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District 19 (Middlesex)
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Senator STEPHEN M. SWEENEY
District 3 (Cumberland, Gloucester and Salem)
Senator THOMAS H. KEAN, JR.
District 21 (Morris, Somerset and Union)

SYNOPSIS
Revises certain requirements for district board members and polling places for June 2021 primary election; provides reimbursement for National Guard assistance with 2020 primary and general elections; makes appropriation.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the conduct of the 2020 primary and general
elections and the 2021 primary election, and making an
appropriation.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. The Legislature finds and declares that due to continued
concerns surrounding the coronavirus disease 2019 (COVID-19)
pandemic, local elections officials have reported a significant
decrease in the number of individuals willing to serve as members
district board of election, otherwise referred to as poll workers,
resulting in an inability to meet the statutory requirements
concerning the number of poll workers necessary in each election
district. It is therefore necessary to waive certain eligibility
requirements for district boards of election in order to ensure the
security and continuity of the June 8, 2021 primary election
scheduled to occur in June of 2021.

2. For the primary election to be held on June 8, 2021, the
Tuesday next after the first Monday in June of 2021, the following
shall apply:
   a. The provisions in R.S.19:6-1 requiring that the district
boards in each election district consist of four members, and in
certain circumstances six members, is suspended. No less than two
district board members shall be assigned to each polling place open
on the day of the primary election.
   b. Paragraph (1) of subsection a. of R.S.19:6-3 is suspended,
except that in no case shall the members of a district board serving
at any one polling place be comprised solely of members of one
political party.
   c. The provisions of R.S.19:6-2 shall be inapplicable to any
member of the New Jersey National Guard activated to serve as a
member of a district board. Any member of the New Jersey
National Guard activated to serve as a member of a district board
shall not be in uniform and shall be in civilian clothing.
   d. The provisions of R.S.19:6-2 requiring that a member of a
district board be a resident of the county in which that member will
serve as such shall be suspended.
   e. Notwithstanding the provisions of R.S.19:6-2 to the
contrary, a United States citizen who is not a registered voter but
who is otherwise qualified to serve as a district board member may
do so. That person shall be treated as a person who is unaffiliated
with any political party for the purposes of chapter 6 of Title 19 of
the Revised Statutes.
   f. The provisions of R.S.19:8-3 requiring a county board to
demonstrate inconvenience to the voters in order to locate a polling
place in a building other than a schoolhouse or public building shall be suspended.

g. The provisions of R.S.19:8-2 prohibiting a polling place other than a schoolhouse or public building from being located more than 1,000 feet distant from the boundary line of a district and the requirement that the Secretary of State approve the selection of a polling place more than 1,000 feet distant from the boundary line of the district if there is no suitable polling place accessible to individuals with disabilities and the elderly within the district or 1,000 feet distant from the boundary line of the district shall be suspended. This subsection shall not be construed to permit, for any election district, the selection of a polling place outside of the municipality in which the district is located.

h. A county board shall not be limited to utilizing only the polling places reported to the Secretary of State pursuant to section 4 of P.L.1991, c.429 (C.19:8-3.4). This subsection shall not be construed to modify any requirements concerning the accessibility of a polling place in conformity with the federal “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.).

i. Each member of a district board serving on the day of the primary election shall receive, in addition to the amount payable under R.S.19:45-6, a supplemental payment of $200 for a full day worked, or of $100 for each full shift worked if such shift is established pursuant to section 1 of P.L.1991, c.102 (C.19:6-9.1); except that members of the National Guard who are serving as district board members pursuant to activation by the Governor shall be subject to reimbursement pursuant to a memorandum of understanding or other written agreement duly executed by the Secretary of State and the Adjutant General. Such supplemental payments shall not be considered or included as remuneration for the purposes of R.S.43:21-19.

j. For the purposes of this section, “political party” means either of the two political parties receiving the largest and next largest number of votes in this State for members of the General Assembly at the last preceding general election held for the election of all of the members of the General Assembly.

3. There is appropriated from the General Fund to the Secretary of State such sums as are deemed necessary by the State Treasurer and the Director of the Division of Budget and Accounting in the Department of the Treasury for the purpose of reimbursing counties for the additional direct expenditures required to implement subsection i. of section 2 of this act, P.L. c. (pending before the Legislature as this bill) and for the purposes set forth in the memorandum of understanding or other written agreement executed pursuant to that subsection.
4. There is appropriated the sum of $1,700,000 from the General Fund for the purposes set forth in the memorandum of understanding or other written agreement executed between the Secretary of State and the Adjutant General concerning the activation and deployment of New Jersey National Guard troops who assisted with the 2020 primary and general elections.

5. This act shall take effect immediately.

STATEMENT

This bill temporarily revises and suspends certain requirements for district board members and polling places for the June 2021 primary election, provides reimbursement for National Guard assistance with the 2020 primary and general election, and appropriates funds. Due to continued concerns surrounding the coronavirus disease 2019 (COVID-19) pandemic, local elections officials have reported a significant decrease in the number of individuals willing to serve as members of a district board of election, otherwise referred to as poll workers, resulting in an inability to meet the statutory requirements concerning the number of poll workers necessary in each election district.

This bill:

1. permits a minimum of two poll workers at each polling place, provided that no polling place is staffed exclusively by poll workers from the same political party;

2. permits National Guard members to serve as poll workers, waives all statutory requirements for serving as a poll worker with respect to National Guard members, and requires the National Guard members to be in civilian clothing;

3. waives the requirement that poll workers be registered voters and residents of the county in which they are serving in the case of all other poll workers;

4. waives restrictions on polling place locations to permit polling places that are not public buildings to be located more than 1,000 feet from the boundary line of a district, provided the polling place is not located outside of the municipality in which the district is located and that the location is ADA compliant;

5. provides a supplemental payment for all poll workers, excluding National Guard members, of $200 for a full day and $100 for a complete half-day shift and this supplemental payment, like the base payment poll workers receive under current law, would not be considered income for the purposes of unemployment insurance;
(6) appropriates from the General Fund such sums as are necessary to reimburse the counties to implement the poll worker supplemental payments required under the bill; and
(7) appropriates $1.7 million to cover the National Guard deployment during the November 2020 primary and general elections.