

ASSEMBLY, No. 2597

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Creates online form to update name and residence on existing voter registration record; allows change of residence notice to update existing record when voter moves to another county.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the manner of updating the name and address
2 of a registered voter on an existing voter registration record,
3 amending R.S.19:31-11 and R.S.19:31-13, and supplementing
4 chapter 31 of Title 19 of the Revised Statutes.

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

8
9 1. R.S.19:31-11 is amended to read as follows:
10 19:31-11. a. In all counties within the State, change of residence
11 notices shall be made: (1) by a written request, signed by the
12 registrant, forwarded to the commissioner by mail, and actually
13 received by the commissioner **[, or]**; (2) by calling in person at the
14 office of the commissioner or the municipal clerk; or (3) by
15 completing and submitting a change of residence notice online as
16 provided under section 3 of P.L. , c. (C.) (pending before the
17 Legislature as this bill). The commissioner shall provide change of
18 residence notices in card form for the use of any registered voter
19 moving to another address within the same election district **[or]**; to
20 another election district within the same county; or to another
21 election district in another county for processing as provided under
22 subsection c. of this section. Copies of these notices shall also be
23 available at the office of the municipal clerk in each municipality.
24 Each municipal clerk shall transmit daily to the commissioner all
25 the filled out change of residence notices that may be in the
26 municipal clerk's office at the time. These notices shall be printed
27 upon cards, shall contain a blank form showing where the applicant
28 last resided and the address and exact location to which the
29 applicant has moved and shall have a line for the applicant's
30 signature, printed name and date of birth. Upon receipt of such
31 change of residence notice the commissioner shall cause the
32 signature to be compared with the registration forms of the
33 applicant and, if such signature appears to be of and by one and the
34 same legal voter, the commissioner shall cause the entry of the
35 change of residence to be made on those registration forms and the
36 registrant shall thereupon be qualified to vote in the election district
37 to which the registrant shall have so moved. If the commissioner is
38 not satisfied as to the signature on the request for a change of
39 residence, a confirmation notice as prescribed by subsection d. of
40 R.S.19:31-15 shall be sent by mail with postage prepaid to the
41 registrant at the new address.

42 The application for change of residence shall be filed with the
43 commissioner or municipal clerk, as the case may be, on or before
44 the 21st day preceding any election.

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 b. In any county any voter who, prior to an election, shall move
2 within the same county after the time above prescribed for filing an
3 application for change of residence without having made
4 application for change of residence, or who has not returned a
5 confirmation notice sent to the voter by the commissioner of
6 registration of the county, if such a notice has been sent to the voter,
7 or who has not moved since the previous election but whose
8 registration information is missing or otherwise deficient, or has
9 otherwise failed to notify the commissioner of registration of the
10 voter's change of address within the county, shall be permitted to
11 vote in that election in the district to which the voter has moved,
12 upon making a written affirmation regarding the change of address
13 at the polling place of the district in which the voter resides on the
14 day of the election. No identifying document shall be required from
15 the voter for this affirmation. A district board member shall
16 provide the voter with a provisional ballot, and an envelope with an
17 affirmation statement that conforms with the requirements for such
18 documents contained in subsection b. of section 7 of P.L.1999,
19 c.232 (C.19:53C-1). The voter shall complete the provisional ballot
20 and affirmation statement, place the ballot in the envelope, seal and
21 return it to the district board member. The board member shall
22 review the information in the affirmation statement for
23 completeness before forwarding it for inspection, tabulation and
24 notation by the county board of elections, as provided for by
25 sections 7 through 26 of P.L.1999, c.232 (C.19:53C-1 through
26 C.19:53C-20). The affirmation statement shall constitute a transfer
27 to the registrant's new residence for any subsequent election.
28 However, if the voter has moved from one residence to another
29 within the same election district at any time, the voter shall be
30 permitted to vote in such election district at any election in the same
31 manner as other voters at the polling place upon written affirmation
32 by the registrant to the district board member of the registrant's
33 change of address.

34 c. A voter who moves from an election district in one county to
35 an election district in another county prior to the close of
36 registration preceding an election shall register in the new county of
37 residence, in accordance with the provisions of R.S.19:31-6, or
38 shall file a change of residence notice with the commissioner of
39 either county or complete and submit that notice online as provided
40 under section 3 of P.L. , c. (C.) (pending before the Legislature
41 as this bill), in order to be permitted to vote. A change of residence
42 notice filed by a voter pursuant to this subsection shall cause the
43 commissioners of the county of previous residence and the county
44 of new residence to update the voter registration record of that voter
45 and to transfer that record to the county of new residence. The
46 commissioner of the county of new residence shall notify the voter
47 by mail that the voter is now registered to vote in that county or, if
48 the notice submitted by the voter is incomplete, to request any

1 additional information or documentation necessary to finalize the
2 change of residence notice. Nothing in this subsection shall be
3 interpreted to waive the requirement specified under R.S.19:31-5
4 that the voter shall have been a resident of the county of new
5 residence for at least 30 days prior to being eligible to vote in any
6 election in that county.

7 (cf: P.L.2005, c.139, s.13)

8
9 2. R.S.19:31-13 is amended to read as follows:

10 19:31-13. Whenever the registrant after his or her original
11 registration shall change his or her name due to marriage, divorce,
12 or by judgment of court, the registrant shall in person or by mail
13 submit to the commissioner of registration a written statement
14 notifying the commissioner of the change, which statement shall
15 take such form, and be printed on a postal card suitable for mailing
16 of such design, as the Attorney General shall prescribe and shall be
17 signed by the registrant. A registrant may complete the form online
18 pursuant to section 3 of P.L. , c. (C.) (pending before the
19 Legislature as this bill). The commissioner, upon receipt of such a
20 notice of change of name, shall revise accordingly the name of the
21 registrant as it appears among the items of information concerning
22 the registrant included on the registrant's registration forms, shall
23 make a photographic copy of the notice of name change submitted
24 by the registrant, and shall affix the original notice so submitted to
25 the registrant's original registration form and the photographic copy
26 of that notice to the registrant's duplicate registration record.

27 When notice of such change in name has not been received by or
28 filed with the commissioner prior to the 21st day preceding any
29 election, such person may be permitted to vote under the name
30 under which the person was registered prior to that change at the
31 first election following such change in name at which the person
32 shall appear to vote, after signing the signature copy register with
33 both the registered name and his or her new name. The
34 commissioner shall then revise accordingly the name of the
35 registrant as it appears on the registrant's registration forms, make a
36 photographic copy of the notice, and affix the original and copy of
37 the notice to the registrant's permanent registration forms as
38 hereinabove prescribed.

39 (cf: P.L.2005, c.139, s.14)

40
41 3. (New section) The Secretary of State shall develop and make
42 available on its website a form to allow a registered voter to
43 electronically complete a change of residence notice, change of
44 name notice, or both, and to electronically submit that form to the
45 appropriate county commissioner of registration. If the voter is
46 reporting a change or residence from one county to another, the
47 form shall be submitted to both the commissioner of the previous
48 county of residence and the new county of residence. The form shall

1 contain substantively the same information required to be submitted
2 by a registered voter on a paper version of a change of residence
3 and change of name form pursuant to R.S.19:31-11 and R.S.19:31-
4 13. The form shall contain any additional information deemed
5 necessary by the secretary.

6
7 4. This act shall take effect immediately.
8
9

10 STATEMENT
11

12 Under current law, a registered voter who changes his or her
13 name or address may file a form to notify the county commissioner
14 of registration of these changes to the voter's record. When a
15 registered voter moves from one county to another, the voter is
16 required to file a new voter registration form in the new county.

17 This bill requires the Secretary of State to create an electronic
18 form on the Department of State's website for a voter to use to
19 complete and submit changes to the voter's name, address, or both.
20 This bill also allows a registered voter who moves from one county
21 to another to use the change of address form to notify the county
22 commissioners of registration of the voter's old and new counties of
23 residence of this change. The bill requires both commissioners to
24 cause the voter's registration record to be transferred to the new
25 county. The commissioner of the county of new residence would
26 notify the voter by mail that the voter is now registered to vote in
27 that county. If the notice submitted by the voter is incomplete, the
28 commissioner is required to request any additional information or
29 documentation necessary to finalize the change of residence
30 request.

31 This bill does not change any of the eligibility requirements a
32 voter must fulfill in order to vote in an election, including the 30-
33 day residency requirement in the county of residence as required by
34 the State Constitution and specified under R.S.19:31-5.