

ASSEMBLY, No. 2161

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Assemblyman GREENWALD

1 AN ACT concerning the use of emergency ballots and supplementing
2 P.L.1992, c.3 (C.19:53B-1 et al.).

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

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7 1. The superintendent of elections in counties having a
8 superintendent of elections, and the county board of elections in all
9 other counties, is hereby authorized to suspend for an election the use
10 in the county, or in the part or parts of the county wherein the election
11 is to be held, of emergency ballots as provided by P.L.1992, c.3
12 (C.19:53B-1 et al.). If the superintendent or county board, as
13 appropriate, determines that the use of such emergency ballots shall be
14 suspended for a particular election, the superintendent or board shall,
15 not later than the 46th day preceding that election, transmit notice of
16 that determination to the county clerk and, in the case of a municipal
17 election, to the municipal clerk. The officer responsible for delivering
18 election supplies to the district boards of election in connection with
19 the conduct of the election shall include, with the supplies so delivered
20 to each district board, a copy of that notice.

21 The provisions of this section shall not be construed to authorize
22 the use, at any election, of emergency or other special ballots
23 otherwise than as prescribed by Title 19 of the Revised Statutes.

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25 2. This act shall take effect on January 1 next following enactment.

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STATEMENT

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30 This bill revises the law (P.L.1992, c.3) establishing, in jurisdictions
31 in which balloting is conducted by voting machine, a procedure for the
32 use of paper "emergency ballots" whenever the machine becomes
33 inoperable.

34 Under the bill, the use of this emergency ballot procedure could be
35 suspended for any particular election at the option of the
36 superintendent of elections in counties having a superintendent of
37 elections, or the county board of elections in all other counties. The

1 superintendent or county board would be required to transmit notice
2 of its determination to suspend use of the procedure at a particular
3 election to the county clerk and, if appropriate, the municipal clerk not
4 later than the 46th day preceding the election.

5 The bill includes a provision prohibiting the legislation from being
6 construed as authorizing implementation of an emergency or other
7 special balloting procedure that does not conform to the statutorily
8 prescribed procedure.

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Makes use of emergency ballots optional in each county.