

SENATE, No. 2038

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1997

By Senator CASEY

1 **AN ACT** concerning elections and amending R.S.19:15-2, R.S.19:23-
2 40 and P.L.1953, c.211.

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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. R.S.19:15-2 is amended to read as follows:

8 19:15-2. The district boards shall open the polls for such election
9 at [seven o'clock in the morning] seven A.M. and close them at [eight
10 o'clock in the evening] nine P.M., and shall keep them open during the
11 whole day of election between these hours; except that for a school
12 election the polls shall be open between the hours of five and nine
13 P.M. and during any additional time which the school board may
14 designate between the hours of seven A.M. and nine P.M.

15 The board may allow one member thereof at a time to be absent
16 from the polling place and room for a period not exceeding one hour
17 between the hours of one o'clock and five o'clock in the afternoon or
18 for such shorter time as it shall see fit.

19 At no time from the opening of the polls to the completion of the
20 canvass shall there be less than a majority of the board present in the
21 polling room or place, except that during a school election there shall
22 always be at least one member of each district election board present
23 or if more than two district board members are designated to serve at
24 the polling place, at least two members present.

25 (cf: P.L.1996, c.3 s.4)

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27 2. R.S.19:23-40 is amended to read as follows:

28 19:23-40. The primary election for the general election shall be
29 held for all political parties upon the Tuesday next after the first
30 Monday in June between the hours of 7:00 A.M. and [8:00 P.M.] 9:00
31 P.M., Standard Time. It shall be held for all political parties in the
32 same places as hereinbefore provided for the ensuing general election.
33 (cf: P.L.1968, c.292, s.5)

34 3. Section 23 of P.L.1953, c.211 (C.19:57-23) is amended to read

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

Matter underlined thus is new matter.

1 as follows:

2 23. Any absentee voter shall be entitled to mark any absentee
3 ballot, so forwarded to him, for voting at any election by indicating his
4 choice of candidates for the offices named, and as to public questions,
5 if any, stated thereon, in accordance with the election laws of this
6 State, except that in such ballots to be voted in any primary election
7 for the general election his choice shall be limited to the candidates of
8 his political party or to any person or persons whose names are written
9 thereon by him. When so marked, such ballot shall be placed in said
10 inner envelope, which shall then be sealed, and the voter shall then fill
11 in the form of certificate attached to said inner envelope, at the end
12 of which he shall sign and print his name in his own handwriting. The
13 inner envelope with the certificate shall then be placed in said outer
14 envelope, which shall then be sealed.

15 No absentee voter shall permit any person in any way, except as
16 provided hereafter, to unseal, mark or inspect his ballot, interfere with
17 the secrecy of his absentee ballot vote, complete or sign the certificate,
18 or seal the inner or outer envelope, nor shall any person do so.

19 An absentee voter shall be entitled to assistance from a family
20 member in performing any of the actions above. An incapacitated
21 absentee voter shall also be entitled to assistance from a person other
22 than a family member in performing any of such actions. The family
23 member or other person providing such assistance shall certify that he
24 did assist the voter and will maintain the secrecy of the vote by both
25 printing and signing his name in the space provided on the certificate.
26 In no event may a candidate for election provide such assistance, nor
27 may any person, at the time of providing such assistance, campaign or
28 electioneer on behalf of any candidate.

29 Said sealed outer envelope with the inner envelope and the ballot
30 enclosed therein shall then either be mailed with sufficient postage to
31 the county board of elections to which it is addressed or delivered
32 personally by the voter or a bearer designated by him to such board
33 or its designee. Such ballot must be received by such board or its
34 designee before [8 p.m.] the time designated by R.S.19:15-2 and
R.S.19:23-40 for the closing of the polls on the day of an election.

36 At the time any person delivers a ballot to the county board, he
37 shall sign a record which the county shall maintain of all absentee
38 ballots personally delivered to it.

39 (cf: P.L.1981, c.390, s.8)

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41 4. This act shall take effect on January 1 following enactment.

1 STATEMENT

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3 The purpose of this bill is to extend the hours that polling places are
4 open on the day of primary and general elections from 8:00 P.M., as
5 provided for in current law, to 9:00 P.M.

6 Extending the polling hours to 9:00 P.M. on those days would
7 make the closing time for the primary and general elections the same
8 as the closing time established in current law for school elections.

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13 Extends hours that polling places are open for primary and general
14 elections by changing closing from 8:00 P.M. to 9:00 P.M.