

ASSEMBLY, No. 5471

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 15, 2021

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

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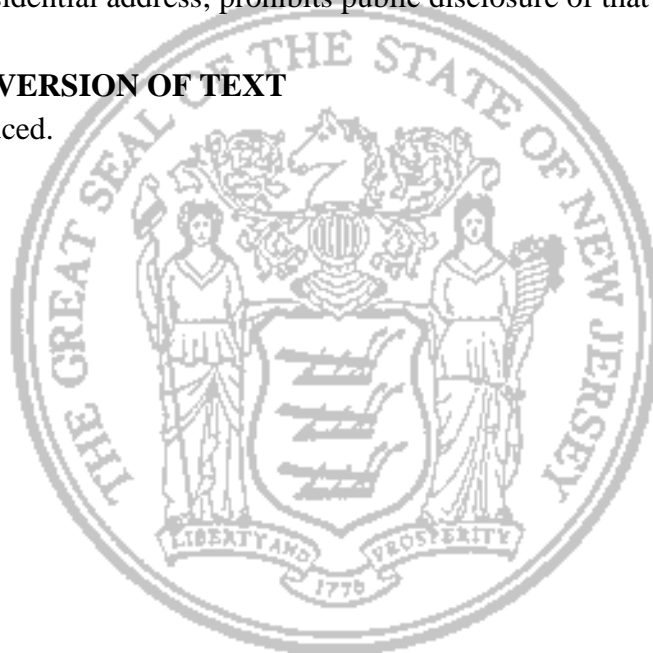
Assemblyman Rooney, Assemblywoman McKnight, Assemblymen DeAngelo, Verrelli, Assemblywoman Vainieri Huttie, Assemblyman Caputo and Assemblywoman Dunn

SYNOPSIS

Allows current and former judicial officers, prosecutors, and law enforcement officers and certain family or household members to register to vote without disclosing residential address; prohibits public disclosure of that information.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/3/2021)

1 AN ACT concerning voter registration for certain judicial officers,
2 prosecutors, and law enforcement officers and certain family or
3 household members thereof and amending P.L.1994, c.182 and
4 supplementing chapter 31 of Title 19 of the Revises Statutes.

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

8
9 1. (New section) a. A person who is (1) an active, formerly
10 active, or retired judicial officer, prosecutor, or law enforcement
11 officer, or (2) a member of the immediate family of such a person, or
12 (3) a person residing in the same household as such a person, shall be
13 allowed to register to vote without disclosing their street address. The
14 person registering to vote shall leave the space for a street address on
15 the original permanent registration form blank and shall, instead,
16 attach to the form a document showing proof that the person qualifies
17 to register to vote pursuant to paragraphs (1), (2), or (3) of this
18 subsection. The form shall contain a mailing address, post office box,
19 or other contact point where mail can be received by the person
20 registering to vote.

21 b. Upon receipt of a voter registration form completed pursuant
22 to subsection a. of this section, the commissioner of registration in
23 all counties having a superintendent of elections, and the county
24 board of elections in all other counties, shall provide the person
25 registering to vote with a map of the municipality in which the person
26 resides which shows the various voting districts. The person shall
27 indicate to the commissioner or board, as appropriate, the voting
28 district in which the person resides and shall be permitted to vote at
29 the polling place for that district. If such a person thereafter changes
30 residences, and the person continues to qualify to register to vote
31 pursuant to subsection a. of this section, the person shall so inform
32 the commissioner or board by completing a new permanent
33 registration form in the manner described in this section.

34 c. Any person who makes public any information which has
35 been provided by a registrant pursuant to this section concerning the
36 mailing address, post office box, or other contact point of the
37 registrant, or concerning the election district in which the registrant
38 resides, is guilty of a crime of the fourth degree.

39 d. The Secretary of State, in consultation with the county boards
40 of elections and county superintendents of elections, shall develop
41 guidelines and criteria to be used for the implementation of the voter
42 registration provisions authorized under this section, which shall
43 include, but may not be limited to, the documents that may be
44 submitted as proof that a person qualifies to register to vote pursuant
45 to paragraphs (1), (2), or (3) of subsection a. of this section.

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 e. As used in this section:

2 "Judicial officer" means any active, formerly active, or retired
3 federal, state, county, or municipal judge, including a judge of the
4 Tax Court and any other court of limited jurisdiction established,
5 altered, or abolished by law, a judge of the Office of Administrative
6 Law, a judge of the Division of Workers' Compensation, and any
7 other judge established by law who serves in the executive branch.

8

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

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

24 b. (1) Pursuant to subsection a. of this section, for every
25 application for a motor vehicle driver's license, an examination
26 permit, a probationary driver's license, or a non-driver identification
27 card, and each related update, renewal, or change of address, except
28 as provided in paragraphs (2) and (3) of this subsection, the Chief
29 Administrator shall ensure that the information necessary for voter
30 registration is collected from the application and promptly
31 transmitted electronically to the Secretary of State. The Chief
32 Administrator shall ensure that electronic records are not transmitted
33 to the Secretary of State for any applicant who has declined
34 registration. The Commissioner of Registration shall register to vote
35 or update an existing registration for any eligible applicant who has
36 not declined voter registration.

37 (2) Voter registration information from an application received
38 online for the renewal of a motor vehicle driver's license or non-
39 driver identification card shall be collected and promptly transmitted
40 electronically to the Secretary of State upon the implementation by
41 the Secretary of State of online voter registration. Subsection c. of
42 this section shall be inapplicable to such applications until that time.

43 (3) Voter registration information from an application received
44 through the mail for the renewal of a motor vehicle driver's license
45 or non-driver identification card shall be exempt from collection and
46 electronic transmission to the Secretary of State until such time as
47 the Chief Administrator determines that the prompt electronic
48 transmission of the information is practicable. Subsection c. of this

1 section shall be inapplicable to such applications until that time.
2 Following the effective date of P.L.2018, c.6, the Chief
3 Administrator shall inform the Governor and the Legislature every
4 six months of the practicability of collecting and transmitting to the
5 Secretary of State voter registration information from such
6 applications. This paragraph shall not be construed to preclude the
7 Motor Vehicle Commission from processing voter registration
8 applications received in the manner in which such applications were
9 processed in connection with such renewals prior to the effective date
10 of P.L.2018, c.6.

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

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

19 (2) a notice of the voter eligibility requirements under R.S.19:4-
20 1 and the penalties for false registration and illegal voting under Title
21 19 of the Revised Statutes, which notice shall contain an affirmation
22 that the applicant meets each such requirement and shall require the
23 signature of the applicant, under penalty of law; **[and]**

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

28 (4) a notice that an applicant who is an active, formerly active, or
29 retired judicial officer, prosecutor, or law enforcement officer, or a
30 member of the immediate family of such a person, or a person
31 residing in the same household as such a person, may decline the
32 automatic voter registration and register to vote without disclosing
33 the applicant's street address pursuant to section 1 of
34 P.L. , c. (C.) (pending before the Legislature as this bill).

35 d. For each applicant already registered to vote, any change of
36 address notification submitted to the Chief Administrator for the
37 purpose of maintaining current information on an applicant shall be
38 promptly reported to the Secretary of State. A change of address
39 notification received by the Chief Administrator in paper format shall
40 be reported to the Secretary of State no later than the 10th day
41 following its receipt by the Chief Administrator. The Commissioner
42 of Registration shall use the change of address notification to update
43 an existing voter registration unless the applicant declines the
44 automatic voter registration pursuant to this section and indicates that
45 the change of address is not for voter registration purposes. A change
46 of address notification submitted to the commission, which is used
47 for voter registration purposes, shall be subject to the provisions of
48 section 1 of P.L.1994, c.148 (C.19:31-3.2) if the person submitting

1 the change of address notification previously registered to vote in
2 accordance with that section.

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

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

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

18 (cf: P.L.2018, c.6, s.3)

19

20 3. This act shall take effect immediately.

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22

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STATEMENT

24

25 This bill allows current and former judicial officers, prosecutors,
26 and law enforcement officers, and certain family members and
27 persons residing in the same household, to register to vote without
28 disclosing their residential address. This bill also prohibits the public
29 disclosure of the voter registration information of those persons.

30 Under the bill, any (1) active, formerly active, or retired judicial
31 officer, prosecutor, or law enforcement officer, or (2) a member of
32 the immediate family of such a person, or (3) a person residing in the
33 same household as such a person, would be permitted to register to
34 vote without disclosing their street address. Such registrants would
35 leave the space for a street address on the voter registration form
36 blank and would, instead, attach to the form a document showing
37 proof that the person qualifies to register to vote as permitted under
38 the bill. The form would contain a mailing address, post office box,
39 or other contact point where mail can be received by the person
40 registering to vote. Upon receiving a voter registration form, the
41 commissioner of registration or county board of elections, as the case
42 may be, would provide the person registering to vote with a map of
43 the municipality in which the person resides to select the voting
44 district in which the registrant will be permitted to vote. Future
45 address updates to the qualified registrant's voter registration form
46 would be conducted in the same manner.

47 Under the bill, any person who makes public any information
48 which has been provided by a registrant concerning the mailing

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1 address, post office box, or other contact point of the registrant, or
2 concerning the election district in which the registrant resides, is
3 guilty of a crime of the fourth degree. The bill directs the Secretary
4 of State, in consultation with the county boards of elections and
5 county superintendents of elections, to develop implementation
6 guidelines and criteria including, but not be limited to, the required
7 documentation and proof of eligibility.

8 The bill also amends current law concerning automatic voter
9 registration services at the New Jersey Motor Vehicle Commission
10 to require that a notice be provided to eligible applicants to inform
11 them that they may decline the automatic voter registration and may
12 register to vote without disclosing the applicant's street address as
13 provided by the bill.

14 This bill is modeled after the privacy protections afforded under
15 current law for victims of domestic violence and stalking with respect
16 to their voter registration.