SENATE, No. 3509

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 9, 2021

Sponsored by:
Senator  SAMUEL D. THOMPSON
District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS
Requires all elections in this State to provide ability of voters to vote in person at polling place.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the ability of voters to vote in person at a designated polling place at any election in this State and supplementing chapter 1 of Title 19 of the Revised Statutes.

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

1. a. All elections conducted in this State shall preserve the ability of voters to vote in person at the voter’s designated polling place as provided under Title 19 of the Revised Statutes. No municipal, county, or State election or other official shall institute any policies or procedures to circumvent the requirement to provide for voting in person. Notwithstanding the provisions of any law, rule, regulation, or order to the contrary, the Governor of this State shall not have the power to restrict the ability of voters to vote in person without the approval of the majority vote of the Legislature.

   b. Nothing herein provided shall be interpreted to prevent voters who wish to vote by mail to apply for a mail-in ballot and cast that ballot under the provisions of “The Vote By Mail Law,” P.L.2009, c.79 (C.19:63-1 et seq.), or to prevent a municipality with a population of 500 or fewer persons, according to the latest federal decennial census, to conduct all elections by mail by an affirmative vote to do so by the governing body of the municipality and by the governing body of the county in which the municipality is located, pursuant to the provisions of P.L.2005, c.148 (C.19:62-1 et seq.).

2. This act shall take effect immediately.

STATEMENT

This bill requires all elections in this State to provide voters the ability to vote in person. Under the bill, all elections conducted in this State would be required to preserve the ability of voters to vote in person at the voter’s designated polling place. The bill prohibits any municipal, county, or State election or other official to institute any policies or procedures to circumvent the requirement to provide for voting in person. The bill also prohibits the Governor from restricting the ability of voters to vote in person without the approval of the majority vote of the Legislature. The provisions of the bill would not affect the ability of voters to vote by mail as provided by law, or the ability of certain small municipalities to institute elections by mail upon the approval of municipal and county governing bodies.