

[First Reprint]

**SENATE, No. 2580**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JUNE 15, 2020

**Sponsored by:**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator PAUL A. SARLO**

**District 36 (Bergen and Passaic)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

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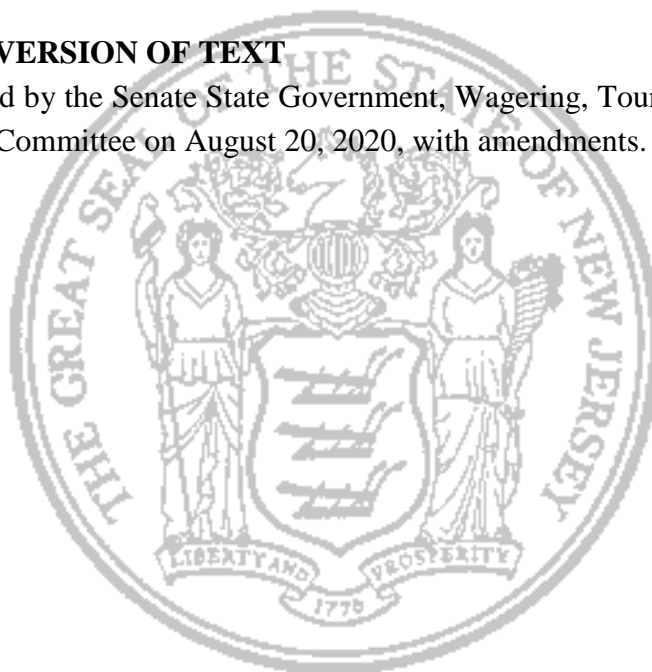
**Senators Pou, Gill and Turner**

**SYNOPSIS**

Requires county boards of election to establish ballot drop boxes in each county at least 45 days before election.

**CURRENT VERSION OF TEXT**

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on August 20, 2020, with amendments.



**(Sponsorship Updated As Of: 8/25/2020)**

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

30 b. (1) For any election, the county board of elections in each  
 31 county shall establish ballot drop boxes where voters may deposit  
 32 their voted mail-in ballots at least <sup>1</sup>**[seven]** 45<sup>1</sup> days before the  
 33 election. The ballot drop boxes shall be located throughout the  
 34 county in a manner <sup>1</sup>**[that provides the greatest convenience to**  
 35 voters. Ballot drop boxes shall include both staffed and unstaffed  
 36 locations as specified under paragraph (2) of this subsection. Each  
 37 ballot drop box and drop box location shall meet the population,  
 38 geographic, accessibility, security, and other requirements  
 39 developed by the Secretary of State in consultation with county  
 40 clerks and municipal clerks as provided under subsection c. of this  
 41 section**]<sup>1</sup> specified under paragraph (2) of this subsection<sup>1</sup>.**

42 (2) (a) <sup>1</sup>**[A** “staffed ballot drop box” shall mean a drop box that  
 43 is placed in a location that is in the view of a live person who is  
 44 employed at the location of the drop box, a municipal or county

**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:

<sup>1</sup>Senate SSG committee amendments adopted August 20, 2020.

1 employee, or a temporary worker or volunteer retained for the  
2 purpose of monitoring the drop box. Staffed ballot drop box  
3 locations may include, but may not be limited to, municipal offices,  
4 county offices, public libraries, local businesses, and offices of  
5 community-based organizations. A staffed ballot drop box shall not  
6 be required to be available for use by a voter 24 hours a day, but  
7 shall be available and staffed beginning at least seven days before  
8 the election and for the time designated for ballot drop boxes to be  
9 in effect before each election and until the time designated for the  
10 closing of the polls on election day. A ballot drop box shall mean a  
11 secured drop box that is not required to be within view of a live  
12 person for monitoring. All ballot drop boxes shall be available for  
13 use by a voter 24 hours a day and shall be placed at locations  
14 equipped with security cameras that allow for surveillance of the  
15 ballot drop box<sup>1</sup>.

16 (b) <sup>1</sup>["An "unstaffed ballot drop box" shall mean a secured drop  
17 box that is not required to be within view of a live person for  
18 monitoring. Unstaffed ballot drop boxes shall be available for use  
19 by a voter 24 hours a day. Unstaffed ballot drop boxes may be  
20 located in each municipality or Census-Designated Place (CDP)  
21 with a post office, outside of every municipal clerk's office, board  
22 of elections office, town hall, police station, firehouse, United  
23 States Postal Service retail location, on each campus of a state  
24 institution of higher education located within the county that has  
25 two thousand or more enrolled students, or any other location  
26 equipped with security cameras that allow for the surveillance of  
27 the unstaffed ballot drop box] At least one ballot drop box shall be  
28 located at each of the following locations: any county government  
29 building in which the main office of the county clerk is located; any  
30 municipal government building in which the main office of the  
31 municipal clerk is located in municipalities with populations larger  
32 than 5,000 residents; the main campus of each county community  
33 college; the main campus of each State college or university; and  
34 the main campus of each independent four-year college or  
35 university with enrollments larger than 5,000 students<sup>1</sup>.

36 (c) <sup>1</sup>["Staffed and unstaffed"] The board of elections of any  
37 county that has fewer than 10 ballot drop boxes upon establishing  
38 the drop boxes at each location required under subparagraph (b) of  
39 this paragraph shall establish additional locations for ballot drop  
40 boxes, pursuant to the provisions of subsection c. of this section, so  
41 that the county has no fewer than 10 ballot drop boxes. The  
42 additional drop boxes shall be placed at county or municipal  
43 government buildings.

44 (d) All<sup>1</sup> ballot drop box locations shall be on sites that meet the  
45 accessibility requirements applicable to polling places under  
46 R.S.19:8-2 and shall be subject to the same compliance oversight  
47 applicable to polling places under section 3 of P.L.1991, c.429

1 (C.19:8-3.3). A **‘[staffed or unstaffed]’** ballot drop box **‘[sites]**  
2 **site’** shall be considered accessible if it is in compliance with the  
3 federal “Americans with Disabilities Act of 1990”  
4 (42 U.S.C. s. 12101 et seq.).

5 c. The Secretary of State, in consultation with county clerks  
6 and municipal clerks, shall establish the rules and regulations  
7 necessary to ensure the secure and successful implementation of the  
8 mail-in ballot drop boxes required by this section. In determining  
9 the ballot drop box locations, the secretary and clerks shall  
10 consider, at a minimum, concentrations of population, geographic  
11 areas, voter convenience, proximity to public transportation,  
12 community-based locations, and security. The rules and regulations  
13 shall include, but may not be limited to, criteria for each county  
14 board of elections to:

15 (1) determine the number of **‘[staffed and unstaffed]’** ballot  
16 drop boxes required per voter population, considering both the  
17 number of registered voters and the number of registered mail-in  
18 voters in each county before each election;

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

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

24 (4) maintain the security of ballot drop boxes and of the ballots  
25 deposited therein, including standards and procedures for ballot  
26 retrieval by authorized persons only, and for ensuring the proper  
27 chain of custody and safe storage of voted mail-in ballots before  
28 each election.

29  
30 2. There is hereby appropriated from the State General Fund to  
31 the Department of State such sums as shall be necessary to  
32 reimburse counties and municipalities for the costs of implementing  
33 this act, P.L. , c. (C. ) (pending before the Legislature as this  
34 bill), subject to the approval of the Director of the Division of  
35 Budget and Accounting in the Department of the Treasury. The  
36 clerk of each county shall certify to the Department of State, in a  
37 manner prescribed by the department, the total cost incurred by the  
38 county and municipalities within the county to implement the  
39 provisions of this act.

40  
41 3. This act shall take effect immediately.