

[First Reprint]

SENATE, No. 3761

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

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District 6 (Burlington and Camden)

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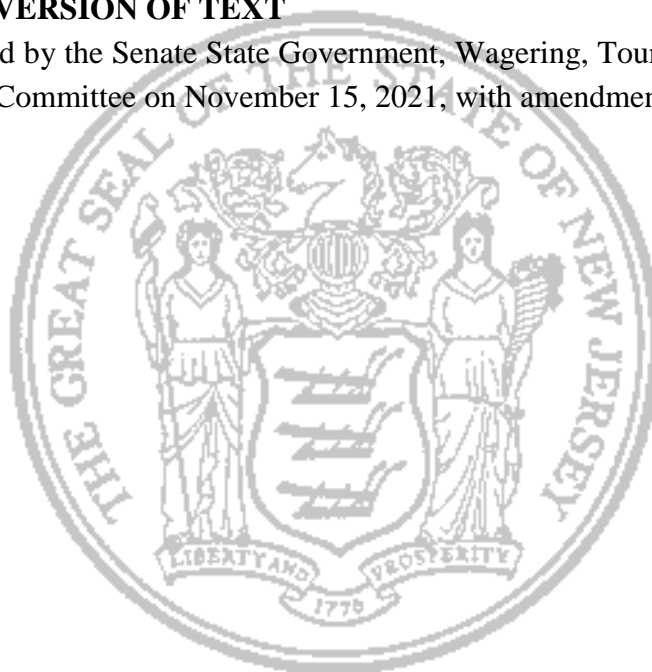
Senators Diegnan, Turner, Ruiz, Stack, Codey, Cryan, Cunningham and Weinberg

SYNOPSIS

Allows certain voters residing overseas to vote in certain elections in this State depending on overseas residency or intent to return.

CURRENT VERSION OF TEXT

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on November 15, 2021, with amendments.



(Sponsorship Updated As Of: 12/2/2021)

1 AN ACT concerning ¹**the right of certain voters residing overseas**
 2 to vote in New Jersey elections and amending P.L.1976, c.23 **】**
 3 voting in New Jersey elections while residing overseas and
 4 amending various parts of the statutory law¹.
 5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 7 *of New Jersey:*
 8

9 1. Section 2 of P.L.1976, c.23 (C.19:59-2) is amended to read
 10 as follows:

11 2. As used in this act:

12 a. "United States" means each of the several states, the District
 13 of Columbia, Commonwealth of Puerto Rico, Guam, American
 14 Samoa and the United States Virgin Islands; the term does not mean
 15 or include the Canal Zone or any other territory or possession of the
 16 United States.

17 b. "Residing abroad" means residing outside the United States.

18 c. "Federal election" means any general, special or primary
 19 held for the purpose of nominating or electing any candidate for the
 20 office of President or Vice President of the United States,
 21 Presidential elector, United States Senator or member of the United
 22 States House of Representatives.

23 d. "Election" shall have the same meaning as defined in
 24 R.S.19:1-1, and include any federal, State, or local election, and any
 25 public question placed before the voters.

26 e. "Overseas voter" means any person in military service, or
 27 that person's spouse, partner in civil union, domestic partner, or
 28 dependent, who, by reason of the person's active duty or service, is,
 29 in the case of the person, absent on the date of an election from the
 30 place of residence in New Jersey where the person is or would be
 31 qualified to vote, or in the case of the person's spouse, partner in
 32 civil union, domestic partner, or dependent, absent on the date of an
 33 election from the place of residence in New Jersey where that
 34 spouse, partner in civil union, domestic partner, or dependent, is or
 35 would be qualified to vote.

36 The term also means any citizen of the United States
 37 **【temporarily residing abroad】** ¹residing abroad¹ who (1)
 38 immediately prior to departure from the United States was
 39 domiciled in New Jersey and (a) was last registered to vote, or last
 40 eligible to register and vote, in New Jersey; or (b) would have been
 41 eligible to register and vote in New Jersey except that the citizen
 42 had not attained 18 years of age the requirement of which has since
 43 been met; or (c) would have been eligible to register and vote in
 44 New Jersey except that the citizen had not met the residency
 45 requirement; (2) is not registered or qualified to vote elsewhere in

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted November 15, 2021.

1 the United States; ¹**and**¹ (3) holds a valid passport or passport
2 card or other proof of citizenship issued under authority of the
3 Secretary of State of the United States ¹; and (4) has the intent to
4 return to New Jersey¹.

5 f. "Overseas federal election voter" means **any** citizen of the
6 United States residing abroad who does not intend to return or
7 whose intent to return is uncertain and who (1) immediately prior to
8 departure from the United States was domiciled in New Jersey and
9 (a) was last registered to vote, or last eligible to register and vote, in
10 New Jersey; or (b) would have been eligible to register and vote in
11 New Jersey except that the citizen had not attained 18 years of age
12 the requirement of which has since been met; or (c) would have
13 been eligible to register and vote in New Jersey except that the
14 citizen had not met the residency requirement; (2) is not registered
15 or qualified to vote elsewhere in the United States; and (3) holds a
16 valid passport or passport card or other proof of citizenship issued
17 under authority of the Secretary of State of the United States.

18 The term also means **any** citizen of the United States who was
19 born outside of the United States, is not **described above** an
20 "overseas voter" under subsection e. of this section ¹or an "overseas
21 State and federal voter" under subsection 1. of this section¹, and,
22 except for the residency requirement of New Jersey, otherwise
23 satisfies the State's voter eligibility requirements, if the last place
24 where a parent, legal guardian, spouse, partner in civil union, or
25 domestic partner of the voter was, or under P.L.1976, c.23
26 (C.19:59-1 et seq.) would have been, eligible to register and vote
27 before departure from the United States is within New Jersey and
28 the voter has not previously registered to vote elsewhere in the
29 United States.

30 g. "Electronic means" means any transmission made by an
31 electronic telefacsimile machine or a similar device or by any other
32 form of electronic transmission including, but not exclusive to
33 electronic mail, that transports an authentic copy of a document
34 from one user to another.

35 h. "Dependent" means an individual recognized as a dependent
36 by a military service.

37 i. "Federal postcard application" means the application
38 prescribed under section 101 of Pub.L.99-410 (42 U.S.C.
39 s.1973ff(b)(2)).

40 j. "Federal write-in absentee ballot" means the ballot described
41 under section 103 of Pub.L.99-410 (42 U.S.C. s.1973ff-2).

42 k. "Military service" means the active and reserve components
43 of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the
44 United States; the Merchant Marine; the commissioned corps of the
45 Public Health Service or the commissioned corps of the National
46 Oceanic and Atmospheric Administration of the United States; or
47 the National Guard or State militia.

1 ¹l. “Overseas State and federal voter” means any citizen of the
2 United States residing abroad who does not intend to return or
3 whose intent to return is uncertain and who (1) immediately prior to
4 departure from the United States was domiciled in New Jersey and
5 (a) was last registered to vote, or last eligible to register and vote, in
6 New Jersey; or (b) would have been eligible to register and vote in
7 New Jersey except that the citizen had not attained 18 years of age
8 the requirement of which has since been met; or (c) would have
9 been eligible to register and vote in New Jersey except that the
10 citizen had not met the residency requirement; (2) is not registered
11 or qualified to vote elsewhere in the United States; and (3) holds a
12 valid passport or passport card or other proof of citizenship issued
13 under authority of the Secretary of State of the United States.

14 m. “State election” means any general, special, or primary
15 election held for the purpose of nominating or electing the office of
16 the Governor, Lieutenant Governor, New Jersey State Senator, or a
17 member of the New Jersey General Assembly, or a State public
18 question placed before all voters of the State. “State election” shall
19 not include any local election or any local public question placed
20 before less than all voters of the State.¹

21 (cf: P.L.2017, c.39, s.1)

22
23 ¹2. Section 3 of P.L.1976, c.23 (C.19:59-3) is amended to read
24 as follows:

25 3. Upon compliance with the provisions of this act, P.L.1976,
26 c.23 (C.19:59-1 et seq.), as amended by P.L.2017, c.39: a. any
27 person meeting the qualifications of an overseas voter may register
28 to vote and may apply for and vote by mail-in ballot in any election
29 held in the election district of this State in which the voter was
30 formerly domiciled; **【and】** b. any person meeting the qualifications
31 of an overseas federal election voter may register to vote and may
32 apply for and vote by mail-in ballot in any federal election held in
33 the election district of this State in which the voter, or in the case of
34 an overseas federal election voter who was born outside of the
35 United States described in subsection f. of section 2 of P.L.1976,
36 c.23 (C.19:59-2), in which the voter's parent, legal guardian,
37 spouse, partner in civil union, or domestic partner was formerly
38 domiciled; and c. any person meeting the qualifications of an
39 overseas State and federal voter as described in subsection l. of
40 section 2 of P.L.1976, c.23 (C.19:59-2) may register to vote and
41 may apply for and vote by mail in a State election described in
42 subsection m. of section 2 of P.L. 1976, c.23 (C.19:59-2) and a
43 federal election described in subsection c. of section 2 of P.L. 1976,
44 c.23 (C.19:59-2) held in the election district of this State in which
45 the voter was formerly domiciled.¹

46 (cf: P.L.2017, c.39, s.2)

1 ¹3. Section 4 of P.L.1976, c.23 (C.19:59-4) is amended to read
2 as follows:

3 4. a. Requests for an application to vote in **【an】** any election
4 as an overseas voter or a federal election as an overseas federal
5 election voter or a State election or federal election as an overseas
6 State and federal election voter may be made by or on behalf of an
7 applicant to the county clerk of the county in which the applicant,
8 or in the case of an overseas federal election voter who was born
9 outside of the United States described in subsection f. of section 2
10 of P.L.1976, c.23 (C.19:59-2), in which the voter's parent, legal
11 guardian, spouse, partner in civil union, or domestic partner, was
12 formerly domiciled, or to the Secretary of State of New Jersey if the
13 applicant does not know the county of former domicile. All such
14 applications shall be forwarded to such voters by air mail or
15 electronic means, if so requested by the voter. Any overseas voter
16 or overseas federal election voter or overseas State and federal voter
17 requesting that an application for a ballot be sent to that voter by
18 electronic means shall supply in the request to the Secretary of State
19 or the county clerk, as appropriate, the telephone number and
20 location to which the application is to be sent or the electronic
21 address of the voter, as may be appropriate, and, if known, the
22 address where the voter, or the voter's parent, legal guardian,
23 spouse, partner in civil union, or domestic partner, as appropriate,
24 was domiciled before departure from the United States. To qualify
25 for a ballot to be sent by air mail, the applicant's completed
26 application shall be received by the appropriate county clerk or the
27 Secretary of State on or before the thirtieth day preceding the
28 election. To qualify for a ballot to be distributed by electronic
29 means, the applicant's completed application shall be received by
30 the appropriate county clerk or the Secretary of State on or before
31 the fourth day preceding the election.

32 b. An overseas voter or overseas federal election voter or
33 overseas State and federal voter may use the federal postcard
34 application form to register to vote or to apply for an overseas
35 ballot for any election in which the voter is eligible to vote. The
36 voter may send the form by air mail or electronic means to either
37 the appropriate county clerk or the Secretary of State and, in the
38 case of the use of a federal postcard application for a ballot, may
39 request that the ballot be sent by air mail or electronic means. **【Any**
40 voter sending the form by electronic means shall also mail
41 simultaneously the federal postcard application form to the
42 appropriate county clerk or the Secretary of State.**】** Any federal
43 postcard application for a ballot sent by an overseas voter or
44 overseas federal election voter or overseas State and federal voter
45 and received by a county clerk or the Secretary of State shall also
46 be considered a request for registration if that voter is not already
47 registered.¹

48 (cf: P.L.2017, c.39, s.3)

c. Any overseas voter or overseas federal election voter or
overseas State and federal election voter requesting that a ballot be
sent to that voter by electronic means shall indicate on the
application for the ballot the telephone number and location to

1 which the ballot is to be sent or the electronic address of the voter,
2 as may be appropriate.¹

3 (cf: P.L.2017, c.39, s.4)

4
5 ¹5. Section 6 of P.L.1976, c.23 (C.19:59-6) is amended to read
6 as follows:

7 6. Each county clerk, upon receipt of an application for a ballot
8 by an overseas voter or overseas federal election voter or overseas
9 State and federal election voter, including a federal postcard
10 application, shall determine whether or not the applicant is qualified
11 to vote such a ballot, make a list of those applications approved and
12 disapproved, which list shall be open to inspection by election
13 officials and the public, and shall forward an overseas ballot to each
14 person whose application is approved. For each voter whose
15 application is approved, the county clerk shall deliver to the county
16 board of elections the completed application form for retention by
17 the board for signature comparison with that on the certificate on
18 the inner envelope containing the ballot upon its receipt.¹

19 (cf: P.L.2017, c.39, s.5)

20
21 ¹6. Section 7 of P.L.1976, c.23 (C.19:59-7) is amended to read
22 as follows:

23 7. The county clerk shall prescribe the form of the ballot for
24 overseas voters and overseas federal election voters and overseas
25 State and federal election voters.¹

26 (cf: P.L.2017, c.39, s.6)

27
28 ¹7. Section 8 of P.L.1976, c.23 (C.19:59-8) is amended to read
29 as follows:

30 8. a. Each county clerk shall send by air mail, with each ballot
31 for an overseas voter or overseas federal election voter or overseas
32 State and federal election voter transmitted by such means,
33 appropriate printed instructions for its completion and return,
34 together with an inner and outer envelope similar to that required as
35 to civilian vote by mail ballots with a legend on the inner envelope
36 stating "Ballot for Overseas Voter," **【or】** "Ballot for Overseas
37 Federal Election Voter," or "Ballot for Overseas State and Federal
38 Election Voter," as appropriate.

39 b. Each county clerk shall send to each overseas voter or
40 overseas federal election voter or overseas State and federal
41 election voter requesting that a ballot be sent to that voter by
42 electronic means all appropriate printed instructions for its
43 completion and return. The printed instructions sent to each such
44 voter shall include a certificate substantially the same as provided
45 for in section 9 of P.L.1976, c.23 (C.19:59-9).

46 c. The printed instructions sent with each ballot to an overseas
47 voter or overseas federal election voter or overseas State and federal

1 election voter, including instructions sent by electronic means, shall
2 include a copy of the following notice:

3 PENALTY FOR FRAUDULENT VOTING

4 Any person who knowingly violates any of the provisions of the
5 Overseas Residents Absentee Voting Law, or who, not being
6 entitled to vote thereunder, fraudulently votes or attempts to vote
7 thereunder or enables or attempts to enable another person, not
8 entitled to vote thereunder, to vote fraudulently thereunder or who
9 prevents or attempts to prevent by fraud the voting of any person
10 legally entitled to vote under this act, shall be guilty of an indictable
11 offense, and upon conviction thereof shall be subject, in addition to
12 such other penalties as are authorized by law, to disenfranchisement
13 while serving a sentence of incarceration unless and until pardoned
14 or restored by law to the right of suffrage.¹

15 (cf: P.L.2019, c.270, s.9)

16
17 ¹⁸8. Section 12 of P.L.1993, c.73 (C.19:59-8.1) is amended to
18 read as follows:

19 12. Whenever a county clerk receives a request by electronic
20 means from an overseas voter or overseas federal election voter or
21 overseas State and federal election voter that a ballot be sent to that
22 person by electronic means, the county clerk shall verify the voter's
23 eligibility to vote as an overseas voter or overseas federal election
24 voter or overseas State and federal election voter in the State and
25 the county desired. If the overseas voter or overseas federal election
26 voter or overseas State and federal election voter is eligible to vote
27 therein, the county clerk shall send the appropriate ballot to the
28 voter at least 45 days before the day of the election and thereafter
29 by electronic means using the telephone number or electronic
30 address supplied by the voter for that purpose. If the overseas voter
31 or overseas federal election voter or overseas State and federal
32 election voter is not eligible to vote in the State or the county
33 desired, notice of noneligibility shall be provided to the voter by
34 electronic means as soon as practicable after the receipt of the
35 request.¹

36 (cf: P.L.2017, c.39, s.12)

37
38 ³⁹9. Section 9 of P.L.1976, c.23 (C.19:59-9) is amended to read
39 as follows:

40 9. Upon the margin of the flap of the inner envelope to be sent
41 to an overseas voter or overseas federal election voter or overseas
42 State and federal election voter shall be printed a certificate
43 substantially as follows:

44 I, the undersigned, residing at am the
45 person who applied for, received and voted the enclosed Ballot.

1 Dated:.....

2Voter (SIGNATURE)

3Voter (PRINT or type name)¹

4 (cf: P.L.2017, c.39, s.13)

5

6 ¹10. Section 10 of P.L.1976, c.23 (C.19:59-10) is amended to
7 read as follows:

8 10. a. For ballots sent to overseas voters or overseas federal
9 election voters or overseas State and federal election voters, other
10 than such ballots sent to the voter by electronic means, the
11 procedure for completing the ballot shall be as follows:

12 Upon completion of the ballot by indicating the voter's choice of
13 candidates for the offices named or the voter's choice regarding a
14 public question, or both, the ballot shall be placed in the inner
15 envelope and sealed. Upon completion and signing in the voter's
16 handwriting the certificate attached to the inner envelope, the inner
17 envelope shall be placed in the outer envelope, which when sealed
18 shall be mailed postage prepaid to the county board of elections
19 whose address is printed thereon.

20 b. For ballots sent to overseas voters or overseas federal
21 election voters or overseas State and federal election voters by
22 electronic means, the procedure for completing the ballot shall be as
23 follows:

24 After the ballot is received and completed by the voter by
25 indicating that person's choice of candidates for the offices named
26 or that person's choice regarding a public question, or both, the
27 ballot shall be placed in a secure envelope. Upon completion and
28 signing in the voter's handwriting of the certificate sent to the voter
29 pursuant to section 8 of P.L.1976, c.23 (C.19:59-8), it shall be
30 placed in the same envelope as the voted ballot. The envelope shall
31 then be sealed securely and sent immediately by air mail to the
32 appropriate county board of elections in this State.

33 c. Notwithstanding the provisions of subsections a. and b. of
34 this section, a copy of an overseas voter's or overseas federal
35 election voter's or overseas State and federal election voter's ballot
36 may be transmitted by electronic means to the appropriate county
37 board of elections in this State. Such a ballot shall be subject to the
38 provisions of sections 3 and 4 of P.L.1995, c.195 (C.19:59-14 and
39 C.19:59-15).¹

40 (cf: P.L.2017, c.39, s.6)

41

42 ¹11. Section 11 of P.L.1976, c.23 (C.19:59-11) is amended to
43 read as follows:

44 11. Upon receipt of each ballot from an overseas voter or
45 overseas federal election voter or overseas State and federal
46 election voter, other than a ballot which had been sent by electronic
47 means to an overseas voter or overseas federal election voter or
48 overseas State and federal election voter, the signature on the

1 certificate on the inner envelope shall be compared to that on the
2 person's application. All ballots, whether originally sent to an
3 overseas voter or overseas federal election voter or overseas State
4 and federal election voter by air mail or electronic means, shall be
5 approved, disapproved, processed, counted and disputes in
6 connection therewith shall be handled in the same manner as is
7 applicable to other vote by mail ballots. No ballot received after the
8 time designated for the closing of the polls shall be counted.¹

9 (cf: P.L.2017, c.39, s.14)

10
11 ¹12. Section 12 of P.L.1976, c.23 (C.19:59-12) is amended to
12 read as follows:

13 12. An overseas voter or overseas federal election voter or
14 overseas State and federal election voter may request, on any
15 application form used, a ballot for all elections held during the
16 calendar year in which the request is made and in which the voter is
17 eligible to vote. Any instructions sent to an applicant pursuant to
18 section 5 of P.L.1976, c.23 (C.19:59-5) shall inform the applicant
19 that such a request may be made. If such a request is made, a ballot
20 shall be sent in a timely manner to the voter for all such elections in
21 which the voter is eligible to vote and by the transmission method
22 first requested by the voter unless the voter instructs otherwise.¹

23 (cf: P.L.2017, c.39, s.8)

24
25 ¹13. Section 3 of P.L.1995, c.195 (C.19:59-14) is amended to
26 read as follows:

27 3. Notwithstanding any law, rule or regulation to the contrary,
28 a copy of an overseas voter's or overseas federal election voter's or
29 overseas State and federal election voter's voted ballot, or a voted
30 federal write-in absentee ballot, which is transmitted by electronic
31 means to the appropriate county board of elections in this State
32 shall be considered valid and counted if it:

- 33 a. is from a qualified voter;
- 34 b. has been transmitted to the appropriate county board of
35 elections no later than the time designated by law for the closing of
36 the polls on that day; and
- 37 c. is accompanied by the following statement, which shall be
38 certified by the voter's signature: "I understand that by transmitting
39 by electronic means a copy of my voted ballot I am voluntarily
40 waiving my right to a secret ballot. At the same time, I pledge to
41 place the original voted ballot in a secure envelope, together with
42 any other required certification, and send the documents
43 immediately by air mail to the appropriate county board of
44 elections."¹

45 (cf: P.L.2017, c.39, s.15)

46
47 ¹14. Section 4 of P.L.1995, c.195 (C.19:59-15) is amended to
48 read as follows:

1 4. a. Immediately after a copy of an overseas voter's or
2 overseas federal election voter's or overseas State and federal
3 election voter's voted ballot, or a voted federal write-in absentee
4 ballot, has been transmitted by electronic means to the appropriate
5 county board of elections, as permitted pursuant to section 3 of
6 P.L.1995, c.195 (C.19:59-14), the overseas voter or overseas federal
7 election voter or overseas State and federal election voter shall
8 place the original voted ballot in a secure envelope, together with a
9 certificate substantially the same as provided for in section 9 of
10 P.L.1976, c.23 (C.19:59-9), and send the documents by air mail to
11 the appropriate county board of elections.

12 b. All copies of voted ballots received by electronic means
13 shall be approved, disapproved, processed and counted, and
14 disputes in connection therewith shall be handled, in the same
15 manner as is applicable to other vote by mail ballots. No ballot
16 received after the time designated for the closing of the polls shall
17 be counted.

18 c. The county board of elections shall take all necessary
19 precautions to preserve the security of the ballot materials and
20 specifically shall ensure that the vote cast by a voter using a ballot
21 transmitted by electronic means is not revealed, except to the extent
22 necessary by law or judicial determination. Upon the completion of
23 all inspections of a ballot transmitted by electronic means required
24 by law, the board or any employee thereof acting under its direction
25 shall promptly separate the waiver certification from the ballot
26 transmitted by electronic means. Any person handling such a ballot
27 shall not identify the votes cast by any voter, except upon judicial
28 determination.

29 d. Prior to certification of the results of the election, the county
30 board shall:

31 (1) compare the information on the copy transmitted by
32 electronic means of each voted ballot with the same on the original
33 voted ballot sent by air mail by the voter who transmitted to the
34 county board a copy of the voted ballot by electronic means, and the
35 signature on the statement received by electronic means with the
36 signature on the certificate received by air mail; and

37 (2) ascertain whether an original voted ballot has been received
38 for each copy of a voted ballot received by electronic means and
39 counted.

40 Whenever the particulars of the copy of a voted ballot
41 transmitted by electronic means do not conform exactly with the
42 particulars of the original voted ballot sent by air mail to the county
43 board afterwards by that voter and whenever an original voted
44 ballot has not been received which corresponds to a copy of a voted
45 ballot transmitted by electronic means which has been received and
46 counted by the county board, those ballots and all other pertinent
47 documents and information relative to those ballots shall be turned
48 over to the superintendent of elections in counties having a

1 superintendent and the prosecutor in all other counties for further
2 investigation and action.

3 e. Within 30 days after the election, the county board shall
4 gather and keep together the copy of the voted ballot transmitted by
5 electronic means, the certified statement and the original voted
6 ballot sent by air mail of each voter who transmitted a copy of a
7 voted ballot by electronic means. Those ballots needed for an
8 investigation conducted by the superintendent of elections or the
9 county prosecutor, as the case may be, or by any other law
10 enforcement official shall be returned to the county board as soon
11 as practicable after the conclusion of the investigation. All ballots
12 and documents relative to a copy of a voted ballot transmitted by
13 electronic means and received by the county board shall be retained
14 by it for a period of one year following the day of the election. The
15 superintendent of elections in counties having a superintendent and
16 the prosecutor in all other counties shall have the authority to
17 impound all such documents whenever the superintendent or
18 prosecutor shall deem such action necessary.¹

19 (cf: P.L.2017, c.39, c.16)

20
21 ¹15. Section 26 of P.L.2011, c.37 (C.19:59-16) is amended to
22 read as follows:

23 26. For the purpose of complying with the federal "Uniformed
24 and Overseas Citizens Absentee Voting Act," [42 U.S.C. s.1973ff-
25 1 et seq.] 52 U.S.C. s.20301 et seq., the office of the Secretary of
26 State shall:

27 a. be designated as the single State office responsible for
28 providing information to all overseas voters and overseas federal
29 election voters and overseas State and federal election voters who
30 wish to register to vote or vote in any jurisdiction in the State with
31 respect to voter registration procedures and vote by mail procedures
32 to be used by overseas voters and overseas federal election voters or
33 overseas State and federal election voters for all elections in which
34 the voter is eligible to vote;

35 b. work with the federal Election Assistance Commission and
36 the federal Department of Defense to develop standards to report
37 data on the number of ballots transmitted and received by mail or
38 electronic means by overseas voters or overseas federal election
39 voters or overseas State and federal election voters pursuant to the
40 "Overseas Residents Absentee Voting Law," P.L.1976, c.23
41 (C.19:59-1 et seq.) and section 7 of P.L.2004, c.88 (C.19:61-7); and

42 c. provide such additional information relating to voting by
43 overseas voters and overseas federal election voters and overseas
44 State and federal election voters from this State as the Department
45 of Defense determines is necessary.¹

46 (cf: P.L.2017, c.39, s.9)

1 ¹16. R.S.19:31-6 is amended to read as follows:

2 19:31-6. Any person qualified to vote in an election shall be
3 entitled to vote in the election if the person shall have registered to
4 vote on or before the 21st day preceding the election by:

5 a. registering in person at any offices designated by the
6 commissioner of registration for providing and receiving
7 registration forms;

8 b. completing a voter registration form while applying for a
9 motor vehicle driver's license from an agent of the New Jersey
10 Motor Vehicle Commission, as provided for in section 24 of
11 P.L.1994, c.182 (C.39:2-3.2);

12 c. completing and returning to the Secretary of State or having
13 returned thereto a voter registration form received from a voter
14 registration agency, as defined in subsection a. of section 26 of
15 P.L.1994, c.182 (C.19:31-6.11), while applying for services or
16 assistance or seeking a recertification, renewal or change of address
17 at an office of that agency;

18 d. completing and returning to the Secretary of State a voter
19 registration form obtained from a public agency, as defined in
20 subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

21 e. completing and returning to the Secretary of State or having
22 returned thereto a voter registration form received from a door-to-
23 door canvass or mobile registration drive, as provided for in section
24 19 of P.L.1974, c.30 (C.19:31-6.7);

25 f. completing and returning to the Secretary of State a federal
26 mail voter registration form, as prescribed in subsection (b) of
27 section 9 of the "National Voter Registration Act of 1993," (42
28 U.S.C. s. 1973gg et seq.);

29 g. completing and returning to the Secretary of State or the
30 appropriate county clerk an application for a federal postcard
31 application form to register to vote, as permitted pursuant to the
32 federal "Uniform and Overseas Citizens Absentee Voting Act" [(42
33 U.S.C. s. 1973ff-1 et seq.)] 52 U.S.C. s.120301 et seq.) and section
34 4 of P.L.1976, c.23 (C.19:59-4);

35 h. completing a provisional ballot affirmation statement and
36 voting the provisional ballot in the previous election, if the person
37 who submitted the provisional ballot in that election is determined
38 not to be a registered voter; or

39 i. completing and submitting an online voter registration form
40 available on the Secretary of State's Internet website, as provided
41 under section 1 of P.L.2019, c.382 (C.19:31-6.4c).

42 When the commissioner has designated a place or places other
43 than his office for receiving registrations, the commissioner shall
44 cause to be published a notice in a newspaper circulated in the
45 municipality wherein such place or places of registration shall be
46 located. Such notice shall be published pursuant to R.S.19:12-7.

47 Any office designated by the commissioner of registration for
48 receiving registration forms shall have displayed, in a conspicuous

1 location, registration and voting instructions. These instructions
2 shall be the same as those provided for polling places under
3 R.S.19:9-2 and shall be provided by the commissioner.¹
4 (cf: P.L.2019, c.382, s.2)
5

6 ¹**[2.]** 17.¹ This act shall take effect immediately.