

# NEW JERSEY

## Voter Rights Handbook

*Know your rights as a **Voter**  
Voter knowledge is the best weapon  
against Voter **Fraud***

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**be  
Powerful.  
be Heard.**

www.NJElections.org 1-877-NJVOTER



# A Message from The Attorney General



**Stuart Rabner**  
New Jersey  
Attorney General

Dear Fellow Citizen,

Participating in the democratic process by voting is not only a precious right, it is a civic responsibility. For while we live in a free society, that society still operates on the basis of laws. Only by voting can we have a voice in determining who makes those laws.

Public safety. Health care. Equal justice. The cost of goods and services.

On a daily basis, these and other issues that help determine our quality of life are influenced by the decisions our elected leaders make. If we do not vote, we allow others to choose those leaders. And, ultimately, we relinquish a vital opportunity – the opportunity to help shape the policies that will guide our future.

If you are a United States citizen, at least 18 years of age, and are registered to vote in accordance with New Jersey law, you have the legal right to vote. I urge you to exercise that right.

The Office of The Attorney General is committed to ensuring that the voting process in New Jersey is as accessible and inclusive as possible.

Consistent with that goal, this Voter Rights Handbook is filled with useful information including: registration and voting procedures, a glossary of voting terms, tips on how to protect your right to vote from undue interference, and available resources should you require further assistance.

An informed electorate is the key to a thriving democracy. Today and in the future, I hope you will participate in the democratic process by voting, and that you will find this Voter Rights Handbook a useful resource.

Stuart Rabner  
*Attorney General*

## Quick Fact

**Democracy is about Freedom. Voting is Free.**

*It costs no money to register to vote and no money to vote.  
No one can pay you to register to vote or to vote.*

# New Jersey's Voting Requirements

You can vote if you are:

- ✗ a U.S. citizen.
- ✗ at least 18 years of age by election day.
- ✗ a New Jersey resident at least 30 days before the election.
- ✗ not in jail, on probation or parole because of a felony conviction.
- ✗ registered to vote at least 21 days before the election.

## Quick Fact

### *Special Note for Ex-Felons:*

*In New Jersey, ex-felons can register to vote. Any person who is no longer in prison, or has completed his or her term of probation or parole can register to vote. That is the law.*

## Quick Tip

*Voter Registration Forms are available at your Municipal Clerk's Office, any Motor Vehicle Commission Agency, from your County Commissioner of Registration or online at [www.NJElections.org](http://www.NJElections.org)*

## Requirements for your Voter Registration Application:

- ✗ Print clearly so the form can be read. If it cannot be read, it will be rejected.
- ✗ Complete the two check-off boxes at the top of the form.
- ✗ Print your full name: first and last, and a middle initial if you have one.
- ✗ Enter your birth date.
- ✗ Provide your Driver's License Number or MVC non-driver ID Number. If you don't have a Driver's License or a MVC non-driver ID, provide the last 4 digits of your Social Security Number. If you don't have a Driver's License Number, a MVC non-driver ID, or a Social Security Number, check off the box that says "I swear or affirm that I DO NOT have a NJ Driver's License, MVC non-driver ID, or a Social Security Number."

**NOTE:** *Driver License and Social Security Numbers are kept strictly confidential and will not be released to the public.*

- ✗ Check off the gender box
- ✗ Sign the application.
- ✗ If assistance in completing the form is given, the name and address of the assistor must be put on the form. you also have the option to:
  - ✗ provide your telephone number.
  - ✗ declare a political party on the Voter Registration Application.

## Quick Tip

**Do not** let anyone make you sign a blank or incomplete Voter Registration Application.

**Do not** let anyone take your Voter Registration Application from you without your permission.

## Submitting your Voter Registration Application:

- ✗ Your Voter Registration Application must go to your County Commissioner of Registration. It is postage paid so it does not cost anything to mail it.
- ✗ You can also drop it off at the Commissioner's office or your Municipal Clerk's Office.
- ✗ It must be received by a voter registration agency by the 21st day before the election.

## Identification (ID) Requirements

Every person registering to vote must provide his or her NJ driver's license number or MVC non-driver ID number. If the registrant does not have either a driver's license or MVC ID, the last four numbers of his or her social security number must be provided. These numbers will be verified by the New Jersey Motor Vehicle Commission. The registrant will be notified if the numbers cannot be matched. If the registrant does not have a driver's license, MVC non-driver ID or social security number, the box in section 5 of the Voter Registration Application must be checked off.

If you are a first-time registrant by mail and you do not have a driver's license number, MVC non-driver ID or a social security number, or the information you provide cannot be verified, you will be asked to provide a copy of a current and valid photo id, or a document with your name and current address on it to avoid having to provide identification at the polling place.

Here are some examples of an identifying document:

### **A current and valid photo ID, such as:**

- ✗ NJ driver's license
- ✗ US passport
- ✗ military or other government ID
- ✗ student or job ID
- ✗ store membership ID, like a Sam's Club or Costco card

### **or any document with your name and current address:**

- ✗ bank statement
- ✗ car registration
- ✗ government check or document

## **Quick Fact**

If you **walk in** your Voter Registration Application to your Municipal Clerk or County Commissioner of Registration, or someone walks it in for you, you will not have to provide identification.

- X rent receipt
- X utility bill
- X any other official document

## How Will I Know Where to Vote?

As a registered voter, you will be sent a **sample ballot** before every election. The sample ballot will tell you where your polling place is. You may also bring your sample ballot to the polling place on Election Day.

If you don't get a sample ballot a few days before an election, call your County Clerk's office. Visit [www.NJElections.org](http://www.NJElections.org) to find your County Clerk's Office.

You can also get polling place information from your Municipal Clerk or Board of Election office.

## Voting Rights in the Polling Place

You **can** vote in the voting machine if:

- X your complete voter registration information is in the poll book.
- X you currently live in the election district or you moved to another county after the close of registration. Thereafter, you must register in your new county.

## Assistance in the Voting Machine

You can get assistance in the voting machine **ONLY** if you are blind, visually impaired, physically disabled or illiterate.

You **get to choose who will assist you**. If you come alone to the polling place, **two** board workers will be glad to assist you. **Remember, the choice is yours.**

### Quick Tip

Visit [www.NJElections.org](http://www.NJElections.org) to find your County Election Offices and contact information as well as other important dates and information.

### Quick Fact

If the Voting Machine is not working, **DO NOT LEAVE** the Polling Place. A Board Worker will give you a **Paper Emergency Ballot**.

## When Might I be Asked for **Identification (ID)** at the Polling Place?

You can **only** be asked to provide ID at the polling place if:

✗ you are a first time registrant by mail in your county after January 1, 2003 who provided a Driver's License Number or the last 4 digits of your Social Security Number that could not be verified; or you did not provide ID before going to vote in the polling place **or**

✗ you are being properly challenged.

**Note: Only the board workers can ask you for ID.**

## Voting by **Paper Provisional Ballot**

You **cannot** vote in the voting machine and **must** vote by **Paper Provisional Ballot** if:

- ✗ your voter registration information is missing or is not complete in the poll book. (i.e., your signature is missing.)
- ✗ you moved from your registered address to another one in the same county and you did not tell the county commissioner of registration in time before the election.
- ✗ you are a first-time registrant by mail in your county after January 1, 2003 and you did not provide ID (or your identification numbers could not be verified) to the county commissioner of registration before the election or you do not show it to the board workers in the polling place on the day of the election. (see "Quick Fact" below)
- ✗ there is an "A" in the poll book but you never received your absentee ballot, or you tell the board workers you never applied for an absentee ballot.

### Completing the Provisional Ballot:

- ✗ Complete the provisional ballot affirmation statement that is on the provisional ballot envelope.
- ✗ Sign the statement. **If you don't, the ballot will not be counted.**
- ✗ Place the voted ballot into the envelope and **seal it.**
- ✗ Do not detach the affirmation statement. Keep it on the envelope.
- ✗ After you give your provisional ballot to a board worker, you must be given a piece of paper that will tell you how you can find out if your ballot was counted by the Board of Election.

### **Quick Fact**

You will have up until the close of business the second day after the election to get ID to the county commissioner of registration. If you don't, the provisional ballot will not be counted.

**NOTE:** *If it is determined after the election that you are not a registered voter, the Provisional Ballot will not be counted, but the Provisional Ballot Affirmation Statement will be processed as a Voter Registration Application for future elections. You will be notified by the County Commissioner of Registration whether your application is accepted.*

## Challengers in the Polling Place — Do's and Don'ts:

### Challengers Can:

- ✗ **only** challenge a voter's right to vote if the challenger believes the voter is not qualified to vote (example: the challenger has information that the voter has moved away and should not be voting at that polling place.)

**Note:** *The challenger must sign an affidavit when challenging a voter.*

### Challengers Cannot:

- ✗ challenge a voter because of the voter's race, ethnic origin, expected manner of voting, or because the voter lives in a particular ward, housing complex, or section of a town.
- ✗ sit with the board workers.
- ✗ go to the voting machine during the voting hours.
- ✗ touch any election materials.
- ✗ challenge a voter directly.
- ✗ harass or intimidate any voter or cause a disturbance in the polling place.
- ✗ wear any campaign badges, shirts or insignia whatsoever.

### Quick Tip

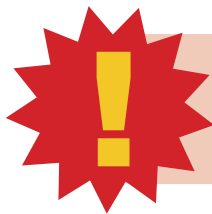
*If you are challenged and not allowed to vote, the board workers must tell you that you can go to court on election day to seek permission to vote.*

## Electioneering on Election Day at the Polls is a Prohibited Activity

There can be **no electioneering** of any kind within the area 100 feet from the outside entrance to the polling place up to and including the polling room.

There can be **no campaign signs or other campaign material** in this area.

- ✗ No voter can be solicited by anyone within this area.
- ✗ There can be no loitering in this area.
- ✗ Exit polling by the media, however, is allowed.



## **“No Excuses” Absentee Ballot Anyone Can Vote by Mail**

*It is now the law that any voter can vote by absentee ballot for any election, no reason required.*

## **Absentee Voting in New Jersey**

### **Absentee Ballot Application Process**

To get an absentee ballot, you must fill out an application. You can get an absentee ballot application from the County Clerk’s office. You can also visit [www.NJElections.org](http://www.NJElections.org) to download an application.

#### **Make sure you properly fill out the Application:**

- ✗ Print your name and address.
- ✗ **You must Sign and Date the Application.**
- ✗ *A Power of Attorney signature on behalf of a voter is not acceptable.*
- ✗ **If You do not sign the application, it will be rejected.**
- ✗ *If You receive assistance in completing the application, the name, address, and signature of the assistor must be provided.*

#### **The Absentee Ballot Application must go to your County Clerk’s Office.**

If you can mail it to your County Clerk it needs to get there at least 7 days before the election. After that day, you must walk the application into the County Clerk’s Office. Ballots can be issued by the Clerk up until 3:00 p.m. of the day before the election.

### **Authorized Messenger Application Process**

**Only if you are sick or confined**, you can ask someone to be your Authorized Messenger to go to the County Clerk’s office to get your ballot.

- ✗ At the bottom of the application, **you must write the name of the person you choose** as your Authorized Messenger.
- ✗ No one can be your Authorized Messenger without your permission.

### **Quick Fact**

*If you are permanently disabled, you can ask for an absentee ballot for all the elections in a calendar year on one application.*

*Any voter who wishes to vote only by absentee ballot for a general election can request to receive automatically an application for general elections.*

- ✗ The Authorized Messenger must be a family member (that includes any adult who is living in the same household as you) or another registered voter of your county.
- ✗ No candidate in the election in which you are requesting an absentee ballot can be an Authorized Messenger.
- ✗ **You must sign the bottom of the application under the name of the Authorized Messenger.**
- ✗ **The Authorized Messenger must show a photo ID to the County Clerk before getting your ballot.**
- ✗ Once your Authorized Messenger gets your Absentee Ballot from the County Clerk, the messenger must bring it to you.
  - ✗ **No one can vote your ballot but you.**
  - ✗ **Do not allow anyone to take your unvoted ballot from you.**

## Quick Tip

*If anyone tries to take your ballot from you, contact your County Commissioner of Registration. If anyone tries to interfere with your right to vote, contact your County Prosecutor. Or call 1-877-NJVoter (1-877-658-6837)*

## Voting your Absentee Ballot

- ✗ You have the right to vote your Absentee Ballot in private.
- ✗ You have the right to decide for yourself how you will vote.
- ✗ No one has the right to tell you how to vote.
- ✗ No one can demand you tell them how you voted.

**You must complete your ballot without help from someone else except:**

- ✗ a family member can always help you.
- ✗ someone who is not a family member can help you, but **only** if you are a sick and incapacitated voter.
- ✗ whoever provides you assistance with your ballot, **must** fill out the **assistor** portion of the Absentee Ballot Certificate. The Certificate is attached to the small envelope you get with the Absentee Ballot.
- ✗ a candidate can **never** help you with your Absentee Ballot.

## Quick Fact

*No one can electioneer or campaign while assisting you with your absentee ballot. It is against the Law.*

## Make Sure Your **Absentee Ballot** will be Counted

- ✗ **Sign your name** on the certificate **or your ballot will not be counted.**
- ✗ If someone assists you in completing your ballot, the **assistor must sign** the certificate. **If this is not done, your ballot will not be counted.**
- ✗ If you are voting for the first time in a primary election, make sure you **write in your party** on the absentee ballot certificate.
- ✗ Don't vote for more candidates than allowed on the ballot. This is called an **overvote**. **If you overvote, the votes for that office will not be counted.**
- ✗ Put your voted ballot inside the small envelope and **seal it.**
- ✗ Do not detach the certificate. Leave it on the small envelope.
- ✗ Put the small envelope inside the larger envelope that is addressed to the Board of Election and **seal it.**
- ✗ **If both envelopes are NOT sealed, the ballot will not be counted.**
- ✗ Your ballot must get to the Board office no later than the close of the polls on election day. That is usually 8 p.m. on election night (9 p.m. for school elections).
- ✗ **If the ballot does not get to the Board office by that time, it will not be counted.**

### Quick Tip

For more information or help call **1-877-NJ-VOTER** or visit [www.NJElections.org](http://www.NJElections.org)

## Delivery of an Absentee Ballot

- ✗ You may ask someone to deliver your ballot to the Board of Election Office or to drop it in a mailbox if you can not get it to the Board Office yourself. This person is called the **bearer** of your ballot.
- ✗ You choose who the bearer of your ballot will be, **BUT – no candidate in the election in which you are voting by absentee ballot can be a bearer.**
- ✗ **No one can be the bearer of your ballot without your approval.**
- ✗ The bearer can not take the ballot from you unless he or she first fills out, **in front of you**, the “bearer portion” on the envelope addressed to the Board of Election. **If this is not done, the ballot will not be counted.**

# Glossary of Voting Terms

## **Authorized Messenger –**

A person who obtains an absentee ballot for a sick or confined voter. The authorized messenger must be a family member (includes any adult living in the same household as the voter) or a registered voter of the same county as the voter. No candidate can act as an Authorized Messenger in the election in which he or she is running for office.

## **Bearer –**

The person who delivers an absentee ballot to the county board of election. No candidate can act as a Bearer in the election in which he or she is running for office.

## **Board Worker –**

A person appointed by the County Board of Election to conduct the election in a specific election district. These are usually four board workers assigned to each election district. In an election district where Spanish is the primary language for 10% or more of the voters, two additional board workers who are of Hispanic origin and fluent in Spanish shall be appointed.

## **Challenger –**

A person who is appointed by a candidate or political party to observe the voting process in the polling place or the counting of absentee or provisional ballots at the board of election office. A candidate can also act as a challenger. Challenger credentials may also be given by the County Board of Elections for proponents and opponents of a public question on the ballot. A challenger is allowed to challenge a voter whom the challenger believes is not entitled to vote.

## **Electioneering –**

Campaigning in support of a candidate, political party or public question. Some examples of electioneering include the display of campaign signs, buttons or other election material. It also includes any other action to influence voter choice.

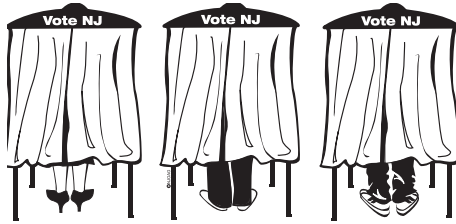
## **Provisional Ballot –**

A paper ballot that is subject to verification by the county commissioner of registration before being counted. This ballot is given to a voter in a polling place whose registration information is not in the poll book or is incomplete. It is also given to a voter who moves within the county and does not provide notice to the county commissioner of registration. It also is given to a voter who did not provide required identification in order to vote in the voting machine.

## **Voter Registration Agency –**

An office which offers voter registration, such as the County Commissioner of Registration and the Municipal Clerk's Office. In addition, persons who are entitled to assistance from one or more of the following agencies may also have the opportunity to register to vote: food stamp offices, county welfare or social services offices, WIC, Work First, NJ Division of Developmental Disabilities, NJ Division of Vocational Rehabilitation Services, NJ Commission for the Blind and Visually Impaired, and the NJ Office of Disability Services. A Voter Registration Agency also includes Armed Forces Recruitment Offices.

*Vote, New Jersey!*



State of New Jersey  
**Office of The Attorney General**