

SENATE CONCURRENT RESOLUTION No. 23

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator LIPMAN

A CONCURRENT RESOLUTION proposing to amend Article II, paragraph 3 of
the Constitution of the State of New Jersey.

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4 **BE IT RESOLVED** by the Senate of the State of New Jersey (the General
5 Assembly concurring):

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7 1. The following proposed amendment to the Constitution of the State of
8 New Jersey is hereby agreed to:

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PROPOSED AMENDMENT

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12 Amend Article II, paragraph 3 to read as follows:

13 3. (a) Every citizen of the United States, of the age of 18 years, who shall
14 have been a resident of this State and of the county in which he claims his vote
15 30 days, next before the election, shall be entitled to vote for all officers that
16 now are or hereafter may be elective by the people, and upon all questions
17 which may be submitted to a vote of the people; and

18 (b) (Deleted by amendment, effective December 5, 1974.)

19 (c) Any person registered as a voter in any election district of this State
20 who has removed or shall remove to another state or to another county within
21 this State and is not able there to qualify to vote by reason of an insufficient
22 period of residence in such state or county, shall, as a citizen of the United
23 States, have the right to vote for electors for President and Vice President of
24 the United States, only, by Presidential Elector Absentee Ballot, in the county
25 from which he has removed, in such manner as the Legislature shall provide.

(d) In addition to the voting privileges granted in subparagraphs (a) and (c) of this paragraph every citizen of the United States, of the age of 18 years, shall be entitled to vote by absentee ballot, in such manner as the Legislature shall provide, for all local elective officers and upon any local budget or other local question that may be submitted to a vote of the people in any county, municipality, school district or other taxing district in which is situate a parcel of real property which is not the principal residence of the citizen but in which

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 the citizen has an ownership interest, as may be defined by the Legislature. A
2 citizen having an ownership interest in more than one parcel of real property
3 situate within a particular county, municipality, school district or other taxing
4 district shall be entitled to cast only one absentee ballot per election conducted
5 for that particular county, municipality, school district or other taxing district.
6 This subparagraph shall not affect a citizen's voting privileges in any county,
7 municipality, school district or other taxing district in which the citizen's
8 principal residence is maintained.

9 (cf: Article II, paragraph 3 amended effective December 5, 1974.)

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11 2. When this proposed amendment to the Constitution is finally agreed to
12 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
13 to the people at the next general election occurring more than three months
14 after the final agreement and shall be published at least once in at least one
15 newspaper of each county designated by the President of the Senate, the
16 Speaker of the General Assembly and the Secretary of State, not less than
17 three months prior to the general election.

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19 3. This proposed amendment to the Constitution shall be submitted to the
20 people at that election in the following manner and form:

21 There shall be printed on each official ballot to be used at the general
22 election, the following:

23 a. In every municipality in which voting machines are not used, a legend
24 which shall immediately precede the question, as follows:

25 If you favor the proposition printed below make a cross (X), plus (+) or
26 check (o) in the square opposite the word "Yes." If you are opposed thereto
27 make a cross (X), plus (+) or check (o) in the square opposite the word "No."

28 b. In every municipality the following question:

1		LOCAL VOTING RIGHTS FOR CERTAIN PROPERTY OWNERS
2	YES	<p>Shall the amendment to Article II, paragraph 3 of the Constitution, agreed to by the Legislature, permitting certain owners of real property to vote by absentee ballot for all local elective officers and upon any budget or other question that may be submitted to a vote of the people in any county, municipality, school district or other taxing district in which they own real property that is not their principal residence, be approved?</p>
3	NO	<p>INTERPRETIVE STATEMENT</p> <p>This amendment to the New Jersey Constitution would permit United States citizens with an ownership interest in a parcel of real property, other than their principal residence, to vote, by absentee ballot, in any local election held throughout the district in which the real property is located. A citizen owning real property within a local jurisdiction but whose principal residence is outside of that local jurisdiction would be entitled to vote for all local elective officers and upon any school or fire district budget or any other local question which may be submitted to the voters in the county, municipality, school district, fire district, or other taxing district in which their real property is located. For each local election a real property owner with an interest in several properties throughout the local jurisdiction would be entitled to cast only one absentee ballot. This voting privilege for a real property owner who does not reside locally would not affect but would be additional to the existing voting privilege in the jurisdiction where that person's principal residence is located.</p>

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STATEMENT

1 This proposed amendment to the Constitution would authorize a citizen of
2 the United States owning real property within a local jurisdiction but whose
3 principal residence is outside of that local jurisdiction to vote in all local
4 elections. The purpose of this amendment is to provide citizens who pay
5 property taxes to various local entities but who have a principal residence
6 elsewhere with a voice in how their tax dollars are being spent. Such property
7 owner would be required to have an ownership interest in a parcel of real
8 property to qualify to vote in the county, municipality, school district, fire
9 district or other taxing district in which that parcel is situate. The Legislature
10 would be authorized to define the requirements for an ownership interest. A
11 citizen owning real property within a local jurisdiction but whose principal
12 residence is outside of that local jurisdiction would be entitled to vote for all
13 local elective officers and upon any school or fire district budget, or any other
14 question which may be submitted to the voters in the county, municipality,
15 school district, fire district, or other taxing district in which their property is
16 located. However, only one absentee ballot per local election could be cast
17 by such real property owner regardless of the number of properties that he or
18 she owned, or had a qualifying interest in, located within the particular county
19 or taxing district for which the election is held. The voting privileges granted
20 by this constitutional amendment would be in addition to existing voting
21 privileges in the jurisdiction where a citizen's principal residence is located.

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26 Proposes constitutional amendment to permit certain real property owners to
27 vote in local elections.