



# NJ Voters' Bill of Rights

# PART 1

1-877-NJ-Voter  
(1-877-658-6837)

Voting Machine  
Provisional Ballot Voting

ID Requirements: Certain "Active Need ID" Voters  
Exit Polling

## Voting Machine

### You Can Vote in the Voting Machine if:

- Your complete voter registration information is in the poll book;
- You currently live in the election district or moved out of the County after the close of registration for this election (thereafter you must be registered in your new County); and
- There are no successful challenges to your right to vote.

Instructions on use of the voting machine are available in the polling place. If you do not see them, ask any board worker.

### Assistance in the Voting Machine

- If you are blind, disabled or cannot read the ballot on the machine, you can have someone of your choice assist you in the voting machine. You cannot have the assistance of a representative of your employer or union.
- If you are alone and are entitled to assistance, two board workers of opposite political parties may help you. You have the right to have both workers assist you or one worker - It is your choice.

The district board workers must first fill out a disability certificate for you before you go into the voting machine.

**Standing in Line to Vote:** If you are in line to vote after the polls have closed. You MUST be allowed to vote. Board workers **CANNOT** turn you away.

**Emergency Ballots:** If the voting machine is not working, **DO NOT LEAVE** the Polling Place. A board worker will give you a Paper Emergency Ballot. If you spoil your ballot, you have the right to ask the board worker for another ballot.

### You Have the Right to:

- Vote in private in the voting machine;
- Bring voting materials (such as the sample ballot, but no campaign material) into the voting booth to help you vote;
- A "reasonable" amount of time to cast your vote.

## ID Requirements - Certain "Active Need ID" Voters

The following voters have to show ID at the polling place:

1. If you registered to vote by mail in this County after January 1, 2003, and never voted in a federal election in the County, you were required to provide identification. If you did not provide identification before voting for the first time at the polling place, you must show the board workers identification today; or
2. You did not complete section 5 of the New Jersey voter registration form (section 5 requires a Driver's License #, last 4 digits of the social security number if you have no driver's license, or an affirmation you do not have either set of numbers), and you did not respond to a request for such information, you must show the board workers identification today; or
3. You were a mail-in registrant and did provide your driver's license number or the last four digits of your social security number, but the numbers could not be verified, you must show the board workers identification today.

**IF YOU DO NOT SHOW THE BOARD WORKERS ANY IDENTIFICATION YOU CANNOT VOTE IN THE VOTING MACHINE. YOU MUST VOTE WITH A PROVISIONAL PAPER BALLOT.**

An identifying document may include, **but is not limited to:**

Any Valid and Current Photo ID:

- NJ driver's license
- Military or other Government ID
- Student or Job ID
- Store Membership Card, or,

Any current document with your name and address on it, **including but not limited to:**

- Bank statement
- Car registration
- Sample ballot
- Utility bill
- Pay check
- Rent receipt
- Government check or document
- Non-photo NJ driver's license

## Provisional Ballot Voting

### You MUST Vote by Provisional Ballot if:

1. You are a registered voter in the County who moved within the County and did not notify the County Commissioner of Registration before election day of your current address; or
2. Your registration information is not complete in the poll book, for example your signature or address is missing; or
- 3.\* You are an "Active need ID" voter who has not provided identification information (see above section); or
4. There is a marking in the poll book that you applied for a mail-in ballot, but you tell the board worker, you did not apply for a mail-in ballot, you applied for a mail-in ballot, but did not receive the ballot or you received a mail-in ballot but did not return it.

**\*For the provisional ballot to count, a copy of your ID must be submitted to your County Commissioner of Registration by close of business on the second day after the election.**

### How to Vote by Provisional Ballot:

1. The board worker will give you a paper ballot and an envelope.
2. The board worker must provide you with a place to vote the ballot in secret.
3. Put the voted ballot in the envelope and seal it.
4. Sign and complete the "Affirmation Statement" that is attached to the envelope.  
**DO NOT DETACH** the Affirmation Statement. **\*If you do not sign the Affirmation Statement, your ballot will not be counted.**
5. Give the envelope to the board worker.
6. Watch the board worker put the envelope into the provisional ballot bag, or you may put your ballot into the bag yourself.
7. If you spoil your ballot, you have the right to ask the boardworker for another ballot.

**No provisional ballot is counted at the polling place. All provisional ballots are taken to the County Commissioner of Registration's office after the close of the polls for verification and counting by the County Board of Election.**

After the election, you can call 1-877-NJ-VOTER (1-877-658-6837) to find out if your ballot was counted. If your ballot was not counted, you can find out why it was rejected.

## Complaints

Complaint Forms are available if you have a complaint regarding the conduct of the election at this polling place. Ask any board worker for a form.

**Sussex County Commissioner of Registration**

Regular Office Hours: Mon.-Fri. 8:00 am-4:00 pm

(973) 579-0950 or 1-877-NJ-VOTER (1-877-658-6837)



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# NJ Voters' Bill of Rights

# PART 2

Challenger Do's & Don'ts  
Election Offenses

Challenge Process in Polling Places  
Mail-In Voting in New Jersey

Complaints

## Challenger Do's & Don'ts

### Challengers Can:

1. Challenge a voter if the challenger believes the voter is not qualified to vote.

In order to vote a person must be:

- A United States citizen
- Registered to vote
- 18 years of age or older
- A resident of the County for at least 30 days before the election

### Challengers Cannot:

1. Challenge a voter for any of these reasons:

- a. They think they know how the voter is going to vote.
- b. The race or ethnic origin of the voter.
- c. The voter resides in a particular ward, housing complex, or section of a municipality or county.

**It is a criminal offense for a challenger to challenge a voter for any of the above 3 reasons.**

2. Sit with the district board workers or touch the election materials.

3. Go to the voting machine during the voting hours.

4. Challenge the voter directly. Only the district board can ask the voter questions.

5. Wear any campaign buttons, signs or campaign clothing.

6. Harass or intimidate any voters; or cause any disturbances in the polling place.

7. Challenge a voter because the district board asks the voter to affirm his or her residence, or asks a first-time registrant by mail to show identification.

## Challenge Process in Polling Place

- If your right to vote is challenged, the board workers may ask you for identification and you must sign an affidavit. The challenger must also sign an affidavit.
- If the board workers vote to reject the challenge or there is a tie vote on the challenge, you have the right to vote in the voting machine.
- If the board votes to uphold the challenge, you cannot vote but you have the right to go to a Superior Court Judge to request a court order to vote. The board workers must tell you where to go to see the Judge.

## Election Offenses

- **Electioneering** - It is a crime under State law to electioneer within 100 feet of the outside entrance of the polling place up to and including the polling room. There can be no campaign signs or material in this area and no one can campaign on behalf of any candidate or public question.
- **Fraudulent Voting** - It is a crime under federal and State law to attempt to vote or vote knowing you are not entitled to vote, or to provide false information when registering to vote or voting. You are not permitted to vote more than once in an election.
- **Conspiracy** - It is a federal crime to conspire to deprive voters of a fair election. If anyone is harassing you or improperly interfering with your right to vote, ask the board worker for assistance.

## Mail-In Voting in New Jersey

### NEXT TIME YOU CAN VOTE BY MAIL-IN BALLOT

It is now the law that any voter can vote by mail-in ballot in any election.

#### Mail-In Ballot Application Process

To get a Mail-In ballot, you must fill out an application. You can get an mail-in ballot application from the County Clerk's office. You can also visit [Elections.NJ.gov](http://Elections.NJ.gov) to download an application.

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

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

**The Mail-In Ballot Application must go to your County Clerk's Office.** If you mail it to your County Clerk, it needs to get there at least 7 days before the election. After that day, you must deliver the application to the County Clerk's Office. Ballots can be issued by the Clerk until 3:00 p.m. of the day before the election.

#### Authorized Messenger Application Process

Any voter may ask someone to be their Authorized Messenger to go to the County Clerk's office to get the 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.
- The Authorized Messenger must be a family member of the voter or a registered voter of the county.
- No candidate in the election for which you are requesting an absentee ballot can be an Authorized Messenger.

**Now, you can ask for a mail-in ballot for all the elections in a calendar year with one application. Also, any voter who wishes to vote only by mail-in ballot for all general elections can request to automatically receive a ballot for such elections.**

## Exit Polling

**It is Legal.** You may be asked by a media representative about your voting when you are leaving the polling place. **You do not have to answer any questions - it is your choice.**