

## CHAPTER 17

### ELECTIONS

#### Authority

N.J.S.A. 19:4-10 et seq., 19:23-45 et seq., 19:31-6 et seq., and P.L. 1991, c. 318.

#### Source and Effective Date

R.1996 d.211, effective April 10, 1996.  
See: 28 N.J.R. 1344(b), 28 N.J.R. 2393(b).

#### Executive Order No. 66(1978) Expiration Date

Chapter 17, Elections, expires on April 10, 2001.

#### Chapter Historical Note

Chapter 17, Elections, was originally codified in Title 15 as Chapter 10, Elections. Chapter 10 was adopted as R.1974 d.270, effective September 25, 1974. See: 6 N.J.R. 356(a), 6 N.J.R. 412(b).

Chapter 10, Elections, was repealed and Chapter 10, Elections, was adopted as new rules by R.1986 d.32, effective February 18, 1986. See: 17 N.J.R. 2381(a), 18 N.J.R. 422(a).

Subchapter 6, Voting Accessibility for the Elderly and Handicapped, was adopted as R.1988 d.450, effective September 19, 1988. See: 20 N.J.R. 1527(a), 20 N.J.R. 2378(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Elections, expired on February 18, 1991.

Chapter 10, Elections, was adopted as new rules by R.1991 d.191, effective April 15, 1991. See: 23 N.J.R. 288(b), 23 N.J.R. 1145(a).

Subchapter 7, Distribution of State Voter Registration Forms Through Public Agencies, was adopted as R.1993 d.54, effective January 19, 1993. See: 24 N.J.R. 736(a), 24 N.J.R. 1688(a), 24 N.J.R. 2531(a), 25 N.J.R. 320(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Elections, was readopted as R.1996 d.211, effective April 10, 1996, and Subchapter 1, Voter Registration By Mail, was repealed, Subchapter 1, Voter Registration, was adopted as new rules and Subchapter 7, Distribution of State Voter Registration Forms Through Public Agencies, was repealed by R.1996 d.211, effective May 6, 1996. See: 28 N.J.R. 1344(b), 28 N.J.R. 2393(b).

Pursuant to Reorganization Plan 004-1998, Chapter 10, Elections, was recodified as N.J.A.C. 13:17, effective February 16, 1999. See: 30 N.J.R. 1351(a), 31 N.J.R. 547(a).

#### CHAPTER TABLE OF CONTENTS

##### SUBCHAPTER 1. VOTER REGISTRATION

13:17-1.1	Purpose and scope
13:17-1.2	Definitions
13:17-1.3	Voter registration applications; availability, printing and distribution
13:17-1.4	Availability of voter registration applications; reasonable quantity defined; reorder notification
13:17-1.5	Photocopies and reproduction of voter registration application
13:17-1.6	Completion of application
13:17-1.7	Acceptance and transmittal of applications
13:17-1.8	Federal voter registration application forms
13:17-1.9	Voter registration complaint procedure
13:17-1.10	(Reserved)

##### SUBCHAPTER 2. VOTER DECLARATION OF POLITICAL PARTY

13:17-2.1	General provisions
13:17-2.2	Who must file declarations
13:17-2.3	Responsibilities of municipal clerks
13:17-2.4	Responsibilities of county election officers
13:17-2.5	Appearance at polls; declaration not required from excused voters
13:17-2.6	Method of filing declaration of political party membership
13:17-2.7	Effect of prior registration and voting
13:17-2.8	Availability of declaration forms

##### SUBCHAPTER 3. ELECTION DISTRICT MAPS

13:17-3.1	General provisions
13:17-3.2	Maps of counties; specifications
13:17-3.3	Maps of municipalities; specifications
13:17-3.4	Maps of congressional, legislative and freeholder districts

##### SUBCHAPTER 4. ABSENTEE BALLOTS

13:17-4.1	Printing absentee ballot applications
13:17-4.2	Completion requirements; civilian absentee ballot application; generally; authorized messenger

##### SUBCHAPTER 5. DEFINITIONS

13:17-5.1	County voter registration official; defined
-----------	---

##### SUBCHAPTER 6. VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED

13:17-6.1	Purpose and scope
13:17-6.2	Responsibility
13:17-6.3	Definitions
13:17-6.4	Exceptions
13:17-6.5	(Reserved)
13:17-6.6	Enforcement
13:17-6.7	Implementation
13:17-6.8	Polling place accessibility standards
13:17-6.9	Voting aids
13:17-6.10	Reporting by county boards of elections; accessibility waivers

##### SUBCHAPTER 7. (RESERVED)

##### SUBCHAPTER 1. VOTER REGISTRATION

###### 13:17-1.1 Purpose and scope

This subchapter identifies the responsibilities of the Attorney General to provide voter registration applications to the offices of voter registration agencies, public agencies and other sources for forms availability as directed under N.J.S.A. 19:31-1 et seq., and those agencies' responsibilities to provide voter registration applications to their clients and collect completed forms. This section also provides definitions for terms that are utilized in this subchapter and N.J.S.A. 19:31-1 et seq., and delineates the procedures for citizens to file a complaint on voter registration activity and obtain an appropriate response from the Attorney General's office.

Repeal and New Rule, R.1996 d.211, effective May 6, 1996.

See: 28 N.J.R. 1344(b), 28 N.J.R. 2393(b).

Section was "Availability of forms; reasonable quantity defined".

### 13:17-1.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Applicant" means a person applying to register to vote, or a person applying for participation in Federal or State programs, or renewing participation in said programs, administered by State and county agencies designated as voter registration agencies.

"Application" means the voter registration form described in N.J.S.A. 19:31-6.4.

"Attorney General" means the State officer designated as the Chief Election Official of this State with specific election administrative responsibilities assigned under the Voter Registration Act, and who has further specific regulatory authority under N.J.S.A. Title 19. The Division of Elections in the Department of Law and Public Safety shall perform the activities listed in this chapter on behalf of the Attorney General.

"Public agency" means those agencies and their offices explicitly named in N.J.S.A. 19:31-6.3.

"Registered voter" means a person who has completed a voter registration which has been accepted by the appropriate county commissioner of registration and has not been removed from the registry list for any reason.

"Voter registration agencies" means those agencies and their offices, explicitly named or which administer programs specified in N.J.S.A. 19:31-6.11.

Repeal and New Rule, R.1996 d.211, effective May 6, 1996.

See: 28 N.J.R. 1344(b), 28 N.J.R. 2393(b).

Section was "Reordering forms; notification".

### 13:17-1.3 Voter registration applications; availability, printing and distribution

(a) The Attorney General shall cause to be printed a sufficient supply of voter registration applications in English and Spanish languages for utilization by voter registration agencies and public agencies. The applications shall bear a postage paid return address of the Attorney General's office in Trenton, except those applications which are printed for the county commissioners of registration and municipal clerks within their jurisdiction which bear the return address of the appropriate county commissioner of registration.

(b) Each public agency shall prominently display voter registration applications and voting instructions at each public office, make applications readily available to their applicants for benefits or customer service and collect completed applications if the applicant so chooses.

(c) Each voter registration agency shall offer a notice of the opportunity to register to vote with each application, recertification, renewal of service, or change of address; provide assistance where necessary, and collect completed voter applications for transmittal to the Attorney General or county commissioners of registration.

(d) Each voter registration agency and public agency shall prepare and maintain a list of the public offices where voter registration services are offered and provide an updated list to the Attorney General as changes occur. The agency office address, street location if different, and telephone number shall be listed.

(e) Through coordination with each State department and the offices of the county commissioners of registration, the Attorney General shall distribute a sufficient supply of applications, including Spanish language applications, where appropriate, to the coordinating office or individual offices of each department.

(f) The coordinating office of each department and the superintendents/commissioners of registration shall notify the Attorney General when their applications inventory needs to be restocked.

(g) When the supply of voter registration applications has reached a level of 25 percent of the amount of such applications previously allocated to a county, the county voter registration official shall notify the Office of the Attorney General, which shall then take appropriate steps to supply the county with an adequate number of applications to meet reasonably expected needs.

Repeal and New Rule, R.1996 d.211, effective May 6, 1996.

See: 28 N.J.R. 1344(b), 28 N.J.R. 2393(b).

Section was "Acceptance of photocopies and reproductions of form".

### 13:17-1.4 Availability of voter registration applications; reasonable quantity defined; reorder notification

(a) An organization or candidate for public office may request a reasonable quantity of voter registration applications from the superintendents/county commissioners of registration or the Attorney General. The number of applications requested may be limited to two percent of the total number of voter registration applications which the superintendent/commissioner of registration has available at the time of the request, or 2,500 forms if request is made to the Attorney General. There shall be no limit to the number of requests an organization or candidate may make. The commissioner of registration shall maintain a record of all organizations and candidates requesting more than 100 applications. Requests will be met at an agreed upon time at the office of the commissioner of registration or Attorney General.