

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 481 and 651

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED MARCH 26, 2018

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator JAMES BEACH

District 6 (Burlington and Camden)

Co-Sponsored by:

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

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

Substitute as adopted by the Senate State Government, Wagering, Tourism & Historic Preservation Committee.



(Sponsorship Updated As Of: 4/6/2018)

1 **AN ACT** concerning voter registration and amending and
2 supplementing P.L.1994, c.182.

3

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

6

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

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

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

11 (1) ensure that every eligible State resident is registered to vote;

12 (2) promote policies that will grow voter registration rates and
13 voter turnout;

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

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18 Election Day due to outdated or inaccurate voter roll information.

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

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

26 (1) enable the New Jersey Motor Vehicle Commission and the
27 Secretary of State to register all eligible State residents to vote with
28 accurate, cost-efficient, and up-to-date procedures;

29 (2) modernize New Jersey's voter registration and voter list
30 maintenance procedures; and

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

33

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

36 23. Notwithstanding any law, rule or regulation to the contrary,
37 each applicant, who meets all requirements for eligibility to vote,
38 for a State motor vehicle driver's license, an examination permit, a
39 probationary driver's license, or a non-driver identification card
40 application, including any application for a renewal or update
41 thereof, submitted to an agent of the [Division of Motor Vehicles in
42 the Department of Law and Public Safety] New Jersey Motor
43 Vehicle Commission shall be offered an opportunity to [register to
44 vote] decline the automatic voter registration pursuant to section 24

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 of P.L.1994, c.182 (C.39:2-3.2).
2 (cf: P.L.1994, c.182, s.23)

3

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

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

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

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

43 (2) Until such time as the Chief Administrator determines,
44 through promulgation of rule or regulation, that prompt electronic
45 transmission of the information necessary for voter registration
46 from an application received through the mail for renewal of a
47 motor vehicle driver's license or non-driver identification card is

1 practicable, the Chief Administrator shall ensure that the
2 information necessary for voter registration is collected from that
3 application and transmitted electronically to the Secretary of State
4 within 10 days of receipt thereof. The Chief Administrator shall
5 ensure that electronic records are not transmitted to the Secretary of
6 State for any applicant who has declined registration. The Secretary
7 of State shall register to vote or update an existing registration for
8 any eligible applicant who has not declined voter registration.

9 c. The Chief Administrator shall provide for the following
10 notices to be printed on every application for a motor vehicle
11 driver's license, an examination permit, a probationary driver's
12 license, or a non-driver identification card and every related update,
13 renewal, or change of address:

14 (1) a notice that the applicant will be registered to vote, if
15 eligible, unless the applicant specifically declines the automatic
16 voter registration;

17 (2) a notice of the voter eligibility requirements under R.S.19:4-1
18 and the penalties for false registration and illegal voting under Title
19 19 of the Revised Statutes; and

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

24 **【c. Each change of address notification submitted to the**
25 **Director of the Division of Motor Vehicles】** d. For each applicant
26 already registered to vote, any change of address notification
27 submitted to the Chief Administrator for the purpose of maintaining
28 current information on 【a person's motor vehicle license】 an
29 applicant shall be promptly reported to the Secretary of State . A
30 change of address notification received by the Chief Administrator
31 in paper format shall be reported to the Secretary of State no later
32 than the 10th day following its receipt by the 【Division of Motor
33 Vehicles and shall serve as notification for the change of address
34 process,】 Chief Administrator. The Secretary of State shall use the
35 change of address notification to automatically update an existing
36 voter registration unless the 【registrant】 applicant declines the
37 automatic voter registration pursuant to this section and indicates
38 that the change of address is not for voter registration purposes. A
39 change of address notification submitted to the commission, which
40 is used for voter registration purposes, shall be subject to the
41 provisions of section 1 of P.L.1994, c.148 (C.19:31-3.2) if the
42 person submitting the change of address notification previously
43 registered to vote in accordance with that section.

44 e. If a person who is not entitled to vote becomes registered to
45 vote pursuant to this section, that person's registration shall be
46 presumed to have been effected with official authorization, and the
47 person shall not be deemed to have committed a crime under

1 R.S.19:34-1. This subsection shall not apply to a person who
2 knowingly and willfully makes a false statement to effectuate voter
3 registration.

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

7 For the purposes of this section, “eligible applicant” means a
8 person submitting to the commission an application for a motor
9 vehicle driver’s license, an examination permit, a probationary
10 driver’s license, or a non-driver identification card who meets all
11 requirements for eligibility to vote under R.S.19:4-1.

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

13

14 4. This act shall take effect on the first day of the seventh
15 month next following the date of enactment, but the Chief
16 Administrator may take such anticipatory administrative action in
17 advance thereof as shall be necessary for the implementation of this
18 act.