

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 481 and 651**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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ADOPTED MARCH 26, 2018

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

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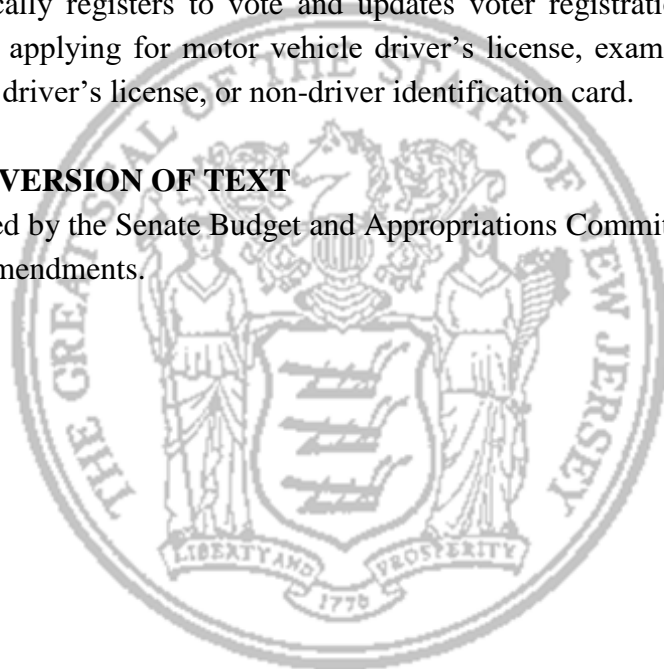
**Senators Gill, Cruz-Perez, Cunningham, Pou, Ruiz, Greenstein, Madden,  
Gopal, Stack and Turner**

**SYNOPSIS**

Automatically registers to vote and updates voter registration for eligible person when applying for motor vehicle driver's license, examination permit, probationary driver's license, or non-driver identification card.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on April 5, 2018, with amendments.



**(Sponsorship Updated As Of: 4/13/2018)**

1 **AN ACT** concerning voter registration and amending and  
2 supplementing P.L.1994, c.182 <sup>1</sup>and supplementing Title 19 of  
3 the Revised Statutes<sup>1</sup>.  
4

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

8 1. (New section) The Legislature finds and declares that:

9 a. The right to vote is a fundamental right in New Jersey and for  
10 all citizens of the United States.

11 b. It is the responsibility of the State of New Jersey to:

12 (1) ensure that every eligible State resident <sup>1</sup>**[is registered]** has  
13 the opportunity to register<sup>1</sup> to vote;

14 (2) promote policies that will grow voter registration rates and  
15 voter turnout;

16 (3) guarantee that State voter registration systems are secure and  
17 maintained with accuracy and efficiency and with the best available  
18 technologies and procedures; and

19 (4) safeguard New Jersey's voters from disenfranchisement on  
20 Election Day due to outdated or inaccurate voter roll information.

21 c. In other states, automatic voter registration at state agencies has  
22 made state voter rolls more accurate while increasing voter registration  
23 rates and may have contributed to increased voter turnout, especially  
24 among populations that are less likely to participate in elections.

25 d. It is, therefore, the purpose of this act, P.L. , c. (pending  
26 before the Legislature as this bill), to:

27 (1) enable the New Jersey Motor Vehicle Commission and the  
28 Secretary of State to <sup>1</sup>provide the opportunity to<sup>1</sup> register all eligible  
29 State residents to vote with accurate, cost-efficient, and up-to-date  
30 procedures;

31 (2) modernize New Jersey's voter registration and voter list  
32 maintenance procedures; and

33 (3) protect and enhance the integrity, accuracy, efficiency, and  
34 accessibility of the electoral process for all eligible State residents.  
35

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

38 23. Notwithstanding any law, rule or regulation to the contrary,  
39 each applicant, who meets all requirements for eligibility to vote, for a  
40 State motor vehicle driver's license, an examination permit, a  
41 probationary driver's license, or a non-driver identification card  
42 application, including any application for a renewal or update thereof,  
43 <sup>1</sup>except as provided in paragraphs (2) and (3) of subsection b. of  
44 section 24 of P.L.1994, c.182 (C.39:2-3.2),<sup>1</sup> submitted to an agent of

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted April 5, 2018.

1 the **Division of Motor Vehicles** in the Department of Law and Public  
2 Safety **New Jersey Motor Vehicle Commission** shall be offered an  
3 opportunity to **register to vote** decline the automatic voter  
4 registration pursuant to section 24 of P.L.1994, c.182 (C.39:2-3.2).  
5 (cf: P.L.1994, c.182, s.23)

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

9 24. a. The Secretary of State, with the assistance **and**  
10 concurrence of the Director of the Division of Motor Vehicles **of the**  
11 Chief Administrator of the New Jersey Motor Vehicle Commission,  
12 shall **formulate a means of permitting a person** provide for an  
13 eligible applicant to simultaneously apply for a motor vehicle driver's  
14 license, an examination permit, a probationary driver's license, or a  
15 non-driver identification card, as applicable, and to register **be**  
16 automatically registered to vote, or have an existing voter registration  
17 updated, in a manner which satisfies both the requirements necessary  
18 to receive a license to operate a motor vehicle, pursuant to R.S.39:3-  
19 10, or an examination permit, a probationary driver's license, or a non-  
20 driver identification card, as applicable, and to be permitted **to**  
21 register to vote, pursuant to R.S.19:4-1. The applicant shall be offered  
22 an opportunity to decline the automatic voter registration under this  
23 section.

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

30 b. **Each application for voter registration which is received by the**  
31 Division of Motor Vehicles shall be considered and processed as the  
32 replacement for any pre-existing voter registration of the applicant]  
33 (1) Pursuant to subsection a. of this section, for every application for a  
34 motor vehicle driver's license, an examination permit, a probationary  
35 driver's license, or a non-driver identification card, and each related  
36 update, renewal, or change of address, except as provided in  
37 paragraphs (2) and (3) of this subsection,<sup>1</sup> the Chief Administrator  
38 shall ensure that the information necessary for voter registration is  
39 collected from the application and promptly transmitted electronically  
40 to the Secretary of State. The Chief Administrator shall ensure that  
41 electronic records are not transmitted to the Secretary of State for any  
42 applicant who has declined registration. The<sup>1</sup> **Secretary of State**  
43 Commissioner of Registration<sup>1</sup> shall register to vote or update an  
44 existing registration for any eligible applicant who has not declined  
45 voter registration.

1       (2) <sup>1</sup>Until such time as the Chief Administrator determines,  
2 through promulgation of rule or regulation, that prompt electronic  
3 transmission of the information necessary for voter registration from  
4 an application received through the mail for renewal of a motor  
5 vehicle driver's license or non-driver identification card is practicable,  
6 the Chief Administrator shall ensure that the information necessary for  
7 voter registration is collected from that application and transmitted  
8 electronically to the Secretary of State within 10 days of receipt  
9 thereof. The Chief Administrator shall ensure that electronic records  
10 are not transmitted to the Secretary of State for any applicant who has  
11 declined registration. The Secretary of State shall register to vote or  
12 update an existing registration for any eligible applicant who has not  
13 declined voter registration.] Voter registration information from an  
14 application received online for the renewal of a motor vehicle driver's  
15 license or non-driver identification card shall be collected and  
16 promptly transmitted electronically to the Secretary of State upon the  
17 implementation by the Secretary of State of online voter registration.  
18 Subsection c. of this section shall be inapplicable to such applications  
19 until that time.

20       (3) Voter registration information from an application received  
21 through the mail for the renewal of a motor vehicle driver's license or  
22 non-driver identification card shall be exempt from collection and  
23 electronic transmission to the Secretary of State until such time as the  
24 Chief Administrator determines that the prompt electronic  
25 transmission of the information is practicable. Subsection c. of this  
26 section shall be inapplicable to such applications until that time.  
27 Following the effective date of P.L. , c. (pending before the  
28 Legislature as this bill), the Chief Administrator shall inform the  
29 Governor and the Legislature every six months of the practicability of  
30 collecting and transmitting to the Secretary of State voter registration  
31 information from such applications. This paragraph shall not be  
32 construed to preclude the Motor Vehicle Commission from processing  
33 voter registration applications received in the manner in which such  
34 applications were processed in connection with such renewals prior to  
35 the effective date of P.L. , c. (pending before the Legislature as this  
36 bill).<sup>1</sup>

37       c. The Chief Administrator shall provide for the following notices  
38 to be <sup>1</sup>[printed on] provided with<sup>1</sup> every application for a motor  
39 vehicle driver's license, an examination permit, a probationary driver's  
40 license, or a non-driver identification card and every related update,  
41 renewal, or change of address:

42       (1) a notice that the applicant will be registered to vote, if eligible,  
43 unless the applicant specifically declines the automatic voter  
44 registration;

45       (2) a notice of the voter eligibility requirements under R.S.19:4-1  
46 and the penalties for false registration and illegal voting under Title 19  
47 of the Revised Statutes <sup>1</sup>, which notice shall contain an affirmation

1 that the applicant meets each such requirement and shall require the  
2 signature of the applicant, under penalty of law<sup>1</sup> ; and

3 (3) a notice that an applicant who is a victim of domestic violence  
4 or stalking may decline the automatic voter registration and register to  
5 vote without disclosing the applicant's street address pursuant to  
6 section 1 of P.L.1994, c.148 (C.19:31-3.2).

7 【c. Each change of address notification submitted to the Director  
8 of the Division of Motor Vehicles】 d. For each applicant already  
9 registered to vote, any change of address notification submitted to the  
10 Chief Administrator for the purpose of maintaining current  
11 information on 【a person's motor vehicle license】 an applicant shall be  
12 promptly reported to the Secretary of State . A change of address  
13 notification received by the Chief Administrator in paper format shall  
14 be reported to the Secretary of State no later than the 10th day  
15 following its receipt by the 【Division of Motor Vehicles and shall  
16 serve as notification for the change of address process,】 Chief  
17 Administrator. The <sup>1</sup>【Secretary of State】 Commissioner of  
18 Registration<sup>1</sup> shall use the change of address notification to  
19 <sup>1</sup>【automatically】<sup>1</sup> update an existing voter registration unless the  
20 【registrant】 applicant declines the automatic voter registration  
21 pursuant to this section and indicates that the change of address is not  
22 for voter registration purposes. A change of address notification  
23 submitted to the commission, which is used for voter registration  
24 purposes, shall be subject to the provisions of section 1 of P.L.1994,  
25 c.148 (C.19:31-3.2) if the person submitting the change of address  
26 notification previously registered to vote in accordance with that  
27 section.

28 e. If a person who is not entitled to vote becomes registered to  
29 vote pursuant to this section, that person's registration shall be  
30 presumed to have been effected with official authorization, and the  
31 person shall not be deemed to have committed a crime under  
32 R.S.19:34-1. This subsection shall not apply to a person who  
33 knowingly and willfully makes a false statement to effectuate voter  
34 registration.

35 f. The Secretary of State, with the assistance of the Chief  
36 Administrator, shall take appropriate measures to educate the public  
37 about voter registration under this section.

38 For the purposes of this section, "eligible applicant" means a  
39 person submitting to the commission an application for a motor  
40 vehicle driver's license, an examination permit, a probationary driver's  
41 license, or a non-driver identification card who meets all requirements  
42 for eligibility to vote under R.S.19:4-1.

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

44  
45 <sup>1</sup>4. (New section) a. Any State agency, except for the Motor  
46 Vehicle Commission, that the Secretary of State verifies already  
47 collects documents that would provide proof of eligibility, including

1 age, citizenship, and residence address, may establish and implement,  
2 upon approval by the Secretary of State, a procedure for automatically  
3 and electronically transmitting voter registration information to the  
4 Secretary of State of persons who are eligible to vote for the purpose  
5 of registering such persons to vote or updating their voter registration.  
6 Each person from whom such information is collected shall be offered  
7 an opportunity to decline automatic voter registration. Any such  
8 agency shall comply with the requirements, to the extent applicable as  
9 determined by the Secretary of State, as established in subsections b.  
10 through d. of section 24 of P.L.1994, c.182 (C.39:2-3.2).

11 b. Any additional agencies that are designated for automatic voter  
12 registration shall comply with the requirements, to the extent  
13 applicable as determined by the Secretary of State, as established in  
14 section 24 of P.L.1994, c.182 (C.39:2-3.2) for automatic voter  
15 registration and shall provide the notices required pursuant to  
16 subsection c. thereof to each person from whom such information is  
17 collected.<sup>1</sup>

18  
19 <sup>1</sup>**[4.] 5.**<sup>1</sup> This act shall take effect on the first day of the  
20 seventh month next following the date of enactment, but the Chief  
21 Administrator may take such anticipatory administrative action in  
22 advance thereof as shall be necessary for the implementation of this  
23 act.