ASSEMBLY, No. 4490

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 10, 2020

Sponsored by: Assemblyman GREGORY P. MCGUCKIN District 10 (Ocean) Assemblyman JOHN CATALANO District 10 (Ocean)

SYNOPSIS

Requires registered voters to present photo ID when voting at polling place.

CURRENT VERSION OF TEXT

As introduced.



AN ACT requiring registered voters to present photo identification when voting, amending R.S.19:15-24 and supplementing chapter 15 of Title 19 of the Revised Statutes.

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

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1. R.S.19:15-24 is amended to read as follows:

19:15-24. The district boards shall not give a ballot to any person unless they shall be satisfied that such person is in all respects qualified and entitled to vote; and for the purpose of satisfying themselves as to the right of any person who shall claim a right to vote they shall have power to examine such person, and any other person or persons, under oath or affirmation, touching such right, except as hereinbefore restricted. The board shall determine the right of the voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, photo identification, such answers, and an affidavit which states the challenged voter's qualifications to vote and a suitable identifying document, as provided under section 2 of P.L.1991, c.249 (C.19:15-18.1). If any member of the board shall give or assent to give a ballot to any person challenged, without requiring him to take the oath or affirmation hereinbefore prescribed to be made upon such challenge, and the person shall not be qualified and entitled to vote, the member so giving or assenting to give a ballot, shall be deemed to have given to such person a ballot, knowing it to be illegal. The question as to the giving of the ballot to the person shall be put in the following form: "Shall a ballot be given to this person by this board?"

If a majority of the board shall decide to give a ballot to such voter or in case of a tie vote, the voter shall be given a ballot and allowed to vote. If a majority of the board shall decide against giving a ballot to the voter no ballot shall be given. The board upon demand of a member of the board or any other citizen shall forthwith issue a warrant for the arrest of such person and deliver the same to a peace officer, who shall forthwith arrest him, and the right to challenge voters shall exist until the ballot shall have been deposited in the ballot box.

Every such challenge and the determination of the board shall in every instance be recorded in the signature comparison record, in the column "Sig. Comp. by," used at the election at which the challenge has been made.

Any member of a district board who refuses or neglects to comply with the provisions of this section may be summarily removed from office by the county board, or any judge of the Superior Court assigned to the county.

46 (cf: P.L.1991, c.249, s.5)

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

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- 2. (New section) a. Before receiving a ballot, a voter shall present for inspection by the district board, in full view of the challengers, a suitable identifying document that bears the voter's name, photograph, and signature, which may be, but is not limited to, the following:
 - (1) a valid New Jersey driver's license;
 - (2) a valid New Jersey REAL ID identification card or license issued in accordance with the "REAL ID Act of 2005," Pub.L.109-13;
 - (3) a valid identification card issued by the New Jersey Division of Motor Vehicles pursuant to P.L.1980, c.47 (C.39:3-29.2 et seq.); or
 - (4) a valid United States passport.
 - b. If a voter does not present the identifying document to the district board, or if the picture or signature contained in the identifying document does not appear to be a picture or the signature of the voter presenting the document, the qualification or entitlement of the voter to vote may be challenged.

3. This act shall take effect immediately.

STATEMENT

This bill requires a voter to present photo identification before voting at a polling place at any election. Acceptable photo identification includes, but is not limited to a valid: (a) New Jersey driver's license; (b) New Jersey REAL ID identification card or license; (c) New Jersey Division of Motor Vehicles "identification only" card; or (d) United States passport. A voter who does not present photo identification, or whose identification contains a picture that does not appear to depict the voter would be subject to challenge. This bill does not deny or alter a voter's opportunity to establish his or her right to vote if challenged.