
New Jersey

Voter Registration & Voter List Maintenance Guide

Provided by

VOTER
REFERENCE 
FOUNDATION

State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

This guide was last updated on 02/29/2024.

CONTENTS:

[Who can I contact with election related questions?](#)

[How do I register to vote?](#)

[How do I cancel my voter registration?](#)

[How is voter list maintenance handled?](#)

[List of Voter Registration Status and their definitions](#)

Who can I contact with election related questions?

[Link to Elections Official](#)

| | |
|--------------------------------|---|
| Chief Elections Office: | Department of State <u>Division of Elections</u> |
| Physical Address: | 225 West State Street, 5th Floor Trenton, NJ 08608 |
| Mailing Address: | NJ Division of Elections P.O Box 304 Trenton, NJ 08625-0304 |
| Phone Number: | 609-292-3760 |
| Fax Number: | 609-777-1280 |
| Online Contact: | <u>nj.elections@sos.nj.gov</u> |

How do I register to vote?

[Link to Register](#)
[Link to Statutes](#)

[Article II, paragraph 3, of the Constitution of the State of New Jersey](#)

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

No person shall have the right of suffrage--

Who has been adjudicated by a court of competent jurisdiction to lack the capacity to understand the act of voting; or

Who is serving a sentence of incarceration as a result of a conviction of an indictable offense under the laws of New Jersey or another state or of the United States

[NJSA 19:4-1 Qualifications; persons not having right of suffrage; right to register.](#)

How do I cancel my voter registration?

[Link to Statutes](#)
[Link to Election Offices](#)

[NJSA 19:31-15 Removal of name from Statewide voter registration system; change of residence; confirmation](#)

a. Upon receipt by the commissioner of registration of a county from a registered voter of that county of a request that the name of the registrant be removed from the Statewide voter registration system, the commissioner shall so remove the registrant's name. Notice by a registered voter to the commissioner of registration of a county that the registrant has ceased to reside in the State shall, for the purposes of this subsection, be deemed a request for removal of the registrant's name from the Statewide voter registration system.

How is voter list maintenance handled?

NJSA 19:31-15 Removal of name from Statewide voter registration system; change of residence; confirmation

a. Upon receipt by the commissioner of registration of a county from a registered voter of that county of a request that the name of the registrant be removed from the Statewide voter registration system, the commissioner shall so remove the registrant's name. Notice by a registered voter to the commissioner of registration of a county that the registrant has ceased to reside in the State shall, for the purposes of this subsection, be deemed a request for removal of the registrant's name from the Statewide voter registration system.

b. The commissioner of registration of any county may agree with the United States Postal Service or its licensee to receive information provided by the Postal Service concerning the change by any Postal Service customer of that customer's address within the county. If it appears from information so received that a Postal Service customer registered to vote in the county has moved to a different address, then (1) if that address is within the county, the commissioner shall cause the registration records of the registrant to be corrected accordingly and shall transmit to the resident by forwardable mail a notice of the change and a postage prepaid, pre-addressed return form by which the registrant may verify or correct the address information, or (2) if that address is not within the county, the commissioner shall undertake the confirmation notice procedure prescribed under subsection d. of this section to confirm the change of address.

c. The commissioner of registration of a county shall cause the name of a registrant to be removed from the Statewide voter registration system if the registrant (1) confirms in writing, by return of a confirmation notice as prescribed under subsection d. of this section or by other means, that the registrant has changed residence to a place outside the State, or (2) has either not notified the commissioner or failed to respond to a confirmation notice as so prescribed and has not, in any election during the period beginning on the date on which the commissioner sends the confirmation notice to the registrant and ending on the day after the second general election for federal office following that date on which the notice is sent, (a) voted, or (b) appeared to vote in any county and, if necessary, correct the official record of the registrant's address.

Other than as provided under subsection a. of this section, the name of a registrant shall not be removed from the Statewide voter registration system on the ground that the registrant has changed residence except as provided by this subsection.

d. A confirmation notice sent to ascertain whether a registrant continues to reside at the address from which that registrant is registered to vote shall be a postage prepaid and pre-addressed return card, sent by forwardable mail, which shall include: (1) space on which the registrant's current address may be entered; (2) the statement "To any voter who continues to reside at the residence address to which this notice is addressed or who no longer resides at that residence address but continues to reside

NJSA 19:31-15, Cont.

in..... (name of county): please mail or personally deliver this postage prepaid card to the commissioner of registration to whom it is addressed not later than..... (calendar date of the 21st day preceding the next election to be held in the county). If you do not return this card by that date, then at any election held subsequent to that date and on or before..... (calendar date of the day after the second general election for federal office following that date), you may be required at the polls to affirm or confirm your address before you are permitted to vote, and if you do not vote in an election during that period, your name will be removed from the registry of eligible voters."; and (3) a statement, the text of which shall be prescribed by the Attorney General, setting forth the means by which a registrant who has changed residence to a county different from that in which is located the residence to which the notice was originally addressed may retain the right to vote.

e. The commissioner of registration shall correct the registry list of eligible voters in accordance with change of residence information obtained in conformity with the provisions of this section.

NJSA 19:31-16 Data on eligible voters' deaths filed by health officer

a. (1) Except as prescribed in paragraph (2) of this subsection, the health officer or other officer in charge of records of death in each municipality shall file with the commissioner of registration for the county in which the municipality is located once each month, during the first five days thereof, the age, date of death, and the names and addresses of all persons 18 years of age or older who have died within such municipality during the previous month. Within 30 days after the receipt of such list, the commissioner shall make and complete such investigation as is necessary to establish to his satisfaction that such deceased person is registered as a voter in the county. If such fact is so established, the commissioner shall cause the registration and record of voting forms of the deceased registrant to be transferred to the death file as soon as possible. If the deceased person was not so registered in the county, but the person maintained a residence in another county of this State, the officer in charge of records of death in the municipality in which the decedent died shall forward a copy of the notice of death to the officer in charge of records of death in the municipality in which the decedent resided. That officer having received the notice shall notify the commissioner of the county in which that municipality is located of the death of the person. Any commissioner who receives such notification shall undertake the procedures prescribed herein with respect to the registration in that county of the decedent.

(2) During the two months immediately preceding a primary or general election, the health officer or other officer in charge of records of death in each municipality shall file with the commissioner of registration for the county in which the municipality is located once every two weeks, during the first three days thereof, the age, date of death, and the names and addresses of all persons 18 years of age or older who died within such municipality during the previous two weeks. Within 10 days after the receipt of such list, the commissioner shall undertake the procedures prescribed pursuant to paragraph (1) of this subsection.

b. The State registrar of vital statistics shall file with the commissioner of registration of each county no later than May 1 of each year an alphabetized list of the name, address, and date of birth, if available, of each resident of the county 18 years of age or older who died during the previous year. Within 30 days after the receipt of the list the commissioner shall undertake and complete such investigation as is necessary to establish that each person on the list is not registered as a voter in the county. The commissioner shall cause the registration and record of voting forms of any deceased registrant found on the list to be transferred to the death file as soon as possible.

NJSA 19:31-16.2 Provision of list of eligible voters' deaths to chairman of county committee

33. a. Notwithstanding any law, rule or regulation to the contrary, the State registrar of vital statistics shall provide to the chairman of the county committee of a political party, or the designee thereof, upon the request of the chairman or the chairman's designee, a copy of the alphabetized list of the name, address and date of birth, if available, of each resident of the county 18 years of age or older who died during the previous year, as provided for by R.S.19:31-16 as amended, and a copy of the alphabetized list of the name, address, and date of birth, if available, of each resident of the county 18 years of age or older who died during the 40-year period prior to the enactment of P.L.1999, c.232, as provided for by that act.

b. The chairman of the county committee of a political party shall have the authority to inquire whether the commissioner of registration of the county in which the chairman resides is conducting or has conducted the investigations and transfers of the registration and records of deceased registrants, in compliance with R.S.19:31-16 as amended. In the event that the chairman finds the commissioner of registration is not complying, in the chairman's opinion, with R.S.19:31-16 as amended, the chairman shall report this finding to the Attorney General for further investigation or action, if deemed necessary.

NJSA 19:31-17 Incarceration data; use.

a. Once each month during the first five days thereof, the chief State election official shall notify the commissioner of registration of a county of any information which the official shall have received during the previous month from the United States Attorney under subsection g. of section 8 of Pub.L. 103-31 (42 U.S.C. s. 1973gg-6) concerning the conviction of a resident of the county of a crime under the laws of the United States, or any other official action relating to such a conviction, that would constitute grounds for disfranchisement of the person while serving a sentence of incarceration under the laws of this State.

b. Once each month during the first five days thereof the prosecutor of the county shall deliver to the commissioner a list of the names and addresses of all persons and their ages and offenses who have been convicted during the previous month of a crime which would disfranchise them while serving a sentence of incarceration under the laws of this State, including therewith the date upon which judgment of conviction was entered against the person, and also including a statement of any sentence of incarceration imposed by the court during the month upon any person so convicted during that month or any previous month; provided, however, if the address of the person so convicted is located in a county other than the county in which the conviction was obtained the said prosecutor shall mail a report of such conviction to the proper election official of the county in which the address of such person is located.

c. Upon the receipt of the notice prescribed under subsection a. of this section or the list prescribed under subsection b. hereof, the commissioner shall make such investigation as is necessary to establish to his satisfaction that the convicted person who was sentenced to a period of incarceration is registered to vote in the county. If it is so established, the commissioner shall cause the registration and record of voting forms of such convicted and sentenced registrant to be transferred to the conviction and incarceration file. In the event the person so convicted and incarcerated is not registered at the time the list or report is received, the commissioner shall cause an index card to be made out and inserted in its proper place in the master index file bearing the information received from the State election official or a county prosecutor, and the person so convicted and incarcerated shall be denied the right to register while serving a sentence of incarceration. Such persons upon the restoration of their citizenship rights or upon being pardoned shall be required to register or reregister before being allowed to vote.

NJSA 19:33-1 Procedure for removing names from register

A judge of the Superior Court shall order stricken from the Statewide voter registration system and any other register the name of any person who shall be shown to his satisfaction not to be entitled to vote at any election in the election district wherein he is registered, and the commissioner shall, upon such order, cause the name of such person to be stricken from the system and from the register.

Such judge shall hear an application to strike off in a summary manner at the time and day specified in the notice hereafter provided; but no name shall be stricken or ordered stricken from any such system and register in the absence of the person to be affected thereby, unless it shall appear to the judge by affidavit of the commissioner of registration or his deputy or assistant that notice by mail has been given such person, either personally or by leaving the same at his registered place of residence, or present actual residence, if known to the commissioner, at least five entire days before the day and time of hearing before such judge, that at such hearing application would be made to have the name of such registered person stricken from the system and register, and of the grounds on which such application would be based. Such judge shall not order any name stricken subsequent to the sixth Tuesday preceding any election. The commissioner shall notify the judge, five days before the day and time specified, when the application will be made, and the judge shall hear the application at the time and day specified in the notice.

In addition to the notice by mail, the commissioner shall also publish in one or more newspapers within the county at least five entire days before the day and time of hearing before such judge, the names and registered addresses of such persons as shall be affected by this proceeding, giving notice through such publication of the time and place where the application is to be made for the removal of said names from the system and registry lists.

The judge shall cause a full record of the proceedings of such application, including the appearances and a statement of his findings of fact and law and of the order made pursuant thereto, to be taken stenographically, transcribed and filed in the office of the county clerk, which record shall be public. All costs and expenses of such proceedings shall be paid by the county. The commissioner of registration, after the hearing before the judge, shall amend the record for the person in the Statewide voter registration system and transfer to the inactive file the permanent registration and record of voting forms of such persons as the judge shall have ordered stricken from the system and signature copy register pursuant to this section. The registrant shall be immediately notified by the commissioner by mail of any removal from the system or transfer made pursuant to this section. In counties other than counties of the first class this notice by mail shall be sent in addition to the notice by publication.

The National Voter Registration Act of 1993

Congress enacted the National Voter Registration Act of 1993 (also known as the “NVRA” and the “Motor Voter Act”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

List of voter registration statuses and their definitions

[Link to Statutes](#)

| Registration Statuses | |
|--|---|
| <p>Active - Every citizen of the United States, of the age of 18 years, who shall have been a resident of this State and of the county in which he claims his vote 30 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people, and upon all questions which may be submitted to a vote of the people.</p> | <p>Article II, Section I, paragraph 3</p> |
| <p>Inactive - When a person appears to register in any county of this State, and in answer to the statement on the registration forms, to wit: "Municipality, house number and street address from which last registered," such person gives information as to previous registration in another county of this State, the commissioner of registration of the county in which such person newly registers shall forthwith notify the commissioner of registration of the county in which such person was last registered, by postal card signed by the registrant, of the new registration, upon receipt of which information the said commissioner shall transfer the registration forms of such person to the inactive file without any publication thereof being required.</p> | <p>NJSA 19:31-13.1</p> |
| <p>Canceled - Upon receipt by the commissioner of registration of a county from a registered voter of that county of a request that the name of the registrant be removed from the Statewide voter registration system, the commissioner shall so remove the registrant's name. Notice by a registered voter to the commissioner of registration of a county that the registrant has ceased to reside in the State shall, for the purposes of this subsection, be deemed a request for removal of the registrant's name from the Statewide voter registration system.</p> | <p>NJSA 19:31-15</p> |

How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

Any individual who believes that there is, has been, or will be a violation of any provision of Title III of the Help America Vote Act of 2002 may file a complaint with the Division of Elections in the Department of Law and Public Safety seeking appropriate relief with respect to the violation.

Each such complaint shall be in writing, and shall be notarized, signed, and sworn by the individual filing the complaint. The Attorney General may consolidate all such complaints if the Attorney General deems it appropriate.

How do I file a non-HAVA election complaint?

[Link to Process](#)

[Link to Form](#)

Any person(s) may request that the Commission undertake an investigation by submitting a Confidential Request for Investigation Form (hereafter, RFI Form) setting forth an allegation or allegations that constitute potential violations of the Campaign Reporting Act, the Lobbying Act, the Personal Financial Disclosure Act, or the Uniform Recall Election Law. The information contained in the RFI Form should be as specific as possible, identifying the name of the subject candidate and/or entity, the election and/or calendar year, and as much detail and support for the allegation(s) as is known.

Who can I contact regarding an election related complaint?

| New Jersey Election Law Enforcement Commission | |
|---|---|
| Physical Address: | NJ Election Law Enforcement Commission 25 South Stockton St, 5th Floor Trenton, NJ 80608 |
| Mailing Address: | NJ Election Law Enforcement Commission P.O. Box 185 Trenton, NJ 80625 |
| Phone Number: | 609-292-8700 |
| Email Address: | RFI@elec.nj.gov |
| Website: | https://www.elec.nj.gov/legalresources/resourceinvest.htm |

| | |
|--------------------------------|--|
| Chief Elections Office: | Department of State Division of Elections |
| Physical Address: | 225 West State Street, 5th Floor Trenton, NJ 08608 |
| Mailing Address: | NJ Division of Elections P.O Box 304 Trenton, NJ 08625-0304 |
| Phone Number: | 609-292-3760 |
| Fax Number: | 609-777-1280 |
| Online Contact: | nj.elections@sos.nj.gov |