

[Second Reprint]

ASSEMBLY, No. 4830

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED OCTOBER 19, 2020

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

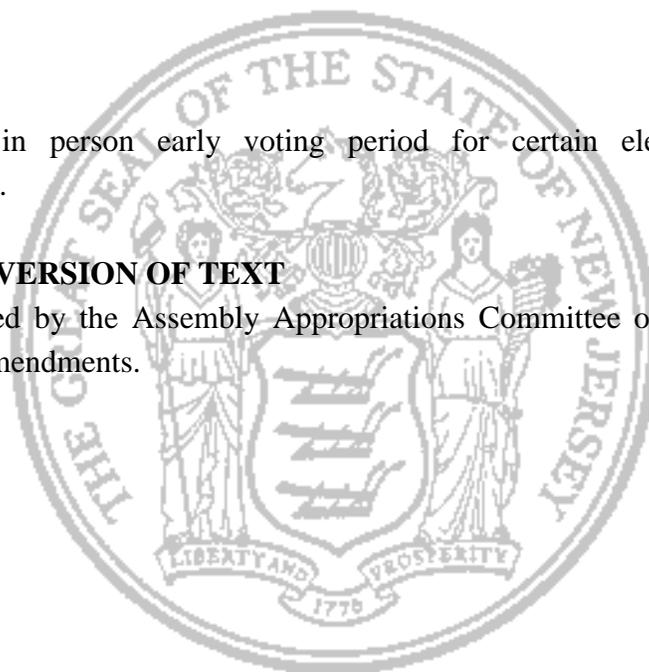
**Assemblymen Benson, Caputo, Assemblywomen Jasey, Tucker,
Assemblyman Karabinchak, Assemblywomen Murphy, B.DeCroce,
Assemblymen Holley, Mazzeo, McKeon, Johnson, Stanley,
Assemblywoman Vainieri Huttle, Assemblymen Conaway, Tully,
Assemblywomen Jimenez, Downey, Swain, Assemblyman Freiman and
Assemblywoman Timberlake**

SYNOPSIS

Requires in person early voting period for certain elections; makes appropriation.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on February 24, 2021, with amendments.



(Sponsorship Updated As Of: 3/1/2021)

1 AN ACT requiring early voting to be available for certain elections,
 2 amending various parts of the statutory law, supplementing Title
 3 19 of the Revised Statutes, and making an appropriation.

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. (New section) a. In addition to all other forms of voting
 9 provided for by this Title, a registered voter shall be permitted to
 10 vote at a specially designated polling place before the day of ²**[**the
 11 general election, starting on the 15th day before the election and
 12 ending on the second calendar day before the election**]** certain
 13 primary and general elections in this State². This procedure shall be
 14 known as early voting. ²The early voting period shall:

15 (1) start on the 4th calendar day before a non-presidential
 16 primary election for a non-presidential general election and end on
 17 the second calendar day before that non-presidential primary
 18 election;

19 (2) start on the 6th calendar day before a presidential primary
 20 election for a presidential general election and end on the second
 21 calendar day before that presidential primary election; or

22 (3) start on the 10th calendar day before a general election and
 23 end on the second calendar day before that general election.²

24 The voting process during the early voting period shall be
 25 conducted using electronic poll books and ²**[**voting machines**]**
 26 optical-scan voting machines that read hand-marked paper ballots or
 27 other voting machines that produce a voter-verifiable paper ballot².

28 Any municipality conducting regular municipal elections in May
 29 pursuant to the provisions of the “Uniform Nonpartisan Elections
 30 Law,” P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance
 31 adopted by its governing body, also conduct early voting for the
 32 regular municipal election, in accordance with the provisions of this
 33 act, P.L. , c. (C.) (pending before the Legislature as this bill).

34 ²If adopted by a municipal governing body, the early voting period
 35 for a regular municipal election in May shall start on the 4th
 36 calendar day before the regular municipal election and end on the
 37 second calendar day before that regular municipal election. An
 38 early voting period shall only be permitted for a non-presidential or
 39 presidential primary election and a general election in this State
 40 and, if adopted by a municipal governing body, a regular municipal
 41 election conducted in May.² Pursuant to the provisions of this act
 42 and Title 19 of the Revised Statutes ²and in accordance with
 43 procedures that may be established by the Secretary of State for
 44 verifying eligible voters², each county board of elections shall

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASL committee amendments adopted October 19, 2020.

²Assembly AAP committee amendments adopted February 24, 2021.

1 ²【determine the method of verifying】 verify² that a registered voter
2 is qualified to vote in the election and shall prescribe the manner by
3 which a registered voter may vote during such period.

4 b. (1) For the ²primary and the² general election, each county
5 board of elections shall designate at least three ², but not more than
6 five,² public locations within each county as the sites for early
7 voting to occur, except that the county board shall designate at least
8 five ², but not more than seven,² public locations for early voting if
9 the number of registered voters in the county is at least 150,000 but
10 less than 300,000, and shall designate at least seven ², but not more
11 than 10,² public locations for early voting if the number of
12 registered voters in the county is 300,000 or more. ²This provision
13 shall not be interpreted to prevent county boards of elections, at
14 their discretion, from establishing additional locations in excess of
15 the five, seven, or 10 location limits respectively set forth herein;
16 provided, however, that the State shall be required to provide
17 reimbursement for the costs of locations up to and including the
18 five, seven, or 10 respective limits established herein, and shall not
19 be required to provide reimbursement for additional locations
20 beyond those limits under section 6 of this act , P.L. , c. (C.)
21 (pending before the Legislature as this bill).² The number of
22 registered voters in each county shall be determined ahead of the
23 selection of early voting sites pursuant to a uniform standard which
24 shall be developed by the Secretary of State through the rulemaking
25 process pursuant to the “Administrative Procedure Act,” P.L.1968,
26 c.410 (C.52:14B-1 et seq.). Whenever possible, early voting
27 locations shall be geographically located so as to ensure both access
28 in the part of the county that features the greatest concentration of
29 population, according to the most recent federal decennial census of
30 the United States, and access in various geographic areas of the
31 county. All early voting locations shall be public facilities, such as
32 county courthouses, public libraries and the offices of the municipal
33 clerk, county clerk, and county board of elections ², or places of
34 public accommodation as provided under Title 10 of the Revised
35 Statues². No public school building and no building used as a
36 public school ², as that term is defined under N.J.S.18A:1-1,² shall,
37 however, be designated as an early voting location. The locations
38 shall be designated at the same time as all other polling places are
39 designated by the board of elections. In the event of a tie vote
40 among members of the county board with respect to the selection of
41 sites for early voting, the county clerk shall cast the deciding vote.
42 Once early voting locations are designated in each county, county
43 boards of election shall ²【, as provided by the Secretary of State,】²
44 evaluate and, if deemed necessary, revise these locations in order to
45 accommodate significant changes in the number of registered voters
46 within each county, reflect the population distribution and density
47 within each county, ²【or enhance convenience when an early voting

1 site has proven to be inconvenient for the voters,² or because of
2 similar circumstances. The Secretary of State ²**[shall]** may²
3 develop the criteria to be used by county boards of election to revise
4 the location of early voting sites and shall prescribe how often such
5 revision shall take place.

6 A voter shall be permitted to vote at any early voting site in the
7 voter's county.

8 (2) Whenever a municipality that conducts regular municipal
9 elections in May chooses to participate in early voting for the
10 regular municipal election, the county board of elections shall
11 designate at least one public location ², but not more than three
12 public locations,² within the municipality as the site ²or sites² for
13 early voting to occur. ²This provision shall not be interpreted to
14 prevent a county board of elections, at its discretion, from
15 establishing additional locations in excess of the three location limit
16 set forth herein; provided, however, that the State shall be required
17 to provide reimbursement for the costs of locations up to and
18 including the three location limit established herein, and shall not
19 be required to provide reimbursement for additional locations
20 beyond that limit under section 6 of this act , P.L. , c. (C.)
21 (pending before the Legislature as this bill).² Whenever possible,
22 each such location shall be geographically located in the part of the
23 municipality that features the greatest concentration of population,
24 according to the most recent federal decennial census of the United
25 States. All early voting locations shall be public facilities, such as
26 municipal courthouses and the offices of the municipal clerk ², or
27 places of public accommodation as provided under Title 10 of the
28 Revised Statutes². No public school building and no building used
29 as a public school ², as that term is defined under N.J.S.18A:1-1,²
30 shall be designated as an early voting location. The locations shall
31 be designated at the same time as all other polling places are
32 designated by the board of elections. In the event of a tie vote
33 among members of the county board with respect to the selection of
34 sites for early voting, the municipal clerk shall cast the deciding
35 vote. Once early voting locations are designated in each
36 municipality, county boards of election shall ²**[**, as provided by the
37 Secretary of State,²**]**² evaluate and, if deemed necessary, revise these
38 locations in order to accommodate significant changes in the
39 number of registered voters within each municipality, reflect the
40 population distribution and density within each municipality, ²**[**or
41 enhance convenience when an early voting site has proven to be
42 inconvenient for the voters,²**]**² or because of similar circumstances.
43 The Secretary of State ²**[shall]** may² develop the criteria to be used
44 by county boards of election to revise the location of early voting
45 sites and shall prescribe how often such revision shall take place.
46 A voter shall be permitted to vote at any early voting site in the
47 voter's municipality.

1 c. Each early voting site in a county or municipality shall be
2 open for early voting on Monday through Saturday from at least 10
3 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any
4 voter who is on line at the time scheduled for the closing of an early
5 voting site shall be permitted to vote.

6 d. The election officers responsible for conducting early voting
7 shall be the same as those responsible for conducting a ²primary
8 and a² general election ², as appropriate.² pursuant to this Title.
9 The number of such officers and their hours of service shall be as
10 determined by each county board of elections. The compensation
11 for such officers shall be the same as provided to district board of
12 election members serving at a school election pursuant to
13 R.S.19:45-6 ², or that required pursuant to Article I, paragraph 23 of
14 the New Jersey Constitution, whichever is greater² .

15 e. The restrictions governing the conduct of voters at a polling
16 place on the days that early voting occurs, the procedures governing
17 who is permitted in a polling place on such occasions and the
18 prohibition on electioneering within 100 feet of a polling place
19 during an election, shall be as provided in chapters 15, 34, 50 and
20 52 of Title 19 of the Revised Statutes and every other applicable
21 section of this Title.

22 f. ²**【At least once】** In real time using the electronic poll books²
23 each day during the early voting period, and prior to the start of
24 each regularly scheduled ²primary and² general election, and
25 regular municipal election in each non-partisan municipality
26 choosing to participate in early voting, each county board shall
27 make such changes as may be necessary to the voter's record in the
28 Statewide voter registration system ²**【and the signature copy**
29 **register used at each polling place】**² to indicate that a voter has
30 voted in that election using the early voting procedure.

31 g. (1) Each county board shall be responsible for forming and
32 executing a written plan to ensure, to the greatest extent possible,
33 the integrity of the voting process and the security of ballots used
34 during the early voting period, including the security of voting
35 machines, voted ballots, and election records. The plan shall be
36 based on guidelines established by the Secretary of State and shall
37 be submitted thereto no later than December 15 of each year. The
38 Secretary of State shall review and, if deemed necessary thereby,
39 require changes to a plan no later than February 1 of each year.
40 Each plan shall specify a chain of custody ²and security plan² for
41 the voting machines, ²and a chain of custody for the² voted ballots
42 ²**【.】**² and election records and materials, and shall require, among
43 other specifications deemed necessary by the Secretary of State and
44 county boards of election, that all voted ballots shall be transferred
45 at the end of each early voting day to county boards of election for
46 safekeeping ²**【until canvassing】** . After the voted ballots are
47 transferred to the county board of elections at the end of each early

1 voting day, a county board may elect to impound those voted ballots
2 on a secure server, or by any other means deemed appropriate by
3 the Secretary of State. The voted ballots shall not be canvassed
4 until the closing of the polls² on election day as required pursuant
5 to section ²[5] ⁴ of this act, P.L. , c. (C.) (pending before
6 the Legislature as this bill). ²The results of the voted ballots cast
7 during early voting shall remain confidential and shall be disclosed
8 only in accordance with the provisions of Title 19 of the Revised
9 Statutes, regulations, and guidelines concerning the disclosure of
10 election results, and a violation shall be subject to the penalties
11 established by law.²

12 (2) Notwithstanding the provisions of this subsection, in the
13 year in which P.L. , c. (C.) (pending before the Legislature
14 as this bill) becomes law, each county board shall submit its plan to
15 the Secretary of State within ²[15] ³⁰ days following the
16 effective date of this act and the Secretary of State shall review it
17 and, if deemed necessary thereby, require changes in the plan
18 within 45 days following the effective date of this act.

19 h. Each county board shall make certain that each polling place
20 used for early voting shall be accessible to individuals with
21 disabilities and the elderly, in compliance with the “Americans with
22 Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.), and that each
23 polling place provides such voters, including the blind and visually
24 impaired, the same opportunity for access and participation,
25 including privacy and independence, as other voters in compliance
26 with the “Help America Vote Act of 2002” (42 U.S.C. s.15481).

27 i. ²The Secretary of State shall establish a printing on demand
28 ballot and elections system. At a minimum, the system shall be
29 compatible with the Statewide voter registration system established
30 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any
31 electronic poll books provided by section 1 of P.L.2019, c.80
32 (C.19:31-35). Each polling place used for early voting shall have a
33 computer, tablet, or other electronic device to print provisional
34 ballots for voters required to vote by provisional ballot in
35 accordance to the provisions of Title 19 of the Revised Statutes or
36 due to an equipment malfunction as further provided under section
37 3 of P.L.2019, c.80 (C.19:31-37), or any other election related
38 material, if needed. A computer, tablet, or other electronic device
39 and the printer used to print election materials at a polling place
40 shall not be used unless it has been certified by the Secretary of
41 State. The Secretary of State shall adopt and publish standards and
42 regulations governing the certification and use of computer, tablets,
43 or other electronic devices and printers to print election materials at
44 each polling place used for early voting. The Secretary of State
45 shall not certify a computer, tablet, or other electronic device or
46 printer unless it is in compliance with the secretary’s standards.

1 j.² Each polling place used for early voting shall also have such
2 appropriate supplies, ballots and other materials deemed necessary
3 by the Secretary of State or as is required currently for a polling
4 place on the day of any election by Title 19 of the Revised Statutes.
5

6 ²[2. (New section) a. A duly-registered voter shall be
7 permitted to participate in early voting after completing an Early
8 Voting Voter Certificate in substantially the following form:
9

10 EARLY VOTING VOTER CERTIFICATE

11
12 I, _____(your name), am a registered voter, residing
13 at _____ (your street address), _____County,
14 New Jersey. I do solemnly swear or affirm that I am the person so
15 listed on the voter registration rolls of _____County and that
16 I reside at the above address. I understand that if I commit or
17 attempt to commit fraud in connection with voting, vote
18 fraudulently or vote more than once in an election I could be
19 convicted of a crime of the third degree and fined up to \$15,000 and
20 imprisoned for up to five years. I understand that my failure to sign
21 this certificate invalidates my vote.
22

23 _____
24 (Voter Signature)
25

26 _____
27 (Date)
28

29 Using the completed early voting certificate, and prior to permitting
30 the voter to vote, an election official shall ascertain, in substantially
31 the same manner as required on the day of an election pursuant to
32 Title 19 of the Revised Statutes, that the voter is a duly-registered
33 voter of the county and is entitled to vote in that election. Each
34 early voting voter certificate shall be collected and forwarded to the
35 county board at the end of each day of the early voting period and
36 shall be kept by the board for two years following the date of the
37 election.

38 b. A voter who has voted in an election using the early voting
39 procedure established by this act, P.L. , c. (C.)(pending
40 before the Legislature as this bill), shall not be permitted to vote by
41 mail-in ballot or in person at the polling place in the voter's election
42 district on the day of the election.]²
43

44 ²[3.] 2. (² New section) a. The appointment of challengers for
45 early voting shall be in the ²[same manner as provided in chapter 7
46 of Title 19 of the Revised Statutes for all elections.] following
47 manner:

1 (1) The chairperson of the county committee of any political
2 party that has duly nominated any candidate for public office to be
3 voted for at an election by all the voters within the county or any
4 political division thereof greater than a single municipality, or
5 where the election is within and for a single municipality only, or
6 any subdivision thereof, then the chairperson of the municipal
7 committee of the political party making such nomination within and
8 for such single municipality, or subdivision thereof, may appoint
9 two challengers for each grouping of candidates choosing to be
10 grouped together on the ballot for each early voting site in the
11 chairperson's county or municipality, as the case may be. If two or
12 more candidates choosing to be grouped together on the ballot do
13 not belong to an organization represented by a county or municipal
14 committee of any political party, as the case may be, the candidate
15 listed on the highest position on the ballot for that grouping of
16 candidates may appoint two challengers for that grouping of
17 candidates for each early voting site in the county or municipality,
18 as the case may be.

19 (2) A candidate who has filed a petition for an office to be voted
20 for at the primary election, and a candidate for an office whose
21 name may appear upon the ballot to be used in any election, may act
22 as a challenger. A candidate who is not grouped with any other
23 candidate on the ballot may appoint two challengers for each early
24 voting site at which the candidate is to appear on the ballot, but
25 only two challengers shall be allowed for each early voting site to
26 represent all the candidates choosing to be grouped together on the
27 ballot.

28 (3) Whenever a public question shall appear on the ballot to be
29 voted upon by the voters of an election district and application has
30 been made by the proponents or opponents of such public question
31 for the appointment of challengers, the county board may in its
32 discretion appoint two challengers each to represent such
33 proponents or opponents at each early voting site.

34 b. Not more than the challengers authorized pursuant to
35 paragraphs (1) through (3) of subsection a. of this section shall be
36 present at any one time in any early voting site while serving and
37 exercising the powers of a challenger and during the hours when the
38 polls are open for early voting.

39 c.² The name and address of each challenger, including a
40 candidate acting as a challenger or a challenger representing a
41 grouping of two or more candidates, together with the number or
42 name and location of the ²[polling place] early voting site² at
43 which the challenger is to serve, shall be filed with the county board
44 of elections not later than the fifth day preceding the start of the
45 early voting period.

46 ²**[b.] d.²** Each challenger, including a candidate acting as a
47 challenger or a challenger representing a grouping of two or more
48 candidates, shall have all of the powers of challengers serving at

1 other elections, as provided for in R.S.19:7-5 and by R.S.19:15-1 et
2 seq.

3 ²**[c.] e.**² Any voter whose name does not appear on a challenge
4 list but who is challenged as not qualified or entitled to vote by a
5 challenger duly appointed pursuant to this section shall be entitled
6 to the rights and protections provided by R.S.19:15-18 et seq., and
7 every other applicable section of this Title.

8
9 ²**[4.] 3.**² (New section) During each early voting period, the
10 county board shall make available to the public a tally of the total
11 number of voters who have cast a ballot at each early voting
12 location during the previous day. The county boards shall prepare
13 an electronic data file listing the names of the individual voters who
14 cast a ballot during the early voting period. This information shall
15 be made available to the public in an electronic format pursuant to
16 rules adopted by the county board and subject to review each year
17 by the Secretary of State. The information shall be updated and
18 made available to the public no later than noon of each day during
19 the early voting period and shall at the same time be provided to the
20 clerk of the county in which early voting is occurring and to the
21 Secretary of State.

22
23 ²**[5.] 4.**² (New section) An early vote cast in an election, as
24 provided for in this act, P.L. , c. (C.) (pending before the
25 Legislature as this bill), shall not be canvassed prior to the closing
26 of the polls on the day of an election.

27 Every provisional ballot voted in each such election and
28 determined by a county board to be valid shall be counted and shall
29 be part of the official tally of the results of the election.

30
31 ²**[6.] 5.**² (New section) In addition to any publications
32 required under Title 19 of the Revised Statutes, the Secretary of
33 State and each county board of elections shall cause to be published
34 information concerning the early voting procedure on the
35 Department of State's website and on each county's website. The
36 early voting information shall include, but may not be limited to, a
37 notice to the public concerning their eligibility to participate in
38 early voting, the duration of the early voting period, and the
39 locations and hours of operation of specially designated polling
40 places for early voting in each county.

41
42 ²**[7.] 6.**² (New section) In compliance with the provisions of
43 Article VIII, Section II, paragraph 5 of the New Jersey Constitution,
44 upon application for reimbursement by a county governing body or
45 a municipal governing body, as may be appropriate, to the Secretary
46 of State and approval of the application by the Director of the
47 Division of Budget and Accounting in the Department of the
48 Treasury, a county or municipality shall be reimbursed by the State

1 for any additional costs incurred by the county or municipality as a
2 result of the provisions of this act, P.L. , c. (C.) (pending before
3 the Legislature as this bill).

4
5 ²~~8.~~ ^{7.}² (New section) The Secretary of State is hereby
6 authorized to make such adjustments to ¹regulations issued pursuant
7 to¹ Title 19 of the Revised Statutes ¹~~by regulation~~¹ ²and to issue
8 any new regulations² as may be necessary to effectuate the purposes
9 of this act ¹, which regulations shall be effective immediately upon
10 filing with the Office of Administrative Law for a period not to
11 exceed 18 months, and may, thereafter, be amended, adopted or
12 readopted in accordance with the provisions of the "Administrative
13 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)¹.

14
15 ²~~9.~~ ^{8.}² R.S.19:12-7 is amended to read as follows:

16 19:12-7. a. The county board in each county shall cause to be
17 published in a newspaper or newspapers which, singly or in
18 combination, are of general circulation throughout the county, a
19 notice containing the information specified in subsection b. hereof,
20 except for such of the contents as may be omitted pursuant to
21 subsection c. or d. hereof. Such notice shall be published once
22 during the 30 days next preceding the day fixed for the closing of
23 the registration books for the primary election, once during the
24 calendar week ²~~next~~² preceding the week in which the ²early
25 voting period for the² primary election for the general election ²~~is~~
26 held begins², once during the 30 days next preceding the day fixed
27 for the closing of the registration books for the general election, and
28 once during the calendar week ~~next~~ preceding the week in which
29 the early voting period for the general election ~~is held~~ begins.

30 b. Such notice shall set forth:

31 (1) For the primary election for the general election:

32 (a) That a primary election for making nominations for the
33 general election, for the selection of members of the county
34 committees of each political party, and in each presidential year for
35 the selection of delegates and alternates to national conventions of
36 political parties, will be held on the day and between the hours
37 provided for by or pursuant to this Title ², and the days, hours, and
38 places at which early voting shall be available in the county².

39 (b) The place or places at which and hours during which a
40 person may register, the procedure for the transfer of registration,
41 and the date on which the books are closed for registration or
42 transfer of registration.

43 (c) The several State, county, municipal and party offices or
44 positions to be filled, or for which nominations are to be made, at
45 such primary election

46 (d) The existence of registration and voting aids, including: (i)
47 the availability of registration and voting instructions at places of

1 registration as provided under R.S.19:31-6; and (ii), if available, the
2 accessibility of voter information to the deaf by means of a
3 telecommunications device.

4 (e) The availability of assistance to a person unable to vote due
5 to blindness, disability or inability to read or write.

6 (f) In the case of the notice published during the calendar week
7 ²[next]² preceding the week in which the ²early voting period for
8 the² primary election ²[is held] begins², that a voter who, prior to
9 the election, shall have moved within the same county without (i)
10 filing, on or before the 21st day preceding the election, a notice of
11 change of residence with the commissioner of registration of the
12 county or the municipal clerk of the municipality in which the voter
13 resides on the day of the election, (ii) returning the confirmation
14 notice sent to the voter by the commissioner of registration of the
15 county, if such a notice has been sent to the voter, or (iii) otherwise
16 notifying the commissioner of registration of the voter's change of
17 address within the county shall be permitted to correct the voter's
18 registration and to vote in the primary election by provisional ballot
19 at the polling place of the district in which the voter resides on the
20 day of the election. The notice shall further provide that the voter
21 may contact the county commissioner of registration or municipal
22 clerk or may view polling place location information on the
23 Division of Elections website to determine the proper polling place
24 location for the voter.

25 (2) For the general election:

26 (a) That a general election will be held on the day and between
27 the hours provided for by or pursuant to this Title, and the days,
28 hours and places at which early voting shall be available in the
29 county, and, where applicable, shall include annual school elections
30 and annual fire district elections held on that date.

31 (b) The place or places at which and hours during which a
32 person may register, the procedure for transfer of registration, and
33 the date on which the books are closed for registration or transfer of
34 registration.

35 (c) The several State, county and municipal offices, and where
36 applicable, school board offices and fire district offices to be filled,
37 notice of any school district propositions to be submitted to the
38 people and, except as provided in R.S.19:14-33 of this Title as to
39 publication of notice of any Statewide proposition directed by the
40 Legislature to be submitted to the people, the State, county,
41 municipal and fire district public questions to be voted upon at such
42 general election.

43 (d) The existence of registration and voting aids, including: (i)
44 the availability of registration and voting instructions at places of
45 registration as provided under R.S.19:31-6; and (ii) the accessibility
46 of voter information to the deaf by means of a telecommunications
47 device.

- 1 (e) The availability of assistance to a person unable to vote due
2 to blindness, disability or inability to read or write.
- 3 (f) In the case of the notice published during the calendar week
4 **【next】** preceding the week in which the early voting period for the
5 general election **【is held】** begins, that a voter who, prior to the
6 election, shall have moved within the same county without (i)
7 filing, on or before the 21st day preceding the election, a notice of
8 change of residence with the commissioner of registration of the
9 county or the municipal clerk of the municipality in which the voter
10 resides on the day of the election, (ii) returning the confirmation
11 notice sent to the voter by the commissioner of registration of the
12 county, if such a notice has been sent to the voter, or (iii) otherwise
13 notifying the commissioner of registration of the voter's change of
14 address within the county shall be permitted to correct the voter's
15 registration and to vote in the general election by provisional ballot
16 at the polling place of the district in which the voter resides on the
17 day of the election. The notice shall further provide that the voter
18 may contact the county commissioner of registration or municipal
19 clerk or may view polling place location information on the
20 Division of Elections website to determine the proper polling place
21 location for the voter.(3) For a school election:
- 22 (a) The day and time thereof,
23 (b) The offices, if any, to be filled at the election,
24 (c) The substance of any public question to be submitted to the
25 voters thereat,
- 26 (d) That a voter who, prior to the election, shall have moved
27 within the same county without (i) filing, on or before the 21st day
28 preceding the election, a notice of change of residence with the
29 commissioner of registration of the county or the municipal clerk of
30 the municipality in which the voter resides on the day of the
31 election, (ii) returning the confirmation notice sent to the voter by
32 the commissioner of registration of the county, if such a notice has
33 been sent to the voter, or (iii) otherwise notifying the commissioner
34 of registration of the voter's change of address within the county
35 shall be permitted to correct the voter's registration and to vote in
36 the school election by provisional ballot at the polling place of the
37 district in which the voter resides on the day of the election,
- 38 (e) That if the voter has any questions as to where to vote on the
39 day of the election, the voter may contact the county commissioner
40 of registration or municipal clerk or may view polling place
41 location information on the Division of Elections website to
42 determine the proper polling place location for the voter; and
- 43 (f) Such other information as may be required by law.
- 44 c. If such publication is made in more than one newspaper, it
45 shall not be necessary to duplicate in the notice published in each
46 such newspaper all the information required under this section, so
47 long as:

1 (1) The municipal officers or party positions to be filled, or
2 nominations made, or municipal public questions to be voted upon
3 by the voters of any municipality, shall be set forth in at least one
4 newspaper having general circulation in such municipality;

5 (2) All offices to be filled, or nominations made therefor, or
6 public questions to be voted upon, by the voters of the entire State
7 or of the entire county shall be set forth in a newspaper or
8 newspapers which, singly or in combination, have general
9 circulation throughout the county;

10 (3) Information relating to nominations and elections in each
11 Legislative District comprised in whole or part in the county, shall
12 be published in at least a newspaper or newspapers which singly or
13 in combination, have general circulation in every municipality of
14 the county which is comprised in such legislative district.

15 d. Such part or parts of the original notices as published which
16 pertain to day of registration or primary election which has occurred
17 shall be eliminated from such notice in succeeding insertions.

18 e. (Deleted by amendment, P.L.1999, c.232.)

19 f. The cost of publishing the notices required by this section
20 shall be paid by the respective counties, unless otherwise provided
21 for by law.

22 g. Notices required to be published or posted pursuant to this
23 section shall set forth a general description of the contents of the
24 voter information notice provided for in section 1 of P.L.2005,
25 c.149 (C.19:12-7.1), how the notice may be viewed or obtained
26 prior to the day of an election, and that the notice will be posted in
27 each polling place on the day of an election.

28 (cf: P.L.2019, c.170, s.1)

29

30 ²~~10.~~ ² Section 1 of P.L.2005, c.149 (C.19:12-7.1) is
31 amended to read as follows:

32 1. a. A county board of elections shall have posted a voter
33 information notice, which shall be referred to as a voter's bill of
34 rights, in a conspicuous location in each polling place ~~before the~~
35 ~~opening of the polls on the day of any election~~ **and each specially**
36 **designated polling place used for early voting before voting begins.**

37 The notice shall contain:

38 the date of the election and the hours during which polling places
39 will be open;

40 a statement that sample ballots are available at the polling place
41 for review by the voter;

42 instruction for the use of the voting machine in that polling place
43 and an explanation of what instructions for voting are available at
44 the polling place for the voter;

45 instruction for a voter who is voting for the first time;

46 instruction for a voter who is required to provide identification
47 pursuant to the federal "Help America Vote Act of 2002" and
48 R.S.19:15-17 prior to casting a vote;

- 1 instruction on how to cast a vote if the voter cannot be present at
- 2 a polling place on the day of the election;
- 3 an explanation of the right of the voter to vote in **[privacy]**
- 4 private, regardless of the voter's physical abilities;
- 5 an explanation of the right of the voter to a provisional ballot,
- 6 including in the event that a mail-in ballot has been applied for and
- 7 not received or not transmitted to the county board of elections
- 8 before the day of any election, and the other circumstances under
- 9 which a voter has a right to a provisional ballot;
- 10 an explanation of the right of the voter to receive a replacement
- 11 ballot for a ballot that has been spoiled, destroyed, lost or never
- 12 received;
- 13 an explanation of the right of the voter to ask for and receive
- 14 assistance in voting;
- 15 an explanation of the right of the voter to take a reasonable
- 16 amount of time in casting a vote on a voting machine;
- 17 an explanation of the right of the voter to bring written material
- 18 into the polling place for the voter's personal use in casting a vote;
- 19 instruction on how to contact the appropriate officials if a voter's
- 20 right to vote or right to otherwise participate in the electoral process
- 21 has been challenged or violated;
- 22 general information on federal and State laws that prohibit acts
- 23 of fraud or misrepresentation and the penalties for those acts;
- 24 an explanation of the right of the voter to confidentially discover
- 25 the status of their ballot using the "Track My Ballot" user portal;
- 26 an explanation that "All ballots are counted and your vote
- 27 remains anonymous";
- 28 an explanation of the right of the voter that if their ballot was
- 29 rejected, a notice will be issued to the voter within 24 hours after a
- 30 decision is made to reject the ballot. The voter will have up to 48
- 31 hours prior to the date for the final certification of the results of the
- 32 election to provide a cure for their ballot;
- 33 an explanation giving the options for the voter to provide the
- 34 cure to their rejected ballot;
- 35 an explanation that no voters shall be intimidated or otherwise
- 36 unduly influenced by political insignia while voting. No person
- 37 shall wear, display, sell, give or provide any political or campaign
- 38 slogan, badge, button or other insignia associated with any political
- 39 party or candidate to be worn at or within one hundred feet of the
- 40 polls or within the polling place or room, on any primary, general or
- 41 special election day or on any commission government election day,
- 42 except the badge furnished by the county board as provided by law.
- 43 This includes any political gear representing the campaign slogans,
- 44 logos, or depictions or representations of any political party or
- 45 candidate such as merchandise sold directly from a political party,
- 46 campaign, candidate, or by third parties and vendors representing
- 47 any political party or campaign or candidate. A person violating
- 48 any of these provisions is guilty of a disorderly persons offense and

1 will not be permitted on the premises and can only return to vote
2 after the removal of prohibited political insignia; and

3 such other statement, instruction or explanation the Secretary of
4 State may deem appropriate to ensure the full and knowledgeable
5 participation of the voter in the process.

6 The requirement to post this notice in each polling place shall
7 not replace, supersede or void any other requirement set forth in law
8 for the posting of information in each polling place apart from the
9 voter information notice. The poster promoting the use of voting by
10 mail prepared and distributed by the Secretary of State pursuant to
11 R.S.19:8-6 shall be displayed next to or as close as may be possible
12 to the voter information notice.

13 b. The Secretary of State shall prescribe the form and specific
14 content of the voter information notice, which may be comprised of
15 more than one page. If the notice is comprised of more than one
16 page, each page shall be posted separately. For an election district
17 in which the primary language of 10 percent or more of the
18 registered voters is a language other than English, the Secretary of
19 State shall prescribe an official version of the voter information
20 notice in that other language or languages for use in that election
21 district. The notice shall be posted in English and in the other
22 language or languages in the polling places in each such district.
23 The alternate language shall be determined based on information
24 from the latest federal decennial census.

25 c. A county board of elections may modify or supplement the
26 voter information notice used in a county or municipality to provide
27 additional information specific to that county or a municipality in
28 that county, provided, however, that any such modification or
29 supplementation shall be submitted to the Secretary of State for
30 prior approval.

31 d. The voter information notice shall be printed on each sample
32 ballot, to the extent practicable, or if not practicable, information on
33 how to view or obtain a copy of the voter information notice shall
34 be printed on each sample ballot.

35 e. The voter information notice, including one modified or
36 supplemented pursuant to subsection c. of this section, shall be
37 made accessible on the official Internet site of the State by the
38 Secretary of State and each county board of elections shall ensure
39 that the official Internet site of the county contains a link to that
40 notice.

41 f. (Deleted by amendment, P.L.2020, c.70)

42 g. The State shall be liable for the costs incurred by local
43 government entities for compliance with this section, and they shall
44 be reimbursed for those costs, upon application, by the State
45 Treasurer.

46 (cf: P.L.2020, c.71, s.2)

47

48 ²**[11.]** 10.² R.S.19:14-21 is amended to read as follows:

1 19:14-21. The county clerk shall cause samples of the official
2 general election ballot to be printed in English, but for each election
3 district within the county in which the primary language of 10% or
4 more of the registered voters is Spanish, shall cause samples of the
5 official general election ballot to be printed bilingually in English
6 and Spanish.

7 a. In counties not having a superintendent of elections where
8 the county board of elections does not have the equipment or
9 facilities to address and mail sample ballot envelopes, the county
10 clerk not later than noon of the eighth day prior to the start of the
11 early voting period for the general election shall furnish to the
12 municipal clerk of each municipality in his county one and one-
13 tenth times as many such sample ballots and stamped envelopes as
14 there are voters registered, less the number of voters who have been
15 sent a confirmation notice pursuant to subsection d. of R.S.19:31-15
16 and have not responded, to enable each ²~~district board in each~~
17 ~~municipality~~ municipal clerk² to mail one of such sample ballots
18 to each voter who is registered in the municipality, except those
19 voters who have been sent a confirmation notice pursuant to
20 subsection d. of R.S.19:31-15 and have not responded, for such
21 election and shall take a receipt for the same from each of the
22 municipal clerks, which receipt shall indicate the number of such
23 sample ballots and stamped envelopes delivered by the county clerk
24 and the date and hour of their delivery.

25 b. In counties having a superintendent of elections, and in other
26 counties where the county board of elections may have the
27 equipment or facilities to prepare a properly stamped envelope
28 addressed to each registered voter in the county for mailing, the
29 county clerk, not later than the ²~~thirtieth~~ eighth² day preceding
30 the start of the early voting period for the general election, shall
31 furnish to the commissioner of registration located in his county one
32 and one-tenth times as many stamped envelopes as there are
33 registered voters in the county, less the number of voters who have
34 been sent a confirmation notice pursuant to subsection d. of
35 R.S.19:31-15 and have not responded, and not later than noon of the
36 ²~~twelfth~~ seventh² day preceding the start of the early voting
37 period for the general election shall furnish to the commissioner of
38 registration located in the county, one and one-tenth times as many
39 sample ballots as there are registered voters in the county to enable
40 the commissioner of registration of the county to mail one of such
41 sample ballots to each voter registered in the county, except those
42 voters who have been sent a confirmation notice pursuant to
43 subsection d. of R.S.19:31-15 and have not responded, for such
44 election and shall take a receipt for the same from the commissioner
45 of registration, which receipt shall indicate the number of such
46 sample ballots and stamped envelopes delivered by the county clerk
47 and the date and hour of their delivery. County boards of elections
48 which elect to operate under the provisions of this paragraph shall

1 notify their county clerk in sufficient time to enable him to make
2 the necessary arrangements the first year.

3 c. The county clerk in counties having a superintendent of
4 elections shall also deliver to the county board not later than the
5 ²~~twelfth~~ seventh² day preceding the start of the early voting
6 period for the general election 10 such sample ballots of each
7 election district of each municipality in the county.

8 ²d. During the early voting period for the general election, the
9 county clerk may provide for the electronic display of sample
10 ballots at each early voting location. If a county clerk elects to
11 provide for the electronic display of sample ballots at each early
12 voting location, at a minimum, the electronic display shall provide
13 the sample ballot in the languages required by Title 19 of the
14 Revised Statutes or federal law as applicable to the county.²

15 (cf: P.L.2009, c.110, s.1)

16

17 ²~~[12.]~~ 11.² R.S.19:14-22 is amended to read as follows:

18 19:14-22. The official general election sample ballots shall be
19 as nearly as possible facsimiles of the official general election
20 ballot to be voted at such election and shall have printed thereon,
21 after the words which indicate the number of the election district for
22 which such sample ballots are printed, the name of the school
23 district, when appropriate, the number or name and municipality or
24 municipalities of the fire district, when appropriate, the street
25 address or location of the polling place in the election district, and
26 the hours between which the polls shall be open. Such sample
27 ballots shall be printed on paper different in color from the official
28 general election ballot, and have the following words printed in
29 large type at the top: "This ballot cannot be voted. It is a sample
30 copy of the official general election ballot used on election day."
31 The sample ballot shall also state clearly the days, hours and places
32 at which early voting shall be available in the county.

33 (cf: P.L.2017, c.206, s.7)

34

35 ²~~[13.]~~ 12.² R.S.19:14-24 is amended to read as follows:

36 19:14-24. The municipal clerk to whom the sample ballots and
37 stamped envelopes have been so delivered by the county clerk shall
38 deliver the same at his office, or in any other way he sees fit, on or
39 before noon of the Tuesday preceding the start of the early voting
40 period for the general election, to a member or members of each
41 district board, and shall take a receipt for the same from the
42 member or members of the district boards of such municipality,
43 which receipt shall indicate the number of sample ballots and
44 stamped envelopes delivered by the municipal clerk and the date
45 and hour of their delivery.

46 (cf: R.S.19:14-24)

1 ²[14.] 13.² R.S.19:14-25 is amended to read as follows:

2 19:14-25. In counties not having a superintendent of elections
3 where the county board of elections does not have the equipment or
4 facilities to address and mail sample ballot envelopes, ²[all the
5 members of each of the district boards] the municipal clerk² shall
6 prepare and deposit in the post office, on or before 12 noon on
7 Wednesday preceding the start of the early voting period for the
8 general election [day], a properly stamped envelope containing a
9 copy of the sample ballot printed in English, addressed to each
10 registered voter in the district of such board at the address shown on
11 the register, except that for districts in which the primary language
12 of 10% or more of the registered voters is Spanish, a properly
13 stamped envelope containing a copy of the bilingual sample ballot,
14 addressed to each registered voter in the district of such board at the
15 address shown on the register shall be prepared and deposited. The
16 board shall also post the appropriate sample ballots in the polling
17 place in its district.

18 The board shall return to the municipal clerk all ballots and
19 envelopes not mailed or posted by it, with a sworn statement in
20 writing signed by a majority of the board that all the remainder of
21 such ballots and envelopes had been mailed.

22 In counties having a superintendent of elections, and in other
23 counties where the county board of elections shall elect to operate
24 under the provisions of subsection b. of section 19:14-21 of this
25 Title, the commissioner of registration shall prepare and deposit in
26 the post office on or before 12:00 o'clock noon, on the Wednesday
27 preceding the start of the early voting period for the general election
28 [day], a properly stamped envelope containing a copy of the
29 sample ballot printed in English addressed to each registered voter
30 in the county at the address shown on the registry, except that for
31 districts in which the primary language of 10% or more of the
32 registered voters is Spanish, a properly stamped envelope
33 containing a copy of the bilingual sample ballot, addressed to each
34 registered voter in the district of such board at the address shown on
35 the register shall be prepared and deposited. The commissioner of
36 registration shall return to the county clerk all ballots and envelopes
37 not mailed or posted by him, with a sworn statement in writing
38 signed by him that all the remainder of such ballots and envelopes
39 have been mailed.

40 The county board of elections, in all counties having a
41 superintendent of elections, and in other counties where the county
42 board of elections shall elect to operate under the provisions of
43 subsection b. of section 19:14-21 of this Title, shall, not later than
44 ²[noon of the second Monday preceding]² the start of the early
45 voting period for the election, deliver ²[or mail]² to the members of
46 the district board three appropriate sample ballots for their

1 respective election district. The board shall post the appropriate
2 sample ballots in the polling place in its district.

3 (cf: P.L.1974, c.30, s.3)

4

5 ²14. R.S.19:23-31 is amended to read as follows:

6 19:23-31. The official primary sample ballot shall be, as nearly
7 as possible, a facsimile of the official primary ballot to be voted at
8 the primary election and shall be printed on paper different in color
9 from the official primary ballot, so that the same may be readily
10 distinguished from the official primary ballot. It shall state clearly
11 the days, hours, and places at which early voting shall be available
12 in the county. The official primary sample ballot shall have printed
13 at the top in large type the words: "This official primary sample
14 ballot is an exact copy of the official primary ballot to be used on
15 primary election day. This ballot cannot be voted." The official
16 primary sample ballot shall also have printed thereon, following the
17 words which indicate the election district, the following words:
18 "The polling place for this election district is

19 (Stating the location of said polling place)."²

20 (cf: R.S.19:23-31)

21

22 ²15. R.S.19:23-33 is amended to read as follows:

23 19:23-33. In counties not having a superintendent of elections
24 where the county board of elections does not have the equipment or
25 facilities to address and mail sample ballot envelopes, the municipal
26 clerk in each municipality shall furnish to a member of each district
27 board in his municipality, at his office, or in any other way that he
28 sees fit, on or before Tuesday preceding the start of the early voting
29 period for the primary election in each year, sufficient sample
30 ballots and sufficient stamped envelopes to enable the board to mail
31 sample ballots to the voters as hereinbefore provided. Each of the
32 boards shall give the municipal clerk a receipt for such sample
33 ballots and envelopes signed by one of its members.

34 In counties having a superintendent of elections, and in other
35 counties where the county board of elections shall elect to operate
36 under the provisions of subsection b. of section 19:23-30 of this
37 Title, the municipal clerk in each municipality shall furnish to the
38 commissioner of registration of his county not later than **【thirty**
39 **days】** the eighth day preceding the start of the early voting period
40 for the primary election of each year, sufficient stamped envelopes
41 to enable the commissioner of registration to mail sample ballots to
42 each voter who is registered in the county, less the number of voters
43 who have been sent a confirmation notice pursuant to subsection d.
44 of R.S.19:31-15 and have not responded, and shall, not later than
45 noon of the **【twelfth】** seventh day preceding the start of the early
46 voting period for the primary election furnish sufficient sample
47 ballots to the commissioner of registration of his county for that

1 purpose. The commissioner of registration shall give the municipal
2 clerk a receipt for such sample ballots and envelopes.²

3 (cf: P.L.2009, c.110, s.3)

4

5 ²16. R.S.19:23-34 is amended to read as follows:

6 19:23-34. Each of such district boards, in counties not having a
7 superintendent of elections where the county board of elections
8 does not have the equipment or facilities to address and mail sample
9 ballot envelopes, and the commissioner of registration in all other
10 counties, shall prepare and deposit in the post office, on or before
11 twelve o'clock noon on Wednesday preceding the start of the early
12 voting period for the primary **[day]**, the stamped envelopes
13 containing a copy of the sample primary ballot of each political
14 party addressed to each voter whose name appears in the primary
15 election registry book.²

16 (cf: P.L.1947, c.168, s.11)

17

18 ²17. R.S.19:23-35 is amended to read as follows:

19 19:23-35. In counties not having a superintendent of elections,
20 where the county board of elections does not have the equipment or
21 facilities to address and mail sample ballot envelopes, such district
22 board shall also post three sample ballots in the polling place in its
23 district.

24 The county board of elections in all counties of the first class,
25 and in other counties where the county board of elections shall elect
26 to operate under the provisions of subsection b of section 19:23-30
27 of this Title, shall, not later than **[noon of the second Monday**
28 **preceding]** the start of the early voting period for the primary
29 election, deliver **[or mail]** to the members of the district board three
30 sample ballots for their respective election district. The board shall
31 post the sample ballots in the polling place in its district.²

32 (cf: P.L.1952, c.61, s.2)

33

34 ²18. R.S.19:49-3 is amended to read as follows:

35 19:49-3. At least one week prior to the start of the early voting
36 period for any primary, local, or general election two sets of official
37 ballots shall be provided for each voting machine, for each polling
38 place, for each election district, for use in and upon the voting
39 machine. One set thereof shall be inserted or placed in or upon the
40 voting machine and the other shall be retained in the custody and
41 possession of the county board of elections or the superintendent of
42 elections or the municipal clerk, as the case may be, having custody
43 of voting machines, unless it shall become necessary during the
44 course of the election to make use of the same upon or in the voting
45 machine. At the close of the election all official ballots, except
46 those actually in or upon the voting machine at the close of the
47 election, whether the same shall have been used in the machine or

1 not, shall be returned to the official providing the same in the
2 manner by this Title provided.²

3 (cf: P.L.1945, c.56, s.4)

4

5 ²~~15.~~ 19.² Section 1 of P.L.2019, c.80 (C.19:31-35) is amended
6 to read as follows:

7 1. Each county commissioner of registration and county board
8 of elections ~~may adopt~~ shall require the use of electronic poll
9 books, as further provided by this act, P.L.2019, c.80 (C.19:31-
10 35 et seq.), ~~electronic poll books for use~~ at each polling place
11 during the early voting period and on the day of any election, in
12 place of the paper polling record or signature copy register, to
13 access the registration record, eligibility, signature, and other
14 information of each registered voter in the election district. The
15 electronic poll books shall enable at least the same functionality
16 currently provided by the paper polling records or signature copy
17 register to be accomplished in the conduct of an election. An
18 electronic poll book shall not be used unless it has been certified by
19 the Secretary of State. The Secretary of State shall adopt and
20 publish electronic poll books standards and regulations governing
21 the certification and use of electronic poll books. The Secretary of
22 State shall not certify an electronic poll book unless it is in
23 compliance with at least the capabilities and standards specified
24 under section 2 of P.L.2019, c.80 (C.19:31-36) and the Secretary of
25 State's standards and regulations. The Secretary of State shall
26 provide ~~each county commissioner of registration and board of~~
27 ~~elections that adopts the use of electronic poll books under this act~~
28 ~~with~~ the rules, regulations, and instructions regarding the
29 examination, testing, and use of electronic poll books, including
30 rules regarding the security and protection of the information stored
31 in such electronic poll books, to each county commissioner of
32 registration and board of elections.

33 (cf: P.L.2019, c.80, s.1)

34

35 ²~~16.~~ 20.² Section 3 of P.L.2019, c.80 (C.19:31-37) is amended
36 to read as follows:

37 3. A county commissioner of registration and county board of
38 elections ~~opting to use electronic poll books~~ shall submit to the
39 Secretary of State a request for approval in the form, content, and
40 timeframe specified by the Secretary of State. Within 10 days of
41 receiving the request, the Secretary of State shall review the request
42 for compliance with the Secretary of State's standards and
43 regulations and all of the capabilities and standards required under
44 this act, P.L.2019, c.80 (C.19:31-35 et seq.). A county
45 commissioner of registration and county board of elections
46 approved to use electronic poll books shall furnish at least two
47 electronic poll books for each polling place ²~~and a backup paper~~

1 polling record or signature copy register for each election district in
2 the polling place]² . Each voter shall be ²[offered the option]
3 required² to sign ²[either]² the electronic poll book ²[or the
4 backup paper polling record or signature copy register] .
5 Notwithstanding any provision of Title 19 of the Revised Statutes,
6 or any other law, rule, or regulation to the contrary, a voter shall be
7 permitted to vote by provisional ballot if the electronic poll book
8 ceases to operate². Electronic poll books for each election shall be
9 prepared by the commissioner of registration no later than the 10th
10 day preceding the start of the early voting period for the election.
11 At each election, the delivery of the electronic poll books to the
12 municipal clerk and to the district boards or other officials charged
13 with the same duties as the district boards in connection with the
14 conduct of an election, and the return of those electronic poll books
15 by the district boards or such other election officials to the
16 commissioner of registration, shall be made in the manner
17 prescribed by the commissioner of registration and shall comply
18 with Title 19 of the Revised Statutes. The commissioner of
19 registration shall retain the electronic poll books records for any
20 election for a period of not less than six years following that
21 election.

22 (cf: P.L.2019, c.80, s.3)

23

24 ²[17.] 21.² Section 3 of P.L.1981, c.379 (C.40:45-7) is amended
25 to read as follows:

26 3. Except as may otherwise be provided by law for initial
27 elections conducted in a municipality following its adoption of a
28 plan or form of government, or a charter or an amendment thereto,
29 regular municipal elections shall be held in each municipality
30 governed by this act on the second Tuesday in May, or the day of
31 the general election in November if chosen by the municipality
32 pursuant to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-
33 7.1), in the years in which municipal officers are to be elected. The
34 municipal election shall be held at the same place or places and
35 conducted in the same manner, so far as possible, as the general
36 election. The election officers shall be those provided for
37 conducting the general election.

38 A municipality holding municipal elections on the second
39 Tuesday in May, in addition to those elections and by an ordinance
40 adopted by its governing body, may also conduct early voting for
41 those municipal elections, in accordance with the provisions of
42 P.L. , c. (C.) (pending before the Legislature as this bill). A
43 municipality holding municipal elections on the day of the general
44 election in November shall conduct early voting in accordance with
45 the provisions of P.L. , c. (C.) (pending before the
46 Legislature as this bill).

1 Notwithstanding the provisions of this section, the Secretary of
2 State may change in any year the date provided for a regular
3 municipal election if the date coincides with a period of religious
4 observance that limits significantly the usual activities of the
5 followers of a particular religion or that would result in significant
6 religious consequences for such followers. The secretary shall
7 inform the municipal clerks, county clerks and boards of election of
8 the adjustment no later than the first working day in January of the
9 year in which the adjustments are to occur.

10 As used in this section “a period of religious observance” means
11 any day or portion thereof on which a religious observance imposes
12 a substantial burden on an individual's ability to vote.

13 (cf: P.L.2009, c.196, s.4)

14
15 ²22. (New Section) a. For the purpose of facilitating early
16 voting as quickly and efficiently as possible, the State may procure
17 qualified vendors to develop, implement, or produce any hardware,
18 software, or equipment, any change to its Internet website, or any
19 supporting systems ahead of the 2021 general election.

20 b. Notwithstanding the provisions of any other law, rule, or
21 regulation to the contrary, a contract to effectuate any provision of
22 subsection a. of this section may be procured in an expedited
23 process and in the manner provided by this section.

24 c. The Division of Purchase and Property in the Department of
25 the Treasury, the Secretary of State, or other appropriate State
26 entity may procure, without the need for formal advertisement, but
27 through the solicitation of proposals from professional services
28 vendors, a qualified vendor with relevant experience.

29 d. Notwithstanding the provisions of any other law, rule, or
30 regulation to the contrary, for the purpose of expediting the
31 procurement of any capable and experienced vendor, the following
32 provisions shall apply as modifications to any law or regulation that
33 may interfere with the expedited procurement:

34 (1) the timeframes for challenging the specifications shall be
35 modified as determined by the Division of Purchase and Property,
36 the Secretary of State, or other applicable entity;

37 (2) in lieu of advertising in accordance with section 7 of
38 P.L.1954, c.48 (C.52:34-12), the division shall advertise the request
39 for proposals for the procurement under this section and any
40 addenda thereto on the applicable agency's website;

41 (3) the period of time that the State Comptroller, if applicable,
42 has to review the request for proposals for the procurement under
43 this section for compliance with applicable public contracting laws,
44 rules, and regulations, pursuant to section 10 of P.L.2007, c.52
45 (C.52:15C-10), shall be 10 business days or less, if practicable, as
46 determined by the State Comptroller;

47 (4) the timeframes for submission under section 4 of P.L.2012,
48 c.25 (C.52:32-58) and section 1 of P.L.1977, c.33 (C.52:25-24.2)

1 shall be extended to prior to the issuance of a Notice of Intent to
2 Award;

3 (5) the provisions of section 1 of P.L.2005, c.92 (C.52:34-13.2)
4 shall not apply to technical and support services under this section
5 provided by a vendor using a "24/7 follow-the-sun model" as long
6 as the contractor is able to provide such services in the United
7 States during the business day; and

8 (6) the term "bids" in subparagraph (f) of subsection a. of section
9 7 of P.L.1954, c.48 (C.52:34-12) shall not include pricing which
10 will be revealed to all responsive bidders during the negotiation
11 process.

12 e. The applicable entity may, to the extent necessary, waive or
13 modify any requirement under any other law or regulation that may
14 interfere with the expeditious procurement required under this
15 section.²

16
17 ²23. (New Section) For the purpose of facilitating early voting
18 as quickly and efficiently as possible, a contracting unit may
19 procure qualified vendors to develop, implement, or produce any
20 hardware, software, or equipment, any change to its Internet
21 website, or any supporting systems or services ahead of the 2021
22 general election pursuant to paragraph (1) of subsection (1) of
23 section 5 of P.L.1971, c.198 (C.40A:11-5).²

24
25 ²24. (New section) The provisions of this act, P.L. , c. (C.)
26 (pending before the Legislature as this bill), shall only apply to the
27 2021 general election and general elections thereafter; the 2022
28 primary election and primary elections thereafter; and, if adopted by
29 a municipal governing body, a municipal election conducted in May
30 2022 and municipal elections conducted in May thereafter.²

31
32 ²[18.] 25. a. There is appropriated from the General Fund to
33 the Department of State the sum of \$2,000,000 for the purposes
34 described in subsection i. of section 1 of this act.

35 b.² There is appropriated from the General Fund as State aid to
36 each county governing body and to each municipal governing body
37 that approves conducting early voting such sums as the State
38 Treasurer and the Director of the Division of Budget and
39 Accounting in the Department of the Treasury deem necessary to
40 effectuate the purpose of section ²[7] ~~6~~² of this act.

41
42 ²[19.] 26.² This act shall take effect ²[on the 120th day
43 following the date of enactment] immediately².