

SENATE, No. 3040

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 22, 2015

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Senator Beach

SYNOPSIS

Establishes “The Democracy Act” to change various voter registration and voting procedures.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/26/2015)

1 AN ACT concerning various voter registration and voting
2 procedures, amending, supplementing, and repealing various
3 parts of the statutory law, and making an appropriation.

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

7
8 1. R.S.19:6-1 is amended to read as follows:

9 19:6-1. The district boards in each election district shall consist
10 of four members, except that where electronic voting systems are
11 in use any election district in which there are more than 900
12 registered voters the district board shall consist of six members.
13 The members shall be appointed by the county board of the county
14 in which such election district is located, in the manner hereinafter
15 provided.

16 In election districts in which the primary language of **【10%】** 5%
17 or more of the registered voters is **【Spanish】** a language other than
18 English, the county board shall appoint two additional members
19 who shall be **【of Hispanic origin and】** fluent in **【Spanish】** that
20 language.

21 (cf: P.L.1975, c.316, s.3)

22
23 2. Section 1 of P.L.2005, c.149 (C.19:12-7.1) is amended to read
24 as follows:

25 1. a. A county board of elections shall have posted a voter
26 information notice, which shall be referred to as a voter's bill of
27 rights, in a conspicuous location in each polling place before the
28 opening of the polls on the day of any election.

29 The notice shall contain:

30 the date of the election and the hours during which polling places
31 will be open;

32 a statement that sample ballots are available at the polling place
33 for review by the voter;

34 instruction for the use of the voting machine in that polling place
35 and an explanation of what instructions for voting are available at
36 the polling place for the voter;

37 instruction for a voter who is voting for the first time;

38 instruction for a voter who is required to provide identification
39 pursuant to the federal "Help America Vote Act of 2002" and
40 R.S.19:15-17 prior to casting a vote;

41 instruction on how to cast a vote if the voter cannot be present at
42 a polling place on the day of the election;

43 an explanation of the right of the voter to vote in **【privacy】**
44 private, regardless of the voter's physical abilities;

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 an explanation of the right of the voter to a provisional ballot,
2 including in the event that a mail-in ballot has been applied for and
3 not received or not transmitted to the county board of elections
4 before the day of any election, and the other circumstances under
5 which a voter has a right to a provisional ballot;

6 an explanation of the right of the voter to receive a replacement
7 ballot for a ballot that has been spoiled, destroyed, lost or never
8 received;

9 an explanation of the right of the voter to ask for and receive
10 assistance in voting;

11 an explanation of the right of the voter to take a reasonable
12 amount of time in casting a vote on a voting machine;

13 an explanation of the right of the voter to bring written material
14 into the polling place for the voter's personal use in casting a vote;

15 instruction on how to contact the appropriate officials if a voter's
16 right to vote or right to otherwise participate in the electoral process
17 has been challenged or violated;

18 general information on federal and State laws that prohibit acts
19 of fraud or misrepresentation and the penalties for those acts; and

20 such other statement, instruction or explanation the Secretary of
21 State may deem appropriate to ensure the full and knowledgeable
22 participation of the voter in the process.

23 The requirement to post this notice in each polling place shall
24 not replace, supersede or void any other requirement set forth in law
25 for the posting of information in each polling place apart from the
26 voter information notice.

27 b. The Secretary of State shall prescribe the form and specific
28 content of the voter information notice, which may be comprised of
29 more than one page. If the notice is comprised of more than one
30 page, each page shall be posted separately. For an election district
31 in which the primary language of **10 percent** 5% or more of the
32 registered voters is a language other than English, the Secretary of
33 State shall prescribe an official version of the voter information
34 notice in that other language or languages for use in that election
35 district. The notice shall be posted in English and in the other
36 language or languages in the polling places in each such district.
37 The alternate language shall be determined based on information
38 from the latest federal decennial census.

39 c. A county board of elections may modify or supplement the
40 voter information notice used in a county or municipality to provide
41 additional information specific to that county or a municipality in
42 that county, provided, however, that any such modification or
43 supplementation shall be submitted to the Secretary of State for
44 prior approval.

45 d. The voter information notice shall be printed on each sample
46 ballot, to the extent practicable, or if not practicable, information on
47 how to view or obtain a copy of the voter information notice shall
48 be printed on each sample ballot.

1 e. The voter information notice, including one modified or
2 supplemented pursuant to subsection c. of this section, shall be
3 made accessible on the official Internet site of the State by the
4 Secretary of State and each county board of elections shall ensure
5 that the official Internet site of the county contains a link to that
6 notice.

7 f. The provisions of this section shall not give rise to a legal
8 cause of action.

9 g. The State shall be liable for the costs incurred by local
10 government entities for compliance with this section, and they shall
11 be reimbursed for those costs, upon application, by the State
12 Treasurer.

13 (cf: P.L.2009, c.79, s.30)

14
15 3. Section 8 of P.L.1991, c.249 (C.19:12-9) is amended to read
16 as follows:

17 8. a. The county board in each county shall cause to be
18 published in a daily newspaper of general circulation throughout the
19 county, a notice containing the information specified in subsection
20 b. hereof. This notice shall be published once on the seventh day
21 preceding the day fixed for a municipal, primary, general or special
22 election and once on the day preceding the day fixed for a primary,
23 general or special election,

24 b. At the top of the notice the words "Public Notice to All
25 Registered Voters of (insert appropriate name) County" shall be
26 printed in at least 30-point bold-faced capital type. Next
27 underneath, the words "You are hereby advised of the following
28 procedure to be used for the (insert appropriate date and type of
29 election) election:" shall be printed in at least 12-point bold-faced
30 type.

31 The body of the notice shall be printed in at least 10-point bold-
32 faced type and shall set forth:

33 (1) that any person attempting to vote may be challenged by a
34 duly authorized challenger for a political party or a candidate or on
35 a public question, or by a member of the district board of elections,
36 because the voter's name appears on a challenge list prepared by the
37 superintendent of elections of the county or because the challenger
38 or board member has good cause to believe that the voter is not
39 entitled to vote;

40 (2) that members of the district board and all duly authorized
41 challengers are prohibited from challenging, delaying or preventing
42 the right to vote of any person because of that person's race, color,
43 national origin, expected manner of casting a vote or residence in a
44 particular ward, housing complex or section of a municipality or
45 county;

46 (3) the means by which any person who is challenged because
47 that person's name appears on a challenge list prepared by the

1 superintendent of elections of the county may seek to establish the
2 person's right to vote, as provided in R.S.19:32-18;

3 (4) the means by which any person whose name does not appear
4 on a challenge list prepared by the superintendent of elections of the
5 county but who is challenged by a duly authorized challenger or by
6 a member of the district board of elections may seek to establish the
7 person's right to vote, as provided in section 2 of P.L.1991, c.249
8 (C.19:15-18.1);

9 (5) that any challenger who succeeds in denying a voter the right
10 to vote must sign an affidavit stating the reason why the voter is not
11 entitled to vote and must furnish a copy of the affidavit to the
12 challenged voter, as provided in section 3 of P.L.1991, c.249
13 (C.19:15-18.2);

14 (6) the legal remedy which any person whose name does not
15 appear on a challenge list prepared by the superintendent but who is
16 challenged by a duly authorized challenger or by a member of the
17 district board of elections and denied the right to vote may use to
18 seek permission to vote, as provided in section 6 of P.L.1991, c.249
19 (C.19:15-18.3);

20 (7) that forms to register complaints about the conduct of an
21 election shall be available at each polling place in the county; and

22 (8) the names of the chairman, secretary, clerk and members of the
23 county board of elections and a telephone number at which they may
24 be reached for more information.

25 c. In counties in which the primary language of **【10%】 5%** or
26 more of the registered voters is **【Spanish, two】 a language other**
27 **than English**, notices containing the information in subsection b. of
28 this section shall appear side-by-side, one in English and **【one in**
29 **Spanish】 other notice or notices in that other language or**
30 **languages**. The notices shall be identical in size, content and type
31 face.

32 d. The cost of publishing the notices required by this section
33 shall be paid by the respective counties.

34 (cf: P.L.1991, c.249, s.8)

35

36 4. R.S.19:14-21 is amended to read as follows:

37 19:14-21. The county clerk shall cause samples of the official
38 general election ballot to be printed in English, but for each election
39 district within the county in which the primary language of **【10%】**
40 **5%** or more of the registered voters is **【Spanish】 a language other**
41 **than English**, shall cause samples of the official general election
42 ballot to be printed **【bilingually】** in English and **【Spanish】 in that**
43 **other language or languages**.

44 a. In counties not having a superintendent of elections where
45 the county board of elections does not have the equipment or
46 facilities to address and mail sample ballot envelopes, the county
47 clerk not later than noon of the eighth day prior to the general

1 election shall furnish to the municipal clerk of each municipality in
2 his county one and one-tenth times as many such sample ballots and
3 stamped envelopes as there are voters registered, less the number of
4 voters who have been sent a confirmation notice pursuant to
5 subsection d. of R.S.19:31-15 and have not responded, to enable
6 each district board in each municipality to mail one of such sample
7 ballots to each voter who is registered in the municipality, except
8 those voters who have been sent a confirmation notice pursuant to
9 subsection d. of R.S.19:31-15 and have not responded, for such
10 election and shall take a receipt for the same from each of the
11 municipal clerks, which receipt shall indicate the number of such
12 sample ballots and stamped envelopes delivered by the county clerk
13 and the date and hour of their delivery.

14 b. In counties having a superintendent of elections, and in other
15 counties where the county board of elections may have the
16 equipment or facilities to prepare a properly stamped envelope
17 addressed to each registered voter in the county for mailing, the
18 county clerk, not later than the thirtieth day preceding the general
19 election, shall furnish to the commissioner of registration located in
20 his county one and one-tenth times as many stamped envelopes as
21 there are registered voters in the county, less the number of voters
22 who have been sent a confirmation notice pursuant to subsection d.
23 of R.S.19:31-15 and have not responded, and not later than noon of
24 the twelfth day preceding the general election shall furnish to the
25 commissioner of registration located in the county, one and one-
26 tenth times as many sample ballots as there are registered voters in
27 the county to enable the commissioner of registration of the county
28 to mail one of such sample ballots to each voter registered in the
29 county, except those voters who have been sent a confirmation
30 notice pursuant to subsection d. of R.S.19:31-15 and have not
31 responded, for such election and shall take a receipt for the same
32 from the commissioner of registration, which receipt shall indicate
33 the number of such sample ballots and stamped envelopes delivered
34 by the county clerk and the date and hour of their delivery. County
35 boards of elections which elect to operate under the provisions of
36 this paragraph shall notify their county clerk in sufficient time to
37 enable him to make the necessary arrangements the first year.

38 c. The county clerk in counties having a superintendent of
39 elections shall also deliver to the county board not later than the
40 twelfth day preceding the general election 10 such sample ballots of
41 each election district of each municipality in the county.

42 (cf: P.L.2009, c.110, s.1)

43

44 5. R.S.19:14-25 is amended to read as follows:

45 19:14-25. In counties not having a superintendent of elections
46 where the county board of elections does not have the equipment or
47 facilities to address and mail sample ballot envelopes, all the
48 members of each of the district boards shall prepare and deposit in

1 the post office, on or before 12 noon on Wednesday preceding the
2 general election day, a properly stamped envelope containing a
3 copy of the sample ballot printed in English, addressed to each
4 registered voter in the district of such board at the address shown on
5 the register, except that for districts in which the primary language
6 of **【10%】 5%** or more of the registered voters is **【Spanish】 a**
7 language other than English, a properly stamped envelope
8 containing a copy of the **【bilingual】 multilingual** sample ballot,
9 addressed to each registered voter in the district of such board at the
10 address shown on the register shall be prepared and deposited. The
11 board shall also post the appropriate sample ballots in the polling
12 place in its district.

13 The board shall return to the municipal clerk all ballots and
14 envelopes not mailed or posted by it, with a sworn statement in
15 writing signed by a majority of the board that all the remainder of
16 such ballots and envelopes had been mailed.

17 In counties having a superintendent of elections, and in other
18 counties where the county board of elections shall elect to operate
19 under the provisions of subsection b. of section 19:14-21 of this
20 Title, the commissioner of registration shall prepare and deposit in
21 the post office on or before 12:00 o'clock noon, on the Wednesday
22 preceding the general election day, a properly stamped envelope
23 containing a copy of the sample ballot printed in English addressed
24 to each registered voter in the county at the address shown on the
25 registry, except that for districts in which the primary language of
26 **【10%】 5%** or more of the registered voters is **【Spanish】 a language**
27 other than English, a properly stamped envelope containing a copy
28 of the **【bilingual】 multilingual** sample ballot, addressed to each
29 registered voter in the district of such board at the address shown on
30 the register shall be prepared and deposited. The commissioner of
31 registration shall return to the county clerk all ballots and envelopes
32 not mailed or posted by him, with a sworn statement in writing
33 signed by him that all the remainder of such ballots and envelopes
34 have been mailed.

35 The county board of elections, in all counties having a
36 superintendent of elections, and in other counties where the county
37 board of elections shall elect to operate under the provisions of
38 subsection b. of section 19:14-21 of this Title, shall, not later than
39 noon of the second Monday preceding the election, deliver or mail
40 to the members of the district board three appropriate sample ballots
41 for their respective election district. The board shall post the
42 appropriate sample ballots in the polling place in its district.

43 (cf: P.L.1974, c.30, s.3)

44

45 6. Section 2 of P.L.1991, c.249 (C.19:15-18.1) is amended to
46 read as follows:

47 2. a. Any voter whose name does not appear on a challenge list
48 prepared by the superintendent of elections of the county but who is

1 challenged as not qualified or entitled to vote by a duly authorized
2 challenger or by a member of a district board of elections shall be
3 permitted to establish his right to vote by:

4 (1) signing an affidavit which states the voter's qualifications to
5 vote on forms to be supplied by the superintendent of elections in
6 those counties having a superintendent of elections or by the
7 commissioner of registration in all other counties, and;

8 (2) presenting for inspection a suitable identifying document,
9 which may be, but is not limited to, the following:

10 (a) a valid New Jersey driver's license;

11 (b) a sample ballot which lists the voter's name and address;

12 (c) an official federal, State, county or municipal document
13 which lists the voter's name and address;

14 (d) a utility or telephone bill or tax or rent receipt dated; or

15 (e) a piece of mail postmarked, on or after the 60th day before
16 the day of the election at which the voter is challenged.

17 b. A copy of the affidavit signed by the challenged voter shall be
18 given to that person.

19 c. The affidavit, or a form attached to it, shall state:

20 (1) the means by which a person whose name does not appear on
21 a challenge list prepared by the superintendent of elections of the
22 county but who is challenged by a duly authorized challenger or by
23 a member of the district board of elections may seek to establish the
24 person's right to vote, as provided in subsection a. of this section;

25 (2) that a challenger who succeeds in denying a voter the right
26 to vote must sign an affidavit stating the reason why the voter is not
27 entitled to vote and must furnish a copy of the affidavit to the
28 challenged voter, as provided in section 3 of P.L.1991, c.249
29 (C.19:15-18.2);

30 (3) the legal remedy which a person whose name does not appear
31 on a challenge list prepared by the superintendent of elections of the
32 county but who is challenged by a duly authorized challenger or by
33 a member of the district board of elections and denied the right to
34 vote may use to seek permission to vote, as provided in section 6 of
35 P.L.1991, c.249 (C.19:15-18.3).

36 d. In counties in which the primary language of **10%** 5% or
37 more of the registered voters is **Spanish** a language other than
38 English, the affidavit and instructions for its completion and the
39 information required by subsection c. of this section shall appear in
40 both English and **Spanish** that other language or languages.

41 (cf: P.L.1991, c.249, s.2)

42

43 7. Section 2 of P.L.1965, c.29 (C.19:23-22.4) is amended to read
44 as follows:

45 2. In all counties the county clerk shall cause to be printed a
46 sufficient number of official primary ballots and official primary
47 sample ballots of each political party, in proper form for the mailing
48 of such sample ballots at the times and in the manner and number as

1 required by the provisions of Title 19 of the Revised Statutes, and
2 shall furnish such official primary sample ballots to the proper
3 officer or officers on the earliest possible date preceding the
4 primary election.

5 In the counties described by this section, for each election
6 district within the county in which the primary language of **【10%】**
7 5% or more of the registered voters is **【Spanish】 a language other**
8 than English, the county clerk shall similarly cause to be printed
9 **【bilingually】** in English and **【Spanish】 in that other language or**
10 languages a sufficient number of official primary sample ballots of
11 each political party, and shall similarly furnish such official primary
12 sample ballots to the proper officer or officers.

13 (cf: P.L.1974, c.51, s.1)
14

15 8. (New section) If a vacancy occurs in the representation of
16 this State in the United States Senate, the Governor shall make a
17 temporary appointment to fill the vacancy within 30 days of the
18 occurrence of the vacancy. If the person vacating the office is a
19 member of a political party, the temporary appointee shall be a
20 member of the same political party. The appointee shall serve until
21 the person elected at the next applicable general election is
22 qualified and assumes office.

23 If the vacancy occurs on or before the 70th day preceding the
24 general election for that year, the Governor shall issue a writ of
25 election designating the day of that general election as the election
26 day to fill the vacancy. If the vacancy occurs after the 70th day
27 preceding the general election for that year, the Governor shall
28 issue a writ of election designating the day of the general election in
29 the following year as the election day to fill the vacancy.
30 Notwithstanding the provisions of this section, a vacancy shall not
31 be filled at the general election which immediately precedes the
32 expiration of the term in which the vacancy occurs.

33 If the vacancy occurs after the 70th day preceding a general
34 election but on or before the 70th day preceding the primary
35 election for the next general election, the candidates nominated for
36 election to fill the vacancy shall be selected at that primary election.
37 If the vacancy occurs after the 70th day preceding the primary
38 election for the general election, each political party shall select its
39 candidate to fill such vacancy in the same manner prescribed in
40 R.S.19:13-20 for selecting candidates to fill vacancies arising
41 among candidates nominated at primary elections, except that the
42 time for making such selection and filing the statement thereof shall
43 be within 10 days following the issuance of the writ of election.
44 Petitions of nomination of other candidates shall be filed in the
45 office of the Secretary of State within 10 days of the date of the
46 issuance of the writ. The Secretary of State, on the eleventh day
47 following the date of the issuance of the writ, shall certify to the
48 clerk and county board of each county affected by the vacancy a

1 statement of all candidates selected and nominated for the office so
2 vacated.

3

4 9. (New section) If a vacancy occurs in the representation of
5 this State in the United States House of Representatives, the
6 Governor shall issue a writ of election to fill such vacancy unless
7 the vacancy occurs in an even-numbered year after the 70th day
8 preceding the general election in which case the Governor shall not
9 issue a writ of election.

10 If the vacancy occurs on or before the 70th day preceding the
11 general election for that year, the writ of election shall designate the
12 day of that general election as the election day to fill the vacancy.
13 If the vacancy occurs in an odd-numbered year after the 70th day
14 preceding the general election, the writ of election shall designate
15 the day of the general election in the following year as the election
16 day to fill the vacancy.

17 If the vacancy occurs after the 70th day preceding a general
18 election but on or before the 70th day preceding the primary
19 election for the next general election, the candidates nominated for
20 election to fill the vacancy shall be selected at that primary election.
21 If the vacancy occurs after the 70th day preceding the primary
22 election for the general election, each political party shall select its
23 candidate to fill such vacancy in the same manner prescribed in
24 R.S.19:13-20 for selecting candidates to fill vacancies arising
25 among candidates nominated at primary elections, except that the
26 time for making such selection and filing the statement thereof shall
27 be within 10 days following the issuance of the writ of election.
28 Petitions of nomination of other candidates shall be filed in the
29 office of the Secretary of State within 10 days of the date of the
30 issuance of the writ. The Secretary of State, on the eleventh day
31 following the date of the issuance of the writ, shall certify to the
32 clerk and county board of each county affected by the vacancy a
33 statement of all candidates selected and nominated for the office so
34 vacated.

35

36 10. R.S.19:27-12 is amended to read as follows:

37 19:27-12. Notice of special elections other than those to fill
38 vacancies in the **【United States senate, United States house of**
39 **representatives,】** state senate or general assembly shall be given in
40 accordance with the provisions of any statute, ordinance or
41 resolution relative thereto. If such statute, ordinance or resolution
42 fails to provide for the giving of notice by officials to officials or by
43 officials to the public, such notice shall be given in the manner
44 herein provided for giving notice of the general election so far as
45 may be.

46 (cf: R.S.19:27-12)

47

48 11. R.S.19:29-1 is amended to read as follows:

1 19:29-1. The nomination or election of any person to any public
2 office or party position, or the approval or disapproval of any public
3 proposition, may be contested by the voters of this State or of any
4 of its political subdivisions affected thereby upon 1 or more of the
5 following grounds:

6 a. Malconduct, fraud or corruption on the part of the members of
7 any district board, or of any members of the board of county
8 canvassers, sufficient to challenge the result;

9 b. When the incumbent was not eligible to the office at the time
10 of the election;

11 c. When the incumbent had been duly convicted before such
12 election of any crime which would render him incompetent to
13 exercise the right of suffrage, and the incumbent had not been
14 pardoned at the time of the election;

15 d. When the incumbent had given or offered to any elector or
16 any member of any district board, clerk or canvasser, any bribe or
17 reward, in money, property or thing of value for the purpose of
18 procuring his election;

19 e. When there is reasonable evidence that illegal votes have
20 been received, or legal votes rejected at the polls sufficient to
21 change the result;

22 f. For any error by any board of canvassers in counting the votes
23 or declaring the result of the election, if such error would change
24 the result;

25 g. For any other cause which shows that another was the person
26 legally elected;

27 h. The paying, promise to pay or expenditure of any money or
28 other thing of value or incurring of any liability in excess of the
29 amount permitted by this title for any purpose or in any manner not
30 authorized by this title;

31 i. When a petition for nomination is not filed in good faith or the
32 affidavit annexed thereto is false or defective.

33 The term "incumbent" means the person whom the canvassers
34 declare elected or the person who is declared elected as a result of
35 a recount; but in the case of a tie vote as a result of the canvass or
36 recount, either party may contest the election, in which case the
37 term "incumbent" means the person having an equal number of
38 votes with the contestant.

39 (cf: P.L.1956, c.128, s.1)
40

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

42 19:31-5. Each person, who is at least 17 years of age at the time
43 he or she applies for registration, who resides in the district in
44 which he or she expects to vote, who will be of the age of 18 years
45 or more **【at the next ensuing】** on or before the first election in
46 which he or she expects to vote, who is a citizen of the United
47 States, and who, if he or she continues to reside in the district until
48 **【the next】** that election, will at the time have fulfilled all the

1 requirements as to length of residence to qualify him or her as a
2 legal voter, shall, unless otherwise disqualified, be entitled to be
3 registered in such district.

4 Whenever an individual registers by mail after January 1, 2003
5 to vote for the first time in his or her current county of residence,
6 that individual shall provide either the individual's New Jersey
7 driver's license number or the last four digits of the individual's
8 Social Security Number, or shall submit with the voter registration
9 form a copy of: (1) a current and valid photo identification card; (2)
10 a current utility bill, bank statement, government check or pay
11 check; (3) any other government document that shows the
12 individual's name and current address; or (4) any other identifying
13 document that the Attorney General has determined to be
14 acceptable for this purpose. If the individual does not provide his
15 or her New Jersey driver's license number or Social Security
16 Number information or submit a copy of any one of these
17 documents, either at the time of registration or at any time
18 thereafter prior to attempting to vote, the individual shall be asked
19 for identification when voting for the first time starting at the first
20 election held after January 1, 2004 at which candidates are seeking
21 federal office or thereafter. This requirement shall not apply to any
22 individual entitled to vote by absentee ballot under the "Uniformed
23 and Overseas Citizens Absentee Voting Act" (42 U.S.C. 1973ff-1 et
24 seq.) or to any individual who is provided the right to vote other
25 than in person under section 3 of Pub.L.98-435, the "Voting
26 Accessibility for the Elderly and Handicapped Act," or any other
27 voter entitled to vote otherwise than in person under any other
28 federal law. This requirement shall also not apply to any individual
29 who registers to vote by appearing in person at any voter
30 registration agency or to any individual whose voter registration
31 form is delivered to the county commissioner of registration or to
32 the Attorney General, as the case may be, through a third party by
33 means other than by mail delivery.

34 Once registered, the registrant shall not be required to register
35 again in such district as long as he or she resides therein, except
36 when required to do so by the commissioner, because of the loss of
37 or some defect in his or her registration record.

38 The registrant, when registered as provided in this Title, shall be
39 eligible to vote at any election to be held subsequent to such
40 registration, if he or she shall be a citizen of the United States of the
41 age of 18 years and shall have been a resident of the State for at
42 least 30 days and of the county at least 30 days, when the same is
43 held, subject to any change in his qualifications which may later
44 disqualify him. No registrant shall lose the right to vote, and no
45 registrant's name shall be removed from the registry list of the
46 county in which the person is registered, solely on grounds of the
47 person's failure to vote in one or more elections.

48 (cf: P.L.2004, c.88, s.10)

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

2 19:31-6. Any person qualified to vote in an election shall be
3 entitled to vote in the election if the person shall have registered to
4 vote on or before the 21st day preceding the election by:

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

8 b. **【completing a voter registration form】** registering
9 automatically while applying for a motor vehicle driver's license
10 **【from an agent of】** or non-driver identification card at the New
11 Jersey Motor Vehicle Commission, as provided for in section 21 of
12 P.L. , c. (C.) (pending before the Legislature as this bill) and
13 section 24 of P.L.1994, c.182 (C.39:2-3.2), or having completed a
14 paper voter registration form at the New Jersey Motor Vehicle
15 Commission prior to the implementation of automatic voter
16 registration pursuant to P.L. , c. (C.) (pending before the
17 Legislature as this bill);

18 c. completing and returning to the **【Attorney General】**
19 Secretary of State or having returned thereto a voter registration
20 form received from a voter registration agency, as defined in
21 subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), while
22 applying for services or assistance or seeking a recertification,
23 renewal or change of address at an office of that agency;

24 d. completing and returning to the **【Attorney General】**
25 Secretary of State a voter registration form obtained from a public
26 agency, as defined in subsection a. of section 15 of P.L.1974, c.30
27 (C.19:31-6.3);

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

32 f. completing and returning to the **【Attorney General】**
33 Secretary of State a federal mail voter registration form, as
34 prescribed in subsection (b) of section 9 of the "National Voter
35 Registration Act of 1993," (42 U.S.C. s. 1973gg et seq.);

36 g. completing and returning to the **【Attorney General】**
37 Secretary of State or the appropriate county clerk an application for
38 a federal postcard application form to register to vote, or a federal
39 write-in absentee ballot, as 【provided for in】 permitted pursuant to
40 the "Overseas Absentee Voting Act" (42 U.S.C. s. 1973ff-1 et seq.)
41 and section 4 of P.L.1976, c.23 (C.19:59-4); 【or】

42 h. completing a provisional ballot affirmation statement and
43 voting the provisional ballot in the previous election, if the person
44 who submitted the provisional ballot in that election is determined
45 not to be a registered voter; or

46 i. completing and submitting an online voter registration form
47 available on the Secretary of State's Internet site, as provided under

1 section 15 of P.L. , c. (C.) (pending before the Legislature as
2 this bill).

3 When the commissioner has designated a place or places other
4 than his office for receiving registrations, the commissioner shall
5 cause to be published a notice in a newspaper circulated in the
6 municipality wherein such place or places of registration shall be
7 located. Such notice shall be published pursuant to R.S.19:12-7.

8 Any office designated by the commissioner of registration for
9 receiving registration forms shall have displayed, in a conspicuous
10 location, registration and voting instructions. These instructions
11 shall be the same as those provided for polling places under
12 R.S.19:9-2 and shall be provided by the commissioner.
13 (cf: P.L.2005, c.139, s.8)

14

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

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

22 **VOTER REGISTRATION APPLICATION**

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

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

25 ☐New registration

26 ☐Address change

27 ☐Name change

28 ☐ Vote by mail in future elections

29 (2) Name:.....

30 Last First Middle

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

32 (4) Will you be 18 years of age on or before election
33 day?☐Yes☐ No

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

36 (5) Street Address where you live:

37

38 Street Address Apt. No.

39

40 (6) City or Town County Zip Code

41 (7) Address Where You Receive Your Mail (if different from
42 above):

43

44 (8) Date of Birth:

45

46 Month Day Year

47 (9) (a) Telephone Number (optional).....

48 (b) E-Mail Address (optional).....

1 (10) Name and address of Your Last Voter Registration
2
3
4
5 (11) If you are registering by mail to vote and will be voting for
6 the first time in your current county of residence, please provide
7 one of the following:
8 (a) your New Jersey driver's license
9 number:.....
10 (b) the last four digits of your Social Security
11 Number.....
12 OR submit with this form a copy of any one of the following
13 documents: a current and valid photo identification card; a current
14 utility bill, bank statement, government check, pay check or any
15 other government or other identifying document that shows your
16 name and current address. If you do not provide either your New
17 Jersey driver's license number or the last four digits of your Social
18 Security Number, or enclose a copy of one of the documents listed
19 above, you will be asked for identification when voting for the first
20 time, unless you are exempt from doing so under federal or State
21 law.
22 (12) Do you wish to declare a political party affiliation?
23 (Optional):
24 ☐ YES. Name of Party:
25 ☐ NO. I do not wish to declare a political party affiliation
26 at this time.
27 (13) You may choose to receive ballots to vote by mail in future
28 elections by selecting either option listed below. YOU ARE NOT
29 REQUIRED TO CHOOSE EITHER OPTION.
30 ☐ I wish to receive a Mail-in Ballot for all future elections,
31 until I request otherwise.
32 ☐ I wish to receive a Mail-in Ballot for all future general
33 elections only, until I request otherwise.
34 **[(13)] (14) Declaration - I swear or affirm that:**
35 I am a U.S. citizen.
36 I live at the above address.
37 I will be at least 18 years old on or before the day of the next
38 election.
39 I am not on parole, probation or serving a sentence due to a
40 conviction for an indictable offense under any federal or State laws.
41 I UNDERSTAND THAT ANY FALSE OR FRAUDULENT
42 REGISTRATION MAY SUBJECT ME TO A FINE OF UP TO
43 \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH
44 PURSUANT TO R.S.19:34-1.
45
46 Signature or mark of the registrant Date
47 **[(14)] (15) If applicant is unable to complete this form, print the**

1 name and address of individual who completed this form.
2
3 Name
4
5 Address
6 The form shall state in an appropriate location: “This form shall
7 not be used if an applicant requires the assistance of another person
8 to complete a mail-in ballot or to return a completed mail-in ballot
9 to the county board of elections, pursuant to section 16 of P.L.2009,
10 c.79 (C.19:63-16).”
11 In addition, the form may include notice to the applicant of
12 information and options relating to the registration and voting
13 process, including but not limited to notice of qualifications
14 required of a registered voter; notice of the final day by which a
15 person must be registered to be eligible to vote in an election;
16 notice of the effect of a failure to provide required identification
17 information; a place at which the applicant may indicate availability
18 for service as a member of the district board of elections; a place at
19 which the applicant may indicate whether he or she requires a
20 polling place which is accessible to individuals with disabilities and
21 the elderly or whether he or she is legally blind; a place at which
22 the applicant may indicate a desire to receive additional information
23 concerning **【absentee】** voting by mail; and if the application
24 indicates a political party affiliation, the voter is permitted to vote
25 in the primary election of a political party other than the political
26 party in which the voter was affiliated previously only if the voter
27 registration form with the change of political party affiliation is
28 filed prior to the 50th day next preceding the primary election. The
29 form may also include a space for the voter registration agency to
30 record whether the applicant registered in person, by mail or by
31 other means.
32 b. The reverse side of the registration form shall bear the
33 address of the Secretary of State or the commissioner of registration
34 to whom such form is supplied, and a United States postal permit
35 the charges upon which shall be paid by the State.
36 c. The Secretary of State shall cause to be prepared registration
37 forms of the size, weight and form described in subsection a. of this
38 section in both the English **【and Spanish】** language and in any other
39 language primarily spoken by at least 5% of the registered voters in
40 an election district, and shall provide such forms to each
41 commissioner of registration of any county in which there is at least
42 one election district in which **【bilingual】** multilingual sample
43 ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or
44 section 2 of P.L.1965, c.29 (C.19:23-22.4).
45 d. The commissioner of registration shall furnish such
46 registration forms upon request in person to any person or
47 organization in such reasonable quantities as such person or
48 organization shall request. The commissioner shall furnish no

1 fewer than two such forms to any person upon request by mail or by
2 telephone.

3 e. Each such registration form shall have annexed thereto
4 instructions specifying the manner and method of registration, the
5 vote by mail options specified on the form, and stating the
6 qualifications for an eligible voter.

7 f. The Secretary of State shall also furnish such registration
8 forms and such instructions to the Director of the Division of
9 Workers' Compensation, the Director of the Division of
10 Employment Services, and the Director of the Division of
11 Unemployment and Temporary Disability Insurance in the
12 Department of Labor and Workforce Development; to the Director
13 of the Division of Taxation in the Department of the Treasury; to
14 the Executive Director of the New Jersey Transit Corporation; to
15 the appropriate administrative officer of any other public agency, as
16 defined by subsection a. of section 15 of P.L.1974, c.30 (C.19:31-
17 6.3); to the Adjutant General of the Department of Military and
18 Veterans' Affairs; and to the chief administrative officer of any
19 voter registration agency, as defined in subsection a. of section 26
20 of P.L.1994, c.182 (C.19:31-6.11).

21 g. All registration forms received by the Secretary of State in
22 the mail or forwarded to the Secretary of State shall be forwarded to
23 the commissioner of registration in the county of the registrant and
24 to the county clerk if a vote by mail option is selected on a form.

25 h. An application to register to vote received from the New
26 Jersey Motor Vehicle Commission or a voter registration agency, as
27 defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-
28 6.11), shall be deemed to have been timely made for the purpose of
29 qualifying an eligible applicant as registered to vote in an election if
30 the date on which the commission or agency shall have received
31 that document in completed form, as indicated in the lower right
32 hand corner of the form, was not later than the 21st day preceding
33 that election.

34 i. Each commissioner of registration shall make note in the
35 permanent registration file of each voter who is required to provide
36 the personal identification information required pursuant to this
37 section, as amended, and R.S.19:15-17, R.S.19:31-5 and Pub.L.107-
38 252 (42 U.S.C.s. 15301 et seq.), to indicate the type of
39 identification provided by the voter and the date on which it is
40 provided. Prior to the June 2004 primary election, when such a
41 newly registered voter seeks to vote for the first time following his
42 or her registration, the voter will be required to provide such
43 personal identification information. Beginning with the June 2004
44 primary election, when such a newly registered voter seeks to vote
45 for the first time following his or her registration, the voter will not
46 be required to provide such information if he or she had previously
47 provided the personal identification information required pursuant
48 to this section. The required information shall be collected and

1 stored for the time and in the manner required pursuant to
2 regulations promulgated by the Secretary of State.

3 j. The Secretary of State shall amend the voter registration
4 application form if necessary to conform to the requirements of
5 applicable federal or State law.

6 k. In the event that the name of any political party entered on
7 the voter registration form by a voter who wishes to declare a
8 political party affiliation is not legible, the commissioner of
9 registration shall mail the voter a political party declaration form
10 and a letter explaining that the voter's choice was not understood
11 and that the voter should complete and return the declaration form
12 in order to be affiliated with a party.

13 (cf: P.L.2009, c.287, s.1)

14

15 15. (New section) Notwithstanding any other provision of law to
16 the contrary, a person who is qualified to register to vote and who
17 has a valid New Jersey driver's license or non-driver identification
18 card issued by the New Jersey Motor Vehicle Commission may
19 submit a voter registration form electronically on the Internet site of
20 the Secretary of State, which form shall contain substantively the
21 same information required to be contained on a paper voter
22 registration form pursuant to section 16 of P.L.1974, c.30 (C.19:31-
23 6.4).

24 a. The Secretary of State shall promulgate deadlines for when
25 an online voter registration form submitted by an applicant pursuant
26 to this section shall be effective ahead of an election to be held in
27 the election district of the applicant submitting the form.

28 b. The applicant completing the form shall affirmatively attest
29 to the truth of the information provided in the form.

30 c. For voter registration purposes, the applicant shall
31 affirmatively assent to the use of his or her signature from his or her
32 driver's license or non-driver identification card.

33 d. For each online voter registration form, the Secretary of
34 State shall obtain an electronic copy of the applicant's signature
35 from his or her driver's license or non-driver identification card
36 directly from the New Jersey Motor Vehicle Commission.

37 e. The Secretary of State shall require an applicant who
38 submits an online voter registration form pursuant to this section to
39 submit all of the following:

40 (1) the number from his or her New Jersey driver's license or
41 non-driver identification card;

42 (2) his or her date of birth; and

43 (3) the last four digits of his or her social security number.

44 f. Upon submission of an online voter registration form pursuant
45 to this section, the electronic voter registration system shall provide
46 for immediate verification of both of the following:

47 (1) that the applicant has a New Jersey driver's license or non-
48 driver identification card and that the number for that driver's

1 license or non-driver identification card provided by the applicant
2 matches the number for that person's driver's license or non-driver
3 identification card that is on file with the New Jersey Motor Vehicle
4 Commission; and

5 (2) that the date of birth provided by the applicant matches the
6 date of birth for that person that is on file with the New Jersey
7 Motor Vehicle Commission.

8 g. Upon submission of an online voter registration form
9 pursuant to this section, the electronic voter registration system
10 shall automatically acknowledge that the online voter registration
11 form has been submitted successfully, and provide instructions on
12 how the person completing the voter registration form may follow-
13 up on the status of the submission either online or by contacting the
14 appropriate county commissioner of registration.

15 h. The Secretary of State shall employ security measures to
16 ensure the accuracy and integrity of voter registration forms
17 submitted electronically pursuant to this section.

18 i. The New Jersey Motor Vehicle Commission and the
19 Secretary of State shall jointly develop a process and the
20 infrastructure to allow the electronic copy of the applicant's
21 signature and other information required under this section that is in
22 the possession of the commission to be transferred to the Secretary
23 of State and to the appropriate county election officials to allow a
24 person who is qualified to register to vote in New Jersey to register
25 to vote under this section.

26 j. If an applicant cannot electronically submit the information
27 required pursuant to subsection e. of this section, the applicant shall
28 nevertheless be able to complete the online voter registration form
29 electronically on the Secretary of State's Internet website, print a
30 paper copy of the completed form, and mail or deliver the paper
31 copy of the completed form to the Secretary of State or the
32 appropriate county election official. For the purposes of this
33 subsection, the applicant shall be required to provide the same
34 documents required to be provided with a paper voter registration
35 form pursuant to R.S.19:31-5.

36 k. The online voter registration Internet site required pursuant to
37 this section shall be available in both English and in any other
38 language primarily spoken by at least one half of one percent of
39 New Jersey's population, and shall be accessible to individuals with
40 disabilities.

41 l. The online voter registration Internet sites required pursuant to
42 this section shall be implemented by July 1, 2016.

43
44 16. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to
45 read as follows:

46 17. a. Upon receipt of any completed registration form, the
47 commissioner of registration shall review it, and if it is found to be
48 in order, shall:

1 (1) Send to the registrant written notification that such registrant
2 is duly registered to vote. No registrant shall be considered a
3 registered voter until the commissioner of registration reviews the
4 application submitted by the registrant and deems it acceptable. On
5 the face of such notification in the upper left-hand corner shall be
6 printed the words: "Do Not Forward. Return Postage Guaranteed.
7 If not delivered in 2 days, return to the Commissioner of
8 Registration."

9 (2) In as timely a manner as possible, enter the information
10 provided for the registrant on the completed registration form, or
11 electronically transfer the information from an online voter
12 registration form completed pursuant to section 15 of P.L. ,
13 c. (C.) (pending before the Legislature as this bill), into the
14 Statewide voter registration system established pursuant to section 1
15 of P.L.2005, c.145 (C.19:31-31).

16 (3) Paste, tape, or photocopy the completed registration form
17 onto an original registration form, and shall paste or tape a copy of
18 such completed registration form onto a duplicate registration form,
19 both of which shall be filed as provided in R.S.19:31-10. Nothing in
20 this paragraph shall preclude any commissioner of registration from
21 keeping the original mail registration form on file.

22 (4) In the case of a registrant currently registered in another
23 county of this State, notify the commissioner of registration of such
24 other county to remove the individual's name from the registry list
25 of voters of the county and place into an appropriate retention file
26 all registration documents or material relating to that voter. The
27 commissioner of registration of the current county of the registrant
28 shall secure and maintain the entire voting history of that registrant.

29 b. The commissioner shall notify a registrant of the reasons for
30 any refusal to approve his registration.

31 c. (Deleted by amendment, P.L.1994, c.182.)
32 (cf: P.L.2005, c.145, s.10)

33

34 17. Section 1 of P.L.2005, c.145 (C.19:31-31) is amended to
35 read as follows:

36 1. a. There shall be established in the Department of State a
37 single Statewide voter registration system, as required pursuant to
38 section 303 of the federal "Help America Vote Act of 2002,"
39 Pub.L.107-252 (42 U.S.C. s.15483). The principal computer
40 components of the system shall be under the direct control of the
41 Secretary of State. The Secretary of State shall be responsible for
42 creating the network necessary to maintain the system and
43 providing the computer software, hardware and security necessary
44 to ensure that the system is accessible only to those executive
45 departments and State agencies so designated by the Secretary of
46 State, each county commissioner of registration, each county and
47 municipal clerk, and individuals under certain circumstances, as
48 provided for by this section. The system shall be the official State

1 repository for voter registration information for every legally
2 registered voter in this State, and shall serve as the official voter
3 registration system for the conduct of all elections in the State.

4 b. The Statewide voter registration system shall include, but
5 not be limited to, the following features:

6 (1) the name and registration information of every legally
7 registered voter in the State;

8 (2) the ability to assign a unique identifier to each legally
9 registered voter in the State;

10 (3) interactivity among appropriate State agencies so designated
11 by the Secretary of State, each county commissioner of registration,
12 each county board of elections, and each county clerk such that
13 these entities shall have immediate electronic access to all or
14 selected records in the system, as determined by the Secretary of
15 State, to receive or transmit all or selected files in the system and to
16 print or review all or selected files in the system;

17 (4) the ability to permit any county commissioner of registration
18 to enter voter registration information on an expedited basis, and to
19 transfer electronically voter registration information from an online
20 voter registration form completed pursuant to section 15 of P.L. ,
21 c. (C.) (pending before the Legislature as this bill), at the time the
22 information is provided thereto and to permit the Secretary of State
23 to provide technical support to do so whenever needed;

24 (5) the ability to permit each municipal clerk to view or print
25 information in the system;

26 (6) the ability to permit an individual, by July 1, 2006, to verify
27 via the Internet whether that individual, and only that individual, is
28 included in the system as a legally registered voter, whether the
29 information pertaining to that individual required by subsection c.
30 of this section is correct, and if not, a means to notify the pertinent
31 county commissioner of registration of the corrections that must be
32 made and to so verify in a way that does not give one individual
33 access to the information required by subsection c. of this section
34 for any other individual;

35 (7) a Statewide street address index and map in electronic form
36 that can accurately identify the location of every legally registered
37 voter in this State;

38 (8) the ability to record and monitor all requests for mail-in
39 ballots; to enable the county clerk to verify the identity and
40 signature of each person requesting a mail-in ballot; to record the
41 name and address of each voter determined to be eligible to receive
42 a mail-in ballot for a particular election and to note when a mail-in
43 ballot has been transmitted to that voter by mail or hand delivery; to
44 update the system to allow the postal tracking of mail-in ballots
45 using Intelligent Mail barcodes, or a similar successor tracking
46 system; and to make such information available to the Secretary of
47 State so that a voter can be notified whether the application for such
48 a ballot was accepted or rejected, and the reason for the rejection,

1 using the free-access system established by section 5 of P.L.2004,
2 c.88 (C.19:61-5); and
3 (9) any other functions required pursuant to Pub.L.107-252 (42
4 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or that
5 may be deemed necessary by the Secretary of State.
6 c. The Statewide voter registration system shall include, but
7 not be limited to, the following information for every legally
8 registered voter in this State:
9 (1) last, first and middle name;
10 (2) street address at time of registration or rural route, box
11 number or apartment number, if any;
12 (3) city or municipality, and zip code;
13 (4) date of birth;
14 (5) telephone number and e-mail address, if provided on voter
15 registration form;
16 (6) previous name or address if individual re-registered due to
17 change of name or address;
18 (7) ward and election district number, if either is available;
19 (8) (a) current and valid New Jersey driver's license number; or
20 (b) if the registrant has not been issued a New Jersey driver's
21 license number, the last four digits of the registrant's social security
22 number; or
23 (c) unique identifying number for any individual who has not
24 been issued the information sought in subparagraph (a) or (b) of this
25 paragraph;
26 (9) notation that a copy of one of the following documents has
27 been submitted with the voter registration application, if required:
28 current and valid photo identification card; a current utility bill,
29 bank statement, government check, pay check or any other
30 government document showing the registrant's name and current
31 address;
32 (10) the method by which the individual registered and whether
33 that person needs to provide additional identification information to
34 vote using a voting machine instead of a provisional ballot;
35 (11) political party affiliation, if designated;
36 (12) **digitalized** digitized signature;
37 (13) date of registration or re-registration;
38 (14) name and street address of the individual assisting in the
39 completion of the form, if the applicant for registration is unable to
40 do so;
41 (15) voting participation record for ten-year period; and
42 (16) any other information required pursuant to Pub.L.107-252
43 (42 U.S.C. s.15301 et seq.), or Title 19 of the Revised Statutes, or
44 that the Secretary of State determines is necessary to assess the
45 eligibility of an individual to be registered to vote and to vote in
46 this State.
47 (cf: P.L.2009, c.287, s.2)

1 18. Section 2 of P.L.2005, c.145 (C.19:31-32) is amended to
2 read as follows:

3 2. a. The Statewide voter registration system shall replace all
4 other computer or electronic-based registry files of voters and other
5 voter registration files established and maintained by each county
6 commissioner of registration for voter registration and election
7 administration purposes established pursuant to the provisions of
8 Title 19 and Title 40 of the Revised Statutes, and shall be the single
9 system for storing and managing the official file of registered voters
10 throughout the State. A commissioner may, however, continue to
11 use and maintain as a supplement to the system the original and
12 duplicate permanent registration binders and voting records and
13 shall continue to use and maintain the signature copy registers or
14 polling records provided for in Title 19 of the Revised Statutes.

15 b. Each county commissioner of registration shall be
16 responsible for adding to, deleting from, amending and otherwise
17 conducting on a regular basis maintenance for the files of every
18 legally registered voter in that commissioner's county as contained
19 in the Statewide voter registration system, pursuant to the
20 provisions of section 303 of Pub.L.107-252 (42 U.S.C. s. 15301 et
21 seq.) and Title 19 of the Revised Statutes. Each commissioner shall
22 be responsible for verifying the accuracy of the name, address and
23 other data of registered voters in the commissioner's respective
24 county as contained in the system. The commissioner who receives
25 the voter registration forms of individuals who have registered to
26 vote in the county or who are re-registering for any reason shall be
27 responsible for entering the information on those forms into the
28 system on an expedited basis, and electronically transferring into
29 the system the information from online voter registration forms
30 completed pursuant to section 15 of P.L. , c. (C.) (pending
31 before the Legislature as this bill), including but not limited to
32 forms and information received pursuant to chapter 31 of Title 19 of
33 the Revised Statutes. The information the commissioner shall use
34 to update and maintain the system shall be that required by
35 subsection c. of section 1 of P.L.2005, c.145 (C.19:31-31).

36 c. The **【Attorney General】** Secretary of State and each county
37 commissioner of registration shall be responsible for developing
38 and providing the technological security measures needed to
39 prevent unauthorized access to the Statewide voter registration
40 system established pursuant to section 1 of P.L.2005, c.145
41 (C.19:31-31) and to the information for any individual on the
42 system required by subsection c. of section 1 of that act.

43 d. The **【Attorney General】** Secretary of State, in consultation
44 with each county commissioner of registration, shall develop
45 minimum standards to safeguard the accuracy of the files contained
46 in the Statewide voter registration system. Such standards shall
47 include procedures to ensure that reasonable effort is made to
48 remove registrants who are ineligible to vote pursuant to federal or

1 State law and to ensure that eligible voters are not removed in error
2 from the system.

3 e. (1) The **【Attorney General】** Secretary of State and the Chief
4 Administrator of the New Jersey Motor Vehicle Commission in the
5 Department of Transportation shall enter into an agreement to
6 match information in the database of the Statewide voter
7 registration system with information in the database of the
8 commission, including social security numbers, to the extent
9 required to enable verification of the accuracy of the information
10 provided on applications for voter registration, and to locate and
11 utilize for voter registration purposes the digitized signatures of
12 licensed drivers or holders of non-driver identification cards who
13 register to vote using an online voter registration form, as provided
14 pursuant to section 15 of P.L. , c. (C.) (pending before the
15 Legislature as this bill).

16 (2) The **【Attorney General】** Secretary of State shall enter into
17 an agreement with the Commissioner of the Department of Health
18 and Senior Services to match information in the database of the
19 Statewide voter registration system with State agency information
20 on death records.

21 (3) The **【Attorney General】** Secretary of State shall enter into
22 an agreement with the Commissioner of the Department of
23 Corrections to match information in the database of the Statewide
24 voter registration system with State agency information on
25 individuals who are incarcerated, on probation, or on parole as the
26 result of a conviction for an indictable offense.

27 (4) The **【Attorney General】** Secretary of State shall enter into
28 an agreement with the Administrative Office of the Courts to match
29 information in the database of the Statewide voter registration
30 system with State agency information on individuals who are
31 incarcerated, on probation, or on parole as the result of a conviction
32 for an indictable offense.

33 (5) The **【Attorney General】** Secretary of State shall enter into
34 an agreement with the State Parole Board to match information in
35 the database of the Statewide voter registration system with State
36 agency information on individuals who are on parole.
37 (cf: P.L.2005, c.145, s.2)

38
39 19. Section 2 of P.L.1991, c.249 (C.19:32-4.1) is amended to
40 read as follows:

41 9. On the day of every municipal, primary, general, special or
42 annual school election the superintendent of elections in counties
43 having a superintendent of elections or the county board of
44 elections in all other counties shall provide to each polling place in
45 the county sufficient numbers of a form on which voters or persons
46 attempting to vote may register any complaint regarding the
47 conduct of the election at the polling place where they voted or
48 attempted to vote. In counties in which the primary language of

1 **【10%】 5%** or more of the registered voters is **【Spanish】 a language**
2 other than English, the form for the complaint shall appear in both
3 English and **【Spanish】 that other language or languages**. The form
4 shall protect the anonymity of the complainant, if that person so
5 wishes, and shall be accompanied by an envelope with the proper
6 postage and the name and address of the superintendent of elections
7 of the county or the chairman of the county board of elections, as
8 the case may be. A complaint may be used by the superintendent of
9 elections or any other municipal or State investigatory agency to
10 conduct an investigation into possible violation of the State election
11 law. Copies of the form containing the complaint shall be available
12 from the superintendent of elections or the county board of
13 elections, as the case may be. The original form of the complaint,
14 or a copy, shall be kept on file with the superintendent of elections
15 or the county board of elections, as the case may be, for two years
16 after the election for which it was filed.

17 (cf: P.L.2011, c.134, s.44)

18
19 20. R.S.19:49-4 is amended to read as follows:

20 19:49-4. a. (1) The officer or officers whose duty it may be
21 under this subtitle to provide and furnish official ballots for any
22 polling place where a voting machine is to be used shall also
23 provide 2 sample ballots or more, or instruction ballots, which
24 sample or instruction ballot shall be arranged in the form of a
25 diagram showing such portion of the face of the voting machine as
26 it will appear after the official ballots are arranged thereon or
27 therein for voting on election day. Such sample or instruction
28 ballots shall be open to the inspection of all voters on election day,
29 in all elections where voting machines are used.

30 (2) For election districts in which the primary language of
31 **【10%】 5%** or more of the registered voters is **【Spanish】 a language**
32 other than English, the officer or officers whose duty it may be
33 under this subtitle to provide and furnish official ballots for any
34 polling place where a voting machine is to be used shall also
35 provide 2 sample ballots or more, or instruction ballots, printed
36 **【bilingually】** in English and **【Spanish】 in that other language or**
37 languages. Such sample or instruction ballots shall be open to the
38 inspection of all voters on election day, in appropriate election
39 districts, in all elections where voting machines are used.

40 b. There shall be furnished a sufficient number of sample ballots
41 printed entirely in black ink, a facsimile of the face of the machine,
42 of a reduced size, one of which sample ballots shall be mailed to
43 each registered voter, except that for election districts in which the
44 primary language of **【10%】 5%** or more of the registered voters is
45 **【Spanish】 a language other than English**, sample ballots printed
46 **【bilingually】** in English and **【Spanish】 in that other language or**
47 languages shall be mailed to each registered voter. Any reference

1 to sample ballot envelopes in any section of this Title to the
2 contrary notwithstanding, in all counties where voting machines are
3 used and wherein the commissioner of registration has the facilities
4 to mail out sample ballots direct to the registrants of such county
5 and has elected so to do, as otherwise in this Title provided, the
6 commissioner of registration in any such county may request the
7 county clerk of such county to have the sample ballots prepared in
8 the manner following:

9 (1) The county clerk shall have said sample ballots for all
10 general and special elections printed in such manner that, when
11 folded, the words "Official General Election Sample Ballot" or as
12 the case may be, shall appear on the reverse side thereof, together
13 with the words "In cases where the sample ballot is to be sent to an
14 addressee who does not receive his mail by delivery to his home or
15 through rural free delivery "if not delivered within 5 days return to
16 the commissioner of registration' and in all other cases "if not
17 delivered within 2 days return to the commissioner of registration.'
18 Do not Forward. Return Postage Guaranteed" over the return
19 address of the commissioner of registration. Such portion of the
20 ballot may contain such additional words that conform with United
21 States Postal regulations that will prevent such envelope from being
22 forwarded to the voter at any other address than that appearing on
23 the envelope, and that will cause such envelope to be returned to the
24 commissioner of registration, with information thereon from the
25 post office showing the reason for nondelivery.

26 (2) The county clerk in drawing the specifications for the
27 printing of the official primary ballots shall include the requirement
28 that the municipal clerks shall have primary sample ballots printed
29 in such manner that, when folded, the words "Official Primary
30 Election Sample Ballot" shall appear on the reverse side thereof,
31 together with the words "In cases where the sample ballot is to be
32 sent to an addressee who does not receive his mail by delivery to
33 his home or through rural free delivery "if not delivered within 5
34 days return to the commissioner of registration' and in all other
35 cases "if not delivered within 2 days return to the commissioner of
36 registration.' Do Not Forward. Return Postage Guaranteed" over
37 the return address of the commissioner of registration. Such portion
38 of the ballot may contain such additional words that conform with
39 United States Postal regulations that will prevent such envelope
40 from being forwarded to the voter at any other address than that
41 appearing on the envelope, and that will cause such envelope to be
42 returned to the commissioner of registration, with information
43 thereon from the post office showing the reason for nondelivery.

44 (3) Five sample ballots shall be posted as now required by law.

45 c. For all general and special elections the county clerk, and for
46 all primary and municipal elections the municipal clerks, shall, at
47 least 30 days preceding any such election, make the arrangements
48 necessary to be made with the postmaster or postmasters in their

1 respective counties and municipalities to have the said sample
2 ballots mailed under the postal laws and regulations, and forthwith
3 notify the said commissioner of registration in writing to that effect.
4 (cf: P.L.1974, c.30, s.14)

5
6 21. (New section) Notwithstanding any law, rule, or regulation
7 to the contrary, the Chief Administrator of the New Jersey Motor
8 Vehicle Commission shall transmit to the Secretary of State
9 electronic records containing the legal name, age, residence,
10 citizenship, and digitized signature of each applicant for a motor
11 vehicle driver's license or non-driver identification card, who meets
12 the criteria specified by the Secretary of State that would make that
13 applicant eligible to be a legal voter, for automatic voter registration
14 purposes as specified under this section.

15 Upon receiving an applicant's electronic record and digitized
16 signature, the Secretary of State shall transmit the information to
17 the county commissioner of registration, as constituted under
18 R.S.19:31-2, of the county in which the applicant resides. The
19 county commissioner of registration shall notify the applicant, by
20 mail, of the automatic voter registration, and shall inform the
21 applicant of the process to decline being registered to vote or, if not
22 declining, of the option to select a political party affiliation. If the
23 applicant does not decline the voter registration within 21 calendar
24 days after the county commissioner of registration issues the
25 notification, the applicant's electronic record and digitized
26 signature shall constitute a complete voter registration form for the
27 purposes of Title 19 of the Revised Statutes, and the applicant shall
28 be registered to vote if the county commissioner of registration
29 determines that the applicant is eligible to register to vote pursuant
30 to Article II, Section I, paragraph 3 of the New Jersey Constitution
31 and Title 19 of the Revised Statutes, and is not disqualified. A
32 county commissioner of registration shall delete the electronic
33 record and digitized signature of an applicant who declines to be
34 registered to vote pursuant to this section.

35 The Chief Administrator shall also transmit to the Secretary of
36 State the electronic record and digitized signature of an applicant
37 who is updating the legal name or address information on an
38 existing motor vehicle driver's license or non-driver identification
39 card, who meets the criteria specified by the Secretary of State that
40 would qualify that applicant as a legal voter, for automatic voter
41 registration purposes as specified under this section and for
42 updating an existing voter registration record.

43 The Secretary of State shall develop an informational pamphlet
44 to be provided to each applicant for a motor vehicle driver's license
45 or non-driver identification card describing the process for
46 automatic voter registration. The secretary, in consultation with the
47 Chief Administrator of the New Jersey Motor Vehicle Commission,
48 shall promulgate the rules and regulations necessary to implement

1 the provisions of this section. The automatic voter registration
2 process provided for in this section shall be implemented by the
3 secretary and the chief administrator by January 1, 2017.

4
5 22. Section 24 of P.L.1994, c.182 (C.39:2-3.2) is amended to
6 read as follows:

7 24. a. The Secretary of State, with the assistance and
8 concurrence of the **【Director of the Division of Motor Vehicles】**
9 Chief Administrator of the New Jersey Motor Vehicle Commission,
10 shall **【formulate a means of permitting a person to】** develop and
11 implement an automated process for an applicant to simultaneously
12 apply for a motor vehicle driver's license or non-driver
13 identification card and to register to vote which satisfies both the
14 requirements necessary to receive a license to operate a motor
15 vehicle, pursuant to R.S.39:3-10, or a non-driver identification card,
16 and to be permitted to register to vote, pursuant to R.S.19:4-1, and
17 in accordance with section 21 of P.L. , c. (C.) (pending before
18 the Legislature as this bill).

19 The **【Division of Motor Vehicles】** New Jersey Motor Vehicle
20 Commission, upon receipt of a completed **【voter registration】**
21 application under this section, **【shall stamp or otherwise mark the**
22 **lower right hand corner of the document with the date on which it**
23 **was so received and forward the document】** shall transmit the
24 applicant's electronic record and digitized signature to the Secretary
25 of State in accordance with a schedule developed by rule or
26 regulation pursuant section 21 of P.L. , c. (C.) (pending before
27 the Legislature as this bill), but no later than the 10th day following
28 the date of acceptance.

29 b. Each application **【for voter registration】** which is received
30 by the **【Division of Motor Vehicles】** New Jersey Motor Vehicle
31 Commission shall be considered and processed as the replacement
32 for any pre-existing voter registration of the applicant.

33 c. Each change of address notification submitted to the
34 **【Director of the Division of Motor Vehicles】** Chief Administrator
35 of the New Jersey Motor Vehicle Commission for the purpose of
36 maintaining current information on a person's motor vehicle license
37 or non-driver identification card shall be **【reported】** electronically
38 transmitted to the Secretary of State no later than the 10th day
39 following its receipt by the **【Division of Motor Vehicles】** New
40 Jersey Motor Vehicle Commission and shall serve as notification
41 for the change of address process, **【unless the registrant indicates**
42 **that the change of address is not for voter registration purposes】** , in
43 accordance with section 21 of P.L. , c. (C.) (pending before the
44 Legislature as this bill).

45 (cf: P.L.1994, c.182, s.24)

1 23. Section 23 of P.L.1994, c.182 (C.39:3-10m) is amended to
2 read as follows:

3 23. Notwithstanding any law, rule or regulation to the contrary,
4 the electronic record and digitized signature of each applicant for a
5 State motor vehicle driver's license application or non-driver
6 identification card, including any application for a renewal thereof,
7 submitted to an agent of the **【Division of Motor Vehicles in the**
8 **Department of Law and Public Safety】** New Jersey Motor Vehicle
9 Commission shall be **【offered an opportunity to register to vote】**
10 electronically transmitted to the Secretary of State for automatic
11 voter registration purposes, when the applicant meets the criteria
12 specified by the Secretary of State that would qualify that applicant
13 as a legal voter, in accordance with section 21 of P.L. , c. (C.)
14 (pending before the Legislature as this bill).
15 (cf: P.L.1994, c.182, s.23)

16
17 24. Section 22 of P.L.1964, c.134 (C.19:58-22) is amended to
18 read as follows:

19 22. Said sealed outer envelope with the inner envelope and the
20 ballot enclosed therein, shall then be mailed **【with sufficient**
21 **postage】** to the county board of elections to which it is addressed**【,**
22 **or shall】** with the postage prepaid, or it may be presented in person
23 to the county board of elections at the office of said board.
24 (cf: P.L.1964, c.134, s. 22)

25
26 25. Section 2 of P.L.1976, c.23 (C.19:59-2) is amended to read
27 as follows:

28 2. As used in this act:

29 a. "United States" means each of the several states, the District
30 of Columbia, Commonwealth of Puerto Rico, Guam, American
31 Samoa and the United States Virgin Islands; the term does not mean
32 or include the Canal Zone or any other territory or possession of the
33 United States.

34 b. "Residing abroad" means residing outside the United States.

35 c. **【"Federal election" means any general, special or primary**
36 **held for the purpose of nominating or electing any candidate for the**
37 **office of President or Vice President of the United States,**
38 **Presidential elector, United States Senator or member of the United**
39 **States House of Representatives】** "Election" shall have the same
40 meaning as defined in R.S.19:1-1, and include any federal, State, or
41 local election, and any public question placed before the voters.

42 d. "Overseas voter" means any person in military service, or
43 that person's spouse, partner in civil union, domestic partner, or
44 dependent, who, by reason of the person's active duty or service,
45 is , in the case of the person, absent on the date of an election from
46 the place of residence in New Jersey where the person is or would
47 be qualified to vote, **【and】** or in the case of the person's spouse,

1 partner in civil union, domestic partner, or dependent, absent on the
2 date of an election from the place of residence in New Jersey where
3 that spouse, partner in civil union, domestic partner, or dependent,
4 is or would be qualified to vote.

5 The term also means any citizen of the United States residing
6 abroad who (1) immediately prior to **【his】** departure from the
7 United States was domiciled in New Jersey and (a) was last
8 registered to vote, or 【had all the qualifications】 last eligible to
9 register and vote, in New Jersey; or (b) **【had all the qualifications】**
10 would have been eligible to register and vote in New Jersey **【other**
11 **than having】** except that the citizen had not attained 18 years of age
12 **【but has since attained that age】** the requirement of which has since
13 been met; or (c) would have been eligible to register and vote in
14 New Jersey 【, but for residence , have the qualifications to register
15 and vote in New Jersey】 except that the citizen had not met the
16 residency requirement; (2) 【does not maintain a residence in the
17 United States and】 is not registered or qualified to vote elsewhere
18 in the United States; and (3) holds a valid passport or passport card
19 **【of identity and registration】 or other proof of citizenship** issued
20 under authority of the Secretary of State of the United States.

21 The term also means any citizen of the United States who was
22 born outside of the United States, is not described above, and,
23 except for the residency requirement of New Jersey, otherwise
24 satisfies the State’s voter eligibility requirements, if the last place
25 where a parent or legal guardian of the voter was, or under
26 P.L.1976, c.23 (C.19:59-1 et seq.) would have been, eligible to
27 register and vote before departure from the United States is within
28 New Jersey and the voter has not previously registered to vote
29 elsewhere in the United States.

30 e. "Electronic means" means any transmission made by an
31 electronic telefacsimile machine or a similar device or by any other
32 form of electronic transmission including, but not exclusive to
33 electronic mail, that transports an authentic copy of a document
34 from one user to another.

35 f. “Dependent” means an individual recognized as a dependent
36 by a military service.

37 g. “Federal postcard application” means the application
38 prescribed under section 101 of Pub.L.99-410 (42 U.S.C.
39 s.1973ff(b)(2)).

40 h. “Federal write-in absentee ballot” means the ballot described
41 under section 103 of Pub.L.99-410 (42 U.S.C. s.1973ff-2).

42 i. “Military service” means the active and reserve components
43 of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the
44 United States; the Merchant Marine; the commissioned corps of the
45 Public Health Service or the commissioned corps of the National
46 Oceanic and Atmospheric Administration of the United States; or

1 the National Guard or State militia.

2 (cf: P.L.2008, c.61, s.2)

3

4 26. Section 3 of P.L.1976, c.23 (C.19:59-3) is amended to read
5 as follows:

6 3. Upon compliance with the provisions of this act, P.L.1976,
7 c.23 (C.19:59-1 et seq.), any person meeting the qualifications of an
8 **["Overseas voter"]** overseas voter may register to vote and may
9 apply for and vote by absentee ballot in any election held in the
10 election district of this State in which the voter, or in the case of an
11 overseas voter who was born outside of the United States described
12 in paragraph (3) of subsection d. of section 2 of P.L.1976, c.23
13 (C.19:59-2), in which the voter's parent or legal guardian, was
14 formerly domiciled.

15 (cf: P.L.2008, c.61, s.3)

16

17 27. Section 4 of P.L.1976, c.23 (C.19:59-4) is amended to read
18 as follows:

19 4. a. Requests for an application to vote in an election as an
20 overseas voter may be made by or on behalf of an applicant to the
21 county clerk of the county in which the applicant, or in the case of
22 an overseas voter who was born outside of the United States
23 described in paragraph (3) of subsection d. of section 2 of P.L.1976,
24 c.23 (C.19:59-2), in which the applicant's parent or legal guardian,
25 was formerly domiciled, or to the Secretary of State of New Jersey
26 if the applicant does not know the county of **["the applicant's"]**
27 former domicile. All such applications shall be forwarded to such
28 voters by air mail or electronic means, if so requested by the voter.
29 Any overseas voter requesting that an application for a ballot be
30 sent to that voter by electronic means shall supply in the request to
31 the Secretary of State or the county clerk, as appropriate, the
32 telephone number and location to which the application is to be sent
33 or the electronic address of the voter, as may be appropriate, and, if
34 known, the address where the voter, or the voter's parent or legal
35 guardian, as appropriate, was domiciled before departure from the
36 United States. To qualify **["an applicant"]** for a ballot to be sent **["a**
37 **ballot"]** by air mail **["in order to vote in an election"]**, the applicant's
38 completed application shall be received by the appropriate county
39 clerk or the Secretary of State on or before the thirtieth day
40 preceding the election. To qualify **["an applicant to be sent"]** for a
41 ballot to be distributed by electronic means **["in order to vote in an**
42 **election"]**, the applicant's completed application shall be received by
43 the appropriate county clerk **["on or before the fourth day"]** or the
44 Secretary of State by 3:00 p.m. on the day preceding the election.

45 b. An overseas voter may use the federal postcard application
46 form to register to vote or to apply for an overseas ballot for **["a**
47 **federal"]** any election. The voter may send the form by air mail or

1 electronic means to either the appropriate county clerk or the
 2 Secretary of State and, in the case of **【an】** the use of a federal
 3 postcard application for a ballot, may request that the ballot be sent
 4 by air mail or electronic means. Any voter sending the form by
 5 electronic means shall also mail simultaneously the federal postcard
 6 application form to the appropriate county clerk or the Secretary of
 7 State. Any federal postcard application for a ballot sent by an
 8 overseas voter and received by a county clerk or the Secretary of
 9 State shall also be considered a request for registration if that voter
 10 is not already registered.

11 c. An overseas voter may use the federal write-in absentee
 12 ballot to vote in an election or to vote in favor or against any public
 13 question placed before the voters in an election. An overseas voter
 14 may use the federal write-in absentee ballot to register to vote, if
 15 that voter is not already registered, or to request an overseas ballot
 16 for all elections held during the calendar year in which the request
 17 is made. The voter may send the federal write-in absentee ballot by
 18 air mail or electronic means to either the appropriate county clerk or
 19 the Secretary of State and, in the case of the use of a federal write-
 20 in absentee ballot as an application for an overseas ballot, may
 21 request that the ballot be sent by air mail or electronic means. Any
 22 voter sending the federal write-in absentee ballot by electronic
 23 means shall also mail it simultaneously to the appropriate county
 24 clerk or the Secretary of State.

25 (cf: P.L.2008, c.61, s.4)

26

27 28. Section 5 of P.L.1976, c.23 (C.19:59-5) is amended to read
 28 as follows:

29 5. a. **【An】** Other than a federal postcard application or federal
 30 write-in absentee ballot, an application for an overseas ballot shall
 31 be in substantially the following form:

32 APPLICATION FOR AN OVERSEAS BALLOT

33 I, the undersigned, certify the following as a basis for an
 34 application as citizen of the United States residing outside the
 35 United States to receive a ballot to be voted at the election to be
 36 held on (date of election) **【that is to say】** for (fill in
 37 elected office or public question, or both):

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

39 2. I presently reside at (if mail should be
 40 addressed other than to my residence, also provide address for
 41 mail);

42 3. I was born on (month, day, year)

43 4. **【a.】** I hold a:

44 a. valid U.S. Passport #, dated, or

45 b. 【I hold a United States Citizens Identity and Registration
 46 Card (Form FS 225) dated issued by (name and

1 location of U.S. Embassy or Consulate) **】** valid U.S. Passport Card #
 2, dated, or

3 c. valid Certificate of Citizenship (Form N-600), dated
 4, or

5 d. other valid form of identification recognized as such under
 6 federal or state law: (form of identification), dated

7 5. a. Immediately prior to taking up residence abroad I was
 8 domiciled in New Jersey and resided at (street address),
 9 (municipality), (county) (If formerly registered
 10 to vote from that address check here ()) , or

11 b. I was born outside of the United States and my parent or
 12 legal guardian, before leaving the United States, was last domiciled
 13 in New Jersey, residing at (street address),
 14 (municipality),(county).

15 6. I **【**do not maintain a domicile in the United States and**】** am
 16 not registered, entitled or applying to vote in any state other than
 17 New Jersey.

18 7. I understand that any false statement knowingly made in this
 19 application subjects me to the penalties provided by law for
 20 fraudulent voting.

21 Applicant

22 (Signature)

23 Dated:..... Applicant

24 (Print or type name)

25 b. There shall also be sent to the applicant by air mail or
 26 electronic means such instructions and portions of the law or
 27 regulations as the Secretary of State shall direct.

28 c. Any overseas voter requesting that a ballot be sent to that
 29 voter by electronic means shall indicate on the application for the
 30 ballot the telephone number and location to which the ballot is to be
 31 sent or the electronic address of the voter, as may be appropriate.

32 (cf: P.L.2008, c.61, s.5)

33

34 29. Section 6 of P.L.1976, c.23 (C.19:59-6) is amended to read
 35 as follows:

36 6. Each county clerk, upon receipt of an application for an
 37 overseas ballot, including a federal postcard application, shall
 38 determine whether or not the applicant is qualified to vote such a
 39 ballot, make a list of those applications approved and disapproved,
 40 which list shall be open to inspection by election officials and the
 41 public, and shall forward an overseas ballot to each person whose
 42 application is approved. For each voter whose application is
 43 approved, the county clerk shall deliver to the county board of
 44 elections the completed application form for retention by the board
 45 for signature comparison with that on the certificate on the inner
 46 envelope containing the ballot upon its receipt.

47 (cf: P.L.2008, c.61, s.6)

1 30. Section 7 of P.L.1976, c.23 (C.19:59-7) is amended to read
2 as follows:

3 7. **【The】** Other than a federal write-in absentee ballot, the
4 county clerk shall prescribe the form of the overseas ballot.
5 (cf: P.L.2008, c.61, s.7)
6

7 31. Section 10 of P.L.1976, c.23 (C.19:59-10) is amended to
8 read as follows:

9 10. a. For overseas ballots other than such ballots sent to the
10 voter by electronic means, the procedure for completing the ballot
11 shall be as follows:

12 Upon completion of the ballot by indicating the voter's choice of
13 candidates for the offices named or the voter's choice regarding a
14 public question, or both, the ballot shall be placed in the inner
15 envelope and sealed. Upon completion and signing in the voter's
16 handwriting the certificate attached to the inner envelope, the inner
17 envelope shall be placed in the outer envelope, which when sealed
18 shall be mailed postage prepaid to the county board of elections
19 whose address is printed thereon.

20 b. For overseas ballots sent to the voter by electronic means,
21 the procedure for completing the ballot shall be as follows:

22 After the ballot is received and completed by the voter by
23 indicating that person's choice of candidates for the offices named
24 or that person's choice regarding a public question, or both, the
25 ballot shall be placed in a secure envelope. Upon completion and
26 signing in the voter's handwriting of the certificate sent to the voter
27 pursuant to section 8 of P.L.1976, c.23 (C.19:59-8), it shall be
28 placed in the same envelope as the voted ballot. The envelope shall
29 then be sealed securely and sent immediately by air mail to the
30 appropriate county board of elections in this State.

31 c. Notwithstanding the provisions of subsections a. and b. of
32 this section, a copy of a voted overseas ballot may be transmitted by
33 electronic means to the appropriate county board of elections in this
34 State. Such a ballot shall be subject to the provisions of sections 3
35 and 4 of P.L.1995, c.195 (C.19:59-14 and C.19:59-15).

36 (cf: P.L.2008, c.61, s.11)
37

38 32. Section 12 of P.L.1976, c.23 (C.19:59-12) is amended to
39 read as follows:

40 12. An overseas voter may request, on any application form
41 used, an overseas ballot for all elections held during the calendar
42 year in which the request is made. Any instructions sent to an
43 applicant pursuant to section 5 of P.L.1976, c.23 (C.19:59-5) shall
44 inform the applicant that such a request may be made. If such a
45 request is made, an overseas ballot shall be sent in a timely manner
46 to the voter for all such elections and by the transmission method
47 first requested by the voter unless the voter instructs otherwise.

48 (cf: P.L.2008, c.61, s.13)

1 33. Section 26 of P.L.2011, c.37 (C.19:59-16) is amended to
2 read as follows:

3 26. For the purpose of complying with the federal “Uniformed
4 and Overseas Citizens Absentee Voting Act,” 42 U.S.C. s. 1973ff-1
5 et seq., the office of the Secretary of State shall:

6 a. be designated as the single State office responsible for
7 providing information to all overseas voters who wish to register to
8 vote or vote in any jurisdiction in the State with respect to voter
9 registration procedures and vote by mail procedures to be used by
10 overseas voters for all elections **【for federal offices】** ;

11 b. work with the federal Election Assistance Commission and
12 the federal Department of Defense to develop standards to report
13 data on the number of overseas voter ballots transmitted and
14 received by mail or electronic means pursuant to the “Overseas
15 Residents Absentee Voting Law,” P.L.1976, c.23 (C.19:59-1 et
16 seq.) and section 7 of P.L.2004, c.88 (C.19:61-7); and

17 c. provide such additional information relating to voting by
18 overseas voters from this State as the Department of Defense
19 determines is necessary.

20 (cf: P.L.2011, c.37, s.26)

21

22 34. (New section) An electronic address provided by an
23 overseas voter to the county clerk or the Secretary of State shall not
24 be made available to the public or any individual or organization
25 other than an authorized agent of the county clerk or the Secretary
26 of State and shall be exempt from disclosure under P.L.1963, c.73
27 (C.47:1A-1 et seq.). The address may be used only for official
28 communications with the voter that are related to the voting
29 process, including transmitting ballots and election materials if the
30 voter has requested electronic transmission, and verifying the
31 voter’s mailing address and physical location. The request for an
32 electronic address shall describe the purposes for which the
33 electronic address may be used and include a statement that any
34 other use or disclosure of the electronic address is prohibited.

35

36 35. (New section) If a voter’s mistake or omission in the
37 completion of a document does not prevent a determination of
38 whether a voter is eligible to vote, the mistake or omission shall not
39 invalidate the document. Failure to satisfy a technical requirement,
40 such as using paper or envelopes of a specified size or weight, shall
41 not invalidate the submitted document. In the case of a federal
42 write-in absentee ballot or a vote for a write-in candidate on a
43 regular ballot, if the intention of the voter is discernable, an
44 abbreviation, misspelling, or other minor variation in the form of
45 the name of a candidate or a political party shall be accepted as a
46 valid vote.

47 This section shall be applied consistent with the requirements of
48 subsection d. of section 4 of P.L.1995, c.195 (C.19:59-15).

1 36. (New section) A court may issue an injunction or grant
2 other appropriate equitable relief to ensure substantial compliance
3 with, or enforcement of, the “Overseas Residents Absentee Voting
4 Law,” P.L.1976, c.23 (C.19:59-1 et seq.), on application by a voter
5 alleging a grievance under that law or by an election official in this
6 State.

7
8 37. Section 8 of P.L.2005, c.148 (C.19:62-8) is amended to read
9 as follows:

10 8. Prior to transmitting a ballot to the county board of
11 elections, a registered voter shall mark it and place it in the inner
12 envelope. The inner envelope shall then be placed in the outer
13 envelope and that envelope shall be signed and certified by the
14 voter pursuant to instructions provided with the ballot. The voter
15 may return the envelopes containing the marked ballot to the county
16 board by United States mail or by depositing it at the office of the
17 county board or any other place of deposit designated for that
18 purpose. **【If the voter returns the ballot by United States mail, the**
19 **voter shall provide the postage.】** Each outer envelope shall be a
20 postage prepaid return envelope.

21 (cf: P.L.2005, c.148, s.8)

22
23 38. Section 3 of P.L.2009, c.79 (C.19:63-3) is amended to read
24 as follows:

25 3. a. A qualified voter shall be entitled to vote using a mail-in
26 ballot in any election held in this State.

27 b. Not less than seven days before an election in which a voter
28 wants to vote by mail, the voter may apply to the person designated
29 in section 5 of P.L.2009, c.79 (C.19:63-5), for a mail-in ballot. The
30 application shall be in writing, shall be signed by the applicant and
31 shall state the applicant's place of voting residence and the address
32 to which the ballot shall be sent. The Secretary of State shall
33 prepare a mail-in application form and shall have the authority to
34 promulgate any rules and regulations the secretary deems necessary
35 to effectuate the purposes of this subsection. A voter registration
36 form shall also be usable for this purpose.

37 c. Any voter wanting to vote by mail in any election may apply
38 to the person designated in section 5 of P.L.2009, c.79 (C.19:63-5)
39 for a mail-in ballot to be sent to the voter. A voter who is a member
40 of the armed forces of the United States may use a federal postcard
41 application form to apply for a mail-in ballot.

42 d. Any voter who fails to apply for a mail-in ballot before the
43 seven-day period prescribed in subsection b. of this section may
44 apply in person to the county clerk for a mail-in ballot up to 3 p.m.
45 of the day before the election.

46 e. (1) A voter who wishes to vote only by mail-in ballot in all
47 future **【general】** elections, including general elections, in which the
48 voter is eligible to vote, and who states that on an application for a

1 mail-in ballot, shall be furnished such a ballot by the county clerk
2 without further request on the part of the voter and until the voter
3 requests that the voter no longer be sent a mail-in ballot. A voter
4 shall also have the option to indicate on an application for a mail-in
5 ballot that the voter would like to receive such a ballot for **[each**
6 election that takes place during the remainder of the calendar year
7 in which the application is completed and submitted] future general
8 elections only. A voter who exercises this option shall be furnished
9 with a mail-in ballot for each future general election **[that takes**
10 place during the remainder of the calendar year] without further
11 request by the voter. A person voting by mail-in ballot who
12 registered by mail after January 1, 2003, who did not provide
13 personal identification information when registering pursuant to
14 section 16 of P.L.1974, c.30 (C.19:31-6.4) and is voting for the first
15 time in his or her current county of residence following registration
16 shall include copies of the required identification information with
17 the mail-in ballot. Failure to include such information with the
18 mail-in ballot shall result in its rejection.

19 (2) In the event that a voter who has requested a mail-in ballot
20 for all future elections does not complete and return such a ballot
21 for canvassing for four consecutive elections following the election
22 at which the voter last voted, the voter shall be treated as if he or
23 she requested a mail-in ballot for future general elections only and
24 shall continue to be furnished with mail-in ballots for future general
25 elections in accordance with paragraph (3) of this subsection, and
26 the ability of such a voter to receive a mail-in ballot for future
27 elections other than general elections shall be suspended until the
28 voter submits a new application for such a ballot that indicates that
29 the voter wishes to receive a ballot for all future elections.

30 **[(2)]** (3) In the event that a voter who has requested a mail-in
31 ballot for **[all]** future general elections only does not complete and
32 return such a ballot for canvassing for the fourth general election
33 following the general election at which the voter last voted, the
34 county clerk shall send a notice to that voter to ascertain whether he
35 or she continues to reside at the address from which that voter is
36 registered to vote and continues to be eligible to vote. If the notice
37 is not completed and returned by the voter to the clerk before the
38 **[40th]** 45th day prior to the next general election, a mail-in ballot
39 shall not be sent to the voter for that general election. The ability of
40 such a voter to receive a mail-in ballot for **[all]** future general
41 elections only shall be suspended until the voter submits a new
42 application for such a ballot that indicates that the voter wishes to
43 receive **[the]** a ballot for **[all]** future general elections only or for
44 all future elections.

45 **[(3)]** (4) The county clerk shall not transmit a mail-in ballot
46 for any election to any person who is deemed by a county
47 commissioner of registration to be an inactive voter or whose

1 registration file has been transferred to the deleted file pursuant to
2 R.S.19:31-19.

3 (5) Any mail-in ballot that is sent to a qualified voter and that is
4 returned to the county clerk for any reason shall be forwarded to the
5 commissioner of registration, who shall so note the return in the
6 voter record of that voter.
7 (cf: P.L.2009, c.79, s.3)

8
9 39. (New section) a. Any voter who has opted to receive a
10 mail-in ballot for all future elections, or for future general elections
11 only, pursuant to law, and has not returned a voted ballot to the
12 county board of elections but appears with a mail-in ballot at the
13 polling place to which the voter would be assigned if voting in
14 person on the day of a general election or any other election, shall
15 be permitted to vote in person by using the same voting machine
16 used by other qualified voters at that polling place after the voter
17 surrenders the mail-in ballot to a designated poll worker. All mail-
18 in ballots thus collected shall be transmitted to the county board of
19 elections by the designated poll worker after the closing of the
20 polls.

21 b. Any voter who has applied for and received a mail-in ballot
22 and has not returned the voted mail-in ballot to the county board of
23 elections or given it to a bearer for that purpose, but appears at the
24 polling place in the voter's election district on the day of the
25 election without the mail-in ballot and wishes to vote, shall be
26 permitted to vote in person by provisional ballot, as provided for in
27 section 20 of P.L.2009, c.79 (C.19:63-20).

28 c. The Secretary of State shall promulgate regulations to: (1)
29 establish a procedure for the collection and processing of mail-in
30 ballots by the county board of elections under subsection a. of this
31 section; and (2) record that a voter has been permitted to vote at the
32 polling place of the voter's election district on the day of an
33 election after surrendering a mail-in ballot.

34
35 40. (New section) Notwithstanding the provisions of R.S.19:14-
36 25 or R.S.19:23-30 to the contrary, the sample ballot for a general
37 election, or any other election, shall not be mailed to any qualified
38 voter who has been sent a mail-in ballot for that election, pursuant
39 to section 3 of P.L.2009, c.79 (C.19:63-3).

40
41 41. Section 5 of P.L.2009, c.79 (C.19:63-5) is amended to read
42 as follows:

43 5. In the case of any election, the application for a mail-in
44 ballot shall be made to the county clerk. The county clerk shall
45 stamp thereon the date on which the application was received in the
46 clerk's office.

47 In the case of applications for overseas federal election voter
48 ballots, as provided for in P.L.1976, c.23 (C.19:59-1 et seq.), no

1 application shall be refused on the grounds that it was submitted too
2 early.

3 In the case of voter registration forms that include a selected vote
4 by mail option, a copy of each such form shall be transmitted to and
5 received by the appropriate county clerk, who shall be responsible
6 for providing mail-in ballots to each qualified voter requesting such
7 ballots for the future elections indicated on the voter registration
8 form, until the voter requests otherwise.

9 (cf: P.L.2009, c.79, s.5)

10

11 42. Section 6 of P.L.2009, c.79 (C.19:63-6) is amended to read
12 as follows:

13 6. a. The county clerk, in the case of any Statewide election,
14 countywide election, or school election in a regional or other school
15 district comprising more than one municipality; the municipal clerk,
16 in the case of any municipal election or school election in a school
17 district comprising a single municipality; and the commissioners or
18 other governing or administrative body of the district, in the case of
19 any election to be held in any fire district or other special district,
20 other than a municipality, created for specified public purposes
21 within one or more municipalities, shall publish the following
22 notice in substantially the following form:

23 NOTICE TO PERSONS WANTING MAIL-IN BALLOTS

24 If you are a qualified and registered voter of the State who wants
25 to vote by mail in the..... (school, municipal, primary,
26 general, or other) election to be held on..... (date of election)
27 **【**complete the application form below and send to the undersigned,
28 or write or apply in person to the undersigned at once requesting
29 that a mail-in ballot be forwarded to you. The request must state
30 your home address and the address to which the ballot should be
31 sent. The request must be dated and signed with your signature.

32 If any person has assisted you to complete the mail-in ballot
33 application, the name, address and signature of the assistor must be
34 provided on the application, and you must sign and date the
35 application for it to be valid and processed. No person shall serve
36 as an authorized messenger for more than 10 qualified voters in an
37 election. No person who is a candidate in the election for which the
38 voter requests a mail-in ballot may provide any assistance in the
39 completion of the ballot or may serve as an authorized messenger or
40 bearer.

41 No mail-in ballot will be provided to any applicant who submits
42 a request therefor by mail unless the request is received at least
43 seven days before the election and contains the requested
44 information. A voter may, however, request an application in
45 person from the county clerk up to 3 p.m. of the day before the
46 election.

47 Voters who want to vote only by mail in all future general
48 elections only in which they are eligible to vote, and who state that

1 on their application shall, after their initial request and without
2 further action on their part, be provided a mail-in ballot by the
3 county clerk until the voter requests that the voter no longer be sent
4 such a ballot. A voter's failure to vote in the fourth general election
5 following the general election at which the voter last voted may
6 result in the suspension of that voter's ability to receive a mail-in
7 ballot for all future general elections unless a new application is
8 completed and filed with the county clerk.】 , the following applies:

9 You must complete the application form below and send it to the
10 county clerk where you reside, write or apply in person to the
11 county clerk where you reside, or use a voter registration form to
12 request a mail-in ballot.

13 The name, address, and signature of any person who has assisted
14 you to complete the mail-in ballot must be provided on the
15 application, and you must sign and date the application.

16 No person may serve as an authorized messenger for more than
17 10 qualified voters in an election.

18 No person who is a candidate in the election for which the voter
19 requests a mail-in ballot may provide assistance in the completion
20 of the ballot or serve as an authorized messenger or bearer.

21 A person who applies for a mail-in ballot must submit his or her
22 application at least seven days before the election, but such person
23 may request an application in person from the county clerk up to 3
24 p.m. of the day before the election.

25 Voters who want to vote by mail in all future elections will, after
26 their initial request and without further action on their part, be
27 provided with a mail-in ballot until the voter requests otherwise.

28 Voters who want to vote only by mail in future general elections
29 only will, after their initial request and without further action on
30 their part, be provided with a mail-in ballot until the voter requests
31 otherwise.

32 A voter's failure to vote in four consecutive elections following
33 the election at which the voter last voted will result in the
34 suspension of that voter's ability to receive a mail-in ballot for
35 future elections, unless a new application is completed and filed
36 with the county clerk.

37 **【Voters also have the option of indicating on their mail-in ballot**
38 **applications that they would prefer to receive mail-in ballots for**
39 **each election that takes place during the remainder of this calendar**
40 **year. Voters who exercise this option will be furnished with mail-in**
41 **ballots for each election that takes place during the remainder of**
42 **this calendar year, without further action on their part.】**

43 Application forms may be obtained by applying to the
44 undersigned either in writing or by telephone, or the application
45 form provided below may be completed and forwarded to the
46 undersigned.

47
48 Dated.....

1
2 (signature and title of county clerk)
3
4 (address of county clerk)
5
6 (telephone no. of county clerk)
7 b. (1) The Secretary of State shall be responsible for providing
8 all information regarding overseas ballots to each overseas voter
9 eligible for such a ballot pursuant to P.L.1976, c.23 (C.19:59-1 et
10 seq.). The secretary shall also make available valid overseas voter
11 registration and ballot applications to any voter who is a member of
12 the armed forces of the United States and who is a permanent
13 resident of this State, or who is an overseas voter who wishes to
14 register to vote or to vote in any jurisdiction in this State. The
15 secretary shall provide such public notice as may be deemed
16 necessary to inform members of the armed forces of the United
17 States and overseas voters how to obtain valid overseas voter
18 registration and ballot applications.
19 (2) The Secretary of State shall undertake a program to inform
20 voters in this State about their eligibility to vote by mail pursuant to
21 this act. Dissemination of this information shall be included in the
22 standard notices required by this section and other provisions of
23 current law, including but not limited to the notice requirements of
24 R.S.19:12-7, and shall be effectuated by such means as the secretary
25 deems appropriate and to the extent that funds for such
26 dissemination are appropriated including, but not limited to, by
27 means of Statewide or local electronic media, public service
28 announcements broadcast by such media, notices on the Internet site
29 of the Department of State or any other department or agency of the
30 Executive Branch of State government or its political subdivisions
31 deemed appropriate by the secretary, and special mailings or notices
32 in newspapers or other publications circulating in the counties or
33 municipalities of this State.
34 c. The mail-in ballot materials shall contain a notice that any
35 person voting by mail-in ballot who has registered by mail after
36 January 1, 2003, who did not provide personal identification
37 information when registering and is voting for the first time in his
38 or her current county of residence following registration shall
39 include copies of the required identification information with the
40 mail-in ballot, and that failure to include such information shall
41 result in the rejection of the ballot.
42 d. The notice provided for in subsection a. of this section shall
43 be published before the 55th day immediately preceding the holding
44 of any election.
45 Notices relating to any Statewide or countywide election shall be
46 published in at least two newspapers published in each county. All
47 officials charged with the duty of publishing such notices shall
48 publish the same in at least one newspaper published in each

1 municipality or district in which the election is to be held, or if no
2 newspaper is published in the municipality or district, then in a
3 newspaper published in the county and circulating in the
4 municipality or district. All such notices shall be display
5 advertisements.

6 (cf: P.L.2011, c.134, s.50)

7
8 43. Section 12 of P.L.2009, c.79 (C.19:63-12) is amended to read
9 as follows:

10 12. Each county clerk shall send, with each mail-in ballot,
11 printed directions for the preparation and transmitting of the ballots
12 as required by this act. The directions shall be printed in such
13 manner and form as the Secretary of State shall require, together
14 with two envelopes of such sizes that one will contain the other.

15 The outer envelope shall be addressed to the county board of
16 elections of the county in which is located the home address of the
17 person to whom the mail-in ballot is sent, as certified by the county
18 clerk. **【At the discretion of the county clerk, the】** The outer
19 envelope **【may】** shall be a postage **【paid】** prepaid return envelope.
20 On the outside and front of each outer envelope, there shall be
21 printed or stamped the following:

22 To protect your vote:

23 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU
24 THE VOTER TO MAIL OR TRANSPORT THIS BALLOT
25 UNLESS THE ENVELOPE IS SEALED AND THE FOLLOWING
26 IS COMPLETED:

27 Ballot mailed or transported by

28 (signature of bearer)

29 (print name of bearer)

30 (address of bearer)

31 The reserve side of the outer envelope shall contain the
32 following:

33 REMINDER

34 For your vote to count, you must:

35 1) Vote your ballot and place it in the inner envelope with the
36 attached certificate.

37 2) Seal the envelope.

38 3) Place the envelope into the larger envelope addressed to the
39 board of elections and seal that envelope.

40 4) If another person will be mailing your ballot or bringing it to
41 the board of elections, MAKE CERTAIN THAT PERSON
42 COMPLETES THE "BEARER PORTION" ON THE ENVELOPE
43 ADDRESSED TO THE BOARD OF ELECTIONS BEFORE THE
44 BALLOT IS TAKEN FROM YOU. NO PERSON WHO IS A
45 CANDIDATE IN THE ELECTION FOR WHICH THE VOTER
46 REQUESTS THIS BALLOT IS PERMITTED TO SERVE AS A
47 BEARER.

1 The Secretary of State is authorized to make such changes to the
 2 instructions for mail-in ballot materials as the Secretary of State
 3 deems necessary or as is mandated by federal or State law.

4 The inner envelope shall be so designed that it can be sealed
 5 after the mail-in ballot has been placed therein and the flap thereof
 6 shall be of such length and size as to leave sufficient margin, after
 7 sealing, for the printing thereon of the certificate hereinafter
 8 described. The flap shall be so arranged that, after the inner
 9 envelope has been sealed, the certificate can be contained, with the
 10 inner envelope, in the outer envelope, and that the margin
 11 containing the certificate can be detached without unsealing the
 12 inner envelope.

13 On the outside of each envelope in which a mail-in ballot is sent
 14 to a mail-in voter by the clerk, there shall be printed or stamped the
 15 words "Official Mail-In Ballot." In addition, there shall be printed
 16 or stamped the following:

17 To protect your vote:

18 IT IS AGAINST THE LAW FOR ANYONE EXCEPT YOU
 19 THE VOTER TO OPEN, MARK, INSPECT OR SEAL THIS
 20 BALLOT.

21 However, a family member may assist you in doing so.

22 The reverse side of each inner envelope shall contain the
 23 following statement:

24 A PERSON MAY BE FINED AND IMPRISONED AND MAY
 25 ALSO LOSE THE RIGHT TO VOTE UNTIL RESTORED BY
 26 LAW if that person attempts to vote fraudulently by mail-in ballot,
 27 prevents the voting of a legal voter, certifies falsely any
 28 information, interferes with a person's secrecy of voting, tampers
 29 with ballots or election documents or helps another person to do so.

30 (cf: P.L.2009, c.79, s.12)

31

32 44. Section 13 of P.L.2009, c.79 (C.19:63-13) is amended to
 33 read as follows:

34 13. a. On the margin of the flap on the inner envelopes to be
 35 sent to mail-in voters there shall be printed a certificate in the
 36 following form:

37 CERTIFICATE OF MAIL-IN VOTER

38 I,, whose home address is

39 (print your name clearly) (street

40, DO HEREBY CERTIFY,

41 address or R.D. number) (municipality) **【Subject】** subject to the
 42 penalties for fraudulent voting, that I am the person who applied for
 43 the enclosed ballot. I MARKED AND SEALED THIS BALLOT
 44 AND CERTIFICATE IN SECRET. However, a family member
 45 may assist me in doing so.

46

47 (signature of voter)

48 Any person providing assistance shall complete the following:

1 I do hereby certify that I am the person who provided assistance
2 to this voter and declare that I will maintain the secrecy of this
3 ballot.

4
5 (signature of person providing
6 assistance)
7
8 (printed name of person providing
9 assistance)
10
11
12 (address of person providing
13 assistance)

14 b. On the margin of the flap on the inner envelope forwarded
15 with any mail-in ballot intended to be voted in any primary election
16 for the general election, as the case may be, there shall be printed a
17 certificate in the following form:

18 CERTIFICATE OF MAIL-IN VOTER

19 I,, whose home address is.....
20 (print your name clearly) (street address or R.D.
21 number) (municipality)
22, DO HEREBY CERTIFY,
23 subject to the penalties for fraudulent voting, that I am the person
24 who applied for the enclosed ballot for the primary election. I
25 MARKED AND SEALED THIS BALLOT AND CERTIFICATE
26 IN SECRET. However, a family member may assist me in doing
27 so.

28
29 (signature of voter)

30 Any person providing assistance shall complete the following:

31 I do hereby certify that I am the person who provided assistance
32 to this voter and declare that I will maintain the secrecy of this
33 ballot.

34
35 (signature of person providing
36 assistance)
37
38 (printed name of person
39 providing assistance)
40
41
42 (address of person providing
43 assistance)

44 c. The clerk of each county shall be permitted to affix to the
45 margin of the flap on the inner envelope of the mail-in ballot
46 transmitted thereby to a mail-in ballot voter an alternative
47 certificate, substantially similar to the certificate provided for by
48 subsection a. or b. of this section, that permits the voter to certify

1 the correctness of the voter's name, street, mailing address or R.D.
2 number, and municipality, as it appears on the label of the mail-in
3 ballot received by the voter.

4 (cf: P.L.2011, c.134, s.53)

5
6 45. Section 20 of P.L.2009, c.79 (C.19:63-20) is amended to
7 read as follows:

8 20. a. Any person who has applied for a mail-in ballot and has
9 had the mail-in ballot either delivered in person or forwarded by
10 mail, and voted and returned the voted ballot to the county board,
11 shall not be permitted to vote in person at the polling place in the
12 voter's election district on the day of the election.

13 b. Any person who: (1) has applied for a mail-in ballot and not
14 received either the ballot or an explanation for not receiving such a
15 ballot pursuant to notification by the county clerk or from the free-
16 access system established pursuant to section 5 of P.L.2004, c.88
17 (C.19:61-5) to provide such information; **【or】** (2) has applied for
18 and received a mail-in ballot and has not transmitted it to the county
19 board of elections or given it to a bearer for delivery to the county
20 board before the time for the opening of the polls on the day of an
21 election; or (3) has applied for and received a mail-in ballot and has
22 not transmitted it to the county board of elections or given it to the
23 bearer for delivery to the county board, but appears at the polling
24 place without the ballot and wishes to vote, shall be permitted to
25 vote in person by provisional ballot at the polling place in the
26 voter's election district on the day of the election.

27 (cf: P.L.2009, c.79, s.20)

28
29 46. (New section) There is hereby established in the Division of
30 Elections in the Department of State an Office of Accessible
31 Elections. It shall be the duty of the office to monitor accessibility
32 problems arising in the course of election administration; receive
33 complaints from voters; inform the Secretary of State on best
34 practices in making the various election processes, technologies,
35 materials, and procedures accessible to persons with disabilities;
36 and disseminate that information among all election jurisdictions in
37 this State. When appropriate, the office shall work closely with the
38 Voting Accessibility Advisory Committee in each county,
39 established pursuant to section 11 of P.L.1991, c.429 (C.19:8-3.7),
40 in undertaking its duties. The office shall also work with the
41 Secretary of State to ensure that all Internet sites administered by
42 the Division of Elections are available to the public in both English
43 and Spanish languages and are accessible to persons with
44 disabilities within six months following the effective date of this
45 section.

46
47 47. (New section) Upon application for reimbursement by a
48 county governing body or a municipal governing body, as may be

1 appropriate, to the Secretary of State and approval of the
2 application by the Director of the Division of Budget and
3 Accounting in the Department of the Treasury, a county or
4 municipality shall be reimbursed by the State for any additional
5 costs incurred by the county or municipality as a result of providing
6 postage for voted ballots that are returned by mail, pursuant to the
7 provisions of this act, P.L. , c. (pending before the Legislature as
8 this bill). There shall be appropriated annually from the General
9 Fund to the Secretary of State such sums as the State Treasurer and
10 the Director of the Division of Budget and Accounting in the
11 Department of the Treasury determine are necessary for the State to
12 reimburse counties and municipalities for any additional costs
13 incurred as a result of providing postage for voted ballots that are
14 returned by mail, pursuant to the provisions of this act, P.L. ,
15 c. (pending before the Legislature as this bill).

16
17 48. (New section) a. No political party or person shall:

18 (1) engage in or implement a deceptive voting practice or
19 authorize or aid, abet, counsel, command, induce, procure, conspire
20 with, or direct another political party or person to engage in or
21 implement a deceptive voting practice;

22 (2) intentionally obscure the identity, or authorize or aid, abet,
23 counsel, command, induce, procure, conspire with, or direct another
24 political party or person to obscure the identity, of the political
25 party or person engaging in a deceptive voting practice;

26 (3) direct, authorize, or encourage any person to deface or
27 remove any lawfully placed printed or electronic material or signs
28 advocating the election or defeat of a candidate or the adoption or
29 defeat of a public question;

30 (4) implement a deceptive voting practice in any election district
31 in which a decision to conduct such activities would be based on the
32 racial or ethnic composition of the district, provided that the
33 conduct of such activities in, or directed toward, an election district
34 having a substantial proportion of racial or ethnic populations shall
35 be considered relevant evidence that the decision is based on the
36 racial or ethnic composition of the district;

37 (5) seek to have any private individual deputized as a member of
38 law enforcement in connection with a deceptive voting practice; or

39 (6) authorize, direct, or encourage any individual to dress or
40 conduct himself or herself in a manner that falsely implies that the
41 individual is a member of law enforcement in connection with a
42 deceptive voting practice.

43 b. As used in this section,

44 “deceptive voting practice” means the knowing provision of false
45 information to any other person or political party regarding the
46 time, place, or manner of conducting any election in this State or
47 the qualifications for or restrictions on voter, candidate, or petition
48 signer eligibility for any election in this State; or the use or

1 attempted use of intimidation, threats, or coercion to prevent
2 potential voters from registering to vote or to prevent voters or
3 potential voters from casting a free and secret ballot in any election
4 in this State. A deceptive voting practice shall include the mailing,
5 publishing, broadcasting, telephoning or transmitting by any means
6 of any information that would otherwise constitute a deceptive
7 voting practice;

8 "person" means any corporation, association, operation, firm,
9 partnership, trust or other form of business or political association,
10 as well as a natural person; and

11 "political party" means a party which, at the most recently
12 preceding general election held for all of the members of the
13 General Assembly, polled for members of the General Assembly at
14 least 10% of the total vote cast in this State.

15 c. Any political party or person violating this section shall be
16 guilty of a crime of the third degree. Each violation of this section
17 shall constitute a separate violation.

18 d. Nothing contained in this section shall be construed as
19 interfering with the responsibilities of challengers appointed
20 pursuant to N.J.S.19:7-1 et seq.

21

22 49. (New section) Each county board of elections, immediately
23 following the certification of the election results of each election,
24 shall document and account for any allegation of voter fraud that
25 arose during the election and how each allegation was addressed.
26 Each county board shall prepare a report with that information
27 which shall be submitted to the Secretary of State within 30 days
28 following the certification of the election results. The Secretary of
29 State shall annually prepare a report containing the information
30 submitted to it by each county board of elections, detailing all of the
31 allegations of voter fraud that arose during the election and how
32 they were addressed in each county. The report shall be prepared
33 by the Secretary of State within 180 days following the election,
34 and shall be made available to the public on the website of the New
35 Jersey Division of Elections. Every five years the secretary shall
36 prepare a report to be submitted to the Governor, and to the
37 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),
38 containing recommendations on how the election laws should be
39 amended or supplemented to prevent voter fraud.

40

41 50. There is appropriated from the General Fund to the Secretary
42 of State such sums as the State Treasurer and the Director of the
43 Division of Budget and Accounting in the Department of the
44 Treasury determine are necessary for the State to reimburse
45 counties and municipalities for any additional costs incurred as a
46 result of providing postage for voted ballots that are returned by
47 mail, pursuant to the provisions of this act, P.L. , c. (pending
48 before the Legislature as this bill).

1 or her social security number. Upon submission of the online voter
2 registration form, the electronic voter registration system must
3 immediately verify that the applicant has a New Jersey driver's
4 license or non-driver identification card; that the number for that
5 driver's license or non-driver identification card provided by the
6 applicant matches the number for that person's driver's license or
7 non-driver identification card that is on file with the New Jersey
8 Motor Vehicle Commission; and that the date of birth provided by
9 the applicant matches the date of birth for that person that is on file
10 with the New Jersey Motor Vehicle Commission. The system must
11 also automatically acknowledge that the online voter registration
12 form has been submitted successfully, and provide instructions on
13 how the person completing the voter registration form may follow-
14 up on the status of the submission either online or by contacting the
15 appropriate county commissioner of registration.

16 Under the bill, an applicant completing the online voter
17 registration form must affirmatively attest to the truth of the
18 information provided therein, and affirmatively assent to the use of
19 his or her signature from his or her driver's license or non-driver
20 identification card. For each online voter registration form, the
21 secretary must obtain an electronic copy of the applicant's signature
22 from his or her driver's license or non-driver identification card
23 directly from the New Jersey Motor Vehicle Commission. The
24 secretary would promulgate deadlines for when an online voter
25 registration form submitted by an applicant would be effective
26 ahead of an election to be held in the election district of the
27 applicant submitting the form.

28 The bill also provides that, if an applicant cannot electronically
29 submit the identification information required, the applicant must
30 nevertheless be able to complete the online voter registration form
31 electronically on the Secretary of State's Internet website, print a
32 paper copy of the completed form, and mail or deliver the paper
33 copy of the completed form to the Secretary of State or the
34 appropriate county election official. In those cases, the applicant
35 must provide the same identification and documents required under
36 current law in connection with paper voter registration forms, as
37 specified under R.S.19:31-5. The online voter registration Internet
38 site would be available in both English and in any other language
39 primarily spoken by at least one half of one percent of New Jersey's
40 population, and must be accessible to individuals with disabilities.

41 The information on the online voter registration forms would be
42 electronically transferred by county commissioners of registration
43 into the Statewide voter registration system already established by
44 law. Under the bill, online voter registration must be implemented
45 by July 1, 2016.

1 *Automatic Voter Registration*

2

3 The bill requires the New Jersey Motor Vehicle Commission
4 (NJMVC) to automatically transmit applicant information to the
5 Secretary of State for automatic voter registration purposes
6 (sections 13, 21 through 23). The bill also permits an applicant to
7 decline to finalize a voter registration form within 21 days of
8 receiving a notice of voter registration from the county
9 commissioner of registration.

10 Under current law, a person may register to vote at various
11 locations, including designated public agencies, voter registration
12 agencies, and when applying for a driver's license. Completed
13 voter registration forms are submitted from these entities to the
14 Secretary of State or the appropriate county commissioner of
15 registration for processing. This bill would require the Chief
16 Administrator of the NJMVC to transmit to the Secretary of State
17 electronic records containing the legal name, age, residence,
18 citizenship, and digitized signature of each applicant for a motor
19 vehicle driver's license or non-driver identification card who meets
20 the criteria specified by the Secretary of State that would qualify
21 that applicant as a legal voter, for automatic voter registration
22 purposes.

23 Under the bill, upon receiving the applicant's electronic record
24 and digitized signature, the Secretary of State would transmit the
25 information to the county commissioner of registration of the
26 county in which the applicant resides. The county commissioner of
27 registration would notify each applicant, by mail, of the automatic
28 voter registration, and would inform each applicant of the process
29 to decline being registered to vote or, if not declining, of the option
30 to select a political party affiliation. If an applicant does not
31 decline the voter registration within 21 calendar days after the
32 county commissioner of registration issues the notification, the
33 applicant's electronic record and digitized signature would
34 constitute a complete voter registration form. The applicant would
35 be registered to vote if the county commissioner of registration
36 determines that the applicant is eligible to register to vote pursuant
37 to Article II, Section I, paragraph 3 of the New Jersey Constitution
38 and Title 19 of the Revised Statutes, and is not disqualified. A
39 county commissioner of registration would be required to delete the
40 electronic record and digitized signature of a person who declines to
41 be registered to vote.

42 The bill also requires the Chief Administrator to transmit to the
43 Secretary of State the electronic record and digitized signature of an
44 applicant who is updating the legal name or address information on
45 an existing motor vehicle driver's license or non-driver
46 identification card, who meets the criteria specified by the Secretary
47 of State that would qualify that applicant as a legal voter, for

1 automatic voter registration purposes and for updating an existing
2 voter registration record.

3 Under the bill, the Secretary of State must develop an
4 informational pamphlet to be provided to each applicant for a motor
5 vehicle driver's license or non-driver identification card describing
6 the process for automatic voter registration. The secretary, in
7 consultation with the Chief Administrator of the New Jersey Motor
8 Vehicle Commission, is directed to promulgate the rules and
9 regulations necessary to implement the bill. The automatic voter
10 registration process would be implemented by the secretary and the
11 chief administrator by January 1, 2017.

12 These provisions are modeled after an automatic voter
13 registration law recently enacted in Oregon.

14

15 *Pre-registration of 17-year-olds*

16

17 The bill allows a 17-year-old to file a voter registration form
18 (section 12). Under current law, a person who at the time he or she
19 applies to register to vote resides in the district in which he or she
20 expects to vote, and who will be 18 years old or more at the next
21 ensuing election, is permitted to register to vote, provided the
22 person: (1) is a citizen of the United States; (2) continues to reside
23 in the district until the next election; and (3) will, at the time of the
24 election, have fulfilled all the requirements as to length of residence
25 to qualify him or her as a legal voter. This section of the bill
26 clarifies that a person who is 17 years of age will be able to register
27 to vote, and may vote at the next election occurring on or after the
28 person's 18th birthday.

29

30 *Language Accessibility*

31

32 The bill expands various language accessibility provisions in
33 current law by lowering the population threshold that triggers
34 requirements for the publication of certain election notices and
35 materials in languages other than English (sections 1, 2 through 7,
36 14, 19, and 20). Under current law, whenever at least 10% of the
37 population in an election district or county, as the case may be,
38 primarily speaks Spanish, certain election notices and materials are
39 required to be printed and distributed in both the English and
40 Spanish languages. This bill reduces that threshold to 5%, and
41 applies it to primary speakers of any language other than English.
42 Specifically, these bill provisions would apply to multilingual
43 requirements applicable to polling place staffing, publication of
44 voter information and voting procedure notices, sample ballots,
45 official ballots, challenged voter affidavits and instructions, and
46 voter complaint forms.

1 *Voting by Mail*

2

3 The bill changes various vote by mail procedures to facilitate
4 voting by mail in future election, postal tracking of ballots, and
5 postage paid return ballots (sections 14, 17, 24, 37 through 45, 47,
6 and 50).

7 Under current law, a registered voter can choose to vote by mail-
8 in ballot in all future general elections, until the voter notifies the
9 county clerk that the voter no longer wishes to do so, or unless the
10 voter fails to vote in the fourth general election following the
11 general election in which the voter last voted. Current law also
12 gives the registered voter who applies for a mail-in ballot the option
13 to receive a mail-in ballot for each election occurring in the
14 remainder of that calendar year.

15 The bill amends current law to provide that a registered voter can
16 choose to vote by mail-in ballot in all future elections, or for future
17 general elections only. The bill provides that, if a voter who
18 requested a mail-in ballot for all future elections does not vote by
19 such means in four consecutive elections following the election in
20 which the voter last voted, the voter will receive a mail-in ballot for
21 future general elections only, and the ability of the voter to receive
22 a mail-in ballot for all other elections would be suspended until the
23 voter submits a new application indicating that the voter wishes to
24 vote by mail-in ballot in all future elections.

25 The bill also provides that any voter who has requested a mail-in
26 ballot but wishes to vote in person at the appropriate polling place
27 would be permitted to do so using the same voting machine used by
28 other qualified voters at that election after surrendering the ballot to
29 a designated poll worker, instead of voting by provisional ballot as
30 the law now provides.

31 The bill also requires the State to pay postage for voted ballots
32 returned by mail. Under current law, the mail is the primary means
33 by which mail-in voting ballots, presidential election ballots, and
34 ballots used in small municipalities that hold elections by mail, are
35 returned to a county board of elections. Currently, these ballots
36 require the voter to pay the postage to return the voted ballot, unless
37 the county clerk has chosen to provide a postage prepaid return
38 envelope as allowed by law. The bill amends current law to require
39 the balloting materials used for mail-in voting ballots, presidential
40 election ballots, and ballots used in small municipalities that hold
41 elections by mail include a postage prepaid return envelope for the
42 return of the voted ballot by mail to the county board of elections.
43 The bill provides that the county or municipality will be reimbursed
44 by the State for any additional costs incurred in providing postage
45 for voted ballots that are returned by mail. Under the bill, the
46 county or municipality must apply for reimbursement to the
47 Secretary of State and receive approval of the application from the

1 Director of the Division of Budget and Accounting in the
2 Department of the Treasury.

3 The bill makes an appropriation, and provides for the annual
4 appropriation from the General Fund to the Secretary of State such
5 sums as the State Treasurer and the Director of the Division of
6 Budget and Accounting in the Department of the Treasury
7 determine are necessary for the State to reimburse counties and
8 municipalities for any additional costs incurred in providing postage
9 for voted ballots returned by mail.

10

11 *Military and Overseas Voting*

12

13 The bill revises the Overseas Residents Absentee Voting Law to
14 more closely resemble the federal overseas voting laws (sections 25
15 through 36). Based on principles suggested in the Uniform Military
16 and Overseas Voters Act, which was approved and recommended
17 for enactment by the Uniform Law Commission in 2010, this bill
18 would incorporate into New Jersey law the few concepts that have
19 not yet been addressed. The bill adds definitions for previously
20 undefined statutory terms. The bill also expands the definition of
21 “overseas voter” to expressly include legally recognized partners of
22 military service personnel, voters born outside of the United States,
23 and overseas voters with a residence in New Jersey.

24 Additionally, the bill permits the use of the federal postcard
25 application to apply for an overseas ballot or to register to vote in
26 all elections held in the State. Under the bill, for a ballot to be
27 distributed via electronic means, the completed application must be
28 received by 3 p.m. on the day preceding the election. Under current
29 law, the application must be received on or before the fourth day
30 preceding the election.

31 The bill permits an overseas voter to use the federal write-in
32 absentee ballot to vote, to register to vote, and to request an
33 overseas ballot for all elections.

34 The bill also eliminates references to an outdated form of
35 identification and adds other types of valid identification that may
36 be used in an application for an overseas ballot. In addition to
37 using a valid U.S. Passport, the bill permits an individual to use a
38 valid U.S. Passport Card, a valid Certificate of Citizenship, or any
39 other valid form of identification recognized under federal or State
40 law.

41 The bill expressly limits the permitted uses, or disclosures, of a
42 voter’s electronic address and requires that these limitations be
43 described on the request to use an electronic address. In completing
44 any document under the provisions of this bill, a voter’s mistake or
45 omission that is not substantive in nature would not invalidate the
46 document. On write-in ballots, where the intention of the voter is
47 discernable, the ballot would not be invalidated.

1 Under the bill, State courts are granted the authority to issue an
2 injunction or provide for other equitable relief to ensure substantial
3 compliance with, and enforcement of, the act.

4
5 *Filling Congressional Vacancies*

6
7 The bill establishes a new procedure for filling vacancies in the
8 United States Senate and House of Representatives (sections 8
9 through 10, 51).

10 Under the bill, the Governor would be required to make a
11 temporary appointment to fill a Senate vacancy within 30 days of
12 the occurrence of the vacancy. If the person vacating the office is a
13 member of a political party, the temporary appointee must be a
14 member of the same political party. The appointee would serve
15 until a successor is elected and assumes office.

16 If the vacancy occurs on or before the 70th day preceding the
17 general election, the vacancy would be filled at that general
18 election. If the vacancy occurs after the 70th day preceding the
19 general election, the vacancy would be filled at the following year's
20 general election. A vacancy would not be filled at the general
21 election which immediately precedes the expiration of the term in
22 which the vacancy occurs. If the vacancy in the Senate occurs after
23 the 70th day preceding a general election but on or before the 70th
24 day preceding the primary election, the candidates would be
25 nominated at that primary election. If the vacancy occurs after the
26 70th day preceding the primary election, the candidates would be
27 nominated by the State committee of the relevant political party, as
28 provided by law, within 10 days of the issuance of the writ of
29 election. Petitions of nomination of other candidates must be filed
30 with the Secretary of State within the same 10-day time span.

31 The bill also establishes the procedure for the filling of vacancies
32 in the United States House of Representatives. In the case of a
33 vacancy in the House, the Governor would not make a temporary
34 appointment. Instead, the Governor would issue a writ of election
35 to fill the vacancy, except that no writ of election would be issued if
36 the vacancy occurs in an even-numbered year after the 70th day
37 preceding the general election. If the vacancy occurs on or before
38 the 70th day preceding the general election, the vacancy would be
39 filled at that general election. If the vacancy occurs in an odd-
40 numbered year and after the 70th day preceding the general
41 election, the vacancy would be filled at the following year's general
42 election. If the vacancy occurs after the 70th day preceding a
43 general election but on or before the 70th day preceding the primary
44 election, the candidates would be nominated at that primary
45 election. If the vacancy occurs after the 70th day preceding the
46 primary election, the candidates would be nominated by those
47 members of the county committee or committees wherein the
48 vacancy has occurred who represent those portions of the respective

1 county or counties which are comprised in the district from which
2 the candidate is to be elected, as provided by law, within 10 days of
3 the issuance of the writ of election. Petitions of nomination of other
4 candidates must be filed with the Secretary of State within the same
5 10-day time span.

6 The following sections of law would be repealed:

- 7 • R.S.19:3-26, which provides the procedure for filling a U.S.
8 Senate vacancy and permits the Governor to make a
9 temporary appointment to fill the vacancy and to call a
10 special election to fill the vacancy;
- 11 • R.S.19:3-27, which requires the Governor to issue a writ of
12 election to fill a vacancy in the House of Representatives
13 unless the term is set to expire within six months of the
14 occurrence of the vacancy;
- 15 • R.S.19:27-4, which requires the Governor to issue a writ of
16 election to fill a vacancy in the Senate or House of
17 Representatives unless the term is set to expire within six
18 months of the occurrence of the vacancy;
- 19 • R.S.19:27-6, which provides the timeframe and procedure
20 for the Governor to issue a writ of election to fill a
21 congressional vacancy and provides the Governor discretion
22 to call a special election; and
- 23 • Section 1 of P.L.1945, c.206 (C.19:27-10.1), which provides
24 the procedure for filling a vacancy in the House of
25 Representatives between the specified dates preceding the
26 primary and general elections if more than one year remains
27 on the unexpired term.

28 The bill also amends a section of law to remove a reference to
29 special elections to the United States Senate or House of
30 Representatives. Under the bill, congressional vacancies would
31 only be filled on a general election day or, in the case of Senate
32 vacancies, temporarily by appointment by the Governor.

33 34 *Office of Accessible Elections*

35
36 The bill establishes an Office of Accessible Elections in the
37 Division of Elections in the Department of State (section 46). The
38 duty of the office would be to monitor accessibility problems
39 arising in the course of election administration; receive complaints
40 from voters; inform the Secretary of State on best practices in
41 making the various election processes, technologies, materials, and
42 procedures accessible to persons with disabilities; and disseminate
43 that information among all election jurisdictions in this State. When
44 appropriate, the office would work closely with the Voting
45 Accessibility Advisory Committee in each county, established
46 under N.J.S.A.19:8-3.7, and also would work with the Secretary of
47 State to ensure that all Internet sites administered by the Division of
48 Elections are available to the public in both English and Spanish

1 languages and are accessible to persons with disabilities within six
2 months following the effective date of the bill.

3

4 *Deceptive Voting Practices*

5

6 The bill contains provisions that would apply to both major
7 political parties, as well as to any person, based upon a 1982 federal
8 court consent decree that settled assertions that the Republican
9 National Committee had attempted to suppress minority voter
10 turnout in New Jersey (section 48). It would ban deceptive voting
11 practices by a political party or any person that knowingly provides
12 false information to any other person or political party regarding the
13 time, place, or manner of conducting elections or voter
14 qualifications, or intimidation, threats, or coercion to prevent the
15 casting of a free and secret ballot.

16 In addition, the bill forbids any political party or person from:
17 directing, authorizing, or encouraging any person to deface or
18 remove any lawfully placed printed or electronic campaign material
19 or signs of any other political party or person; implementing a
20 deceptive voting practice in any election district in which a decision
21 to conduct such activities would be based on the racial or ethnic
22 composition of the district; seeking to have any private individual
23 deputized as a member law enforcement in connection with a
24 deceptive voting practice; or authorizing, directing, or encouraging
25 any individual to dress or conduct himself or herself in a manner
26 that falsely implies that the individual is a member of law
27 enforcement.

28

29 *Voter Fraud Court Challenges and Incident Reports*

30

31 The bill lowers the standard for challenging election voter fraud
32 in court, and requires periodic reporting of incidents of voter fraud
33 during the conduct of an election (sections 11 and 49).

34 Under current law, the nomination or election of any person to
35 any public office or party position, or the approval or disapproval of
36 any public proposition, may be contested by the voters of this State
37 or of any of its political subdivisions affected thereby upon various
38 grounds. These grounds include when illegal votes have been
39 received, or legal votes rejected at the polls sufficient to change the
40 result. The bill would allow such challenge to proceed when there
41 is reasonable evidence that illegal votes have been received, or legal
42 votes rejected at the polls sufficient to change the result.

43 The bill also requires each county board of elections,
44 immediately following the certification of the election results of
45 each election, to document and account for any allegation of voter
46 fraud that arose during the election and how each allegation was
47 addressed. Under the bill, each county board must prepare a report
48 with that information which must be submitted to the Secretary of

1 State within 30 days following the certification of the election
2 results. The Secretary of State must annually prepare a report
3 containing the information submitted to it by each county board of
4 elections, detailing all of the allegations of voter fraud that arose
5 during the election and how they were addressed in each county.
6 The report would be prepared by the Secretary of State within 180
7 days following the election, and must be made available to the
8 public on the website of the New Jersey Division of Elections.
9 Every five years the secretary must prepare a report to be submitted
10 to the Governor and to the Legislature, containing recommendations
11 on how the election laws should be amended or supplemented to
12 prevent voter fraud.