

P.L. 2021, CHAPTER 102, *approved June 3, 2021*
Assembly, No. 5842

1 **AN ACT** concerning the conduct of the 2020 primary and general
2 elections and the 2021 primary election, and making an
3 appropriation.

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

7
8 1. The Legislature finds and declares that due to continued
9 concerns surrounding the coronavirus disease 2019 (COVID-19)
10 pandemic, local elections officials have reported a significant
11 decrease in the number of individuals willing to serve as members
12 of a district board of election, otherwise referred to as poll workers,
13 resulting in an inability to meet the statutory requirements
14 concerning the number of poll workers necessary in each election
15 district. It is therefore necessary to waive certain eligibility
16 requirements for district boards of election in order to ensure the
17 security and continuity of the June 8, 2021 primary election
18 scheduled to occur in June of 2021.

19
20 2. For the primary election to be held on June 8, 2021, the
21 Tuesday next after the first Monday in June of 2021, the following
22 shall apply:

23 a. The provisions in R.S.19:6-1 requiring that the district
24 boards in each election district consist of four members, and in
25 certain circumstances six members, is suspended. No less than two
26 district board members shall be assigned to each polling place open
27 on the day of the primary election.

28 b. Paragraph (1) of subsection a. of R.S.19:6-3 is suspended,
29 except that in no case shall the members of a district board serving
30 at any one polling place be comprised solely of members of one
31 political party.

32 c. The provisions of R.S.19:6-2 shall be inapplicable to any
33 member of the New Jersey National Guard activated to serve as a
34 member of a district board. Any member of the New Jersey
35 National Guard activated to serve as a member of a district board
36 shall not be in uniform and shall be in civilian clothing.

37 d. The provisions of R.S.19:6-2 requiring that a member of a
38 district board be a resident of the county in which that member will
39 serve as such shall be suspended.

40 e. Notwithstanding the provisions of R.S.19:6-2 to the
41 contrary, a United States citizen who is not a registered voter but
42 who is otherwise qualified to serve as a district board member may
43 do so. That person shall be treated as a person who is unaffiliated

1 with any political party for the purposes of chapter 6 of Title 19 of
2 the Revised Statutes.

3 f. The provisions of R.S.19:8-3 requiring a county board to
4 demonstrate inconvenience to the voters in order to locate a polling
5 place in a building other than a schoolhouse or public building shall
6 be suspended.

7 g. The provisions of R.S.19:8-2 prohibiting a polling place
8 other than a schoolhouse or public building from being located
9 more than 1,000 feet distant from the boundary line of a district and
10 the requirement that the Secretary of State approve the selection of
11 a polling place more than 1,000 feet distant from the boundary line
12 of the district if there is no suitable polling place accessible to
13 individuals with disabilities and the elderly within the district or
14 1,000 feet distant from the boundary line of the district shall be
15 suspended. This subsection shall not be construed to permit, for
16 any election district, the selection of a polling place outside of the
17 municipality in which the district is located.

18 h. A county board shall not be limited to utilizing only the
19 polling places reported to the Secretary of State pursuant to section
20 4 of P.L.1991, c.429 (C.19:8-3.4). This subsection shall not be
21 construed to modify any requirements concerning the accessibility
22 of a polling place in conformity with the federal "Americans with
23 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.).

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

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

41
42 3. There is appropriated from the General Fund to the Secretary
43 of State such sums as are deemed necessary by the State Treasurer
44 and the Director of the Division of Budget and Accounting in the
45 Department of the Treasury for the purpose of reimbursing counties
46 for the additional direct expenditures required to implement
47 subsection i. of section 2 of this act, P.L. , c. (pending before

1 the Legislature as this bill) and for the purposes set forth in the
2 memorandum of understanding or other written agreement executed
3 pursuant to that subsection.

4
5 4. There is appropriated the sum of \$1,700,000 from the
6 General Fund for the purposes set forth in the memorandum of
7 understanding or other written agreement executed between the
8 Secretary of State and the Adjutant General concerning the
9 activation and deployment of New Jersey National Guard troops
10 who assisted with the 2020 primary and general elections.

11
12 5. This act shall take effect immediately.

13
14
15 STATEMENT

16
17 This bill temporarily revises and suspends certain requirements
18 for district board members and polling places for the June 2021
19 primary election, provides reimbursement for National Guard
20 assistance with the 2020 primary and general election, and
21 appropriates funds.

22 Due to continued concerns surrounding the coronavirus disease
23 2019 (COVID-19) pandemic, local elections officials have reported
24 a significant decrease in the number of individuals willing to serve
25 as members of a district board of election, otherwise referred to as
26 poll workers, resulting in an inability to meet the statutory
27 requirements concerning the number of poll workers necessary in
28 each election district.

29 This bill:

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

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

37 (3) waives the requirement that poll workers be registered voters
38 and residents of the county in which they are serving in the case of
39 all other poll workers;

40 (4) waives restrictions on polling place locations to permit
41 polling places that are not public buildings to be located more than
42 1,000 feet from the boundary line of a district, provided the polling
43 place is not located outside of the municipality in which the district
44 is located and that the location is ADA compliant;

45 (5) provides a supplemental payment for all poll workers,
46 excluding National Guard members, of \$200 for a full day and \$100
47 for a complete half-day shift and this supplemental payment, like

1 the base payment poll workers receive under current law, would not
2 be considered income for the purposes of unemployment insurance;

3 (6) appropriates from the General Fund such sums as are
4 necessary to reimburse the counties to implement the poll worker
5 supplemental payments required under the bill; and

6 (7) appropriates \$1.7 million to cover the National Guard
7 deployment during the November 2020 primary and general
8 elections.

9

10

11

12

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