)

3

4 53. R.S.19:34-54 is amended to read as follows:

5 19:34-54. Any person who shall omit, neglect or refuse to obey a  
6 subpoena attested in the name of the county clerk, municipal clerk, or  
7 county board and made returnable by such clerk or board, or refuses  
8 to testify under oath before such clerk or board, shall be guilty of a  
9 **[misdemeanor]** crime of the third degree.

10 (cf: R.S.19:34-54)

11

12 54. 19:34-55. is amended to read as follows:

13 19:34-55. Any person who makes any false statement under oath  
14 before the county clerk, municipal clerk or county board shall be  
15 guilty of a **[misdemeanor]** crime of the third degree.

16 (cf: R.S.19:34-55)

17

18 55. R.S.19:53-1 is amended to read as follows:

19 19:53-1. Any unauthorized person found in possession of any such  
20 voting machine in use or to be used in any election, or keys thereof,  
21 shall be guilty of a **[misdemeanor]** crime of the third degree. Any  
22 person willfully tampering or attempting to tamper with, disarrange,  
23 deface or impair in any manner whatsoever, or destroy any such voting  
24 machine while the same is in use at any election, or who shall, after  
25 such machine is locked in order to preserve the registration or record  
26 of any election made by the same, tamper or attempt to tamper with  
27 any such voting machine, shall be guilty of a **[high misdemeanor]**  
28 crime of the third degree.

29 (cf: R.S.19:53-1)

30

31 56. Section 15 of P.L.1973, c.82 (C.19:53A-15) is amended to read  
32 as follows:

33 15. a. Any person who before, during or after an election tampers  
34 with or willfully injures any voting device, ballot cards, or other  
35 records or equipment used in the election, or interferes or attempts to  
36 interfere with the correct operation of such device or equipment or  
37 the secrecy of voting, is guilty of a **[high misdemeanor]** crime of the  
38 third degree.

39 b. The penal laws and election laws relating to misconduct at  
40 elections apply to elections conducted with voting devices and  
41 automatic tabulating equipment.

42 (cf: P.L.1973, c.82, s.15)

43

44 57. Section 15 of P.L.1992, c.3 (C.19:53B-6) is amended to read  
45 as follows:

46 15. Every voter to whom an emergency ballot is given shall retire

1 into the polling booth or to the designated voting area, as the case may  
2 be. Not more than one voter shall be permitted to enter or be in the  
3 same booth or voting area at one time. The voter shall prepare the  
4 emergency ballot in the booth or the voting area screened from the  
5 observation of others.

6 Any person or voter who shall violate the provisions of this section  
7 shall be guilty of a crime of the ~~fourth~~ third degree.

8 (cf: P.L.1992, c.3, s.15)

9

10 58. Section 7 of P.L.1999, c.232 (C.19:53C-1) is amended to read  
11 as follows:

12 7. a. (1) The county clerk or the municipal clerk, in the case of a  
13 municipal election, shall arrange for the preparation of a provisional  
14 ballot packet for each election district. It shall include the appropriate  
15 number of provisional ballots, the appropriate number of envelopes  
16 with an affirmation statement, the appropriate number of written  
17 notices to be distributed to voters who vote by provisional ballot and  
18 one provisional ballot inventory form affixed to the provisional ballot  
19 bag. The clerk shall arrange for the preparation of and placement in  
20 each provisional ballot bag of a provisional ballot packet and an  
21 envelope containing a numbered seal. The envelope shall contain, on  
22 its face, the instructions for the use of the seal, the number and the  
23 election district location of the provisional ballot bag, and the  
24 identification numbers of the seal placed in the envelope. Each  
25 provisional ballot bag shall be sealed with a numbered security seal  
26 before being forwarded to the appropriate election district.

27 (2) Each provisional ballot bag and the inventory of the contents  
28 of each such bag shall be delivered to the designated polling place no  
29 later than the opening of the polls on the day of an election.

30 b. The county clerk or the municipal clerk, in the case of a  
31 municipal election, shall arrange for the preparation of the envelope,  
32 affirmation statement, and written notice that is to accompany each  
33 provisional ballot. The envelope shall be of sufficient size to  
34 accommodate the provisional ballot, and the affirmation statement  
35 shall be affixed thereto in a manner that enables it to be detached once  
36 completed and verified by the county commissioner of registration.  
37 The statement shall require the voter to provide the voter's name, and  
38 to indicate whether the voter is registered to vote in a county but has  
39 moved within that county since registering to vote; or is registered to  
40 vote in the election district in which that polling place is located but  
41 the voter's registration information is missing or otherwise deficient.  
42 The statement shall further require the voter to provide the voter's  
43 most recent prior voter registration address and address on the day of  
44 the election and date of birth. The statement shall include the  
45 statement: "I swear or affirm, that the foregoing statements made by  
46 me are true and correct and that I understand that any fraudulent

1 voting may subject me to [a fine of up to \$1,000, imprisonment up to  
2 five years or both,] punishment for a crime of the third degree,  
3 pursuant to R.S.19:34-11." It shall be followed immediately by spaces  
4 for the voter's signature and printed name, and in the case of a name  
5 change, the voter's printed old and new name and a signature for each  
6 name, the date the statement was completed, political party affiliation,  
7 if used in a primary election, and the name of the person providing  
8 assistance to the voter, if applicable. Each statement shall also note  
9 the number of the election district, or ward, and name of the  
10 municipality at which the statement will be used.

11 The written notice shall contain information to be distributed to  
12 each voter who votes by provisional ballot. The notice shall state that,  
13 if the voter is a mail-in registrant voting for the first time in his or her  
14 current county of residence following registration and was given a  
15 provisional ballot because he or she did not provide required personal  
16 identification information, the voter shall be given until the close of  
17 business on the second day after the election to provide identification  
18 to the applicable county commissioner of registration, and the notice  
19 shall contain a telephone number at which the commissioner may be  
20 contacted. The notice shall further state that failure to provide the  
21 required personal identification information within that time period  
22 shall result in the rejection of the ballot. The notice shall state that  
23 pursuant to section 4 of P.L.2004, c.88 (C.19:61-4), any individual  
24 who casts a provisional ballot will be able to ascertain under a system  
25 established by the State whether the ballot was accepted for counting,  
26 and if the vote was not counted, the reason for the rejection of the  
27 ballot. The notice shall include instructions on how to access such  
28 information.

29 c. For the primary for the general election, the provisional ballots  
30 shall be printed in ink on paper of a color that matches the color of the  
31 voting authority, which shall indicate the party primary of the voter.  
32 The provisional ballots shall be uniform in size, quality and type and  
33 of a thickness that the printing thereon cannot be distinguished from  
34 the back of the paper, and without any mark, device or figure on the  
35 front or back other than as provided in P.L.1999, c.232 (C.19:53C-1  
36 et seq.). Each such ballot shall include near the top thereof and in  
37 large type the designation PROVISIONAL BALLOT. In all other  
38 respects, the provisional ballots shall conform generally to the other  
39 ballots to be used in the election district for the primary election.

40 The clerk of the county or municipality shall arrange for the  
41 preparation of each provisional ballot package with an appropriate  
42 number of provisional ballots for each political party, a corresponding  
43 number of envelopes with affirmation statements, and a corresponding  
44 number of written notices. Additional provisional ballots, envelopes,  
45 and notices shall be available for delivery to that election district on  
46 the day of the election, if necessary.

1 d. For the general election the provisional ballots shall be printed  
2 in ink. The provisional ballots shall be uniform in size, quality and  
3 type and of a thickness that the printing thereon cannot be  
4 distinguished from the back of the paper, and without any mark,  
5 device or figure on the front or back other than as provided in this act.  
6 Each such ballot shall include near the top thereof and in large type the  
7 designation PROVISIONAL BALLOT. In all other respects, the  
8 provisional ballots shall conform generally to the other ballots to be  
9 used in the election district for the general election.

10 The clerk of the county or municipality shall arrange for the  
11 preparation of each provisional ballot package with an appropriate  
12 number of provisional ballots, a corresponding number of envelopes  
13 with affirmation statements, and a corresponding number of written  
14 notices. Additional provisional ballots, envelopes, and notices shall be  
15 available for delivery to that election district on the day of the election,  
16 if necessary.

17 e. For a school election the provisional ballots shall be printed in  
18 ink. The provisional ballots shall be uniform in size, quality and type  
19 and of a thickness that the printing thereon cannot be distinguished  
20 from the back of the paper, and without any mark, device or figure on  
21 the front or back other than as provided in this act. Each such ballot  
22 shall include near the top thereof and in large type the designation  
23 PROVISIONAL BALLOT. In all other respects, the provisional  
24 ballots shall conform generally to the other ballots to be used in the  
25 election district for the school election.

26 The clerk of the county shall arrange for the preparation of each  
27 provisional ballot package with an appropriate number of provisional  
28 ballots, a corresponding number of envelopes with affirmation  
29 statements, and a corresponding number of written notices. Additional  
30 provisional ballots, envelopes, and notices shall be available for  
31 delivery to that election district on the day of the election, if necessary.

32 f. Following the effective date of P.L.2004, c.88 (C.19:61-1 et  
33 al.), a provisional ballot that requires the voter to punch out a hole in  
34 the ballot as a means of recording the voter's vote shall not be used in  
35 any election in this State.

36 (cf: P.L.2004, c.88, s.22)

37

38 59. Section 11 of P.L.1999, c.232 (C.19:53C-5) is amended to read  
39 as follows:

40 11. Every voter to whom a provisional ballot and envelope with an  
41 affirmation statement is given shall retire into the designated voting  
42 area. Not more than one voter shall be permitted to enter or be in the  
43 same booth or voting area at one time, unless the voter is entitled to  
44 assistance, as provided for by law.

45 Any person or voter who violates the provisions of this section is  
46 guilty of a crime of the ~~fourth~~ third degree.

1 (cf: P.L.1999, c.232, s.11)

2 60. Section 37 of P.L.1953, c.211 (C.19:57-37) is amended to read  
3 as follows:

4 37. Any person who knowingly violates any of the provisions of  
5 this act, or who, not being entitled to vote thereunder, fraudulently  
6 votes or attempts to vote thereunder or enables or attempts to enable  
7 another person, not entitled to vote thereunder, to vote fraudulently  
8 thereunder or who prevents or attempts to prevent by fraud the voting  
9 of any person legally entitled to vote under this act, or who shall  
10 knowingly certify falsely in any paper required under this act, or who,  
11 at any time, tampers with any ballot or document used in an election  
12 or interferes with the secrecy of the voting of any person shall be  
13 guilty of a crime of the [fourth] third degree, and upon conviction  
14 thereof shall be subject, in addition to such other penalties as are  
15 authorized by law, to disenfranchisement unless and until pardoned or  
16 restored by law to the right of suffrage.

17 Any person who aids and abets another in violating any of the  
18 provisions of this section shall be guilty of a crime of the [fourth]  
19 third degree and upon conviction thereof shall be subject, in addition  
20 to such other penalties as are authorized by law, to  
21 disenfranchisement unless and until pardoned or restored by law to  
22 the right of suffrage.

23 (cf: P.L.1981, c.390, s.10).

24

25 61. Section 33 of P.L.1964, c.134 (C.19:58-33) is amended to read  
26 as follows:

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

38 (cf: P.L.1964, c.134, s.33)

39

40 62. R.S.40:75-49 is amended to read as follows:

41 40:75-49. Any person not an elector who shall willfully and  
42 knowingly sign any petition provided for in this article and any person  
43 advising, aiding or abetting any such person not an elector to sign any  
44 petition provided for in this article shall be guilty of a [misdemeanor]  
45 crime of the third degree.

46 Any person who shall violate any of the provisions of this article

1 shall be guilty of a **[misdemeanor]** crime of the third degree.

2 (cf: R.S.40:75-49)

3 63. This act shall take effect immediately but shall remain  
4 inoperative for 90 days.

5

6

7

STATEMENT

8

9 This bill increases criminal penalties concerning elections, including,  
10 but not limited to, for tampering with voting machines and ballot  
11 boxes or bags, voter fraud, and voter intimidation, to a crime of the  
12 third degree. Under current law, the violations are generally crimes of  
13 the fourth degree.

**SENATE, No. 2462**

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**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

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INTRODUCED MAY 5, 2005

**Sponsored by:**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Essex, Morris, Somerset and Union)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Increases criminal penalties for certain acts of voter intimidation.

**CURRENT VERSION OF TEXT**

As introduced.





1 AN ACT concerning penalties for certain acts of voter intimidation and  
2 amending various parts of Title 19 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. R.S.19:34-6 is amended to read as follows:

8 19:34-6. a. If a person shall on election day tamper, deface or  
9 interfere with any polling booth or obstruct the entrance to any polling  
10 place, or obstruct or interfere with any voter, or loiter, or do any  
11 electioneering within any polling place or within one hundred feet  
12 thereof, he shall be guilty of a [misdemeanor and shall be punished by  
13 a fine not exceeding five hundred dollars (\$500.00) or by  
14 imprisonment not exceeding one year, or both] crime of the fourth  
15 degree.

16 b. This section shall not be construed to prohibit a minor from  
17 entering a polling place on the day of an election to vote in a simulated  
18 election at that polling place, or persons from supervising or working  
19 at a polling place in a simulated election in which minors vote,  
20 provided that the county board of elections has determined that the  
21 polling place can accommodate simulated election activities without  
22 interfering with the orderly conduct of the official voting process.  
23 (cf: P.L.2000, c.173, s.2)

24  
25 2. R.S.19:34-7 is amended to read as follows:

26 19:34-7. No person shall within the polling room mark his ballot  
27 in a place other than in the polling booth or show his ballot, nor shall  
28 anyone request such person to show his ballot during the preparation  
29 thereof, nor shall any other person inspect such ballot during the  
30 preparation thereof or after it is prepared for voting in such a way as  
31 to reveal the contents, nor shall any person within the polling place or  
32 within a hundred feet thereof, loiter, electioneer, or solicit any voter.

33 No voter, at any election where official ballots are used, shall  
34 knowingly vote or offer to vote any ballot except an official ballot as  
35 by this Title required.

36 No person shall on any pretext carry any official ballot from the  
37 polling room on any election day except such persons as may by this  
38 Title be authorized to do so.

39 Any person violating any of the provisions of this section shall be  
40 guilty of a [misdemeanor and shall be punished by a fine not exceeding  
41 five hundred dollars (\$500.00) or by imprisonment not exceeding one  
42 year, or both] crime of the fourth degree.

43 (cf: P.L.1948, c.438, s.13)

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

**Matter underlined thus is new matter.**

1       3. R.S.19:34-11 is amended to read as follows:

2       19:34-11. Every person not entitled to vote who fraudulently  
3 votes, and every person who votes more than once at any one election;  
4 or knowingly hands in two or more ballots folded together; or  
5 changes any ballot after it has been deposited in the ballot box; or  
6 adds, or attempts to add, any ballot to those legally polled at any  
7 election, either by fraudulently introducing the same into the ballot box  
8 before or after the ballots therein have been counted; or adds to or  
9 mixes with, or attempts to add to or mix with, the ballots lawfully  
10 polled, other ballots while the same are being counted or canvassed,  
11 or at any other time, with intent to change the result of such election;  
12 or carries away or destroys, or attempts to carry away or destroy, any  
13 poll list, or ballots, or ballot box, for the purpose of breaking up or  
14 invalidating the election; or willfully detains, mutilates or destroys  
15 any election returns; or in any manner so interferes with the officers  
16 holding the election, or conducting the canvass, or with the voters  
17 lawfully exercising their rights of voting at the election, as to prevent  
18 the election or canvass from being fairly had and lawfully conducted,  
19 shall be guilty of a [misdemeanor] crime of the fourth degree.

20 (cf: P.L.1948, c.438, s.14)

21

22       4. R.S.19:34-13 is amended to read as follows:

23       19:34-13. Every inspector, judge or clerk of an election, who,  
24 previous to putting the ballot of an elector in the ballot box, attempts  
25 to find out any name on such ballot, or who opens or suffers the  
26 folded ballot of any elector which has been handed in to be opened or  
27 examined previous to putting the same in the ballot box, or who  
28 makes or places any mark or device on any folded ballot with the view  
29 to ascertain the name of any person for whom the elector has voted,  
30 shall be guilty of a [misdemeanor] crime of the fourth degree.

31 (cf: P.L.1948, c.438, s.16)

32

33       5. R.S.19:34-15 is amended to read as follows:

34       19:34-15. If a person shall distribute or display any circular or  
35 printed matter or offer any suggestion or solicit any support for any  
36 candidate, party or public question within the polling place or room or  
37 within a distance of one hundred feet of the outside entrance to such  
38 polling place or room, he shall be guilty of a [misdemeanor] crime of  
39 the fourth degree.

40 (cf: P.L.1948, c.438, s.17)

41

42       6. R.S.19:34-28 is amended to read as follows:

43       19:34-28. No person shall, directly or indirectly, by himself or by  
44 any other person in his behalf, make use of, or threaten to make use of,  
45 any force, violence or restraint, or inflict or threaten the infliction, by  
46 himself or through any other person, of any injury, damage, harm or

1 loss, or in any manner to practice intimidation upon or against any  
2 person, in order to induce or compel such person to vote or refrain  
3 from voting at any election, or to vote or refrain from voting for any  
4 particular person or persons at any election, or on account of such  
5 person having voted or refrained from voting at any election.

6 Any person violating any of the provisions of this section shall be  
7 guilty of a crime of the fourth degree.

8 (cf: P.L.1948, c.438, s.18)

9

10 7. This act shall take effect immediately but shall remain inoperative  
11 for 90 days.

12

13

14

#### STATEMENT

15

16 This bill amends various provisions of chapter 34 of Title 19 of the  
17 Revised Statutes, the New Jersey election law, concerning the criminal  
18 penalties for misconduct relating to voter interference or intimidation.  
19 It also updates the outdated term misdemeanor to its modern  
20 equivalent, crime of the fourth degree. These changes are based upon  
21 the current classifications as provided in Title 2C of the New Jersey  
22 Statutes.

23 Under current law, certain violations are punishable by a fine not  
24 exceeding five hundred dollars or by imprisonment not exceeding one  
25 year, or both, while other violations are punishable by a fine not  
26 exceeding ten thousand dollars or by imprisonment not exceeding  
27 eighteen months, or both. This bill will make uniform the criminal  
28 penalties for misconduct relating to voter interference or intimidation  
29 by making the penalty a crime of the fourth degree, a crime punishable  
30 by a fine not exceeding ten thousand dollars, or by imprisonment not  
31 exceeding eighteen months, or both.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 2393 and 2462**

**STATE OF NEW JERSEY**

DATED: MAY 26, 2005

The Senate State Government Committee reports favorably a Senate Committee Substitute for Senate Nos. 2393 and 2462.

This substitute increases the criminal penalty for violations of election laws including, but not limited to, tampering with voting machines and ballot boxes or bags, voter fraud, and voter intimidation. Under current law, the violations are generally crimes of the fourth degree, most have been increased to crimes of the third degree.

This substitute also updates the term "misdemeanor" to its current usage, "crime of the fourth degree", and increases from \$1,000 to \$15,000 the possible fine for any false or fraudulent voter registration. In addition, the penalty for promising or accepting gifts for the purpose of opposing or preventing the nomination or election of a candidate is increased to a crime of the third degree with disfranchisement for a period of five years, increased from two years. Subsequent convictions may be punished as a crime of the second degree. This substitute also imposes mandatory minimum terms of imprisonment for repeated violations of Title 19.

Finally, technical amendments were made which change "Secretary of State" to "Attorney General".