

SENATE, No. 4044

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 27, 2023

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Changes MVC voter registration procedures.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT concerning voter registration with the Motor Vehicle
2 Commission and amending various parts of the statutory law.

3

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

6

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

8 19:31-6. Any person qualified to vote in an election shall be
9 entitled to vote in the election if the person shall have registered to
10 vote on or before the 21st day preceding the election by:

11 a. registering in person at any offices designated by the
12 commissioner of registration for providing and receiving
13 registration forms;

14 b. **[completing a voter registration form]** registering or being
15 registered to vote while applying for a motor vehicle driver's license
16 from an agent of the New Jersey Motor Vehicle Commission, as
17 provided for in section 24 of P.L.1994, c.182 (C.39:2-3.2);

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

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

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

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

35 g. completing and returning to the Secretary of State or the
36 appropriate county clerk an application for a federal postcard
37 application form to register to vote, as permitted pursuant to the
38 federal "Uniform and Overseas Citizens Absentee Voting Act" 52
39 U.S.C. s.120301 et seq.) and section 4 of P.L.1976, c.23 (C.19:59-
40 4);

41 h. completing a provisional ballot affirmation statement and
42 voting the provisional ballot in the previous election, if the person
43 who submitted the provisional ballot in that election is determined
44 not to be a registered voter; or

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.

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

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

9 Any office designated by the commissioner of registration for
10 receiving registration forms shall have displayed, in a conspicuous
11 location, registration and voting instructions. These instructions
12 shall be the same as those provided for polling places under
13 R.S.19:9-2 and shall be provided by the commissioner
14 (cf: P.L.2022, c.72, s.16)

15
16 2. Section 17 of P.L.1974, c.30 (C.19:31-6.5) is amended to
17 read as follows:

18 17. a. Upon receipt of any completed registration form, the
19 commissioner of registration shall review it, and if it is found to be
20 in order, shall:

21 (1) Send to the registrant written notification that such registrant
22 is duly registered to vote. No registrant shall be considered a
23 registered voter until the commissioner of registration reviews the
24 application submitted by the registrant and deems it acceptable. On
25 the face of such notification in the upper left-hand corner shall be
26 printed the words: "Do Not Forward. Return Postage Guaranteed.
27 If not delivered in 2 days, return to the Commissioner of
28 Registration."

29 (2) In as timely a manner as possible, enter the information
30 provided for the registrant on the completed registration form, or
31 electronically transfer the information from an online voter
32 registration form completed pursuant to section 1 of P.L.2019,
33 c.382 (C.19:31-6.4c) or received electronically from the Motor
34 Vehicle Commission pursuant to section 24 of P.L.1994, c.182
35 (C.39:2-3.2), into the Statewide voter registration system
36 established pursuant to section 1 of P.L.2005, c.145 (C.19:31-31).

37 (3) Paste, tape, or photocopy the completed registration form
38 onto an original registration form, and shall paste or tape a copy of
39 such completed registration form onto a duplicate registration form,
40 both of which shall be filed as provided in R.S.19:31-10. Nothing
41 in this paragraph shall preclude any commissioner of registration
42 from keeping the original mail registration form on file.

43 (4) In the case of a registrant currently registered in another
44 county of this State, notify the commissioner of registration of such
45 other county to remove the individual's name from the registry list
46 of voters of the county and place into an appropriate retention file
47 all registration documents or material relating to that voter. The

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1 commissioner of registration of the current county of the registrant
2 shall secure and maintain the entire voting history of that registrant.

3 b. The commissioner shall notify a registrant of the reasons for
4 any refusal to approve his registration.

5 c. (Deleted by amendment, P.L.1994, c.182.)

6 (cf: P.L.2019, c.382, s.3)

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8 3. Section 4 of P.L.2018, c.6 (C.19:31-6.14) is amended to read
9 as follows:

10 4. a. Any State agency, except for the Motor Vehicle
11 Commission, that the Secretary of State verifies already collects
12 sufficient information, including through documents or database
13 verification, that would provide proof of eligibility, including age,
14 citizenship, and residence address, may establish and implement,
15 upon approval by the Secretary of State, a procedure for
16 automatically and electronically transmitting voter registration
17 information to the Secretary of State of persons who are eligible to
18 vote for the purpose of registering such persons to vote or updating
19 their voter registration. Each person from whom such information is
20 collected shall be offered an opportunity to decline automatic voter
21 registration. Any such agency, as well as the Secretary of State and
22 each county commissioner of registration, shall comply with the
23 requirements, to the extent applicable as determined by the
24 Secretary of State, as established in subsections b. through d. of
25 section 24 of P.L.1994, c.182 (C.39:2-3.2).

26 b. Subject to compliance with all applicable federal laws and
27 regulations, the Division of Medical Assistance and Health Services
28 in the Department of Human Services shall automatically and
29 electronically transmit voter registration information to the
30 Secretary of State for each person who applies to the New Jersey
31 Medical Assistance and Health Services Program, who is of
32 sufficient age to register to vote, and who is externally verified as a
33 United States citizen as part of an application to that division. In
34 processing information received from that division, the Secretary of
35 State, and each county commissioner of registration shall comply
36 with the requirements established in subsections b. through d. of
37 section 24 of P.L.1994, c.183 (C.39:2-3.2), to the extent applicable
38 as determined by the Secretary of State.

39 c. Subject to compliance with all applicable federal laws and
40 regulations, the Department of Corrections shall automatically and
41 electronically transmit voter registration information to the
42 Secretary of State for each person who is released from
43 incarceration under the custody of the department, who is of
44 sufficient age to register to vote, and who is verified as a United
45 States citizen in department records. In processing information
46 received from the department, the Secretary of State, and each
47 county commissioner of registration shall comply with the
48 requirements established in subsections b. through d. of section 24

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1 of P.L.1994, c.183 (C.39:2-3.2), to the extent applicable as
2 determined by the Secretary of State.

3 d. Any additional agencies that are designated for automatic
4 voter registration pursuant to subsection a. of this section shall
5 comply with the requirements, to the extent applicable as
6 determined by the Secretary of State, as established in section 24 of
7 P.L.1994, c.182 (C.39:2-3.2) for automatic voter registration and
8 shall provide the notices required pursuant to subsection [c.] b.
9 through d. of this section to each person from whom such
10 information is collected.

11 e. Pursuant to section 21 of P.L.1974, c.30 (C:19:31-6.9), the
12 Secretary of State shall develop procedures for processing
13 electronic records received from an agency pursuant to this section
14 without a digitized image of the applicant's signature.

15 (cf: P.L.2018, c.6, s.4)

16

17 4. R.S.19:31-11 is amended to read as follows:

18 19:31-11. a. In all counties within the State, change of residence
19 notices shall be made: (1) by a written request, signed by the
20 registrant, forwarded to the commissioner by mail, and actually
21 received by the commissioner; (2) by calling in person at the office
22 of the commissioner or the municipal clerk; or (3) by completing
23 and submitting a change of residence notice online as provided by
24 the Secretary of State. Change of residence information shall also
25 be received from the Motor Vehicle Commission and processed
26 pursuant to subsection d. of section 24 of P.L.1994, c.182 (C.39:2-
27 3.2). The commissioner shall provide change of residence notices
28 in card form for the use of any registered voter moving to another
29 address within the same election district; to another election district
30 within the same county; or to another election district in another
31 county for processing as provided under subsection c. of this
32 section. Copies of these notices shall also be available at the office
33 of the municipal clerk in each municipality. Each municipal clerk
34 shall transmit daily to the commissioner all the filled out change of
35 residence notices that may be in the municipal clerk's office at the
36 time. These notices shall be printed upon cards, shall contain a
37 blank form showing where the applicant last resided and the address
38 and exact location to which the applicant has moved and shall have
39 a line for the applicant's signature, printed name and date of birth.
40 Upon receipt of such change of residence notice the commissioner
41 shall cause the signature to be compared with the registration forms
42 of the applicant and, if such signature appears to be of and by one
43 and the same legal voter, the commissioner shall cause the entry of
44 the change of residence to be made on those registration forms and
45 the registrant shall thereupon be qualified to vote in the election
46 district to which the registrant shall have so moved. If the
47 commissioner is not satisfied as to the signature on the request for a
48 change of residence, a confirmation notice as prescribed by

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1 subsection d. of R.S.19:31-15 shall be sent by mail with postage
2 prepaid to the registrant at the new address.

3 The application for change of residence shall be filed with the
4 commissioner or municipal clerk, as the case may be, on or before
5 the 21st day preceding any election.

6 b. In any county any voter who, prior to an election, shall move
7 within the same county after the time above prescribed for filing an
8 application for change of residence without having made
9 application for change of residence, or who has not returned a
10 confirmation notice sent to the voter by the commissioner of
11 registration of the county, if such a notice has been sent to the voter,
12 or who has not moved since the previous election but whose
13 registration information is missing or otherwise deficient, or has
14 otherwise failed to notify the commissioner of registration of the
15 voter's change of address within the county, shall be permitted to
16 vote in that election in the district to which the voter has moved,
17 upon making a written affirmation regarding the change of address
18 at the polling place of the district in which the voter resides on the
19 day of the election. No identifying document shall be required from
20 the voter for this affirmation. A district board member shall
21 provide the voter with a provisional ballot, and an envelope with an
22 affirmation statement that conforms with the requirements for such
23 documents contained in subsection b. of section 7 of P.L.1999,
24 c.232 (C.19:53C-1). The voter shall complete the provisional ballot
25 and affirmation statement, place the ballot in the envelope, seal and
26 return it to the district board member. The board member shall
27 review the information in the affirmation statement for
28 completeness before forwarding it for inspection, tabulation and
29 notation by the county board of elections, as provided for by
30 sections 7 through 26 of P.L.1999, c.232 (C.19:53C-1 through
31 C.19:53C-20). The affirmation statement shall constitute a transfer
32 to the registrant's new residence for any subsequent election.
33 However, if the voter has moved from one residence to another
34 within the same election district at any time, the voter shall be
35 permitted to vote in such election district at any election in the same
36 manner as other voters at the polling place upon written affirmation
37 by the registrant to the district board member of the registrant's
38 change of address.

39 c. A voter who moves from an election district in one county to
40 an election district in another county prior to the close of
41 registration preceding an election shall register in the new county of
42 residence, in accordance with the provisions of R.S.19:31-6, or
43 shall file a change of residence notice with the commissioner of
44 either county or complete and submit that notice online as provided
45 by the Secretary of State, or have their registration updated pursuant
46 to subsection d. of section 24 of P.L.1994, c.182 (C.39:2-3.2), in
47 order to be permitted to vote. A change of residence notice filed by
48 a voter pursuant to this subsection shall cause the commissioners of

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1 the county of previous residence and the county of new residence to
2 update the voter registration record of that voter. The
3 commissioner of the county of new residence shall notify the voter
4 by mail that the voter is now registered to vote in that county or, if
5 the notice submitted by the voter is incomplete, to request any
6 additional information or documentation necessary to finalize the
7 change of residence notice. Nothing in this subsection shall be
8 interpreted to waive the requirement specified under R.S.19:31-5
9 that the voter shall have been a resident of the county of new
10 residence for at least 30 days prior to being eligible to vote in any
11 election in that county.

12 (cf: P.L.2022, c.67, s.12)

13

14 5. R.S.19:31-13 is amended to read as follows:

15 19:31-13. Whenever the registrant after his or her original
16 registration shall change his or her name due to marriage, divorce,
17 or by judgment of court, the registrant shall in person or by mail
18 submit to the commissioner of registration a written statement
19 notifying the commissioner of the change, which statement shall
20 take such form, and be printed on a postal card suitable for mailing
21 of such design, as the Attorney General shall prescribe and shall be
22 signed by the registrant. A registrant may complete the form online
23 as provided by the Secretary of State. Change of name information
24 shall also be received from the Motor Vehicle Commission and
25 processed pursuant to subsection d. of section 24 of P.L.1994, c.182
26 (C.39:2-3.2). The commissioner, upon receipt of such a notice of
27 change of name, shall revise accordingly the name of the registrant
28 as it appears among the items of information concerning the
29 registrant included on the registrant's registration forms, shall make
30 a photographic copy of the notice of name change submitted by the
31 registrant, and shall affix the original notice so submitted to the
32 registrant's original registration form and the photographic copy of
33 that notice to the registrant's duplicate registration record.

34 When notice of such change in name has not been received by or
35 filed with the commissioner prior to the 21st day preceding any
36 election, such person may be permitted to vote under the name
37 under which the person was registered prior to that change at the
38 first election following such change in name at which the person
39 shall appear to vote, after signing the signature copy register with
40 both the registered name and his or her new name. The
41 commissioner shall then revise accordingly the name of the
42 registrant as it appears on the registrant's registration forms, make a
43 photographic copy of the notice, and affix the original and copy of
44 the notice to the registrant's permanent registration forms as
45 hereinabove prescribed.

46 (cf: P.L.2022, c.67, s.13)

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

3 24. a. The Secretary of State, with the assistance of the Chief
4 Administrator of the New Jersey Motor Vehicle Commission, shall
5 provide for an eligible applicant to simultaneously apply for a
6 motor vehicle driver's license, an examination permit, a
7 probationary driver's license, or a non-driver identification card, as
8 applicable, and be automatically registered to vote, or have an
9 existing voter registration updated, in a manner which satisfies both
10 the requirements necessary to receive a license to operate a motor
11 vehicle, pursuant to R.S.39:3-10, or an examination permit, a
12 probationary driver's license, or a non-driver identification card, as
13 applicable, and to register to vote, pursuant to R.S.19:4-1. The
14 applicant shall be offered an opportunity to decline the automatic
15 voter registration under this section. If an applicant changes the
16 applicant's party affiliation when updating an existing voter
17 registration under this section, the applicant shall be sent a
18 confirmation notice by the county commissioner of registration
19 noting that change.

20 b. (1) Pursuant to subsection a. of this section, for every
21 application for a motor vehicle driver's license, an examination
22 permit, a probationary driver's license, or a non-driver
23 identification card, and each related update, renewal, or change of
24 address, where, in the course of business with the Motor Vehicle
25 Commission, the applicant provides documentation demonstrating
26 United States citizenship, is not already registered to vote in the
27 State of New Jersey, and is of sufficient age to register to vote, the
28 Chief Administrator shall promptly transmit electronically to the
29 Secretary of State the applicant's:

- 30 (a) name;
31 (b) date of birth;
32 (c) driver's license or state ID number;
33 (d) residence address, and mailing address if different from
34 the residence address;
35 (e) county of residence;
36 (f) citizenship status;
37 (g) signature as a digitized image;
38 (h) telephone number, if available; and
39 (i) e-mail address, if available.

40 The Chief Administrator shall not transmit information for any
41 person who is a participant in the Address Confidentiality Program
42 pursuant to R.S.47:4-1. Nothing in this section shall be construed
43 to amend the substantive qualifications for voter registration in this
44 State, or to require documentary proof of citizenship for voter
45 registration. Nothing in this section shall be construed to authorize
46 the Motor Vehicle Commission to request documentation
47 establishing an applicant's citizenship solely for the purposes of
48 voter registration.

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1 (2) Upon receiving information pursuant to paragraph (1) of this
2 subsection for a person who is not registered to vote in the State of
3 New Jersey, is of sufficient age to register to vote, and has provided
4 documentation demonstrating United States citizenship in the
5 course of business with the Motor Vehicle Commission, unless the
6 Secretary of State determines that the person is ineligible to register
7 to vote or is a member of the Address Confidentiality Program
8 pursuant to R.S.47:4-1, the Secretary of State shall transmit the
9 person's information to the appropriate county commissioner of
10 registration.

11 (3) Upon receiving information pursuant to paragraph (2) of this
12 subsection, a county commissioner of registration shall proceed to
13 register the person to vote pursuant to R.S.19:31-6.5 and send to the
14 person's address of record, by nonforwardable mail, a notice that
15 the person has been registered to vote that contains a postage paid
16 preaddressed return form by which the person may affiliate with a
17 political party or decline to be registered. Such notice shall also
18 provide an option for the person to apply for and receive a mail-in
19 ballot as provided under section 3 of P.L.2009, c.79 (C.19:63-3),
20 until the voter requests otherwise. A notice mailed pursuant to this
21 paragraph shall include an explanation of the eligibility
22 requirements to register to vote. The notice shall also state the
23 penalties for submission of a false application.

24 (4) The notice provided under paragraph (3) of this subsection
25 shall also include a statement that, if the person declines to register
26 to vote, the fact that the person has declined registration will remain
27 confidential and will be used only for election administration
28 purposes, and a statement that, if a person does not decline
29 registration, the office at which the person was registered will
30 remain confidential and will be used only for election
31 administration purposes. The notice shall also provide information
32 and procedures for anyone wishing to prevent disclosure of their
33 street address.

34 (5) The Secretary of State shall prescribe the form of the notice
35 required under paragraph (3) of this subsection. Such notice may
36 be combined with the notice provided to newly registered voters
37 pursuant to paragraph (1) of subsection a. of P.L.1974, c.30
38 (C:19:31-6.5). The notice shall include the required information in
39 English and Spanish, as well any additional language which is the
40 primary language of five percent or more of the registered voters in
41 the county where the notice is mailed.

42 (6) If a person returns the notice provided under paragraph (3) of
43 this subsection and declines to be registered, the person's
44 registration shall be cancelled, and the person shall be deemed to
45 have never registered. However, if the person has voted in an
46 election after the transfer of the person's record but before the
47 notice is returned, the returned form shall be of no force and effect

1 and the person shall be registered as of the date of the person's
2 application with the Motor Vehicle Commission.

3 (7) If a person returns the notice provided under paragraph (3) of
4 this subsection and affiliates with a political party, the person shall
5 be registered to vote as of the date of the person's application with
6 the Motor Vehicle Commission and the person's affiliation shall be
7 marked effective as of the date the affiliation information is
8 received.

9 (8) If the person returns the notice provided under paragraph (3)
10 of this subsection but does not select any options or provide any
11 new information, the form shall be of no force and effect, and the
12 person shall remain registered to vote.

13 (9) If a notice provided under paragraph (3) of this subsection is
14 returned as undeliverable, the county commissioner of registration
15 shall send the person a confirmation notice pursuant to subsection
16 d. of R.S.19:31-15.

17 (10) Information relating to the return of a notice form declining
18 to be registered shall not be used for any purpose other than election
19 administration. Nothing in this section shall be construed to
20 prohibit, or in any way restrict, any action where such prohibition
21 or restriction would be contrary to federal law. However,
22 documents, records, or information relating to an individual
23 person's decision declining to be registered shall not be disclosed
24 for any purpose related to Title 8 of the United States Code without
25 the person's informed consent, a warrant signed by a State or
26 federal judge, or a lawful court order or subpoena. An individual's
27 notice form declining to be registered is not considered a
28 government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.)
29 or the common law concerning access to government records.

30 c. (1) Pursuant to subsection a. of this section, for every
31 application for a motor vehicle driver's license, an examination
32 permit, a probationary driver's license, or a non-driver identification
33 card, and each related update, renewal, or change of address, by a
34 person who is not already registered to vote in the State of New
35 Jersey and whose information is not subject to transmission to the
36 Secretary of State pursuant to subsection b. of this section, except
37 as provided in [paragraphs] paragraph (2) [and (3)] of this
38 subsection, the Chief Administrator shall ensure that the
39 information necessary for voter registration is collected from the
40 application and promptly transmitted electronically to the Secretary
41 of State. The Chief Administrator shall ensure that electronic
42 records are not transmitted to the Secretary of State for any
43 applicant who has declined registration under this subsection. The
44 Commissioner of Registration shall register to vote or update an
45 existing registration for any eligible applicant who has not declined
46 voter registration under this subsection. However, any person who,
47 at the time of the transaction with the Motor Vehicle Commission,
48 provides a document that conclusively demonstrates that the person

1 is not a United States citizen shall not be offered the opportunity to
2 register to vote.

3 (2) **[**Voter registration information from an application received
4 online for the renewal of a motor vehicle driver's license or non-
5 driver identification card shall be collected and promptly
6 transmitted electronically to the Secretary of State upon the
7 implementation by the Secretary of State of online voter
8 registration. Subsection c. of this section shall be inapplicable to
9 such applications until that time.

10 (3) **[**Voter registration information from an application received
11 through the mail for the renewal of a motor vehicle driver's license
12 or non-driver identification card shall be exempt from collection
13 and electronic transmission to the Secretary of State until such time
14 as the Chief Administrator determines that the prompt electronic
15 transmission of the information is practicable. Subsection **[c.] d.** of
16 this section shall be inapplicable to such applications until that time.
17 Following the effective date of P.L.2018, c.6, the Chief
18 Administrator shall inform the Governor and the Legislature every
19 six months of the practicability of collecting and transmitting to the
20 Secretary of State voter registration information from such
21 applications. This paragraph shall not be construed to preclude the
22 Motor Vehicle Commission from processing voter registration
23 applications received in the manner in which such applications were
24 processed in connection with such renewals prior to the effective
25 date of P.L.2018, c.6.

26 **[c.] (3)** The Chief Administrator shall provide for the following
27 notices to be provided with every application for a motor vehicle
28 driver's license, an examination permit, a probationary driver's
29 license, or a non-driver identification card and every related update,
30 renewal, or change of address as designated pursuant to paragraph
31 (1) of this subsection:

32 **[1] (a)** a notice that the applicant will be registered to vote, if
33 eligible, unless the applicant specifically declines the automatic
34 voter registration;

35 **[2] (b)** a notice of the voter eligibility requirements under
36 R.S.19:4-1 and the penalties for false registration and illegal voting
37 under Title 19 of the Revised Statutes, which notice shall contain an
38 affirmation that the applicant meets each such requirement and shall
39 require the signature of the applicant, under penalty of law; and

40 **[3] (c)** a notice that an applicant who is a victim of domestic
41 violence or stalking may decline the automatic voter registration
42 and register to vote without disclosing the applicant's street address
43 pursuant to section 1 of P.L.1994, c.148 (C.19:31-3.2).

44 d. **[**For each applicant already registered to vote, any change of
45 address notification submitted to the Chief Administrator for the
46 purpose of maintaining current information on an applicant shall be
47 promptly reported to the Secretary of State. **A] (1) For every**

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1 application for a motor vehicle driver's license, an examination
2 permit, a probationary driver's license, or a non-driver
3 identification card, and each related update, renewal, or change of
4 address, by an applicant who is already registered to vote in the
5 State of New Jersey, the Chief Administrator shall promptly
6 transmit electronically to the Secretary of State information
7 regarding the applicant's name and address for the purpose of
8 maintaining current information on the applicant.

9 (2) Any change of address notification received by the Chief
10 Administrator in paper format shall be reported to the Secretary of
11 State no later than the 10th day following its receipt by the Chief
12 Administrator.

13 (3) For any information received from the Chief Administrator
14 pursuant to paragraph (1) of subsection d. of this section for an
15 applicant who is already registered to vote in the State of New
16 Jersey, the Secretary of State shall determine if the information
17 provided to the Chief Administrator indicates a different name or
18 address from that on the person's registration record. If the
19 information provided to the Chief Administrator indicates a
20 different name or address from that on the person's registration
21 record, the Secretary of State shall transmit change of address and
22 change of name information for the person to the appropriate
23 commissioner of registration. If the applicant has changed
24 residence from one county to another, the Secretary of State shall
25 submit the information to both the commissioner of the previous
26 county of residence and the new county of residence. The
27 Commissioner of Registration in the applicant's county of residence
28 shall use the change of address or change of name notification to
29 update an existing voter registration [unless the applicant declines
30 the automatic voter registration pursuant to this section and
31 indicates that the change of address is not for voter registration
32 purposes], transfer the person's registration file if inactive to the
33 active file, and send to the person's address of record, by
34 forwardable mail, notice of the change and a postage paid
35 preaddressed return form by which the person may verify or correct
36 the information. If the person returns the notice and indicates that
37 the change to the person's registration record was an error, the
38 appropriate county commissioners of registration, including the
39 commissioner of the previous county of residence, shall
40 immediately correct the person's previously updated information in
41 the Statewide Voter Registration System. A change of address
42 notification submitted to the commission, which is used for voter
43 registration purposes, shall be subject to the provisions of section 1
44 of P.L.1994, c.148 (C.19:31-3.2) if the person submitting the
45 change of address notification previously registered to vote in
46 accordance with that section.

47 e. (1) If a person who is not entitled to vote becomes registered
48 to vote pursuant to this section, that person's registration shall be

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1 presumed to have been effected with official authorization, and the
2 person shall not be deemed to have committed a crime under
3 R.S.19:34-1. This subsection shall not apply to a person who
4 knowingly and willfully makes a false statement to effectuate voter
5 registration.

6 (2) If a person who is not entitled to vote becomes registered to
7 vote pursuant to this section and votes or attempts to vote in an
8 election held after the effective date of the person's registration,
9 that person shall be presumed to have an affirmative defense to
10 prosecution under R.S. 19:34-11 and R.S. 19:34-23. This
11 subsection shall not apply to a person who knowingly and willfully
12 makes a false statement to effectuate voter registration or who
13 intentionally takes voluntary action to register to vote or vote
14 knowing that he or she is not entitled to vote.

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

18 g. The Secretary of State and the Chief Administrator shall
19 jointly develop a process by which the Motor Vehicle Commission,
20 upon obtaining a person's full name, date of birth, driver's license
21 or state identification number, residence address, and mailing
22 address if different from residence address, may use information
23 from the statewide voter registration system to determine whether
24 the person is already registered to vote in the state.

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

30 (cf: P.L.2022, c.70, s.6)

31

32 7. Section 23 of P.L.1994, s.182 (C.39:3-10m) is amended to
33 read as follows:

34 23. Notwithstanding any law, rule or regulation to the contrary,
35 each applicant, who meets all requirements for eligibility to vote,
36 for a State motor vehicle driver's license, an examination permit, a
37 probationary driver's license, or a non-driver identification card
38 application, including any application for a renewal or update
39 thereof, except as provided in **paragraphs** paragraph (2) [and (3)]
40 of subsection **[b]** c. of section 24 of P.L.1994, c.182 (C.39:2-3.2),
41 submitted to an agent of the New Jersey Motor Vehicle
42 Commission shall be offered an opportunity to decline the
43 automatic voter registration as provided pursuant to section 24 of
44 P.L.1994, c.182 (C.39:2-3.2).

45 (cf: P.L.2018, c.6, s.2)

46

47 8. The Secretary of State may promulgate any guidelines or
48 regulations necessary to effectuate the purposes of

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1 P.L. , c. (C.)(pending before the Legislature as this bill),
2 which regulations shall be effective immediately upon filing with
3 the Office of Administrative Law for a period not to exceed 18
4 months, and shall, thereafter, be amended, adopted or readopted in
5 accordance with the provisions of the "Administrative Procedure
6 Act," P.L.1968, c.410 (C.52:14B-1 et seq.).
7

8 9. This act shall take effect on January 1, 2025, except that the
9 Secretary of State may take any anticipatory administrative action
10 in advance thereof as shall be necessary for the implementation of
11 this act.
12
13

14 **STATEMENT**
15

16 This bill revises the Motor Vehicle Commission voter
17 registration procedures.

18 Section 1 of the bill changes eligibility to be able to vote in an
19 election to when the voter has registered to vote with the MVC, not
20 when they have simply completed the form.

21 Section 2 of the bill allows transfer of information on a newly
22 registered voter received electronically by the MVC into the
23 Statewide voter registration system.

24 Section 3 of the bill directs the Division of Medical Assistance
25 and Health Services and the Department of Corrections to
26 automatically transmit voter registration information to the
27 Secretary of State for each person who applies to the New Jersey
28 Medical Assistance and Health Services Program who is eligible to
29 vote. The information received by the Secretary of State from the
30 division and department does not require a digitized image of the
31 applicant's signature.

32 Section 4 of the bill changes to residence information are
33 permitted to be received, processed, and updated by the MVC in
34 addition to the commissioner, municipal clerk, or the Secretary of
35 State for voter registration purposes.

36 Section 5 of the bill changes to name information are permitted
37 to be received and processed by the MVC for voter registration
38 purposes.

39 Section 6 of the bill directs the MVC to automatically transfer
40 information to the Secretary of State about each person, except
41 those in the Address Confidentiality Program, who approaches the
42 MVC for a motor vehicle driver's license or similar license who is
43 not registered to vote, is of age, and is a citizen. If the person is
44 determined to be eligible to vote by the Secretary of State, the
45 secretary will transmit the information to the appropriate county
46 commissioner of registration who will register the person to vote
47 and send a notice to the person by mail confirming the registration.
48 The notice will include a form with prepaid postage by which the

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1 person may declare a political party affiliation, request mail-in
2 ballots until indicated otherwise, or decline to be registered to vote.

3 Section 6 also requires that the notice will include the required
4 information in English and Spanish, as well any additional language
5 which is the primary language of five percent or more of the
6 registered voters in the county where the notice is mailed.

7 Section 6 also removes the requirement that voter registration
8 information from an application received online for the renewal of a
9 motor vehicle driver's license or non-driver identification card will
10 be collected and transmitted electronically to the Secretary of State
11 upon the implementation by the Secretary of State of online voter
12 registration.

13 Section 6 also directs the MVC to transmit to the Secretary of
14 State the applicant's name and address for every application for a
15 motor vehicle driver's license, or similar license, and each related
16 update, renewal, or change of address, by an applicant who is
17 already registered to vote in the State of New Jersey for the purpose
18 of maintaining current information on the applicant. If the
19 Secretary of State finds that the name or address provided by the
20 MVC is different than the name or address on the voter's
21 registration record, the secretary will transmit the updated name or
22 address to the appropriate county commissioner of registration. A
23 notice of the change and a postage paid preaddressed return form by
24 which the person may verify or correct the information will be sent
25 to the person. If the person returns the notice and indicates that the
26 change to the person's registration record was an error, the
27 appropriate county commissioner of registration will immediately
28 correct the person's previously updated information in the statewide
29 voter registration system.