

SENATE, No. 1176

STATE OF NEW JERSEY

INTRODUCED MAY 30, 1996

By Senator BASSANO

1 ANACT concerning political party affiliation and amending R.S.19:23-
2 45 and P.L.1976, c.16.

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

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7 1. R.S. 19:23-45 is amended to read as follows:

8 19:23-45. a. No voter shall be allowed to vote at the primary
9 election unless his name appears in the signature copy register.

10 b. A voter who votes in a primary election of a political party or
11 who signs and files with the municipal clerk or the county
12 commissioner of registration a declaration that he desires to vote in the
13 primary election of a political party shall be deemed to be a member of
14 that party until: (1) he signs and files a declaration that he desires to
15 vote in the primary election of another political party, at which time he
16 shall be deemed to be a member of such other political party; or (2)
17 until he votes in the primary election of another political party as
18 provided in subsection c. of this section, at which time he shall be
19 deemed to be a member of such other political party. The Secretary
20 of State shall cause to be prepared political party affiliation declaration
21 forms and shall provide such forms to the commissioners of
22 registration of the several counties and to the clerks of the
23 municipalities within such counties.

24 c. No voter[, except a newly registered voter at the first primary at
25 which he is eligible to vote, or a voter who has not previously voted
26 in a primary election,] may vote in a primary election of a political
27 party unless he was deemed to be a member of that party on the
28 [fiftieth] 35th day next preceding such primary election except: (1) a
29 newly registered voter who is voting at the first primary at which he
30 is eligible to vote; (2) a registered voter who has not previously voted
31 in a primary election; or (3) a voter who is a member of another
32 political party but did not vote in the last preceding primary election
33 of that political party.

34 d. A member of the county committee of a political party and a

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

Matter underlined thus is new matter.

1 public official or public employee holding any office or public
2 employment to which he has been elected or appointed as a member
3 of a political party shall be deemed a member of such political party.

4 e. Any person voting in the primary ballot box of any political party
5 in any primary election in contravention of the election law [shall be]
6 is guilty of a [misdemeanor] crime of the fourth degree, and any
7 person who aids or assists any such person in such violation by means
8 of public proclamation or order, or by means of any public or private
9 direction or suggestions, or by means of any help or assistance or
10 cooperation, [shall] is likewise [be] guilty of a [misdemeanor] crime
11 of the fourth degree.

12 (cf: P.L.1977, c.97, s.1)

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14 2. Section 2 of P.L.1976, c.16 (C.19:23-45.1) is amended to read
15 as follows:

16 2. a. The county commissioner of registration in each of the several
17 counties, shall cause a notice to be published in each municipality of
18 their respective counties in a newspaper or newspapers circulating
19 therein. The notice to be so published shall be published once during
20 each of the [2] two calendar weeks next preceding the week in which
21 the [fiftieth] 35th day next preceding the primary election of a political
22 party occurs.

23 b. The notice required to be published by the preceding paragraph
24 shall inform the reader thereof that no voter[, except a newly
25 registered voter at the first primary at which he is eligible to vote, or
26 a voter who has not previously voted in a primary election] may vote
27 in a primary election of a political party unless he was deemed to be a
28 member of that party on the [fiftieth] 35th day next preceding such
29 primary election except: (1) a newly registered voter who is voting at
30 the first primary at which he is eligible to vote; (2) a registered voter
31 who has not previously voted in a primary election; or (3) a voter who
32 is a member of another political party but did not vote in the last
33 preceding primary election of that political party. It shall further
34 inform the reader thereof that a voter who votes in the primary
35 election of a political party or who signs and files with the municipal
36 clerk or the county commissioner of registration a declaration that he
37 desires to vote in the primary election of a political party shall be
38 deemed to be a member of that party until he signs and files a
39 declaration that he desires to vote in the primary election of another
40 political party, at which time he shall be deemed to be a member of
41 such other political party; or until he votes in the primary election of
42 another political party after having not voted in the last preceding
43 primary election of his party, at which time he shall be deemed to be
44 a member of such other political party. The notice shall also state the

1 time and location where a person may obtain political party affiliation
2 declaration forms.

3 (cf: P.L.1977, c.97, s.2)

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5 3. This act shall take effect immediately.

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STATEMENT

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10 The purpose of this bill is to permit a voter who is a member of a
11 political party and who does not vote in the last preceding primary
12 election of that party to be able to vote at the next primary election of
13 another party and to be deemed a member of such other political party.

14 The bill also changes from the 50th day to the 35th day before a
15 primary election the date on which a voter must be deemed to be a
16 member of a political party in order to vote in the primary election of
17 that political party, with certain exceptions.

18 The bill effectuates these provisions by reorganizing the sections of
19 current law that govern who may be deemed a member of a political
20 party to provide that no voter may vote in a primary election of a
21 political party unless he was deemed to be a member of that party on
22 the 35th day next preceding such primary election except:

23 1) a newly registered voter who is voting at the first primary at
24 which he is eligible to vote;

25 2) a registered voter who has not previously voted in a primary
26 election; or

27 3) a voter who is a member of another political party but did not
28 vote in the last preceding primary election of that political party.

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33 _____
34 Permits member of a political party who does not vote in last
35 preceding primary election to vote at next primary of another party;
changes date to be deemed member of political party.