

**ASSEMBLY, No. 4475**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED JULY 30, 2020

**Sponsored by:**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman RALPH R. CAPUTO**

**District 28 (Essex)**

**Co-Sponsored by:**

**Assemblymen Verrelli and Zwicker**

**SYNOPSIS**

Requires county boards of election to establish ballot drop boxes in each county at least seven days before election.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 8/13/2020)**

1 AN ACT concerning the establishment of mail-in ballot drop boxes  
2 before each election and supplementing P.L.2009, c.79 (C.19:63-  
3 1 et seq.).  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. a. In addition to delivering a voted mail-in ballot by mail or  
9 in person as provided under “The Vote By Mail Law,” P.L.2009, c.79  
10 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit the  
11 voter’s completed mail-in ballot in a ballot drop box established by  
12 the county board of elections as provided under this section. Each  
13 mail-in ballot deposited in a ballot drop box by the time designated  
14 under current law for the closing of the polls for that election shall  
15 be considered valid and shall be canvassed. If, at the closing of the  
16 polls, a voter deposits a mail-in ballot at a ballot drop box in a county  
17 in which the voter does not reside, the county board of elections, upon  
18 discovering that fact, shall timely deliver the ballot to the county  
19 board of elections of the county in which the voter resides, who shall  
20 accept the ballot for processing. The limitations and prohibitions  
21 applicable to mail-in ballot bearers under “The Vote By Mail Law,”  
22 P.L.2009, c.79 (C.19:63-1 et seq.) shall apply under this section,  
23 except that a bearer may deliver a mail-in ballot on behalf of a voter  
24 to a staffed ballot drop box location only, as defined under paragraph  
25 (2) of subsection b. of this section, provided the staffed ballot drop  
26 box location implements the same bearer identification and record-  
27 keeping criteria specified under paragraph (2) of subsection d. of  
28 section 16 of P.L.2009, c.79 (C.19:63-16).

29 b. (1) For any election, the county board of elections in each  
30 county shall establish ballot drop boxes where voters may deposit  
31 their voted mail-in ballots at least seven days before the election. The  
32 ballot drop boxes shall be located throughout the county in a manner  
33 that provides the greatest convenience to voters. Ballot drop boxes  
34 shall include both staffed and unstaffed locations as specified under  
35 paragraph (2) of this subsection. Each ballot drop box and drop box  
36 location shall meet the population, geographic, accessibility,  
37 security, and other requirements developed by the Secretary of State  
38 in consultation with county clerks and municipal clerks as provided  
39 under subsection c. of this section.

40 (2) (a) A “staffed ballot drop box” shall mean a drop box that is  
41 placed in a location that is in the view of a live person who is  
42 employed at the location of the drop box, a municipal or county  
43 employee, or a temporary worker or volunteer retained for the  
44 purpose of monitoring the drop box. Staffed ballot drop box locations  
45 may include, but may not be limited to, municipal offices, county  
46 offices, public libraries, local businesses, and offices of community-  
47 based organizations. A staffed ballot drop box shall not be required  
48 to be available for use by a voter 24 hours a day, but shall be available

1 and staffed beginning at least seven days before the election and for  
2 the time designated for ballot drop boxes to be in effect before each  
3 election and until the time designated for the closing of the polls on  
4 election day.

5 (b) An “unstaffed ballot drop box” shall mean a secured drop box  
6 that is not required to be within view of a live person for monitoring.  
7 Unstaffed ballot drop boxes shall be available for use by a voter 24  
8 hours a day. Unstaffed ballot drop boxes may be located in each  
9 municipality or Census-Designated Place (CDP) with a post office,  
10 outside of every municipal clerk’s office, board of elections office,  
11 town hall, police station, firehouse, United States Postal Service  
12 retail location, on each campus of a state institution of higher  
13 education located within the county that has two thousand or more  
14 enrolled students, or any other location equipped with security  
15 cameras that allow for the surveillance of the unstaffed ballot drop  
16 box.

17 (c) Staffed and unstaffed ballot drop box locations shall be on  
18 sites that meet the accessibility requirements applicable to polling  
19 places under R.S.19:8-2 and shall be subject to the same compliance  
20 oversight applicable to polling places under section 3 of P.L.1991,  
21 c.429 (C.19:8-3.3). A staffed or unstaffed ballot drop box sites shall  
22 be considered accessible if it is in compliance with the federal  
23 “Americans with Disabilities Act of 1990”  
24 (42 U.S.C. s. 12101 et seq.).

25 c. The Secretary of State, in consultation with county clerks and  
26 municipal clerks, shall establish the rules and regulations necessary  
27 to ensure the secure and successful implementation of the mail-in  
28 ballot drop boxes required by this section. In determining the ballot  
29 drop box locations, the secretary and clerks shall consider, at a  
30 minimum, concentrations of population, geographic areas, voter  
31 convenience, proximity to public transportation, community-based  
32 locations, and security. The rules and regulations shall include, but  
33 may not be limited to, criteria for each county board of elections to:

34 (1) determine the number of staffed and unstaffed ballot drop  
35 boxes required per voter population, considering both the number of  
36 registered voters and the number of registered mail-in voters in each  
37 county before each election;

38 (2) select the geographic location of each ballot drop box,  
39 ensuring an equitable distribution of ballot drop boxes across the  
40 county to maximize convenience to voters;

41 (3) ensure the accessibility of ballot drop boxes and drop box  
42 locations to persons with disabilities; and

43 (4) maintain the security of ballot drop boxes and of the ballots  
44 deposited therein, including standards and procedures for ballot  
45 retrieval by authorized persons only, and for ensuring the proper  
46 chain of custody and safe storage of voted mail-in ballots before each  
47 election.



1 cameras that allow for the surveillance of the unstaffed ballot drop  
2 box. Both staffed and unstaffed drop box locations would be required  
3 to be accessible to voters with disabilities.

4 The bill requires the Secretary of State, in consultation with  
5 county clerks and municipal clerks, to establish the rules and  
6 regulations necessary to ensure the secure and successful  
7 implementation of the mail-in ballot drop boxes. The rules and  
8 regulations would include, but may not be limited to, criteria for each  
9 county board of elections to: (1) determine the number of staffed and  
10 unstaffed ballot drop boxes required per voter population,  
11 considering both the number of registered voters and the number of  
12 registered mail-in voters in each county before each election; (2)  
13 select the geographic location of each ballot drop box, ensuring an  
14 equitable distribution of ballot drop boxes across the county to  
15 maximize convenience to voters; (3) ensure the accessibility of ballot  
16 drop boxes and drop box locations to persons with disabilities; and  
17 (4) maintain the security of ballot drop boxes and of the ballots  
18 deposited therein, including standards and procedures for ballot  
19 retrieval by authorized persons only, and for ensuring the proper  
20 chain of custody and safe storage of voted mail-in ballots before each  
21 election.

22 The bill also provides for an appropriation from the State General  
23 Fund to the Department of State of the sums necessary to reimburse  
24 counties and municipalities for the costs of implementing its  
25 provisions.